

CHAPTER 9

RESPONSE TO COMMENTS

The Response to Comments chapter of the EIR presents responses to comment letters that were received on the Draft EIR for the Nipomo Community Park Master Plan (NCPMP). These comment letters were received from multiple entities including federal, state, and local agencies, non-agency organizations, and the general public. In accordance with CEQA Guidelines Section 15132(d), this Final EIR presents the County of San Luis Obispo's response to comments submitted during the Draft EIR review and consultation process.

The letters of comment are in chronological order with the responses following the individual letters. Letters of comment are reproduced in total, and numerical annotation has been added as appropriate to delineate and reference the responses to those comments.

9.1 AGENCY COMMENT LETTERS AND RESPONSES

The following agencies have submitted comments on the Draft EIR.

Respondent	Code	Contact Information	Page
State of California Office of Planning and Research State Clearinghouse and Planning Unit Letter dated: May 1, 2012	SCH	1400 10th Street Sacramento, CA 95812 www.ceqanet.ca.gov	9-2
San Luis Obispo County Department of Public Works Letter dated: March 7, 2012	PW	County Government Center, Room 207 San Luis Obispo CA 93408 <i>Contact: Glenn Marshall, Development Services Engineer</i>	9-5
San Luis Obispo County Air Pollution Control District Letter dated: April 30, 2012	APCD	3433 Roberto Court San Luis Obispo, CA 93401 <i>Contact: Gary Arcemont, Air Quality Specialist</i>	9-9
Nipomo Community Services District Letter dated: May 1, 2012	NCSD	148 South Wilson Street Post Office Box 326 Nipomo, CA 93444-0326 <i>Contact: Michael S. LeBrun, General Manager</i>	9-12



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

May 1, 2012

Steve McMasters
San Luis Obispo County
County Government Center
976 Osos Street, Rm 300
San Luis Obispo, CA 93408-2040

Subject: Nipomo Community Park Master Plan Program EIR
SCH#: 2009111067

Dear Steve McMasters:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on April 30, 2012, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

SCH-1

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2009111067
Project Title Nipomo Community Park Master Plan Program EIR
Lead Agency San Luis Obispo County

Type EIR Draft EIR
Description Note: Extended Review

The proposed project consists of two connected park areas, Nipomo Community Park (137 acres), including the Nipomo Native Garden, and Mesa Meadows (22 acres), within the Recreation and Residential Suburban land use categories. The project site is located northwest of the Pomeroy Road / Tefft Street intersection, approximately one mile west of Hwy 101, in the community of Nipomo.

Lead Agency Contact

Name	Steve McMasters		
Agency	San Luis Obispo County		
Phone	805-781-5096	Fax	
email			
Address	County Government Center 976 Osos Street, Rm 300		
City	San Luis Obispo	State CA	Zip 93408-2040

Project Location

County	San Luis Obispo
City	Nipomo
Region	
Lat / Long	35° 1' 53.76" N / 120° 30' 10.08" W
Cross Streets	Pomeroy Road and Tefft Street, Osage Street and Tejas Street
Parcel No.	091-313-047, -048, -049, and -050; 09
Township	
Range	
Section	
Base	

Proximity to:

Highways	Hwy 101
Airports	
Railways	
Waterways	
Schools	Lucia Mar USD
Land Use	Recreation/Residential Suburban

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Noise; Public Services; Recreation/Parks; Septic System; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wildlife; Landuse

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission

Date Received	02/27/2012	Start of Review	02/28/2012	End of Review	04/30/2012
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Note: Blanks in data fields result from insufficient information provided by lead agency.

9.1.1 Response to State Clearinghouse Online Announcement of Filing

Comment No.	Response
SCH-1	Standard response letter noting filing. No changes to the EIR are necessary.



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Paavo Ogren, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.slo.ca.us

MEMORANDUM

Date: March 7, 2012
To: Steve McMasters, Project Manager
From: Glenn Marshall, Development Services Engineer *GM*

Subject: Public Works Comments on the Nipomo Community Park Master Plan Draft Environmental Impact Report (DEIR)

Thank you for the opportunity to review the subject report. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

PW-1

County Public Works is responsible for reviewing public improvements including streets and utilities, as well as drainage and flood hazard, under the provisions of the Real Property Division Ordinance and the Land Use Ordinance. We are also responsible for reviewing encroachments within the public right-of-way under County Municipal Codes (Title 13) and the Streets and Highway Code. The Nipomo Community Park Master Plan DEIR appears to adequately identify anticipated build-out impacts and their associated mitigations with respect to traffic and circulation, drainage and flood hazard.

General Comments:

1. Throughout the document where "County" is identified for implementing a specific mitigation then provide clarification as to which Department within the "County" has that responsibility. (For example, mitigation TR/mm-1 requires "County" to coordinate with RTA, replace "County" with either "County Parks" or "County General Services").
2. It is anticipated that County Parks will initiate early coordination of all future master plan development permits with County Public Works to ensure the appropriate traffic and drainage mitigations are in place prior to the specific facility opening to the public.
3. The EIR for the Nipomo Park Master Plan does not identify the drainage facilities that were constructed in the Native Gardens area that receives drainage from the east side of Pomeroy Road and the adjacent subdivision. Future park improvements must not negatively impact historic drainage patterns or basin capacity without the appropriate mitigation as approved by Public Works.

PW-2

PW-3

PW-4

4. Circulation mitigations should include the widening Osage Street fronting the Park land to minimum County road standard. This is needed as the project proposes improvements to the Nipomo Native Garden including a parking lot, interpretive center and amphitheater. These improvements and the proposed path (trail) may impact removal of existing oak trees along Osage Street.
5. The plan indicates adding a midblock crosswalk on Camino Caballo between Osage Street and Pomeroy Road. The midblock location does not have appropriate sight distance given traffic speeds in that area. Public Works will not issue an encroachment permit for that improvement and recommend the trail crossing be relocated to the intersection of Camino Caballo and Osage Street. We already have a raised intersection feature at this intersection for slowing traffic.
6. At the proposed entrance location on Pomeroy shows realignment to Juniper Street. This may be problematic as the vertical curve south of the new entrance may not allow this intersection to meet County sight distance requirements. Moreover, the DEIR indicates the *possible* requirement for a Traffic Signal. Signal warrants must be addressed as part of the project mitigation and, from a pedestrian crossing consideration and not from a capacity point of view; we believe that it would be necessary.

PW-5

PW-6

PW-7

Mitigation Comments:

PW-8

No.	Mitigation No.	Comments/Recommendations
7.	BR/mm-2	see General Comment No. 1, above
8.	BR/mm-4a	see General Comment No. 1, above
9.	BR/mm-5	see General Comment No. 1, above
10.	BR/mm-5a	see General Comment No. 1, above
11.	BR/mm-5b5	see General Comment No. 1, above
12.	BR/mm-6	see General Comment No. 1, above
13.	BR/mm-7	see General Comment No. 1, above
14.	BR/mm-9a	see General Comment No. 1, above
15.	BR/mm-10	see General Comment No. 1, above
16.	TR/mm-1	replace "County" with "County Parks"
17.	TR/mm-2	replace "County" with "County Parks"
18.	TR/mm-2a	replace "County" with "County Parks"
19.	TR/mm-2b	replace "in-lieu fees" with "South County Road Improvement Fee Area 1". Payment will be in accordance with Title 13.01 of the County Code.
20.	WAT/mm-2	see General Comment No. 1, above
21.	WAT/mm-3	see General Comment No. 1, above
22.	WAT/mm-4	see General Comment No. 1, above
23.	WAT/mm-5	see General Comment No. 1, above
24.	WAT/mm-6	see General Comment No. 1, above

Specific Comments:

No.	Page	Comments/Recommendations
25.	4.1-21	Drainage basins designed to have a water depth greater than 2-feet with side slopes greater than 5:1 will require fencing per County Standards. The LUO specifies retention (not detention) basins on the Nipomo Mesa.
26.	4.5-8	

PW-9

PW-10

Please contact me at 781-1596 or at the above address if we can be of further assistance.

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9.1.2 Response to Letter from San Luis Obispo County Department of Public Works

Comment No.	Response
PW-1	Comment noted. No changes to the EIR are necessary.
PW-2	The EIR has been clarified to identify that the County General Services Agency is responsible for implementation of identified mitigation measures. Please refer to clarified mitigation measures: TR/mm-1 and -2; GSD/mm-3; BR/mm-2, -5, -6, -7, -9, and -10; and WAT/mm-1 through -6. This clarification does not affect the impact determinations identified in the EIR.
PW-3	County Public Works is correct; The County General Services Agency will initiate early coordination with County Public Works, and no changes to the EIR are necessary.
PW-4	Please refer to EIR Section 4.5.1.1 (Geology, Soils, and Drainage, Geologic Setting, Drainage), which identifies a small-unlined infiltration basin within the Nipomo Native Garden Area. This basin is located to the north of an existing trail, which would be improved as part of the NCPMP. As noted in EIR Section 4.5.5.4 of the EIR (Geology, Soils, and Drainage, Rates of Soil Absorption, or Amount or Direction of Surface Runoff), and as required by mitigation measures GSD/mm-3 and WAT/mm-3, the project would not result in adverse impacts to historic drainage patterns or basin capacity, and County Public Works would review proposed drainage improvements prior to construction.
PW-5	As noted in EIR Section 2.3.3.1 of the EIR (Project Description, Access), implementation of the project will include widening of Osage Street and installation of a multi-use path. These improvements would result in the removal of oak trees and oak woodland habitat, which is addressed in EIR Section 4.3.6.2 of the EIR (Biological Resources, Native or Other Important Vegetation). No changes to the EIR are necessary.
PW-6	The proposed modification to the NCPMP can be accommodated to address County Public Works' concerns regarding the crosswalk as proposed the Draft EIR. The existing raised crosswalk and entrance to the Nipomo Native Garden would remain in place. This change to the Master Plan does not affect the impact determinations identified in the EIR.
PW-7	Please refer to EIR Section 2.3.3.1 of the EIR (Project Description, Access), which identifies installation of a traffic signal at the re-aligned Pomeroy Road/Juniper Street intersection as a part of the proposed NCPMP. No changes to the EIR are necessary.
PW-8	These recommendations have been incorporated into the EIR where appropriate, and as indicated in response to comment PW-2 above.
PW-9	EIR Figure 4.1-4, Conceptual Grading Plan for the Multi-Use Sports Fields and Stormwater Basins, is a conceptual plan intended to aid understanding and visualization of proposed improvements. All structures and stormwater management features would be constructed and maintained consistent with County Public Works standards and State Codes. As noted in EIR Section 4.1.5.2, Stormwater of the EIR (Aesthetic Resources, Effect on Visual Character and Quality, Visual Compatibility), fencing may be required around the proposed basins (also see representative photograph in Figure 4.1-16, Examples of Different Types of Stormwater Basins). This clarification does not change the impact determinations identified in the EIR.
PW-10	The EIR has been clarified to specify that the existing and proposed stormwater basins would be "retention" basins (refer to Section 4-1 Aesthetic Resources, Section 4-5 Geology, Soils, and Drainage, and Section 4-12 Water Resources, and mitigation measure WAT/mm-3). This clarification does not change the impact determinations identified in the EIR.



Air Pollution Control District
San Luis Obispo County

April 30, 2012

Steve McMasters
San Luis Obispo County
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93401

SUBJECT: APCD Comments Regarding the Draft Environmental Impact Report (DEIR)
for the Nipomo Community Park Master Plan (NCPMP)

Dear Mr. McMasters,

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 DEIR for the proposed project located in the unincorporated community of Nipomo, northwest of the Pomeroy Road and Tefft Street intersection, approximately one mile west of Highway 101. San Luis Obispo County Parks proposes to implement the Nipomo Community Park Master Plan which would result in the phased construction of the recreation facilities and related infrastructure over a 20-year timeframe. The proposed project consists of connected park and open space areas, approximately 159 acres in size, called Nipomo Community Park (NCP), which includes the Nipomo Native Garden and roughly 22 acres known as the Mesa Meadows Open Space.

APCD staff would like to commend the project proponents for this project's promotion of land use development that provides an air quality benefit, such as the paved and unpaved trails. When people can walk or ride bicycles to nearby stores, parks and work, traffic is reduced. This is consistent with several of the District's land use goals and policies in the Clean Air Plan.

The following are APCD comments that are pertinent to this project.

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter, with special attention to items that are highlighted by bold and underlined text.**

APCD-1

APCD-2

DEIR for the Nipomo Community Park Master Plan
April 30, 2012
Page 2 of 2

Mitigation Measures

Table 4.2-8 indicates ROG + NOx for Operational & Area Source is slightly greater than 35 lbs per day (35.25 lbs/day). Table 4.2-5 indicates 18 mitigation measures are recommended for combined ROG+NOx emissions of 35 to 50 lbs/day. A description of the selected measures should be included in the EIR.

APCD-3

Developmental Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.**

APCD-4

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

APCD-5

Sincerely,



Gary Arcemont
Air Quality Specialist

GJA/arr

cc: Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD

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

Comment No.	Response
APCD-1	Comment noted. No changes to the EIR are necessary.
APCD-2	Comment noted; please refer to responses below.
APCD-3	Please refer to AQ/mm-2, which includes 21 measures that would mitigate the potentially significant impact related to operational ROG and NO _x emissions. The intention of the list is to provide options for various proposed uses (i.e. energy efficiency, use of transit, clean engine technologies) as the NCPMP is implemented. In addition to these 21 measures, the project as proposed incorporates eight measures that would address this impact. No changes to the EIR are necessary.
APCD-4	Comment noted; the County General Services Agency intends to comply with APCD rules. No changes to the EIR are necessary.
APCD-5	Comment noted. No changes to the EIR are necessary.

NIPOMO COMMUNITY

BOARD MEMBERS

JAMES HARRISON, PRESIDENT
LARRY VIERHEILIG, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
ED EBY, DIRECTOR
DAN A. GADDIS, DIRECTOR



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SERVICES DISTRICT

STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT GENERAL MANAGER
PETER SEVCIK, P.E., DISTRICT ENGINEER
TINA GRIETENS, UTILITY SUPERINTENDENT
JON SEITZ, GENERAL COUNSEL

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

May 1, 2012

San Luis Obispo County Parks
1087 Santa Rosa Street
San Luis Obispo, CA 93408
Attention: Shaun Cooper

Via email to secooper@co.slo.ca.us

Dear Mr. Cooper:

**Re: NIPOMO COMMUNITY SERVICES DISTRICT COMMENTS TO PROGRAM
ENVIRONMENTAL IMPACT REPORT NIPOMO COMMUNITY PARK MASTER PLAN, LEAD
AGENCY: SAN LUIS OBISPO COUNTY (COUNTY PARKS).**

Please accept this letter as providing comments of the Nipomo Community Services District ("District") to the Program Environmental Impact Report (PEIR) associated with the development of the Nipomo Community Park (Park) Master Plan. This letter was authorized by the District Board of Directors at its regular meeting of April 25, 2012.

By way of background, the Nipomo Community Services District is a California Community Service District organized pursuant to Government Code Sections 61000 et seq. The District formed in 1965 and currently provides primarily water, wastewater, and solid waste disposal services to approximately 12,000 residents of the Nipomo area.

The District boundary lies within the Nipomo Mesa Water Conservation Area (NMWCA) established by the County Board of Supervisors on May 23, 2006 (see Exhibit "A"). On June 26, 2007, the County certified a Severity Level III for water resources within the Nipomo Mesa Water Conservation Area. The County's Resource Management System indicates that a "Level of Severity III exists when water demand equals the available resource; the amount of consumption has reached the dependable supply of the resource. A Level III may also exist if the time required to correct the problem is longer than the time available before the dependable supply is reached."

Further, the Nipomo Mesa Management Area Technical Group commencing with the first annual report (2009) has designated the groundwater basin under lying Nipomo Mesa Management Area (similar boundaries to the NMWCA) as a "potentially severe water shortage condition". A depiction of the Key Wells Index through Spring 2011 is attached as Exhibit "B".

The Nipomo Community Park is located within the boundaries the NMWCA and the District. The District currently provides the Park with potable water for irrigation purposes and amenities. Although available to the Park, the District does not currently provide wastewater treatment for Park facilities.

NCSD-1

NCSD-2

**Nipomo Community Park
Master Plan PEIR**

May 1, 2012

The District is implementing two key resource enhancement projects that directly impact the proposed development of the Nipomo Community Park as follows:

NCSD-3

1. The District is implementing a Wastewater Project that involves the installation of improved treatment facilities (Biolac) to upgrade the wastewater treatment capabilities of the existing Southland Wastewater Treatment Facility, located immediately west of US 101 in the southern portion of the County. The Southland Wastewater Treatment Facility provides wastewater treatment to areas within the Nipomo Community Services District that are immediately adjacent to the Nipomo Community Park. The Biolac system is the same (or substantially the same) wastewater treatment process that is being implemented by the County as part of the Los Osos Wastewater Treatment Project. The District is keenly interested in the recycled water component of the Los Osos Wastewater Project and the application of recycled water to irrigate golf courses, school district fields, and public parks.
2. The District is also implementing the construction of a waterline from the City of Santa Maria to the Nipomo Community Services District to provide Supplemental Water to various water companies located within the NMWCA. As you are likely aware, the County, as a property owner, is participating in the Assessment District to finance certain capital facilities related to this project. The Supplemental Water Project will assist in remedying the water deficiencies/constraints within the NMWCA as certified by the County (Level of Severity Level III).

NCSD-4

The proposed improvements and additional facilities addressed in the PEIR will clearly improve a valuable community asset. From a resource constraint analysis, the project has the potential to demonstrate:

NCSD-5

1. The value of a well designed and maintained irrigation system.
2. The value of recycled water for approved irrigation uses.
3. A model of cooperation between the County and a Community Services District to improve community assets while addressing resource constraints.

The District supports the project and looks forward to working with the County to advance the project while addressing resource constraints as part and parcel of the Project Mitigation and Monitoring Program. The following are the District's specific comments to the PEIR's Wastewater Treatment and Water Use Analysis.

WASTEWATER TREATMENT

The District's new treatment process (Biolac) is superior to the use of septic tanks to treat wastewater influent generated by Park facilities. Further, the use of treated effluent (recycled water) to irrigate provides an optimal model for maximizing water resources through re-use.

The connection of Park facilities to a community sewage treatment and collection system is consistent with Title 19 (19.07.022) of the County's Building Codes.

NCSD-6

**Nipomo Community Park
Master Plan PEIR**

May 1, 2012

The District therefore strongly believes that the following Mitigation measure should be included in the wastewater portion of the PEIR.

**NCSD-6
(continued)**

"All Park facilities capable of generating wastewater shall be connected to The Nipomo Community Services District Wastewater System."

WATER USE

In order to provide the public and other affected agencies with an accurate description of Park water demand (current and as proposed), the District suggests the following:

NCSD-7

1. Modify Table 2-2 to include two additional columns. One column for existing water use for each facility and another column for proposed water use with conservation for each facility.
2. Update Section 4.12 to include:
 - a) Calendar 2009, 2010 and 2011 NMMA Annual Reports; and
 - b) The 2011 Update of the County's Master Water Plan.
3. Update Table 4.12-1 to include fiscal years 2009, 2010 and 2011. This will assist in establishing the base line for Park water use.

NCSD-8

NCSD-9

NCSD-10

The District reports the following inaccuracies in the PEIR related to water use:

- 4.12-2 Correction: Rural Water Company is one of the many signatories to the Stipulation, but they are not represented on the NMMA Technical Group other than as a Stipulating Party.
- 4.12-2 Correction: The paragraph beginning, "The NCSD serves approximately 12,000 people over ..." is dated. The service area for water is no longer two systems; Blacklake Village has been incorporated into a single distribution system by the NCSD.
- 4.12-4 The NCSD conservation effort are focused on addressing LOS III for water and the pumping depressions near the ocean, the District's conservation goal is to reduce demand on the groundwater basin in our region by continued reduction in long-term per capita use. The District implemented a 4- tier residential 'water conservation' rate on November 1, 2011. And has implemented a number of other CUWCC approved BMPs in recent years.
- 4.12-4 Correction: In the last paragraph on the page, the list of watercourses in proximity to the proposed project, consider omit Pismo Creek, Arroyo Grande Creek, Lopez Creek, and Tar Springs Creek since these water bodies are not in the immediate area.

NCSD-11

NCSD-12

NCSD-13

NCSD-14

The project should maximize:

1. The use of water efficient irrigation systems.
2. The use of recycled water to irrigate where appropriate.

NCSD-15

**Nipomo Community Park
Master Plan PEIR**

May 1, 2012

The District strongly recommends the following Mitigation measures:

1. All existing and future irrigation systems shall be designed and constructed to use recycled water with stub-outs for recycled water located at points designated by the District.
2. Provided that the District can provide recycled water to the Park that meets Title 22 requirements for Park irrigation at costs equal or less than existing water rates, the Park shall use recycled water for irrigation purposes.

NCSD-16

NCSD-17

Specifically, the District recommends the following changes to WAT/MM-4 and MM-5 (shown in redline):

WAT Impact 4—Implementation of the project would create additional demand for water services from the NCSD.

NCSD-18

WAT/mm-4—Prior to expansion or addition of integrated turf and landscaped areas, the County shall conduct a water survey of the existing irrigated turf and landscaped areas in consultation with the NCSD, that shall include, but not be limited to, the following:

- A. Quantify irrigated areas based on vegetation type, (i.e. turf ornamental landscaping, trees).
- B. Inspect and inventory the irrigation system, including timers, distribution lines, storage, and other infrastructure, and document needed maintenance and repairs.
- C. Develop irrigation schedule by month, based on precipitation rate and local climate.
- D. Document irrigation system performance and landscape conditions.
- E. Review irrigation schedule.
- F. Summarize water survey evaluation results and identify water savings recommendations, which shall achieve a minimum 50% ~~40%~~ reduction in current water use.

WAT/mm-5—Prior to expansion or addition of irrigated turf and landscaped areas, the County shall demonstrate compliance with the water survey evaluation water savings recommendations, and shall submit documentation to the NCSD for verification. Water savings recommendations shall be applied to existing and additional irrigated turf and landscaped areas, which shall and may include, but not limited to the following:

NCSD-19

- A. Computerized irrigation controller that can estimate cumulative evapo-transpiration losses to establish the most efficient and effective watering regimes.
- B. Avoidance of close mowing, overwatering, excessive fertilization, soil compaction, and accumulation of thatch.
- C. Programming watering times for longer and less frequently rather than shorter periods and more frequently.

**Nipomo Community Park
Master Plan PEIR**

May 1, 2012

D. Installation of tension meters at different depths to measure moisture status, which will allow for better estimates on irrigation needs.

E. Linking irrigation of the Park to the California Irrigation Management Information System (CIMIS) station located at the Woodlands golf course to maximize irrigation efficiency.

F. Implement and maintain the most efficient and effective water regime for Park irrigation consistent with California Urban Water Conservation Council best management practices.

G.F. Incorporation of recycled water from the Southland WWTF.

**NCSD-19
(continued)**

We are encouraged by the County's forward looking plan for the Nipomo Community Park. We see many opportunities for working together with the County to achieve a great enhancement to an already valuable community asset. Public open space, play fields and facilities, when correctly planned and built serve as a great example of water use efficiency and management.

Thank you for the opportunity to comment on this project.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Michael S. LeBrun
General Manager

Enclosure(s):

Exhibits: A – Depiction of Nipomo Mesa Water Conservation Area
B – Key Wells Index/Spring 2011

NCSD-20

NCSD-21

5/1/12 PEIR COMMENTS

EX A

0000.3090

EXHIBIT "C"

EXHIBIT LRP2005-00006:A

ORDINANCE NO. 3090

AN ORDINANCE AMENDING TITLE 22 OF THE
SAN LUIS OBISPO COUNTY CODE, THE LAND USE ORDINANCE
SECTION 22.112.020 RELATING TO THE
NIPOMO MESA WATER CONSERVATION AREA

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1. Section 22.112.020 of the Land Use Ordinance, Title 22 of the San Luis Obispo County Code, is hereby amended by adding new subsection E to read as follows and renumbering all figures as necessary:

22.112.020 – Areawide Standards

- E. Nipomo Mesa Water Conservation Area. The following standards apply to all land in the Nipomo Mesa Water Conservation Area shown in Figure 112-4,

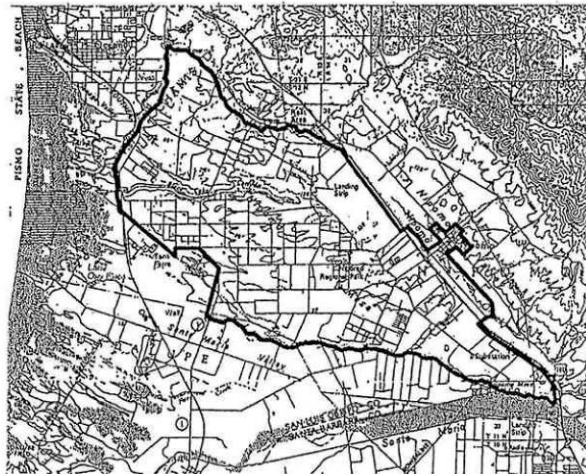


Figure 112-4 - Nipomo Mesa Water Conservation Area

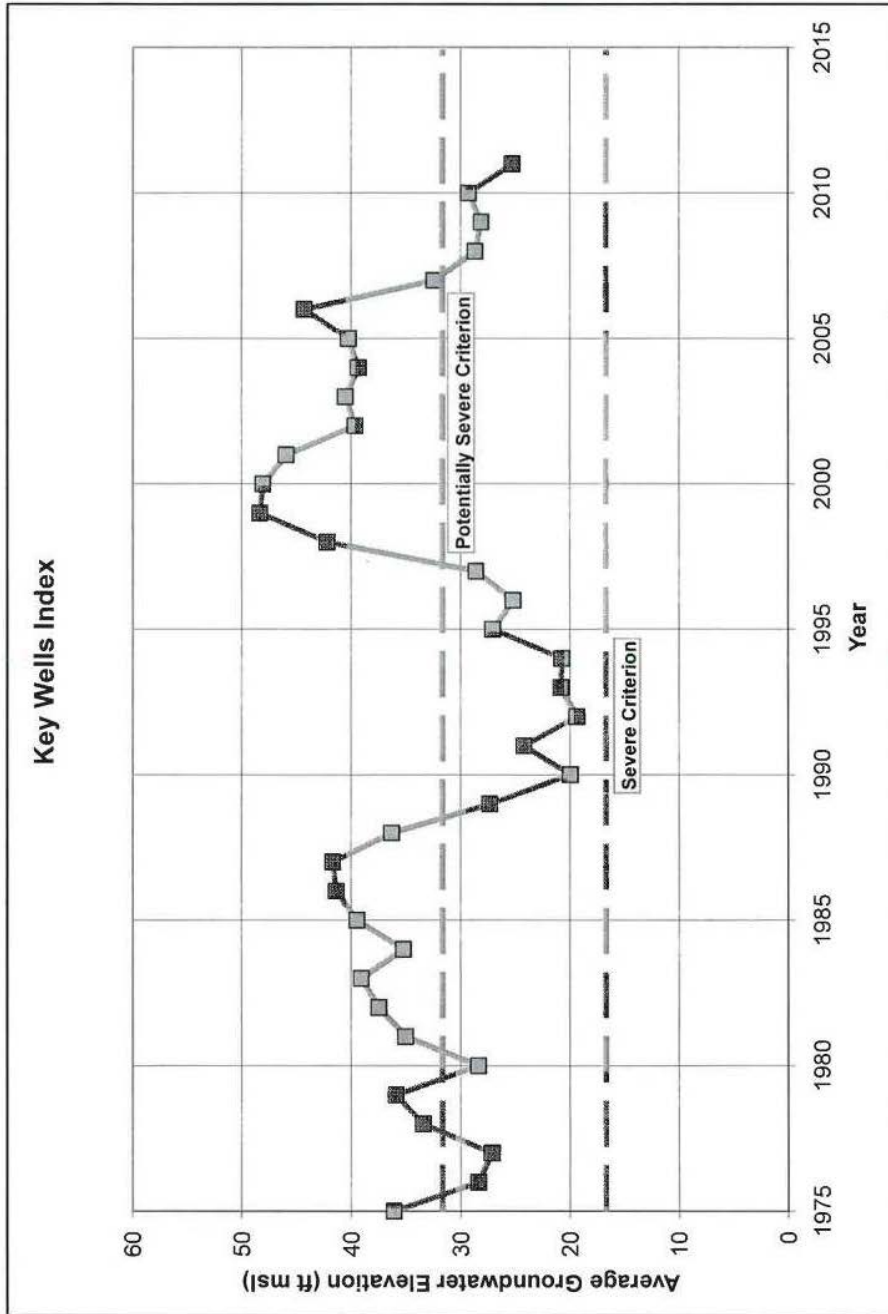
1. General Plan Amendments and land divisions. Applications for general plan amendments and land divisions in the Nipomo Mesa Water Conservation Area shall include documentation regarding estimated existing and proposed non-agricultural water demand for the land division or development that could occur with the General Plan Amendment. If this documentation indicates that the proposed non-agricultural water demand exceeds

-1-

Exhibit A
San Luis Obispo Ordinance 3090

5/1/12 P&M comments
Ex. B.

NCSD-22



REPORT.: 05/01/12
 RUN....: 05/01/12 TIME: 13:43
 Run By.: Kathy

Nipomo CSD
 Transaction History Print
 Customer PAR0004

PAGE: 001
 ID #: MOCM
 CTL.: NIP

NCSD-23

Customer Id.: PAR0004
 Location Id.: 0050236
 Rte/Service.: 005/4820
 Serv. Addr.: 136 POMEROY RD
 Serv. Addr.: PARK
 City/St/Zip.: NIPOMO, CA. 93444

Name.....: SLO COUNTY REGIONAL PARK,
 Status.....: Owner, Active Customer
 Mailing Addr.: DEPT OF GENERAL SERVICES
 Mailing Addr.: 1087 SANTA ROSA ST
 Mailing Addr.:
 City/St/Zip.: SAN LUIS OBISPO, CA. 93408

Last Billed.: 03/08/12
 Last Service.: 02/29/12
 Current Due.: 0.00
 Late Due.....: 0.00
 Total Due.....: 0.00

Date	Water Serv	Water Use	Payment	Billed
03/10/07	200.60	2924.94		
03/21/07			-3125.54	3125.54
05/10/07	200.60	6813.84		
05/21/07			-7014.44	7014.44
07/10/07	200.60	10408.68		
07/19/07			-10609.28	10609.28
09/09/07	200.60	9662.22		
09/17/07			-9862.82	9862.82
11/09/07	200.60	8677.38		
11/20/07			-8877.98	8877.98
01/10/08	200.60	7739.52		
01/18/08			-7940.12	7940.12
03/10/08	217.87	928.26		
03/19/08			-1146.13	1146.13
05/10/08	217.87	8425.01		
05/20/08			-8642.88	8642.88
07/10/08	217.87	11032.16		
07/22/08			-11250.03	11250.03
09/10/08	217.87	11811.44		
09/23/08			-12029.31	12029.31
11/10/08	217.87	194.82		
11/25/08			-412.69	412.69
01/10/09	217.87			
01/23/09			-217.87	217.87
03/10/09	233.07	6235.62		
03/17/09			-6468.69	6468.69
05/10/09	233.07	9162.88		
05/22/09			-9395.95	9395.95
07/10/09	233.07	11830.58		
07/17/09			-12063.65	12063.65
09/09/09	233.07	10794.40		
09/25/09			-11027.47	11027.47
11/09/09	233.07	8398.62		
11/17/09			-8631.69	8631.69
01/10/10	233.07	5982.24		
01/20/10			-6215.31	6215.31
03/10/10	233.07	1322.52		
03/23/10			-1555.59	1555.59
05/10/10	233.07	4698.86		
05/18/10			-4931.93	4931.93
07/10/10	233.07	9719.08		
07/16/10			-9952.15	9952.15
09/09/10	233.07	12131.34		
09/21/10			-12364.41	12364.41
11/09/10	233.07	8001.04		
11/23/10			-8234.11	8234.11
01/10/11	233.07	2014.68		
01/19/11			-2247.75	2247.75
03/10/11	233.07	2492.60		
03/18/11			-2725.67	2725.67
05/10/11	233.07	5059.36		
05/20/11			-5292.43	5292.43
07/10/11	233.07	10021.90		
07/15/11			-10254.97	10254.97
09/09/11	233.07	10907.70		
09/23/11			-11140.77	11140.77
11/09/11	233.07	6655.86		
11/18/11			-6888.93	6888.93
01/10/12	252.56	3316.90		
01/20/12			-3569.46	3569.46
03/08/12	252.56	2410.80		
03/20/12			-2663.36	2663.36
Totals..	6978.13	209775.25	-216753.38	216753.38

WATER USAGE HISTORY

FISC	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
2005	6418	0	5929	0	3978	0	1562	0	422	0	2210	0
2006	4675	0	6539	0	4966	0	2706	0	2102	0	413	0
2007	4715	0	5853	0	5648	0	3127	0	1681	0	3916	0
2008	5982	0	5553	0	4987	0	4448	0	486	0	4411	0
2009	5776	0	6184	0	4102	0	3027	0	3027	0	4448	0
2010	5743	0	5240	0	4077	0	2904	0	642	0	2281	0
2011	4718	0	5889	0	3884	0	978	0	1210	0	2456	0
2012	4865	0	5295	0	3231	0	1618	0	1176	0	0	0
AVERAGE..	1754.91											

meter failed

REPORT.: 07/12/05
 RUN...: 07/12/05 TIME: 09:44
 Run By.: Kathy

Nipomo CSD
 Transaction History Print
 Customer PAR0004

PAGE: 001
 ID #: MQCM
 CTL.: NIP

NCSD-23
(continued)

Customer Id.: PAR0004
 Location Id.: 0050236
 Rte/Service.: 005/4820
 Serv. Addr.: 136 POMEROY RD
 Serv. Addr.: 136 POMEROY RD
 City/St/Zip.: NIPOMO, CA. 93444

Name.....: SLO COUNTY REGIONAL PARK,
 Status.....: Owner, Active Customer
 Mailing Addr.: DEPT OF GENERAL SERVICES
 Mailing Addr.: 1087 SANTA ROSA ST
 Mailing Addr.:
 City/St/Zip.: SAN LUIS OBISPO, CA. 93408

Last Billed.: 07/10/05
 Last Service.: 06/30/05
 Current Due.: 0.00
 Late Due.....: 0.00
 Total Due.....: 0.00

Date	Water Srv	Water Use	Adjustment	Payment	Billed
01/10/02	64.50	423.36			
01/23/02				-487.86	487.86
03/10/02	64.50	3321.10			
03/25/02				-3385.60	3385.60
05/10/02	73.50	3991.42			
05/22/02				-4064.92	4064.92
07/10/02	73.50	6526.40			
07/22/02				-6599.90	6599.90
09/09/02	73.50	8299.29			
09/23/02				-8372.79	8372.79
11/09/02	73.50	5389.25			
12/02/02				-5462.75	5462.75
01/10/03	73.50	1467.08			
01/24/03				-1540.58	1540.58
03/10/03	73.50	1316.79			
03/18/03				-1390.29	1390.29
05/10/03	77.20	3365.06			
05/23/03				-3442.26	3442.26
07/10/03	77.20	7612.28			
07/24/03				-7689.48	7689.48
09/09/03	77.20	7376.56			
09/23/03				-7453.76	7453.76
11/09/03	77.20	7424.84			
11/21/03				-7502.04	7502.04
01/10/04	77.20	3122.24			
01/23/04				-3199.44	3199.44
03/10/04	84.92	3484.71			
03/19/04				-3569.63	3569.63
05/10/04	84.92	6276.70			
05/18/04				-6361.62	6361.62
07/10/04	84.92	9671.18			
07/22/04				-9756.10	9756.10
09/09/04	84.92	6932.79	-17898.20		
09/10/04			8880.49		0.00
11/09/04	84.92	5986.78	-6071.70		0.00
01/10/05	84.92	2338.62	-2423.54		0.00
03/10/05	93.42	669.28	-762.70		0.00
05/10/05	93.42	3601.60	-3695.02		0.00
07/10/05	93.42	7644.20	-7737.62		0.00
Totals.: 1745.78	108241.53	-29708.29	-80279.02	80279.02	

WATER USAGE HISTORY

FISC	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
2002	6606	0	4454	0	3753	0	354	0	2510	0	3014	0
2003	4920	0	6253	0	4065	0	1116	0	1003	0	2383	0
2004	5374	0	5208	0	5242	0	2212	0	2321	0	4170	0
2005	6418	0	5929	0	3978	0	1562	0	422	0	2210	0
2006	4675	0	0	0	0	0	0	0	0	0	0	0

AVERAGE.: 1502.53

REPORT.: 08/13/04
 RUN....: 08/13/04 TIME: 09:04
 Run By.: Kathy

Nipomo CSD
 Transaction History Print
 Customer PAR0004

PAGE: 001
 ID #: MQCM
 CTL.: NIP

NCSD-23
 (continued)

Customer Id.: PAR0004
 Location Id.: 0050236
 Rte/Service.: 005/4820
 Serv. Addr.: 136 POMEROY RD
 Serv. Addr.: 136 POMEROY RD
 City/St/Zip.: NIPOMO, CA. 93444

Name.....: SLO COUNTY REGIONAL PARK,
 Status.....: Owner, Active Customer
 Mailing Addr.: DEPT OF GENERAL SERVICES
 Mailing Addr.: 1087 SANTA ROSA ST
 Mailing Addr.:
 City/St/Zip.: SAN LUIS OBISPO, CA. 93408

Last Billed...: 07/10/04
 Last Service...: 06/30/04
 Current Due...: 0.00
 Late Due.....: 0.00
 Total Due.....: 0.00

Date	Water Srv	Water Use	Payment	Billed
01/01/00	2523.00			
01/21/00			-2523.00	2523.00
03/01/00	829.05			
03/23/00			-829.05	829.05
05/01/00	3362.50			
05/19/00			-3362.50	3362.50
07/03/00	5767.15			
07/24/00			-5767.15	5767.15
09/01/00	5810.85			
09/26/00			-5810.85	5810.85
11/09/00	64.50	5307.05		
11/28/00			-5371.55	5371.55
01/10/01	64.50	3184.15		
01/24/01			-3248.65	3248.65
03/10/01	64.50	567.20		
03/28/01			-631.70	631.70
05/10/01	64.50	3907.76		
05/18/01			-3972.26	3972.26
07/10/01	64.50	8175.84		
07/24/01			-8240.34	8240.34
09/09/01	64.50	5507.36		
09/24/01			-5571.86	5571.86
11/09/01	64.50	4638.12		
11/27/01			-4702.62	4702.62
01/10/02	64.50	423.36		
01/23/02			-487.86	487.86
03/10/02	64.50	3321.10		
03/25/02			-3385.60	3385.60
05/10/02	73.50	3991.42		
05/22/02			-4064.92	4064.92
07/16/02	73.50	6526.40		
07/22/02			-6599.90	6599.90
09/09/02	73.50	8299.29		
09/23/02			-8372.79	8372.79
11/09/02	73.50	5389.25		
12/02/02			-5462.75	5462.75
01/10/03	73.50	1467.08		
01/24/03			-1540.58	1540.58
03/10/03	73.50	1316.79		
03/18/03			-1390.29	1390.29
05/10/03	77.20	3365.06		
05/23/03			-3442.26	3442.26
07/10/03	77.20	7612.28		
07/24/03			-7689.48	7689.48
09/09/03	77.20	7376.56		
09/23/03			-7453.76	7453.76
11/09/03	77.20	7424.84		
11/21/03			-7502.04	7502.04
01/10/04	77.20	3122.24		
01/23/04			-3199.44	3199.44
03/10/04	84.92	3484.71		
03/19/04			-3569.63	3569.63
05/10/04	84.92	6276.70		
05/18/04			-6361.62	6361.62
07/10/04	84.92	9671.18		
07/22/04			-9756.10	9756.10
Totals..	19954.81	110355.74	-130310.55	130310.55

5929
 \$ 9017.71

WATER USAGE HISTORY

FISC	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
2002												0
2003	4920	0	6253	0	4065	0	1116	0	1003	0	2383	0
2004	5374	0	5208	0	5242	0	2212	0	2321	0	4170	0
2005	6418	0	0	0	0	0	0	0				

AVERAGE..: 1583.91

REPORT.: 04/08/04
 RUN...: 04/08/04 TIME: 14:26
 Run By.: Kathy

Nipomo CSD
 Transaction History Print
 Customer PAR0004

PAGE: 001
 ID #: MQCM
 CTL.: NIP

NCSD-23
 (continued)

Customer Id.: PAR0004
 Location Id.: 0050236
 Rte/Service.: 005/4820
 Serv. Addr.: 136 POMEROY RD
 Serv. Addr.: 136 POMEROY RD
 City/St/Zip.: NIPOMO, CA. 93444

Name.....: SLO COUNTY REGIONAL PARK,
 Status.....: Owner, Active Customer
 Mailing Addr.: DEPT OF GENERAL SERVICES
 Mailing Addr.: 1087 SANTA ROSA ST
 Mailing Addr.:
 City/St/Zip.: SAN LUIS OBISPO, CA. 93408

Last Billed.: 03/10/04
 Last Service.: 02/29/04
 Current Due.: 0.00
 Late Due.....: 0.00
 Total Due.....: 0.00

Date	Water Srv	Water Use	Payment	Billed
11/01/99	4663.15			
11/22/99			-4663.15	4663.15
01/01/00	2523.00			
01/21/00			-2523.00	2523.00
03/01/00	829.05			
03/23/00			-829.05	829.05
05/01/00	3362.50			
05/19/00			-3362.50	3362.50
07/03/00	5767.15			
07/24/00			-5767.15	5767.15
09/01/00	5810.85			
09/26/00			-5810.85	5810.85
11/09/00	64.50	5307.05		
11/28/00			-5371.55	5371.55
01/10/01	64.50	3184.15		
01/24/01			-3248.65	3248.65
03/10/01	64.50	567.20		
03/28/01			-631.70	631.70
05/10/01	64.50	3907.76		
05/18/01			-3972.26	3972.26
07/10/01	64.50	8175.84		
07/24/01			-8240.34	8240.34
09/09/01	64.50	5507.36		
09/24/01			-5571.86	5571.86
11/09/01	64.50	4638.12		
11/27/01			-4702.62	4702.62
01/10/02	64.50	423.36		
01/23/02			-487.86	487.86
03/10/02	64.50	3321.10		
03/25/02			-3385.60	3385.60
05/10/02	73.50	3991.42		
05/22/02			-4064.92	4064.92
07/10/02	73.50	6526.40		
07/22/02			-6599.90	6599.90
09/09/02	73.50	8299.29		
09/23/02			-8372.79	8372.79
11/09/02	73.50	5389.25		
12/02/02			-5462.75	5462.75
01/10/03	73.50	1467.08		
01/24/03			-1540.58	1540.58
03/10/03	73.50	1316.79		
03/18/03			-1390.29	1390.29
05/10/03	77.20	3365.06		
05/23/03			-3442.26	3442.26
07/10/03	77.20	7612.28		
07/24/03			-7689.48	7689.48
09/09/03	77.20	7376.56		
09/23/03			-7453.76	7453.76
11/09/03	77.20	7424.84		
11/21/03			-7502.04	7502.04
01/10/04	77.20	3122.24		
01/23/04			-3199.44	3199.44
03/10/04	84.92	3484.71		
03/19/04			-3569.63	3569.63
Totals.: 24448.12	94407.86	-118855.98		118855.98

$$19740/00 \div 43,560 = AF$$

WATER USAGE HISTORY

FISC	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE
1998	0	6237	0	3987	0	408	0	1274	0	0	0	4281
1999	0	6237	0	3987	0	408	0	1274	0	833	0	5421
2000	0	5024	0	4011	0	2150	0	672	0	2880	0	4971
2001	0	5009	0	4527	0	0	2781	0	470	0	3164	0
2002	6606	0	4454	0	3753	0	354	0	2510	0	3014	0
2003	4920	0	6253	0	4065	0	1116	0	1003	0	2383	0
2004	5374	0	5208	0	5242	0	2212	0	2321	0	0	0

AVERAGE.: 1558.32

20357 + 1 more
 billing
 cycle

FY 99 41.68
 FY 00 45.25
 FY 01 36.84

FY 02 47.50
 FY 03 45.31
 FY 04 46.73 + 1 more cycle

Park water use 1992		Park water use 1993	
		Hundred CF	
1-27-92	44900	1-25-93	6400
2-25-92	47600	2-24-93	10300
3-25-92	88200	3-26-93	54700
4-27-92	248900	4-28-93	161400
5-26-92	355800	5-25-93	183200
6-25-92	330900	6-25-93	16000
7-27-92	393400	7-26-93	3700
8-24-92	317700	8-30-93	67600
9-28-92	493500	10-5-93	26400
10-26-92	51400	11-8-93	14600
11-25-92	115400	12-6-93	94900
12-28-92	62400		
Park use 1994		Park water use 1995	
1-2-94	24100	1-6-95	49600
2-4-94	43300	2-6-95	2200
3-7-94	27300	3-6-95	16700
4-5-94	95100	4-6-95	21100
5-5-94	144300	5-5-95	169900
6-8-94	292300	6-5-95	108000
7-7-94	315100	7-5-95	319300
8-10-94	293400	8-4-95	315400
9-6-94	298000	9-5-95	292000
10-6-94	228600	11-1-95	377100
11-7-94	162500	1-2-95	140900
12-5-94	8100		

NCSD-23
(continued)

9.1.4 Response to Letter from Nipomo Community Services District

Comment No.	Response
NCSD-1	Comment noted. No changes to the EIR are necessary.
NCSD-2	Comment noted. No changes to the EIR are necessary.
NCSD-3	Comment noted. No changes to the EIR are necessary.
NCSD-4	Comment noted. The EIR has been clarified to summarize recent events affecting the Supplemental Water Project, Water Intertie (please refer to EIR Section 4.12.1 Existing Conditions, Potential Future Water Supply). This clarification and summary of new information does not affect the impact determinations identified in the EIR.
NCSD-5	Comment noted. Please refer to responses to specific comments below.
NCSD-6	As noted in the EIR (refer to Section 4.11.5.1 Violate Waste Discharge Requirements or Central Coast Basin Plan Criteria), in the event the County cannot demonstrate compliance with the Basin Plan, connection with the NCSD would be necessary. At this time, and upon review of current regulations, the proposed additional septic systems would be consistent with the Basin Plan and County Title 19 (Private Sewage Disposal Systems) design criteria. Therefore, while County General Services Agency is not required to connect to the NCSD sewer collection system, the project allows for future connection in the event it is either required based on applicable regulations or if County General Services Agency seeks this method of sewage collection and treatment (refer to EIR Section 4.11.5.3 Adversely Affect Community Wastewater Service Provider for a discussion of this option). No changes to the EIR are necessary.
NCSD-7	As provided in Table 4.12-1, Historic Water Delivery – NCP, 1999-2011, existing water demand has generally been consistent (with a few noted exceptions) over the past 12 years. The primary demand for water consists of irrigation of approximately 9.2 acres of open turf area and 5.3 acres of sports fields (approximately 46 acre-feet over the past three years). Table 4.12-2 presents the estimated additional water demand “worst case scenario”, which represents the demand prior to implementation of conservation measures. EIR Section 4.12.5.5 Adversely Affect Community Water Service Provider, has been clarified to show how recommended water conservation measures would affect overall water use. The following summary has been added to the discussion, to further clarify why the residual impact would be less than significant: “Water conservation measures identified by the NCSD and incorporated into the mitigation measures above would reduce existing water demand by 50 percent. As noted in Table 4.12 1, Historic Water Delivery – NCP 1999-2011, the average annual water demand over the past 12 years is approximately 48 afy (excluding year 2009 when a meter failed). Application of these mitigation measures would result in a 24 afy reduction in water use for existing uses, and a 22 afy reduction in future anticipated water demand. Based on implementation of identified water conservation measures, the total anticipated demand would be approximately 46 afy (no net demand for additional water).”
NCSD-8	Section 4.12 (introductory paragraph) of the EIR has been updated to include the 2 nd through 4 th NMMA Technical Group Annual Reports. EIR Section 4.12.1 Existing Conditions has been updated to note the preparation and submittal of these annual reports. Please note the most current Annual Report (3 rd) at the time was reviewed during preparation of the EIR, and is cited in Chapter 8, References.
NCSD-9	Section 4.12 (introductory paragraph) of the EIR has been clarified to include the <i>San Luis Obispo County Master Water Plan</i> (January 2012).

Comment No.	Response
NCSD-10	Table 4.12-1, Historic Water Delivery – NCP, 1999-2011, has been retitled and updated to include additional information regarding water use during the years 2009, 2010, 2011. This additional information shows that water use has been generally consistent over the past 12 years, with some exceptions noted in the table. These clarifications do not change the analysis or impact determinations presented in the EIR.
NCSD-11	EIR Section 4.12.1 Existing Conditions has been corrected by removing “Rural Water Company” from noted NMMA Technical Group representatives. This is a minor clarification.
NCSD-12	EIR Section 4.12.1 Existing Conditions has been corrected as follows: “The service area consists of <i>one distribution system...</i> ” (as noted in italics). This is a minor clarification.
NCSD-13	EIR Section 4.12.1 Existing Conditions, Water Conservation has been clarified to note that the NCSD “ <i>has implemented water conservation measures, including a 4-tier residential “water conservation” rate (November 1, 2011) and California Urban Water Conservation Council (CUWCC)-approved BMPs. Additional measures include</i> development standards and target reducing consumption for high-use customers (such as the NCP).” Changes to the EIR are noted in italics. This is a minor clarification.
NCSD-14	Pismo Creek, Arroyo Grande Creek, Lopez Creek, and Tar Springs Creek are identified in EIR Section 4.12.1.1 Surface Water Resources and Watersheds because they are located within the Main Groundwater Basin. No changes to the EIR are necessary.
NCSD-15	Please refer to mitigation measures WAT/mm-4 and WAT/mm-5, which include measures for water efficient irrigation systems and incorporation of recycled water. No changes to the EIR are necessary.
NCSD-16	Due to the long-term nature of the NCPMP, the intent of the mitigation measures (WAT/mm-4 and WAT/mm-5) are to allow for a range of options (including use of recycled water) that would result in a reduction in water use for both existing uses and future anticipated demands. The General Services Agency will coordinate with the NCSD to incorporate the use of recycled water to the maximum extent feasible. The following language has been added to WAT/mm-5 to clarify this process: “ <i>h. Consultation with NCSD prior to implementation of major planned replacement, renovation, or construction of water-using facilities.</i> ” This additional clarification does not change the impact determination identified in the EIR.
NCSD-17	As noted in response to comment NCSD-16 above, the County General Services Agency intends to incorporate water conservation measures, including the use of recycled water, to minimize existing and future water demands. No changes to the EIR are necessary.
NCSD-18	Mitigation measure WAT/mm-4 has been modified to require 50% reduction in current water use. This modification is agreeable to The County General Services Agency, and does not affect the impact determination identified in the EIR because it proposes a greater level of water conservation, further achieving the intent of the mitigation to reduce overall water demand.
NCSD-19	Mitigation measure WAT/mm-5 has been modified to state (refer to italicized text for modifications): “Prior to expansion or addition of irrigated turf and landscaped areas, the <i>General Services Agency</i> shall demonstrate compliance with the water survey evaluation water savings recommendations, and shall submit documentation to the NCSD <i>for verification</i> . Water savings recommendations shall be applied to <i>existing and</i> additional irrigated turf and landscaped areas, and may include, but not be limited to the following...” and the addition of the following: “.f. <i>Implement and maintain the most efficient and effective water regime for park irrigation consistent with best management practices, such as measured identified by the California Urban Water Conservation Council and similar recognized organizations</i> ”. This modification is agreeable to The County General Services Agency, and does not affect the impact determination identified in the EIR because it proposes an additional water conservation measure, further achieving the intent of the mitigation to reduce overall water demand.

Comment No.	Response
NCSD-20	Comment noted; no changes to the EIR are necessary.
NCSD-21	Exhibit A Depiction of Nipomo Mesa Water Conservation Area has been reviewed. This exhibit was previously reviewed during preparation of the EIR, and does not include new information for inclusion in the EIR analysis. No changes to the EIR are necessary.
NCSD-22	Exhibit B Key Wells Index was reviewed, and the figure does not include new information for inclusion in the EIR analysis. No changes to the EIR are necessary.
NCSD-23	Additional water supply information for years 2004, 2009, 2010, and 2011 has been incorporated into EIR Section 4.12, Table 12-1, Historic Water Delivery – NCP, 1999-2011. This additional information does not affect the impact determinations presented in the EIR.

9.2 NON-AGENCY ORGANIZATIONS COMMENT LETTERS AND RESPONSES

The following non-agency organizations have submitted comments on the Draft EIR.

Respondent	Code	Contact Information	Page
California Native Plant Society Letter dated: March 28, 2012	CNPS	1530 Bayview Heights Drive Los Osos, CA 93402 <i>Contact: David Chipping, CNPS-SLO Conservation Chair</i>	9-28
Nipomo Off-leash Recreational Area, Inc. (Nipomo Dog Park) Email dated: March 30, 2012	NDP	jetspirit@gmail.com <i>Contact: Linda Walden, Founder and President</i>	9-33
South County Advisory Council Parks & Recreation Subcommittee Comments dated: April 8, 2012	PRS	PO Box 1165 Nipomo, CA 93444	9-35
South County Advisory Council Attached report and individual comments	SCAC	<i>Council Officers and Members</i>	9-37
Nipomo Parks Conservancy Letter dated: April 30, 2012	NPC	P.O. Box 2042 Nipomo, CA 93444-2042 <i>Contact: Harry F. Walls, President</i>	9-67

California Native Plant Society

To: Steven McMasters, Project Manager
County Planning & Bldg. Department
976 Osos St., Room 300
San Luis Obispo, CA 93408-2040

Wednesday, March 28, 2012

Comments by the San Luis Obispo Chapter of the California Native Plant Society on the Draft PEIR, Nipomo Community Park Master Plan

SCH. NO. 2009111067

The California Native Plant Society is a statewide non-profit organization of some 10,000 scientists, educators, and laypeople dedicated to the conservation and understanding of the California native flora.

CNPS-1

The San Luis Obispo Chapter of the California Native Plant Society is concerned with the losses of plant communities that are dependent on substrates of older dune sand, such as those covering the Nipomo Mesa. Nearly all of this habitat has been destroyed or severely degraded, and very little is in public hands where it can be protected. Destruction through development, eucalyptus plantations and agricultural conversion is found everywhere in the Mesa.

CNPS-2

We believe that the Nipomo Community Park Master Plan (NCPMP) fails to address or recognize this issue, and furthermore, the Draft Program Environmental Impact Report (DPEIR) fails to accurately describe vegetation types.

CNPS-3

The DPEIR identifies two alternatives (A and B), the essential difference between them being in the reductions of open space. Alternative A removes 1,088,510 square feet of the remaining 5,698,981 square feet of open space, which CNPS considers an intolerably high loss in a "Park". Alternative B removes 510,168 square feet, which is preferable to Alternative A but is still a loss of over 11 acres. CNPS considers these losses to still be extremely high and show a strong bias toward the constructed landscape and against the natural landscape.

CNPS-4

The principle areas of planned development and loss of existing habitat are in the center of the existing park, which is more intensively developed in Alternative A, and in the midsection of the southern edge of the park, in which sports fields are proposed in Alternative A but not in Alternative B. CNPS has less concern about development in the "annual grassland" in the center of the park than it does in the "coastal scrub" along the southern margin of the park.

CNPS-5

The DPEIR's description of plant communities is inadequate, using the simplistic WHR Classification rather than the Manual of California Vegetation 2nd edition. The DPEIR

CNPS-6



Dedicated to the preservation of California native flora



characterizes NDDB's/Holland Central Dune Scrub (21320) as the more generalistic coastal scrub, thus failing to recognize it as being limited in distribution by the nature of the soils. Just as old stabilized back dunes are a highly limited in distribution, so are the vegetation types that live on that substrate. While the DPEIR recognizes the rarity of the Maritime Chaparral and describes mitigation against loss of that community, there is no similar consideration given to the Central Dune Scrub, half of which would be lost in Alternative A to playing fields at the south end of the park. There is no mitigation described for losses to the Central Dune Scrub.

**CNPS-6
(continued)**

CNPS-7

The central area of the park where most of the development is planned is mapped as "Annual Grassland" in the DPEIR. As this consists essentially of non-native weedy species, including lots of perennial veldt grass, it should be pointed out that this has resulted from disturbance and removal of Central Dune Scrub. This area could be restored as original vegetation, but with greater difficulty than in the areas described as scrub in the vegetation map. The degree of misunderstanding about the 'value' of this 'annual grassland' is manifested in Chapter 6.2 of the DPEIR which states that losses of the grassland to sports fields are not irreversible and that they could be restored. This is absurd, due to the changes in soil profile and chemistry that would be generated from irrigated turf and also to the restoration to the current condition has no value. It is true that they could return to 'ruderal', but not without great difficulty to an original native plant community.

CNPS-8

CNPS-9

Vegetation Management

Vegetation management is not sufficiently addressed in the NCPMP or DPEIR. The NCPMP appears to recognize the value of certain vegetation types through planned avoidance, but does not contain any program for maintaining the natural plant communities. The Nipomo Mesa sand habitats are under severe attack from invasive veldt grass (*Ehrharta calycina*) and any long-term planning for NCP should involve plant community restoration, primarily through veldt grass control on a continuing basis. This could be funded through part of the mitigation, but the DPEIR fails to consider this as an issue. CNPS recommends that some funds currently dedicated to development and its immediate mitigation be diverted to long term vegetation management.

CNPS-10

Water Supply

Conversion of native flora to irrigated landscape and development is a poor choice in an area with severe water deficits. The current water use at NCP is between 40-60 afy (p. 4.12-3) and the projected added demand is 44.4 afy (p.4-12.10). Most agencies with water supply issues recommend using native drought-tolerant flora in parks or their equivalent, and thus the direction of the NCP runs counter to logic by essentially doubling water demand.

CNPS-11

Climate Change

The section of the DPEIR on climate change does not include the word 'tree' or 'vegetation' while describing the project. The project replaces vegetation with hardscape, uses energy to both pump water, mow lawns and supply other functions of a developed

CNPS-12

park. Thus the park transitions from a carbon-absorber to a carbon emitter over an increased area of the park. Regarding the cumulative impacts of all County actions, this is clearly going in the wrong direction.

CNPS-12
(continued)

CNPS thanks the County for this opportunity to comment.

CNPS-13



Please address any communication to:

David Chipping: Conservation Chair, CNPS-SLO
1530 Bayview Heights Drive
Los Osos, CA 93402
(ph: 805 528-0914 email: dchippin@calpoly.edu)

9.2.1 Response to Letter from California Native Plant Society

Comment No.	Response
CNPS-1	Comment noted; no changes to the EIR are necessary.
CNPS-2	Comment noted. EIR Section 4.3.7 Biological Resources, Cumulative Impacts, has been expanded to further clarify cumulative habitat loss in the South County area. This clarification does not affect the impact determination presented in the EIR.
CNPS-3	Please refer to response to specific comment CNPS-6 below.
CNPS-4	The intent of the EIR is to assess the project as proposed, identify potentially significant effects, and present mitigation measures and alternatives to avoid or minimize identified significant impacts. No changes to the EIR are necessary.
CNPS-5	Comment noted; no changes to the EIR are necessary.
CNPS-6	The EIR applies an adopted and accepted method for vegetative classification (Holland 1986) (refer to Section 4.3.1.2 Biological Resources, Plant Communities and Habitat Types). While the underlying soils consist of older dune sand, the vegetation is dominated by coyote brush and California sagebrush, which are not typically dominant species identified in the central dune scrub vegetative classification. Therefore, the coastal scrub vegetative classification is appropriate for the project site. No changes to the EIR are necessary.
CNPS-7	As noted above, based on vegetative classification (Holland 1986) the habitat type was identified as coastal scrub, which is not a sensitive plant community. Therefore, no mitigation was identified. No changes to the EIR are necessary.
CNPS-8	The EIR documents existing conditions as noted upon initiation of the environmental review process. Also, as noted in response to comment CNPS-6, the dominant plant cover indicates a coastal scrub classification. No changes to the EIR are necessary.
CNPS-9	EIR Section 6.2 Other CEQA Considerations, Significant Irreversible Environmental Changes has been clarified for consistency with Section 4.3 Biological Resources, and to further state that focused effort would be necessary for restoration efforts if ever proposed (note clarifications in italics): "As discussed in the Biological Resources section, Section 4.3, the proposed project would result in the conversion of <i>coastal scrub</i> and annual grassland to sports fields. While this use is intended to be long-term, the turf could be removed and the area restored to <i>coastal scrub habitat with focused effort</i> ; therefore this change is not considered significant or irreversible."
CNPS-10	The EIR evaluates the potential impacts of the project on the environment, pursuant to the CEQA Guidelines. Mitigation measure BR/mm-5 (Habitat Restoration Plan), item b (weed abatement strategies) and item d.4 (invasive plant species) include measures requiring monitoring, identification, and management of weeds and invasive plant species. While this measure only applies to the proposed restoration area (as a mitigation requirement for the loss of sensitive habitat), it does not preclude application of invasive plant identification and eradication within other areas of NCP. No changes to the EIR are necessary.
CNPS-11	As stated on the comment, the EIR notes the additional water demand for development of additional sports fields. While the turf is not considered native, several measures are identified to reduce water demand for both existing and proposed turf areas (refer to WAT/mm-4 and WAT/mm-5). Also, please note mitigation measures WAT/mm-4 and WAT/mm-5 require a 50% reduction in current water use, and similar water conservation measures for proposed uses, with the intention of achieving a "no net" increase in water demand beyond current conditions. The use of turf areas is, and will continue to be, shared by the public. Other landscaping would consist of native and drought-tolerant species (refer to mitigation measures AES/mm-2, item s; AQ/mm-1, item e; AQ/mm-2, items e and r). No changes to the EIR are necessary.

Comment No.	Response
CNPS-12	The County agrees that the project would require the use of water and energy to construct and operate, and the creation of additional parking areas and structures would reduce currently vegetated areas. However, as noted in Chapter 4.13 Climate Change, the development of these additional facilities would result in a decrease in vehicle miles traveled (VMTs), which is a key contributor to greenhouse gas emissions, and the primary source of emissions in San Luis Obispo County. In addition, the NCPMP includes additional native restoration within NCP, including an expansion of the existing oak woodland. No changes to the EIR are necessary.
CNPS-13	Comment noted; no changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Monday, April 02, 2012 10:54 AM
To: Linda Walden
Cc: Shawna Scott; secooper@co.slo.ca.us
Subject: Re: Nipomo Dog Park

Linda,
 I have included your comment to the EIR consultant to be responded to in the Final EIR, and I am copying this response to County Parks. Your concerns regarding the issues areas as a "Hazards/Safety" impact will be considered. In addition, your comments will also be considered in terms of the Master Plan (and the appropriate location of uses) itself.

Sincerely,

Steven McMasters
 Senior Planner, Environmental Division
 Department of Planning & Building
 County of San Luis Obispo
 (805) 781-5096
 FAX (805) 788-2413

From: Linda Walden <jetspirit@gmail.com>
 To: smcmasters@co.slo.ca.us
 Date: 03/30/2012 10:08 AM
 Subject: Nipomo Dog Park

Steve:

I am Linda Walden, founder and President of the Nipomo Off-leash Recreational Area, Inc., i.e. Nipomo Dog Park. I have studied the map for the proposed build out.

NDP-1

As far as I have ascertained, this location was not brought up during any meetings nor was I as President contacted regarding any discussion of the proposed location.

I am not a great meeting person as I am hard of hearing and have injuries which make it hard to be there, however Jackie stated that she NEVER heard it being discussed at meetings where objections could be made.

I and others believe that this will be a danger to "jumping escaping" dogs and their owners in hot pursuit on the very busy Pomeroy. This location would be difficult and more expensive to mitigate.

NDP-2

This location for the dog park has a safety issue that would be an impact.

Would this come under the chapter of Hazards/safety as an overlooked impact?

I'd appreciate any input.
 Linda Walden

9.2.2 Response to Letter from Nipomo Off-leash Dog Park, Inc. (Nipomo Dog Park)

Comment No.	Response
NDP-1	The County General Services Agency, County Parks facilitated several scoping meetings during development of the NCPMP in 2004, 2006, 2007, and 2009, including design workshops and opportunities for public comment (refer to Chapter 1 Introduction, Section 1.3 Scoping and Notice of Preparation Process, and Chapter 2 Project Description, Section 2.1.3 Initial Scoping, Section 2.1.4 Public Workshops and Scoping Meetings, and Section 2.1.5 Initial Study). The currently proposed location of the dog park was presented in the Notice of Preparation and associated scoping meeting.
NDP-2	Based on further review of potential hazards related to dogs escaping from the proposed dog park, the County finds that no significant impact would occur. The County Park Ranger has not documented any instances of escaped dogs associated with the existing dog park. The proposed dog park near the Pomeroy/Juniper park entrance will be enclosed by fencing and a double-gated entry similar to the existing dog park near the intersection of West Tefft and Pomeroy. Prior to development of the additional dog park, the County would coordinate with Nipomo Off-leash Recreational Area, Inc. (Nipomo Dog Park) regarding specific amenities including fencing. No changes to the EIR are necessary.

4/8/12

**Comments on Nipomo Community Park Draft EIR
Parks & Recreation Subcommittee
South County Advisory Council**

The Parks and Recreation Committee received copies of the Nipomo Community Park Master Plan Draft Environmental Impact Report (DEIR) on March 2, 2012. Subsequent committee examination of the DEIR has consisted of individual and committee review as well as the gathering of community comments at a meeting held for that purpose on March 28, 2012. The DEIR review has been conducted with the goal of preparing a list of observations that may assist the SCAC should they choose to petition for addition of comments to the DEIR.

PRS-1

In compiling a list, the committee has attempted to avoid inclusion of comments concerning the details of the master plan, and to focus on the DEIR. A great many of the community comments were directed at various details of the Master Plan and could be used in future discussions and recommendations involving the Master Plan implementation. Also there were many DEIR comments by individuals that are not included in this list but are attached for SCAC benefit.

The list of observations has been sorted by the impact classes listed on pages ES-12 to ES-14 of the DEIR executive summary.

Aesthetic Resources

1. The DEIR states that multi-use sports fields "could" accommodate 6 lighted soccer fields (ES-5) which "could" make the area a major complex for night games. Mitigation proposed in the DEIR may not handle the intrusion of this many lights for 1.5 to 2hrs a game.
2. Mitigation for tree removal (4.1-33) does not seem to protect the oldest (100 years?) oak trees and their protection seems to be a community goal.

PRS-2**PRS-3****Biological Resources**

1. Mitigation for tree removal (4.3-37) same as 2. above.

PRS-4**Hazards & Hazardous Materials**

1. The DEIR does not seem to take the location of the community center into consideration when evaluating the impact of crime in the park, nor does it consider types of events, use of alcohol at events, or security required at events.
2. The mention of Crime Prevention through Environmental Design (CPTED) as having been proven to reduce crime is not relevant as the ordinance requiring it does not exist in SLO County.

PRS-5**PRS-6****Noise**

1. Soccer fields normally do not use amplified sound, but if other sports are planned amplified sound may be an issue for residents on Tejas St. depending on how many fields are used and the number of games played daily on those fields.

PRS-7**Public Services & Utilities**

See Attached Report

PRS-8**Traffic**

See Attached Report

9.2.3 Response to Comments from South County Advisory Council Parks & Recreation Subcommittee

Comment No.	Response
PRS-1	Please refer to responses to specific comments below.
PRS-2	The EIR's analysis of aesthetic resource impacts, including the effects of lighting and impacts on the night sky, was conducted based on a worst-case scenario, including use of the multi-use sports fields between the hours of 6:00 p.m. and 10:00 p.m. (refer to EIR Section 4.1.5.3 Effects of Light and Glare). Mitigation measure AES/mm-6 addresses potentially significant impacts resulting from use of lighted multi-use sports fields, based on this worst case scenario. No changes to the EIR are necessary.
PRS-3	Referenced mitigation measure AES/mm-5 is included to require the protection of all mature trees, regardless of age or species type, to the maximum extent feasible. The intent of this measure is to preserve the aesthetic benefit provided by established trees and vegetation within NCP. No changes to the EIR are necessary.
PRS-4	The intention of the NCPMP is to avoid removal of oak trees to the maximum extent feasible. Existing and future conditions related to circulation and traffic safety necessitate improvements, which would require the removal or impacts to mature oak trees. All oak trees with a diameter greater than 5 inches (as measured at breast height) are considered sensitive, regardless of age. No changes to the EIR are necessary.
PRS-5	As discussed in EIR Section 4.9.5.1 Public Services and Utilities, Effect Upon or Result in New or Altered Public Services, the development of additional facilities within NCP, including a community center, may create an additional demand for police response. Mitigation is recommended to reduce the potential need for police response (refer to mitigation measure PSU/mm-1), and an alternative (Alternative A) is assessed, which locates the community center adjacent to West Tefft Street (refer to EIR Section 5.3.2.1 Alternatives, Alternative Master Plan A). While specific event types and other details (i.e. alcohol, security) are not included in the NCPMP at this time, the EIR considers a worst-case scenario, within the bounds of existing laws and regulations, such as park closure (10:00 pm) and the County General Services Agency permitting system, which currently includes restrictions and requirements related to noise, alcohol, and security. No changes to the EIR are necessary.
PRS-6	Please refer to mitigation measure PSU/mm-1, which incorporates relevant standards and guidelines identified in the Crime Prevention through Environmental Design (CPED) document. Compliance with adopted mitigation measures is required regardless of the status of the ordinance. No changes to the EIR are necessary.
PRS-7	As noted in EIR Section 4.8.5.1 Exposure to Noise Levels Exceeding County Thresholds, Stationary Noise, additional sources of noise within NCP includes amplified sound. Use of amplified sound is allowed at the discretion of the County General Services Agency, and as required by mitigation measure N/mm-3, the use of microphones or loudspeakers shall be directed towards the interior of the park. In addition to the presence of the park ranger (daytime) and park host (nighttime), mitigation measure N/mm-4 includes a requirement for a park monitor program if necessary. These measures were proposed to address identified potentially significant impacts to sensitive noise receptors, including the residents along Tejas Street. No changes to the EIR are necessary.
PRS-8	Please refer to responses to specific comments below.

R. W. WRIGHT

Nipomo Community Park DEIR issues**1. Public Safety Concerns:**

The DEIR states that, *"Currently, the Sheriff's Department is understaffed and with the cumulative impact of approved development, response times most likely will increase... the current average response times to the project area range between five and 30 minutes, depending upon the nature of the call and the location of patrol vehicles at the time of the call."* (4.9.1.3) **PSU Impact 1** (4.9.5.1) indicated that the development of the proposed park facilities may result in increased demands on Sheriff's Department services, resulting in a **"potentially significant impact"**.

SCAC-1

PSU/mm-1 The Sheriff's Department recommended several safety measures in conjunction with development of additional park facilities, including "Crime Prevention through Environment Design" (CPTED) and lighting system guidelines. (4.9.5.1)

CPTED requires an ordinance that mandates specific standards and design features for all development projects. The provisions of a CPTED ordinance would require that projects be reviewed by a trained crime prevention specialist. San Luis Obispo County does not currently have such an ordinance in place.

Additionally, any mitigation of the significant public safety impact of this park development needs to be based upon issues that the DEIR has not addressed. Specifically, those issues include:

SCAC-2

1. Regulations involving the use of facilities within the park; including the hours of operation, the types of events permitted, whether the Community Center would have events permitting alcoholic beverages and the requirement of security guards.

2. The final location of the community recreation center; whether it is within the park, on the edge of the park or at one of the alternative locations would require different levels of mitigation.

SCAC-3

3. Comparable crime statistics for similar parks, with and without community recreation centers, including "called for services" and the number of emergency medical requests.

SCAC-4

4.10 Traffic and Circulation Impacts

Comments from T&C

General

All the traffic tables are from 2009 or earlier. There is a need for more current data.

SCAC-5

TR/mm-1 – Asking the RTA to approve a local fixed route transit expansion does not mitigate the traffic impacts created by this proposal. It is well known that Nipomo does not have sufficient population density to justify transit expansion and this request to RTA would be denied. **The traffic impacts will continue to be unresolved.**

SCAC-6

TR/mm-1 – Merely paying into the Road Impact Fee account does not mitigate the traffic impacts created by this proposal. The Area 1 Road Impact Fee account is nearly exhausted and is in debt to the Area 2 account. It will take a considerable amount of development to create sufficient RIF funds for any Tefft/101 improvements. This development cannot occur until there is sufficient water to cancel the building moratorium. The current waterline intertie project will not provide this water and there is no additional water acquisition projects scheduled for the future. **The traffic impacts will continue to be unresolved.**

SCAC-7**4.10.6.1 Increase in Traffic and Level of Service**Proposed Intersection and Roadway Improvements

The DEIR indicates that a realignment of Orchard Road and Juniper Street will occur to provide appropriate entrances to the Park. However, the DEIR does not mention when during this 20 year plan this proposed new traffic related construction will occur or whether the traffic improvements must be completed prior to any major development in the park.

SCAC-8

Traffic signal at Juniper and Pomeroy – This is a decision that must be made by the County Traffic Engineer and submitted to the BOS for approval. A traffic signal should only be placed in accordance with the Manual of Uniform Traffic control Devices.

SCAC-9Neighborhood Impacts

Impacts are to be expected. When the Park charges admission people will park on public streets in the adjacent neighborhoods causing friction between residents and park users.

SCAC-10**4.10.6.2 Create Unsafe Conditions**

Traffic signal at Juniper and Pomeroy – This is a decision that must be made by the County Traffic Engineer and submitted to the BOS for approval. A traffic signal should only be placed in accordance with the Manual of Uniform Traffic Control Devices or other, accepted prevailing standards.

SCAC-11

Osage Road widening – Based on the statement, *Osage road will be widened to meet County road standards, allowing for adequate room for two vehicles to pass in alternate directions. These improvements would have a beneficial impact related to safety and road hazards by remediating sub-standard existing conditions. No significant project access impacts are anticipated and no mitigation measures are warranted*, then, why is the Osage Street widening is even included in this DEIR for the

SCAC-12

4.10 Traffic and Circulation Impacts

park, particularly since Osage St. is rated Level of Service "A" and the existing ADT is the same as the anticipated ADT with the project.

SCAC-12
(continued)

This not wanted by the adjacent landowners. It has never appeared on any of the South County Traffic Model updates, a report published by Public Works documenting the transportation and circulation needs for the South County Planning Area. Furthermore, the topography does not lend itself to easy road construction. Construction will require the taking of property or the placement of extensive and expensive retaining walls to accommodate the necessary cut and fill slopes. Filling on the park side will destroy some stately, old oaks.

SCAC-13

4.10.6.5 Alternative Transportation

Pedestrian Impacts

Path along Osage – There is insufficient roadway width along part of Osage (see above) to allow a path. Path construction along that segment must be within the park boundary.

SCAC-14

Bicycle Impacts

Although the Nipomo Community Park Master Plan 1" to 150' scale plan sheet shows separate paved/equestrian trails, this must be reemphasized in the final EIR.

SCAC-15

Transit Impacts

TR/mm-1*

County does not need to coordinate with RTA. Public Works is capable designing and siting a transit stop. Such stop should be located on Tefft Street and serve the Library, the School and the Park. A transit stop may encourage transit service in the future. This should be completed before any interior improvements. There will be no transit service in Nipomo until there is a significant increase in population density and this cannot be considered a mitigating factor for many years. With the addition of the park amenities traffic generation will increase starting from the first day of operations.

SCAC-16

* TR/mm-1 will not be mitigated for many years.

SCAC-17

Residual impacts

Improved pedestrian and bicycling access will not reduce potential vehicle trips contributing to the US 101/West Tefft Street interchange. Those that choose to bicycle or walk to the park will come from local neighborhoods. These people would not contribute to decreasing potential vehicle trips at the US 101/West Tefft Street interchange.

SCAC-18

Even with a transit stop there will be no transit service in Nipomo until there is a significant increase in population density.

SCAC-19

4.10.7.1 Year 2025 Cumulative Impacts

4.10 Traffic and Circulation Impacts

Now that the Central Coast Community Health Center is under construction has the traffic generated from that project been considered as a cumulative impact.

SCAC-20

4.10.7.2 Cumulative Planned Road Improvements

General

The monies that would fund those projects listed in the latest edition of the South County Traffic Model are depleted. Funds can only be generated from future development. Development will not occur unless developers can provide a water source separate from the existing purveyors.

SCAC-21

North Frontage Road Connection to Willow Road Extension

This will not be achieved until buildout of the area between Hettrick and Highway 101 in the vicinity of Willow. This development will not occur unless they can provide a water source separate from the existing purveyors. These improvements should not be assumed to be completed under the baseline cumulative scenario.

SCAC-22

State Route 1 connections to Dawn Road, Mesa Road and Eucalyptus Road

Mesa Road and Eucalyptus Road traverse Woodlands with slow circuitous alignment. Dawn road is not scheduled to be a through road. Of the three roads only Mesa is a designated truck route. These improvements should not be assumed to be completed under the baseline cumulative scenario.

SCAC-23

Alternatives 1, 2, and 3

Action on all three alternatives are dependent on the results of a Highway Corridor Study. Alternative 3 is a separate consideration. It is not influenced by Alternatives 1 and 2. CalTrans indicates that implementation of Alternative 3 would require additional deck widening. This would be a very extensive project.

SCAC-24

TR Impact 2 Buildout of the NCP Master Plan will potentially have a significant cumulative impact at the US 101/West Tefft Street interchange southbound ramps during the p.m. peak hour.

SCAC-25

*TR/mm-2**

Transportation Demand Management measures – Who will monitor this? How will we know it's being done given Parks and Recreation minimal budget?

-in lieu fees

To mitigate problems caused by park activities these fees will need to be supplemented by other road impact fees. These fees will not be generated without future development This development will not occur unless developers can provide a water source separate from the existing purveyors.

SCAC-26

- and incorporation of a transit stop within NCP (if requested by RTA)

SCAC-27

4.10 Traffic and Circulation Impacts

County does not need a request from RTA. In fact RTA will not request a transit stop. Public Works is capable designing and siting a transit stop. Such stop should be located on Tefft Street and serve the Library, the School and the Park. A transit stop may encourage transit service in the future. This should be completed before any interior improvements. There will be no transit service in Nipomo until there is a significant increase in population density and this cannot be considered a mitigating factor for many years. With the addition of the park amenities traffic generation will increase starting from the first day of operations.

**SCAC-27
(continued)**

Does a transit stop rectify both TR/mm-1 and 2?

SCAC-28

It does not appear that TR/mm-2 can be mitigated until there is development. Development can only commence when there is water available from sources other than the purveyors.

SCAC-29

*Minutes of Comm. Meeting
held at NCS*

Nipomo Community Park DEIR

Community Meeting Responses March 28, 2012

22 community members attended the meeting	SCAC-30
Aesthetic Resources-	
See attached exhibit 1 from Jackie Walls	SCAC-31
Jane Peterson-	
Concerned about the lighting, To many lights when you include the parking lots and fields. Must be shielded down to prevent the loss of the night sky and Milky Way not seen as much in Nipomo any more.	SCAC-32
Air Quality-	
Jackie- There are 18 mitigations just for emissions. It states that the emissions are low, but some areas were not factored in.	SCAC-33
Green - Oil slicks caused by cars leaking oil was not talked about	SCAC-34
Cultural Resources -	
Cherie D - There used to be charros in the park. Could there be findings in the sand?	SCAC-35

Biological Resources-

Bill- Native plants need to be promoted. All new plantings should be native to the area. Increase incidences of native and reduce the amount of exotics, such as the eucalyptus.	SCAC-36
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Ed- Removal of 100 year old oak trees should be a Class 1 mitigation.	SCAC-37
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Julie Steiner - The old oak trees take my breath away There must be a way to preserve these oaks by some clear and creative thinking.	SCAC-38
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Jackie- Report states that there would be a tree monitor, but where would the money come from for this?? How would we know it was being done? Instead of tree removal, perhaps we could re-route paths and trails around the old oaks to lessen the removal.	SCAC-39 SCAC-40
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Animal-

After a show of hands about the species listed in the report, it is clear that the horse riders and park walkers have seen more sightings than the one or two observations by the county. It is suggested that further review should be given to these animals.	SCAC-41
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Harry- Coyotes were glossed over and need to be reviewed as well.	SCAC-42
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Hazards and Hazardous Materials-

Harry- the report doesn't state any mitigation when the old preschool septic tank is removed.	SCAC-43
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Linda- the report doesn't state any mitigation about the old dump site that is now a dog park and all types of bottles and can can be found.	SCAC-44
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Geology and Soils-

No Comments

SCAC-45

Land Use-

Jackie- Skate Board Park sections says that a 25 foot berm will be needed to mitigate noise, but such a berm would block the view.

SCAC-46

Jackie- The buildings section doesn't reflect the planning area standards. (???)

SCAC-47

Jane P- When the High School was built, the north end of parking lot which is an ag buffer was to be used for soccer fields. What happen to that idea? It would be easier to use the existing lights and parking lot instead of starting over.

SCAC-48

Harry- It is illegal to have a pre-school in the park, so what is the impact to the park when moving out the pre-school.

SCAC-49

Noise

Jane- concerned about noise when you have the library, the school, CHC and the new development in the park.

SCAC-50

Jackie- Levels are stated as being low, but they state that they did not add the extra noise created by radios.

SCAC-51

Public Serviced & Utilities

Dick- see exhibit b attached

SCAC-52

Wastewater

Fred- Not sure about the impact of the pool and water usage.

SCAC-53

Ed- There is no recycled water to be used as stated in the report

SCAC-54

Comments from Nipomo Native Garden

Comments by the San Luis Obispo Chapter of the California Native Plant Society and Nipomo Native Garden on the Draft PEIR, Nipomo Community Park Master Plan

SCAC-55

SCH. NO. 2009111067

The California Native Plant Society is a statewide non-profit organization of some 10,000 scientists, educators, and laypeople dedicated to the conservation and understanding of the California native flora.

The San Luis Obispo Chapter of the California Native Plant Society is concerned with the losses of plant communities that are dependent on substrates of older dune sand, such as those covering the Nipomo Mesa. Nearly all of this habitat has been destroyed or severely degraded, and very little is in public hands where it can be protected. Destruction through development, eucalyptus plantations and agricultural conversion is found everywhere in the Mesa.

We believe that the Nipomo Community Park Master Plan (NCPMP) fails to address or recognize this issue, and furthermore, the Draft Program Environmental Impact Report (DPEIR) fails to accurately describe vegetation types.

The DPEIR identifies two alternatives (A and B), the essential difference between them being in the reductions of open space. Alternative A removes 1,088,510 square feet of the remaining 5,698,981 square feet of open space, which CNPS considers an intolerably high loss in a "Park". Alternative B removes 510,168 square feet, which is preferable to Alternative A but is still a loss of over 11 acres. CNPS considers these losses to still be extremely high and show a strong bias toward the constructed landscape and against the natural landscape.

The principle areas of planned development and loss of existing habitat are in the center of the existing park, which is more intensively developed in Alternative A, and in the midsection of the southern edge of the park, in which sports fields are proposed in Alternative A but not in Alternative B. CNPS has less concern about development in the "annual grassland" in the center of the park than it does in the "coastal scrub" along the southern margin of the park.

The DPEIR's description of plant communities is inadequate, using the simplistic WHR Classification rather than the Manual of California Vegetation 2nd edition. The DPEIR characterizes NDDB's/Holland Central Dune Scrub (21320) as the more generalistic coastal scrub, thus failing to recognize it as being limited in distribution by the nature of the soils. Just as old stabilized back dunes are a highly limited in distribution, so are the vegetation types that live on that substrate. While the DPEIR recognizes the rarity of the Maritime Chaparral and describes mitigation against loss of that community, there is no similar consideration given to the Central Dune Scrub, half of which would be lost in Alternative A to playing fields at the south end of the park. There is no mitigation described for losses to the Central Dune Scrub.

The central area of the park where most of the development is planned is mapped as "Annual Grassland" in the DPEIR. As this consists essentially of non-native weedy

species, including lots of perennial veldt grass, it should be pointed out that this has resulted from disturbance and removal of Central Dune Scrub. This area could be restored as original vegetation, but with greater difficulty than in the areas described as scrub in the vegetation map. The degree of misunderstanding about the 'value' of this 'annual grassland' is manifested in Chapter 6.2 of the DPEIR which states that losses of the grassland to sports fields are not irreversible and that they could be restored. This is absurd, due to the changes in soil profile and chemistry that would be generated from irrigated turf and also to the restoration to the current condition has no value. It is true that they could return to 'ruderal', but not without great difficulty to an original native plant community.

Vegetation Management

Vegetation management is not sufficiently addressed in the NCPMP or DPEIR. The NCPMP appears to recognize the value of certain vegetation types through planned avoidance, but does not contain any program for maintaining the natural plant communities. The Nipomo Mesa sand habitats are under severe attack from invasive veldt grass (*Ehrharta calycina*) and any long-term planning for NCP should involve plant community restoration, primarily through veldt grass control on a continuing basis. This could be funded through part of the mitigation, but the DPEIR fails to consider this as an issue. CNPS recommends that some funds currently dedicated to development and its immediate mitigation be diverted to long term vegetation management.

Water Supply

Conversion of native flora to irrigated landscape and development is a poor choice in an area with severe water deficits. The current water use at NCP is between 40-60 afy (p. 4.12-3) and the projected added demand is 44.4 afy (p.4-12.10). Most agencies with water supply issues recommend using native drought-tolerant flora in parks or their equivalent, and thus the direction of the NCP runs counter to logic by essentially doubling water demand.

Climate Change

The section of the DPEIR on climate change does not include the word 'tree' or 'vegetation' while describing the project. The project replaces vegetation with hardscape, uses energy to both pump water, mow lawns and supply other functions of a developed park. Thus the park transitions from a carbon-absorber to a carbon emitter over an increased area of the park. Regarding the cumulative impacts of all County actions, this is clearly going in the wrong direction.



Executive Summary

- ES6 table ES1 lists Open Space (undeveloped) and Open Play Area (turf) in the same category. This is misleading as to the actual loss of Open Space because it is added back in under Open Play Area. Open Play Area (4 acres) should more accurately be placed under Recreation Area. The stats need to be changed accordingly. Total recreation area now including turf would be approx 24 acres of the 123 total available acres putting the existing portion at 20%.
- ES6 Preschool is listed at Infrastructure. It is a temporary contracted non-recreational business and should not be considered as Infrastructure. It is in the park via a temporary use permit.

SCAC-56

Chapter 3 Environmental Setting

- 3-1 3.1.1 the temporary Lil Bits preschool as listed at infrastructure. It is a contractually permitted non recreational temporary business. Its current location is in the area designated by LUO as Recreation and should be in the Public Facilities designated LUO area.
- 3-2 table 3-1 needs to include under land uses Dana Elementary School and CHCC medical clinic and its expansion currently in progress (add'l 15,000 sq ft).
- 3-11 table 3-2/1.F states NCP is the only public park in Nipomo. The Jack Reddy Park has been approved and will include a volleyball court, a basketball court, and approximately one acre of grassy fields. The Jim Miller Memorial Park on Tefft is approx 1 acre and is available for development. The Kaminaka project on Pomeroy includes 29 acre sports complex with ball fields in their plans. These should be referenced in the table and considered for recreation.
- 3-15 table 3-2, policy 3.1: as mentioned earlier, EIR claims NCP is only park in Nipomo. Jack Reddy, Jim Miller Memorial Park and the Kaminaka sports complex development need to be mentioned and considered.
- 3-16 table 3-2, policy 3.2: see above, NCP listed as the only existing park in Nipomo.
- 3-39 table 3-3, Cumulative Projects List: There is a project currently under construction that is not listed. It is located at 239 Tefft. It is a mixed used development that will include commercial and 3 residential units to be completed in 2012. Once occupied this would add to the traffic on Tefft and should be considered as a cumulative traffic and circulation impact.

Chapter 4 Environmental Impacts Analysis

AESTHETICS

- 4.1-18 AES impact 1: sites the recreation center as the only visual block to existing rural view. In terms of aesthetic character, the NCP serves an important role in defining the visual identity of Nipomo. As development continues around the community, NCP remains one of the last

surviving native areas tying it to its rural roots. There is a cumulative block from the combination facilities including the fenced pool and deck, the 36,000 sq. ft. recreation center (250'Lx230'Wx36'H) covering 2 acres plus a defensible space fire break, fenced basketball courts with pole lighting, 2 fenced tennis courts with wind screening and pole lighting, fenced skate board park, a hand ball court, a transit stop, and parking lot with cars. Further, native chaparral would be stripped away and replaced with 10 acres of ball fields with 8-10 pole lights. The view from the interior of the park (KVA1, KVA-2, &KVA-5) would be irreparably altered from a rural view to an urban utilitarian view not in character with our rural goals. Mitigation of shrubbery would not diminish the size of the view obstruction, only decorate it. Setting structures back 150' from the road is equally ineffective. Ineffective mitigations.

- 4.1-20 multi use sports fields: It estimates 8-10 pole lights for 10 acres of playing fields. That ratio does not seem right, only one light per acre? The 25' high cut and fill slopes needed to accommodate the 10 acres of fields in combination with lights and its mere size would noticeably affect the visual view to the South (KVA-2). With the adjacent added facilities the rural ambiance would be transformed into an active sports center with a definite urban feel. The park would change from a calm, peaceful, rural setting to a bustling, noisy, and urban one. Class I impact.
- 4.1-25 Basketball courts and handball courts: no mention of lights
- 4.1-27 Tennis courts: no mention of lights
- 4.1-29 AES Impact 2: Basically defers impacts because there is no definite design plan. Mitigations are to use rural designs. That is an ineffective mitigation because design does not diminish size. It is the cumulative number and mass of the additions that detract from the visual view not the architectural design. 24 acres of illumination and all the required fencing detracts from the rural ambiance and adds to the harsh, urban, industrial look. Inadequate mitigations. Class I impact.
- 4.1-31 AES Impact 3: community center would be visually imposing

AES/mm-3: mitigation by architectural design is ineffective. The size not style is the imposing factor creating a significant impact on the rural character. Class I impact .

AES/mm-4: mitigation by landscaping is ineffective. Landscaping reduces the visual scale of the building but not the actual size. Class I impact
- 4.1-32 AES Impact 4 : Impact on character of park by removal of 1.12 acres/20 mature trees. Planting smaller trees at a biological mitigation receptor site on the other side of the park or at a purchased easement elsewhere does not mitigate the loss of trees, rural character, and view shed from the area where they were taken. It would take 50 plus years to see the benefit of the replanting and the area where they were removed would be significantly and permanently altered. This is not an immediate mitigation; it would take 50+ yrs. Ineffective mitigation. Class I impact.

AIR QUALITY

- 4.2-14 table 4.2-8 emissions chart: where are pollutants listed for horseshoe pits, dog park, picnic/BBQ area, horse staging area, turf, playgrounds, and rapid transit vehicles/stops? Have emissions been factored in from the 2 main thoroughfares that border the park (Tefft and Pomeroy)? Idling automobiles on Tefft while dropping off and picking up students at the adjacent Dana School adds to the cumulative emissions. Have the emissions from the newly constructed 15,000sq ft Medical center adjacent to the park been factored in? Chart figures need updating.

Emissions Quantification: EIR states proposed project would exceed the daily ROG+NO_x combined threshold. It currently requires 18 on site mitigation measures. That threshold may be inaccurately low if the items mentioned in above emissions chart notation have not been factored in. The mitigations are not effective or feasible. Internal paths would not diminish the trips to the park. The auto traffic is not generated from trips within the park. Planting trees in the parking lot to reduce evaporative emissions will not offset the loss of the 20 mature trees removed. Has the removal of those trees been factored in the equation as a cumulative effect? On site housing already exists for the ranger so that is not a feasible mitigation. A recreational facility cannot be moved to the area adjacent to the school and residences. The topography would limit development, the height of the property would interfere with the view shed and aesthetics, and it would be adjacent to the newly developed 16,000 sq ft medical center on Tejas Place with its accompanying emissions. Not a feasible mitigation. There would be a significant air quality impact on the park visitors and day care children in the park as well as to the sensitive receptors adjacent to the park (Dana school, the medical center, the Library, and the church with its additional day care.) Class I mitigation.

- 4.2-16 AQ Impact 2, AQ/mm-2 AQ emissions exceed daily thresholds: see chart corrections above that would increase daily emissions and threshold totals. Mitigation of valet bicycle parking at community events centers is not feasible given the rural nature of our community and how spread out the residents are. Residual impacts: EIR states even with implementation of mitigations the emissions would not be reduced. With additional contributing factors (noted above re chart) and mitigations not feasible (moving rec. facility, building ranger residence, & bicycle valet) this becomes a Class I Impact.
- 4.2-19 4.2.5.3, Create or subject individuals to Objectionable Odors: When Lil Bits temporary day care was placed in the park turf was dug up and a septic system was installed. If they are removed or moved to the new site on the project map, what happens to that system? Will it be dug up?

In the 3/24/05 letter to Shawna Scott at Morro Group Inc. from Melissa A, Guise, Air Quality specialist from SLO Air Pollution Control District she states, "District staff supports Alternative 2, which provides for less development than Alternative 1 and does not increase parking. District staff commends the applicant on the multi-use trail system proposed throughout the park and recommends the pathways be linked to bus stops, pedestrian trails and bike paths outside the park to encourage the use of alternative transportation".

BIOLOGICAL RESOURCES

- 4.3-20 Special status wildlife: white Tailed Kite. My husband has sited these frequently in the rural section of the park as has Bill Deneen a noted naturalist in Nipomo. With the frequency of sightings, the limited habitats in the coastal area and the MBTA/FP status their potential for occurrence should be elevated to "High" and elevation to Class I Impact.
- 4.3-23 Special status wildlife: Pallid Bat. My husband has observed bats in the park species unk. May or may not be Pallid. Do other species of bats live there?
- Monterey Dusky-Footed Woodrat: My husband and I have both observed them in the rural section.
- Silvery Legless lizard: My husband and I have both observed them in the rural section.
- Coastal Horned Lizard: My husband, grandchildren and I have all observed them in the rural section.
- Class Aves: My husband and I have observed Red Tailed Hawks, American Crows, Scrub Jays, Great horned owls and numerous quail in the rural section.
- It further serves as habitat for rabbits and coyotes. Mountain Lions, Bob Cats, and Fox have also been observed in the park.
- 4.3-28 Project would disturb natural habitat for special status plant and wildlife species. 4.3-29BR/mm-3 Legless and Horned Lizard: 27.5 acres of special status wildlife species habitat would be eliminated, substantially affecting their ability to survive. Monitor's soil raking has limited protection against loss of wildlife during the removal/relocation efforts during the ground disturbing activities. Not an effective mitigation
- BR/mm-4, Monterey Dusky-footed Woodrat: Special species Woodrats would be displaced with their destroyed nests to serve as a stockpile of materials to scavenger and rebuild their nests. They would have permanently diminished habitat by the removal of Oak Woodland and Maritime Chaparral, affecting their normal activities. These animals are nocturnal so they won't be sited by day time monitors. What time will their nests be moved to not disturb their natural way of life? Unknown numbers of the species would be without nests until they could be rebuilt leaving them subject to natural predators which could substantially affect their numbers. Ineffective mitigation.
- 4.3-35 BR Impact 3, Loss of 1.12 acres of oak woodland, approx 20 trees, BR/mm7, BR/mm-8, BR/mm-9, BR/mm-10: The mitigation only allows for 50% mitigation via replanting. That is not an immediate mitigation; that will take 50+ years. An additional feasible mitigation would be to alter path/trail plans to route around established trees. Trails do not need to be straight lines. Trails curving around established trees would add to the rural character Nipomo is attempting to maintain and habitat would be preserved.

- 4.4-40 4.3.7 cumulative impacts: If all the biological impacts in this chapter have been considered class II with mitigation, how does the cumulative impact result in Class III? Shouldn't that be Class II as well?

SCAC-56
(continued)

HAZARDS & HAZARDOUS MATERIALS

- 4.6-4 3rd paragraph, The Sheriff's Department recommends implementation of several safety measures in conjunction with development of additional park facilities, including "Crime Prevention Through Environmental Design" and "light and lighting system guidelines", which have been proven to prevent and reduce crime. This creates a Class I impact on the recreation center. Per the CPTED guidelines, youth facilities should be on main roads in plain view to allow effective policing and natural public surveillance. The lighting in lighting and lighting systems guidelines needs to be factored in when determining the aesthetic impacts of cumulative lighting. The cumulative lighting from both of these safety measures plus the activity lighting would be a Class I impact on lighting.
- 4.6-7 4.6.3, Thresholds of Significance: Need to include 6th category of Potential for Crime as discussed on pg 4.6-3. Building the youth recreation center in the center of the park would be out of compliance with recommended safety measure to use Crime Prevention Through Environmental Design principles. This would create a class I Hazard Impact.
- 4.6-9 Exposure to Hazardous Emissions: 1st sentence would be more accurately stated as, "The NCP is located directly adjacent to the Dana Elementary School. The closer proximity would also change the concern for emissions at the school which is an air quality sensitive receptor.
- 4.6-10 4.6.5.2 Emergency Response or Emergency Evacuation Plan: states implementation of the Master Plan would not interfere with emergency evacuations because no element blocks the public. Evacuation plans must include adequacy of escape routes for the population functioning at full capacity. There is no information regarding the maximum capacities of all the activity areas and the ability to safely and efficiently evacuate them. Class I Impact.

LAND USE

- 4.7-4 4.7.5.1 Consistency with Land Use, Policy/Regulations: **County Gen Plan** guides future growth to enhance scenic resources. **So County Inland Area** balances social, economic, environmental a governmental resources and activities affecting quality of life in an area. The **So County Planning Area** preserves the character of communities and rural areas that currently exist in the area. The Recreation Element insures the development of new parks and equitable distribution of parks throughout the county. **Principles of Strategic Growth** attempts to preserve open space, scenic natural beauty, and sensitive

environmental uses (like our sensitive and protected species in the park) and foster a distinctive, attractive community with a strong sense of place. 1988 Master Plan included a plan for acquisition of new parklands which was never done. The massive build out of the park impacts all of these land use policies to preserve Nipomo's rural equestrian character, provide equitable distribution of parks, preservation of open space, scenic natural beauty, and sensitive environmental uses and to acquire additional parkland. As Nipomo has grown there has been considerable loss to riding trails and the county has failed to dedicate new trails as requested creating a net loss of recreation to equestrians. The impact needs to address the cumulative loss of recreation to our equestrians and the unnecessary duplication of amenities for organized sports already existing in Nipomo violating our land use guidelines. Suggested mitigations would be 1. Acquisition of new parkland while real estate prices are low. 2. Enter into joint use agreements with our schools to share and save tax dollars during tight county budgets. There are funds for building but not maintenance. 3. Enter into joint use agreement with schools to pay for the Crime Prevention Through Environmental Design changes to campuses so that they will feel safe to open them to the public on off school hours. 4. Place some smaller developments in Jim Miller Park instead of in NCP (horse shoes, Bocce Ball, gazebo, skateboard park) 5. Partner with Jack Reddy Park to get it up and running.

- 4.7-5 2nd paragraph, skate board park mitigation: Cannot state that using mitigations N/mm-2 will reduce the noise to a specific level when the dimensions of the berm used in that mitigation are not given. Facts are not supplied to support that conclusion.

NOISE

- 4.8-1 4.8.1.1 Identified Sensitive Land Uses: Final sentence needs to include the CHC medical center and its 15,000 sq ft expansion.
- 4.8-12 Last paragraph: States Pomeroy/Juniper would experience decreased traffic under build out conditions. What is the basis for this? This street will be realigned, signalized, and have turn lanes added. A pay booth will be added to this entrance and will serve as one of two entrances joined by a circular interior road. It will generate more traffic than currently and as much as Tefft upon completion. With that entrance signalized, it is reasonable to assume an increase in the people who cut thru the park now in order to avoid that signal and the ones at Pomeroy/Tefft and Tefft/Orchard.
- 4.8-14 Stationary Noise, 2nd paragraph: Noise measurements were taken at Damon Garcia Sports Complex during 3 games without amplified sound. Our proposed build is 10 acres or 6 youth soccer fields/games that could be played on simultaneously with amplification, whistles, and crowd roars. Also practice games would include whistles and loud coaching instructions. The comparison is not equal. The measurement needs to be more accurately calibrated based on 6 fields.

- 4.8-15 3rd paragraph: The multi game soccer event would be closer than 200 ft from a sensitive receptor, Dana Elementary and the new 15,000 sq ft CHC expansion.
- 4.8-16 2nd paragraph: no description of the skate board park barrier other than earthen and 25' from the edge. What are the dimensions?
- 3rd paragraph: Potential remediation options for noise abatement are not mitigations and are not acceptable or reliable measures to reduce noises. Noise impact would be Class I.
- N/mm-2: What are the dimensions of the berm? It cannot be offered as an adequate mitigation if no dimensions are given to calculate its effects. Will its size be a conflict with the Aesthetics requirement not to block view of the park from the street? What is the style and height of the fence? In order to block noise it would have to be solid which would conflict if safety and aesthetic mitigations and the West Tefft Corridor Design elements. Ineffective conflicting mitigation, not feasible.
- N/mm-3: Directing loud speakers inward would not mitigate sound from effecting sensitive receptors within 200 ft. The loud speakers currently at the football field on Pomeroy can be very clearly heard across the park to the homes on Tejas Place, well over 200 ft.
- N/mm-4: These are not mitigations. They are POSSIBLE afterthought solutions of questionable value. The ranger and/or park host do not have police powers. The County has no money for a Park Monitor. They are cutting park personnel. There is no guarantee a volunteer could be secured and that position would not have police powers either. What design and height would the fence be to effectively keep people out? If it is solid as needed to mitigate noise it would be in conflict with mitigating safety measures to use Crime Prevention Through Environmental Design. CPTED requires no blind spots and all recreational activities remain visually open for effective policing and naturally occurring public surveillance. If it is open for safe viewing it won't mitigate the sound. Conflicting and ineffective mitigations. Class I Impact.
- 4.8-18 4.8.6: 1st sentence is incorrect. The CHC 15,000 sq ft expansion on Tejas Place adjacent to the park will generate a significant level of stationary noise.
- 2nd paragraph: Need to recalculate the increased number of visits to the park upon build out. With an additional 27.5 acres of new recreation (more than doubling its current size) the additional trips would be substantially higher. The new amenities would draw high numbers of people each both on a casual use and tournament basis. (recreation center, ball fields, skateboard park, swimming pool, tennis courts, basketball courts). Facts do not support this assumption.

SCAC-56
(continued)

Concerns re: EIR

Since I'm new and haven't read all the EIR recommendations I will give a few of my concerns based on the meetings I have attended:

SCAC-57

From what I have heard we do not have the man power for emergency responders (police, fire etc.) to patrol the area and the response times are becoming longer.

SCAC-58

The set-backs recommended in the in the EIR do not appear to be acceptable to the emergency responders.

SCAC-59

Someone recommended putting a brim around the skate park to cut down on noise which the emergency responders would not be able to see over.

SCAC-60

It is suggested using reclaimed water on the landscaping but does not say where the reclaimed water will come from since there is not a facility or pipe line. Therefore all watering would come from existing water supply which we are already hearing of shortages.

SCAC-61

The existing plan removes quite a bit of existing horse trails with no future plans of adding more.

SCAC-62

The existing plan talks of removing old growth oak trees and replacing with other trees but how do you replace trees that are 50 to 100 years old.

SCAC-63

Sincerely,

Susan Cholakian

1055 Ridgecrest Place

Nipomo, CA 93444

805-473-0883



Steve McMasters
 San Luis Obispo
 Department of Planning and Building

March ²⁸~~26~~, 2012

SCAC-64

To those individuals who are pushing for the overloading of the Nipomo Park.

1. Please listen to what the residents of Nipomo have to say.
2. This project is extremely large and intrusive.
3. The scope of this project is not reasonable for this community!
4. Your methods are like a bulldozer, continually pushing through the crowds to reach your goal with NO regard to the damage you are inflicting.
5. Tefft Street cannot accommodate more traffic.

I have been to 90% of the meetings for this project and 60% of the Nipomo residents do not want this project. 15% of the Nipomo residents do want this project, and 25% of them don't care.

The vocal minority should not be allowed to overrule the majority.

At every meeting about this matter, the majority of the residents are apposed to the build out of the park.

What is it going to take to get the elected officials to listen, and to stop pushing their personal agendas? Just because there is no environmental impact to stop this project, does not mean the park should be a full build out or any build out. The impact to the community will be long lasting and one more open area will be gone.

Give it a rest... and use the monies somewhere else.

I retired from the grocery business after 35 years, but continue to work full time at my own business. Yet... I still find time to defend my community.

Barbara Verlengiere
 PO Box 503
 Nipomo, CA 93444

Tax paying (working) resident

~~805-550-6323~~
 805-550-6323

Subj: **Nipomo Community Park DEIR Reminder!!!**

Date: 4/3/2012 8:04:12 P.M. Pacific Daylight Time

From: rcdodds@sbcglobal.net

To: Theotherm@aol.com, Harryfwalls@sbcglobal.net, sbwiff@sbcglobal.net

Addressing the Historical or Cultural Value that the Nipomo Park has, really gets its roots from the Equestrian Riders. I talked to Don Souza who gave me quite a bit of history regarding the park and riders, that date back to **1958**. Apparently they had a deal with the county to lease it for one dollar a year. The Mesa Riders put in all the piping, arena area, and a 12' cook shack that they sold food from. There would be 50 riders who did Gymkhana and horse shows, with as many as 40-50 horse trailers. They always kept it watered down to keep the dust from flying. It was used by them up until the 1990's where it then was then taken over by the Mexican Charros. The Charros used it until the County kicked them out. Then of course Brush Poppers tried to get in, but they were denied the access per environmental reasons, dust, and noise cited as reasons not to let them in. (I was there for those meetings)

On the other hand, the community center in its inception, apparently was given \$100,000 dollars by the men's center. Peg Miller and her husband carpeted or floored it for free. The Hermreck's and other locals all volunteered their services to make it work. Sometimes as much as \$32,000 dollars was accumulated through bingo nights. But the Community Center was allowed to be run into the ground, and lost all their money that had been raised.

In my opinion, an arena where local families and equine groups could ride their horses and have activities would be much more beneficial to the park, it has never even been a part of the design and should be part of this process. I feel that the Equines have more history and cultural value in the park than skaters, or a community center that doesn't have a proven track record here to succeed. The equestrians have lost the most in the proliferation of Nipomo. As we continue to be pushed out, the local businesses are not making it, because we are losing horses and trails. In the design element I would like to see an arena put back in, and the skate park and community center taken out. Cherie Dodds

||

Wednesday, April 04, 2012 AOL: Theotherm

**EL-JAY HANSSON
2315 IDYLLWILD PLACE
ARROYO GRANDE, CA. 93420
805/343-1949**

SCAC-66

March 15, 2012

Mr. Steve McMasters
County of San Luis Obispo
Department of Planning & Building
976 Osos Street, Room 300
San Luis Obispo. Ca 93408-2040

Reference: Nipomo Park EIR

Dear Mr. McMasters:

There are a number of items, I would like to address.

ES5 – I believe a skate park was deemed too dangerous, in spite of the fact someone donated the material.

Total 27.5 acres – does this include all paving?

ES6 – When one considers the large number of people that use the trails now, is it prudent to remove nearly one half?

ES10 – To widen Osage have you considered that the banks are steep and several old oaks would have to be removed?

Where will they get the recycled water? Understand NCSD is not in position to take this on, and even when the supplemental water comes in, it is slated for existing needs.

That there are no Class One impacts, doesn't sound logical.

ES11 – Believe this was a former dump site. Is this really where we want children playing in the sand?

ES17 – Makes sense to have the community center in a different location. All traffic would not be directed to the same area. Most children could bike or walk to a local one.

ES25- Alternative Master Plan B, seems to be a compromise which the community might adopt.

ES29 – What size are the new oak trees?

ES39- Is it allowed to use herbicide applications?

With the limited budget, who is going to pay for the additional maintenance, patrolling for vandalism and code enforcement?

ES41 – At then end of the 5 years, who is responsible for replacement? In the past many subdivisions were required to landscape – somehow many of the plants are no more.

ES44-- Oaks are notoriously slow growers, so why are you using only one gallon pots or tubes?

ES46-- Who is applying for “what” grant, and how sure are you of getting it, and how much will be requested?

ES54-- Who will pay for the park monitor program?

Who will protect the park after hours from people “hanging out”? Fences are easily jumped.

2-6 NCAC was told to ask for the sun and settle for much less. There would be no development shoved on the community, and soccer has more than enough fields.

2-8 Is the preschool “not a for profit” business, and if so should the tax payers be contributing?

3-2 Will Mesa Meadows remain as it?

3-25 -What happened to the trees the Eisner group planted many years ago? How large and healthy are the trees?

3-29 Is reclaimed water acceptable for young children playing on the lawns?

3-41 Several of these projects have no water

4-6-3 Nipomo is extremely limited on law enforcement

4-7-5 Skate Park -- only 120 feed setback??

4-12-3 Why was there so much water delivered in 2007? If we get more years like this will it adversely hurt the community?

4-12-15 Has the NCSD put aside supplemental Water from pipeline to take care of the park's needs?

5-11 A very large community center could be built on any of these parcels

5-21 How large is the equestrian staging center?

7-13 Why not leave the trails as they are?

7-31 In all fairness to the community, the hours of operation should be no more than 8:00 a.m. To 8:00 p.m. This is a bedroom community, and many people retire earlier.

9.2.4 Response to Comments from South County Advisory Council Officers and Members

Comment No.	Response
<i>R.W.Wright</i>	
SCAC-1	While it is true that San Luis Obispo County does not currently have an ordinance in place, mitigation measure PSU/mm-1 incorporates relevant standards and guidelines identified in the Crime Prevention through Environmental Design (CPED) document. No changes to the EIR are necessary.
SCAC-2	While specific event types and other details (i.e. alcohol, security) are not included in the NCPMP at this time, the EIR considers a worst-case scenario, within the bounds of existing laws and regulations, such as park closure (10:00 p.m.) and the County General Services Agency permitting system, which includes restrictions and requirements related to noise, alcohol, and security. No changes to the EIR are necessary.
SCAC-3	Mitigation measure PSU/mm-1 includes safety design standards, which are applicable to all development related to NCP or an off-site location for the proposed community center. At the time a specific proposal is considered by the County, the design will be required to incorporate these standards regardless of location. No changes to the EIR are necessary.
SCAC-4	Please refer to EIR Section 4.6.1.5 Hazards and Hazardous Materials, Potential for Crime, Table 4.6-1, Offenses Known to Law Enforcement – San Luis Obispo County. While this table does not specifically identify crime statistics for parks with or without community centers, it presents documented offenses within the County. This section of the EIR also notes that Nipomo has a low crime index, compared to the state. Crime rates within parks are influenced by the crime rate within the surrounding area and community; therefore, comparing crime statistics in other areas may be arbitrary and would not benefit the discussion in the EIR. No changes to the EIR are necessary.
<i>Comments from T&C</i>	
SCAC-5	The 2009 traffic counts establish a reasonable baseline for review, as this is the time the EIR was initiated (refer to CEQA Guidelines Section 15125 Environmental Setting). The NCPMP is long-range plan, and traffic and road conditions are expected to change over time; therefore, mitigation measure TR/mm-2 requires a re-assessment of traffic conditions prior to development of high-traffic generating uses. No changes to the EIR are necessary.
SCAC-6	Based on the traffic analysis conducted for the project, no significant, adverse, project-specific transportation or circulation impacts would occur (refer to EIR Section 4.10.6.1 Increase in Traffic and Level of Service). The study noted that a transit stop is not currently located in close proximity to NCP; therefore mitigation is recommended requiring further coordination with the Regional Transportation Authority, as noted in the comment. No changes to the EIR are necessary.
SCAC-7	As noted in TR/mm-2, in the event future re-assessment of traffic impacts identifies a significant impact, The County General Services Agency would implement Transportation Demand Management (TDM) measures to reduce trip generation during peak traffic periods. This measure is proposed in addition to the assessment of payment of “in-lieu” fees to specifically address the project’s potential contribution to significant cumulative traffic impacts. No changes to the EIR are necessary.

Comment No.	Response
SCAC-8	<p>Please refer to EIR Section 2.4.1 Project Description, Project Phasing and Funding. The NCPMP does not include a phasing plan; however, as noted in the EIR, the timing, type, and extent of infrastructure extensions, offsite improvements such as traffic signals, and earthwork would depend upon the type and extent of the first new facilities to be implemented. EIR Section 2.3.3.1 Access has been expanded to include the following language, which clarifies that road improvements would be implemented prior to high-traffic generating uses, as follows: <i>“The NCPMP does not include a specific phasing plan because amenities would be constructed as funds are available. The Public Works Department was consulted to assess the appropriate timing for implementation of road improvements. The Public Works Department determined that major road improvements would be required prior to construction and operation of any high-traffic generating facility, including the permanent pre-school and administration building, sports fields, community center, amphitheater, swimming pool, and skate park (Richard Marshall; March 7, 2006). Proposed uses that would not generate a substantial amount of new trips may be constructed prior to implementation of access and road improvements, such as open turf areas, playgrounds, dog park, handball courts, tennis courts, basketball courts, internal roads, parking areas group picnic areas, trails, restrooms, and stormwater improvements.”</i> In addition, EIR Section 4.10.6.1 Transportation, Circulation, and Traffic, Proposed Intersection and Roadway Improvements has been clarified as follows (additional text in italics): <i>“As part of the NCP Master Plan project, various on- and off-site circulation infrastructure improvements will be constructed prior to construction and operation of any high-traffic generating facility, including the permanent pre-school and administration building, sports fields, community center, amphitheater, swimming pool, and skate park.”</i> In addition, the following language has been added to EIR Section 4.10.7.3 Transportation, Circulation and Traffic, Cumulative Intersection Operations, to clarify the proposed uses that may generate traffic trips triggering the South County Road Improvement Fee (Area 1): <i>“Proposed facilities and amenities that may trigger the South County Road Improvement Fee (Area 1) include the permanent pre-school and administration building, sports fields, community center, amphitheater, swimming pool, skate park, open turf, playgrounds, dog park, handball courts, horseshoe pits, tennis courts, and basketball courts.”</i> These clarifications do not affect the analysis or determinations of the EIR.</p>
SCAC-9	<p>County Public Works has reviewed the Draft EIR, and any future road improvements (including traffic signals) would be reviewed and approved by a County Traffic Engineer, and approved by the Board of Supervisors. No changes to the EIR are necessary.</p>
SCAC-10	<p>NCP currently charges park admission during high-use seasons of the year; therefore no additional significant impacts are anticipated. No changes to the EIR are necessary.</p>
SCAC-11	<p>Please refer to response to SCAC-9 above. No changes to the EIR are necessary.</p>
SCAC-12	<p>Level of Service (LOS) relates to delay times and road congestion. Based on review of the affected road network surrounding NCP, County Public Works noted that Osage Road is not constructed in compliance with the County Road Standards. Therefore, widening of Osage Road is proposed as part of the proposed NCPMP. No changes to the EIR are necessary.</p>
SCAC-13	<p>As noted above (SCAC-12) County Public Works reviewed the NCPMP proposal and assessed the adjacent road network, similar to other private development projects. The assessment includes an evaluation of compliance with County Road Standards. The EIR includes an assessment of potential environmental impacts related to ground disturbance and biological resources. No changes to the EIR are necessary.</p>
SCAC-14	<p>Please refer to Figure 2-5, Nipomo Community Park Master Plan. The proposed path will be within the park boundaries. No changes to the EIR are necessary.</p>
SCAC-15	<p>EIR Section 2.3.2 Proposed Facilities has been clarified to include the following: <i>“an additional 3 acres of paved and unpaved trails/walkways including a separate equestrian trail”</i> (note change in italics).</p>

Comment No.	Response
SCAC-16	The NCPMP is a long-range (20-year) plan for NCP. While the current transit system does not include a transit stop at NCP, the NCPMP includes provisions for a transit stop in the future, in anticipation of additional growth and increased local use of NCP. The County will coordinate with RTA in order to ensure the future transit stop is appropriately sized, designed, and located for effective incorporation into the existing transit route. No changes to the EIR are necessary.
SCAC-17	Based on the traffic analysis conducted for the project, no significant, adverse, project-specific transportation or circulation impacts would occur (refer to EIR Section 4.10.6.1 Transportation, Circulation, and Traffic, Increase in Traffic and Level of Service). The project includes measures to address project-related traffic (i.e., realignment of intersections and installation of traffic signals), and no other project-specific measures were determined to be necessary. The study noted that a transit stop is not currently located in close proximity to NCP; therefore mitigation is recommended (TR/mm-1). No changes to the EIR are necessary.
SCAC-18	In addition to the noted comment, the EIR states that the project would not generate trips exceeding identified thresholds based on existing and forecasted conditions at the US 101/West Tefft Street Interchange; therefore a significant adverse project related impact would not occur. In addition, expansion of alternative transportation opportunities and the provision of additional and improved public facilities within the Nipomo urban area would result in a beneficial effect on the generation of localized traffic, including trips generated to the east and west of the US 101/West Tefft Street Interchange, such as reduced regional and local trips, and shorter trip lengths. No changes to the EIR are necessary.
SCAC-19	Comment noted; no changes to the EIR are necessary.
SCAC-20	Based on the Mitigated Negative Declaration that was adopted for the Community Health Center (County Project DRC2010-00027, adopted October 27, 2011), the project would not result in a project-specific or cumulative traffic impact. The project was within the generally envisioned uses expected for the property, as considered in the South County Traffic Model Update. The Update was applied to assess cumulative transportation, circulation, and traffic impacts in the EIR; therefore, the EIR analysis adequately considered this use when assessing cumulative effects. No changes to the EIR are necessary.
SCAC-21	Please refer to response to comment SCAC-7.
SCAC-22	Based on the long-term nature of the NCPMP (approximately 20 years), it is reasonable to include proposed road improvement projects under the cumulative development scenario. In addition, the County notes that conditions may change, and re-assessment of traffic conditions is required pursuant to mitigation measure TR/mm-2. No changes to the EIR are necessary.
SCAC-23	Please refer to response to comment SCAC-22 above.
SCAC-24	A summary of the potential Alternatives in Section 4.10.7 of the EIR is included for informational purposes only. As noted in the EIR, Alternatives 1, 2, and 3 (US 101/West Tefft Street Interchange) are not designed or funded at this time, and are not included in the baseline cumulative scenario. No changes to the EIR are necessary.
SCAC-25	Transportation Demand Measures would apply to high-traffic generating uses, including events and use of the multi-use sports fields. These types of uses would be approved by The County General Services Agency, including hours of operation and game schedules. No changes to the EIR are necessary.
SCAC-26	As noted above, the mitigation proposed under TR/mm-2 is not limited to South County Road Improvement Fee Area 1 ("in lieu") fees, but includes Transportation Demand Measures to avoid or reduce high trip generation during peak periods affecting the US 101/West Tefft Street Interchange. No changes to the EIR are necessary.

Comment No.	Response
SCAC-27	Please refer to response to comment SCAC-16.
SCAC-28	Based on the traffic analysis conducted for the project, no significant, adverse, project-specific transportation or circulation impacts would occur (refer to EIR Section 4.10.6.1 Transportation, Circulation, and Traffic, Increase in Traffic and Level of Service). The project includes measures to address project-related traffic (i.e., realignment of intersections and installation of traffic signals), and no other project-specific measures were determined to be necessary. The study noted that a transit stop is not currently located in close proximity to NCP (TR Impact 1); therefore mitigation is recommended (TR/mm-1). No changes to the EIR are necessary. TR Impact 2 identifies a potentially significant cumulative impact at the US 101/West Tefft Street Interchange. In addition to mitigation measure TR/mm1 (transit stop), mitigation measure TR/mm-2 is recommended, including incorporation of Transportation Demand Measures and payment of “in lieu” fees. Mitigation measure TR/mm-2 addresses the project’s contribution to a significant cumulative traffic impact. No changes to the EIR are necessary.
SCAC-29	Please refer to above response to SCAC-28, including an explanation of TR Impact 1, mitigation measure TR/mm-1, and TR Impact 2 and mitigation measure TR/mm-2. No changes to the EIR are necessary.
Community Meeting Minutes	
SCAC-30	Comment noted; no changes to the EIR are necessary.
SCAC-31	Please refer to 9.3.9 Response to Letter from Jacqueline Sue Walls.
SCAC-32	Please refer to Section 4.1.5.3 Aesthetic Resources, Effects of Light and Glare of the EIR. Mitigation measures AES/mm-6 (addressing multi-use sports field lighting) and AES/mm-7 (addressing all other lighting within the park) include requirements for shielded light fixtures, and directing light downward to minimize effects to off-site land uses and the night sky. No changes to the EIR are necessary.
SCAC-33	Please refer to 9.3.9 Response to Letter from Jacqueline Sue Walls.
SCAC-34	The County does not have discretion over maintenance of personal vehicles; however, the EIR recognizes that leaks from vehicles and other equipment may occur. Please refer to EIR Section 4.12.5.1 Water Resources, Violation of Water Quality Standards, WAT Impact 2 (During operation of the project, discharge of sediment, hydrocarbons, and other pollutants into stormwater and drainage infrastructure would directly affect water quality). In addition to the presence of a park ranger, who would be onsite to respond to incidental leaks or spill, mitigation measure WAT/mm-3 includes measures to contain and filter pollutants within and adjacent to parking areas. No changes to the EIR are necessary.
SCAC-35	Please refer to EIR Section 4.4 Cultural Resources of the EIR. Based on a Phase I Surface Survey conducted within NCP, no evidence of cultural resources, (aside from the historic dump site described in this section of the EIR), including historic evidence of charros (Mexican horsemen or cowboys) was observed. Please note that mitigation measure CULT/mm-4 includes a requirement to halt construction activities in the event archaeological (including historic) resources are discovered. No changes to the EIR are necessary.

Comment No.	Response
SCAC-36	Please refer to mitigation measure AES/mm-2, goal (s): "Landscaping shall primarily use native plant material." Also see mitigation measure AQ/mm-1, item (e): "Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established" and mitigation measure AQ/mm-2, item (e): "Plant drought tolerant, native deciduous shade trees along southern exposures of buildings to reduce energy use to cool buildings in summer and allow for solar warming in the winter. Maintain trees for the life of the project" and item (r): "Use native plants that do not require supplemental watering once established and are low ROG emitting". Please note that all biological resources mitigation, including restoration and replanting of habitat and individual species such as oak trees, requires the use of native species. Please refer to mitigation measures BR/mm-5 (Habitat Restoration Plan) and BR/mm-7 (Oak Woodland Protection and Restoration Plan). No changes to the EIR are necessary.
SCAC-37	As noted in EIR Section 4.3.6.2 Biological Resources, Native or Other Important Vegetation, all oak trees with a diameter greater than 5 inches (as measured at breast height) are considered sensitive, regardless of age. Based on implementation of recommended mitigation measure BR/mm-7 (Oak Woodland Protection and Restoration Plan), which includes protection of existing oak trees and replanting additional oak trees onsite, and establishment of an easement to preserve the restoration area, potential impacts are considered less than significant. No changes to the EIR are necessary.
SCAC-38	The intention of the NCPMP is to avoid removal of oak trees to the maximum extent feasible. Trees proposed for removal are primarily located within or adjacent areas proposed for access or road improvements. Avoidance of oak trees would be implemented to the maximum extent feasible. No changes to the EIR are necessary.
SCAC-39	The County would be responsible for obtaining and applying the funds required for a biological monitor. No changes to the EIR are necessary.
SCAC-40	Oak tree removal would occur primarily within areas proposed for access or road improvements. Trails would be routed around mature oak trees (greater than 5-inch diameter at breast height) to preserve biological and aesthetic resources within NCP. No changes to the EIR are necessary.
SCAC-41	As noted in the EIR, biological surveys were conducted over a two-day period in March 2010. This data was added to previous survey efforts conducted in 2004 (refer to EIR Section 4.3 Biological Resources introduction paragraphs, and EIR Section 4.3.2 Biological Resources, Survey Methods and Results). The EIR recognizes that NCP provides habitat for a variety of special-status and other wildlife species (refer to Section 4.3.1.2 Plant Communities and Habitat Types), which area assumed to be present based on documentation during field surveys, suitable habitat conditions and noted observations from the public. No changes to the EIR are necessary.
SCAC-42	As noted in EIR Section 4.3.1.2 Biological Resources Plant Communities and Habitat Types, the project site supports habitat suitable for coyotes, which are considered a common species. The County recognizes the importance of the coyote to noted members of the public; however, the species is considered common to the area, and no significant adverse effects to coyote were identified during preparation of the EIR; therefore, no significant impacts are presented in the EIR. No changes to the EIR are necessary.
SCAC-43	Removal of existing infrastructure would occur pursuant to existing regulations; therefore, no significant adverse impact was identified, and no mitigation is necessary for this action. No changes to the EIR are necessary.

Comment No.	Response
SCAC-44	Please refer to EIR Section 4.6.5.1 Hazards and Hazardous Materials, Risk of Explosion, Release of, or Exposure to Hazardous Substances. Volatile organic vapors were not present in the area including the existing dog park near West Tefft Street; however, as noted in HM Impact 2 disturbance of the former [more recent] dump site along West Tefft Street may result in the disturbance or exposure of non-volatile hazardous materials including metals, long-chain hydrocarbons, or asbestos). Please refer to associated mitigation measure HM/mm-2, which establishes guidelines and requirements for further study of this area prior to ground disturbance. The older dump site, located closer to the Juniper Street park entrance is shallow, and observed materials are generally non-organic; therefore, no significant impacts related to hazards or hazardous materials were identified in this location. No changes to the EIR are necessary.
SCAC-45	Comment noted; no changes to the EIR are necessary.
SCAC-46	EIR Section 4.7.5.1 Land Use, Consistency with Land Use, Policy/Regulation, Land Use Setbacks, states the following: "Construction of a barrier within 25 feet of the edge of the skate park will reduce the noise level..." The noise berm would be constructed within 25 from the edge of the skate park, and the actual height of the berm will be contingent on the final design of the skate park. Based on an in-ground design, the vegetated noise berm would likely be approximately four feet in height parallel to the skate park, which would not significantly obstruct views along West Tefft Street. No changes to the EIR are necessary.
SCAC-47	Please note planning area standards and West Tefft Corridor Design Plan design principles, policies, and standards are included in Table 3-2, Consistency with Plans and Policies. These standards would be applied to the final design of all structures, such as the community center, pursuant to mitigation measure AES/mm-2. These policies and standards would be used as guidelines for future development; therefore, the proposed project appears to be consistent with applicable policies and standards. No changes to the EIR are necessary.
SCAC-48	Development of soccer fields at Nipomo High School is within the discretion of the Lucia Mar Unified School District. In the event another jurisdiction (such as the school district) develops public sports fields in the future, the County would re-assess the need for additional fields in the community. No changes to the EIR are necessary.
SCAC-49	The Lil Bits Preschool is currently operating as a temporary use in NCP under a permit issued by General Services, under a lease issued to the Nipomo Area Recreation Association. The permit was issued with the intention of authorizing management of uses with NCP, as part of the overall park program. The 2004 permit identified uses including a youth-oriented community recreation and child care program, and coordination of sports activities, clubs, and events within NCP. The County recognizes that conditions may have changed since the permit was originally issued in 2004; therefore, the NCPMP fulfills the vision of the original lease, and includes a method for resolving the issue of the temporary pre-school by identifying the need for a Conditional Use Permit prior to establishment of a permanent facility within NCP. No changes to the EIR are necessary.
SCAC-50	Please refer to Section 4.8 Noise of the EIR, which includes an assessment of noise impacts. No changes to the EIR are necessary.
SCAC-51	As discussed in EIR Section 4.8.1.2 Noise, Existing Noise Environment, Short and Long-term Ambient Noise "noise is generated by park users, including voices, portable radios and music players, use of courts and ball fields, and internal traffic". The use of portable radios is considered part of the existing noise environment, and is expected to continue pursuant to existing park rules, under the observance of the park ranger. No changes to the EIR are necessary.
SCAC-52	Please refer to response to comments SCAC-1 through SCAC-4.

Comment No.	Response
SCAC-53	Please refer to EIR Section 4.12 Water Resources, Table 4.12-2, Estimated New Water Demand, for estimated swimming pool water demand (3.86 acre-feet/year). Treatment and discharge of swimming pool water would occur consistent with existing regulations mandated by the Regional Water Quality Control Board. No changes to the EIR are necessary.
SCAC-54	Please refer to response to comment EE-24.
<i>CNPS and Nipomo Native Garden</i>	
SCAC-55	Please refer to response to letter 9.2.1 Response to Letter from California Native Plant Society.
<i>Jackie Walls</i>	
SCAC-56	Please refer to 9.3.9 Response to Letter from Jacqueline Sue Walls.
<i>Susan Cholakian</i>	
SCAC-57	Please refer to response to individual comments below.
SCAC-58	This is correct, as noted in the EIR (refer to Section 4.9.1 Public Services and Utilities, Existing Conditions). No changes to the EIR are necessary.
SCAC-59	No evidence or correspondence from local or state emergency responders regarding inadequate setbacks has been received by the County. No changes to the EIR are necessary.
SCAC-60	A noise berm is recommended to reduce noise generated within the proposed skate park, which may partially block direct views into the skate park as seen from West Tefft Street; however, a locked gate and fence would be constructed to limit use to daytime hours. No changes to the EIR are necessary.
SCAC-61	Please refer to Section 4.12 Water Resources of the EIR. Section 4.12.1 Existing Conditions summarizes the existing water supply overdraft conditions, and Potential Future Water Supply summarizes options under consideration by the Nipomo Community Services District (NCSD). One such option includes improvements at the existing Southland Wastewater Treatment Facility (SWWTF) to allow for distribution and use of recycled water. While this system is not currently constructed, use of NCP for recycled water distribution is included in the adopted plans for the SWWTF. The NCPMP is a long-range plan (20 years), and build-out of the plan will depend on funding and availability of additional water resources issued by the NCSD. In addition, please note mitigation measures that require a 50% reduction in current water use (WAT/mm-4), and applicability of water conservation measures to future uses (WAT/mm-5). No changes to the EIR are necessary.
SCAC-62	The NCPMP includes restoration of "spur" or volunteer trails, and includes a separate equestrian trail (refer to Figure 2-5, Nipomo Community Park Master Plan). No changes to the EIR are necessary.
SCAC-63	Please refer to mitigation measure BR/mm-7 (Oak Woodland Protection and Restoration Plan), which includes protection of existing oak trees and replanting additional oak trees onsite, and establishment of an easement to preserve the restoration area. The County recognizes that the loss of mature oak trees would be noticeable in the short-term; however, the planting of new oak trees within a conservation easement will mitigate the potentially significant impact in the long term. No changes to the EIR are necessary.

Comment No.	Response
<i>Barbara Verlengiere</i>	
SCAC-64	Please refer to 9.3.6 Response to Email from Barbara Verlengiere.
<i>Cherie Dodds</i>	
SCAC-65	Please refer to 9.3.7 Response to Email from Cherie Dodds.
<i>El-Jay Hansson</i>	
SCAC-66	Please refer to 9.3.4 Response to Letter from El-Jay Hansson.

Nipomo Parks Conservancy

April 30, 2012

SLO CNTY
PLANNING/BUILDING
DEPT

2012 APR 30 PM 12: 22

Steven McMasters, Project Manager
County Planning and Building Department
976 Osos Street, Room 300
San Luis Obispo, CA 93408-2040

Re: 2012 Nipomo Community Park Master Plan (NCPMP) Draft EIR

Dear Mr. McMasters;

The Nipomo Parks Conservancy is a locally based non-profit organization that encourages the acquisition and development of local parks with diverse recreational opportunities commensurate with the community's growth and needs while adhering to the rural ideal. We also advocate sustainable and properly maintained facilities in all parks. Our Board has read your 907 page DEIR and submit the following comments.

NPC-1**Project Description**

2.3.1 & 2.3.2 Existing and Proposed Facilities: Lil Bits temporary preschool was constructed in the park approximately 9 yrs ago without a CEQA environmental determination (including public comment) and is in violation of *San Vicente Nursery School v. County of Los Angeles* which held that a nursery school's exclusive use of a building in a public park was an illegal diversion of public park property. This judgment was affirmed on appeal and the appellate court declared: "There is no express authority which permits the use of a public park for a private nursery school" It's legal status needs to be addressed. It's current existence and the proposed new facility are legal and land use violations and thus a class I impact.

NPC-2**Aesthetics**

4.1-18AES impact 1: The cluster of facilities in the center of the park would create a visual block that cannot be adequately mitigated by shrubbery or set backs. Neither of these diminishes size or visual block. Ineffective mitigation and thus a class I impact.

NPC-3

4.1.20 multiuse sports fields: There is only an estimate of lighting for this area, approximately 8-10 poles for 10 acres of lighting which seems low with a ratio of only one light per acre. Without a definite number of lights in the plan an effective mitigation cannot be made. Lighting plans must be specific with appropriate mitigations taking into account the cumulative effect of all 6 fields lighted and in operation for the duration of 6 games, thus a class I impact.

NPC-4

4.1-25 & 4.1-27: The tennis courts, handball courts and basketball courts do not mention lighting which would affect the surrounding neighborhoods. Combined with other existing lighting in the plan, this must be addressed for the cumulative impact on surrounding residences. Data required, thus a class I impact.

NPC-5

4.1-29AES impact 2: With no specific design plan the mitigations are deferred. There must be a specific plan and accompanying mitigations for impacts. Omission and thus a Class I impact. **NPC-6**

4.1-31AES Impact 3: architectural design and landscaping are not effective mitigations to the visually imposing impact of the community center. Design and décor do not diminish size, thus a Class I impact. **NPC-7**

4.1-32AES impact 4: Removal of 1.12 acres and 20 mature oak trees cannot be mitigated by replanting half of the loss with small trees in a park receptor site and the rest elsewhere. The mitigation must be immediate and this mitigation would take 50 or more years to recoup the Oak loss. Ineffective mitigation and thus a class I impact. **NPC-8**

Air Quality

4.2-14Emissions Quantification: The EIR admits the development would exceed the daily ROG+NO_x combined threshold requiring 18 on site mitigation measures. Two suggested mitigations are planting trees in the parking lot and creating internal paths to lessen auto traffic. Neither of these is effective. 20 mature Oak trees and half of the Central Dune Scrub vegetation removed for the project would negate the addition of younger saplings. There would be no appreciable immediate benefit. Internal pathways would not diminish traffic as visitors do not drive from activity to activity. The mitigation for onsite ranger housing is not applicable because it already exists, making that mitigation not feasible. Moving the community center to the top of the hill at the Dana School property line violates the aesthetic requirement not to block the view. The report further admits even with mitigations the levels are not lowered significantly enough to meet acceptable standards. With the above mitigations deemed ineffective the emissions are further out of compliance and with sensitive receptors adjacent to the park, this is a Class I impact. **NPC-9**
NPC-10
NPC-11
NPC-12
NPC-13
NPC-14
NPC-15

Biological Resources

4.2-20 Special Status Wildlife: The methodology in determining the presence of special status species appears to be limited data base information and two surveys done on March 4 & 5 of 2010 of unstated duration. Several of the species listed including the White-tailed Kite have been seen by park visitors. Further the Coyote population wasn't given any consideration and they are an invaluable link in our nature's food chain. More time needs to be devoted to this survey to more accurately report the presence of special species. Destroying the habitats of unknown numbers of special species is a Class 1 impact. **NPC-16**
NPC-17
NPC-18

4.3-35BR impact 3: As mentioned earlier this is not an immediate and effective mitigation and therefore a Class I impact. **NPC-19**

Hazardous Materials

4.6-4 Mitigation of using "Crime Prevention Through Environmental Design" is not feasible because the ordinance requiring it does not exist in SLO County. Not a feasible mitigation, therefore safety becomes a Class I impact. **NPC-20**

4.6-10 4.6.5.2 Emergency Response or Emergency Evacuation Plan: Omission, does not address evacuation plan/ability with the full build out worse case scenario with only one interior road. Class I impact.

NPC-21

Land Use

4.7-4 4.7.5.1 Consistency with Land Use Policy/Regulations: Lil Bits temporary day care center is in violation of two land uses. On page 3-3 Figure 3-1 "Land use Designation" the land use map clearly shows the Lil Bits is located in the Recreation area. It is a fenced-in money making private day care center. Further as stated earlier, it is in violation of *San Vicente Nursery School v. County of Los Angeles*. The proposed expenditure of public resources (payment of road impact fees, undertaking of major road improvements, water and sewage connection, etc) in order to mitigate the development of the new facility are potentially significant and is an unlawful misappropriation of public funds. This is a Class I impact.

NPC-22

4.7-5 : The skate board park location on Tefft does not meet the setback requirement of 1,000 ft from a residential category. It would only be 120 ft. That is a substantial difference to be mitigated by a waiver, a berm of unknown size, and fencing. There is no information to quantify the noise reduction by these measures. Ineffective mitigation, and thus a class I impact.

NPC-23

Noise

4.8-14 Stationary noise. The proposed build out is 10 acres of sports fields with no designation of what type. There needs to be a specific designation in order to adequately mitigate the noise. Will the sport require amplification? Will there be bleachers? If the potential is for 6 games at one time the noise measurements need to be based on that. Incomplete information, thus a class I impact.

NPC-24

4.8-16 N/mm-4: Policing by park rangers, park monitors or volunteers are not feasible mitigations. There is no assurance that any of these people will be available or capable of controlling the noise. One park ranger cannot patrol the whole built out park (27.5 new acres + 22 acres already developed) and there are no funds for additional staff. Class I impact.

NPC-25

Transportation, Circulation, and Traffic

4.10.6.2 Create unsafe conditions. Osage Road Widening: A fully dimensioned grading plan is required to show the feasibility of the widening, since there are steep slopes adjacent the current road. The grading plan should also show the vegetation removal requirements. The east side of Osage has steep rising and falling slopes on the park property. Widening Osage to make a 34-foot width will require fill near Camino Caballo, and deep cuts south of Camino Roble. Such grading will disturb or destroy native plants including ancient Coast Live Oaks and Manzanitas (California Native Plant Society List 1B.2 plant species considered rare, threatened, or endangered) planted to mitigate the environmental impact of the development of the Mesa Meadows neighborhood. Further widening and cuts to the east side will be required if the paved walkway in the park adjacent to Osage is to be a safe distance from motor vehicle traffic. Four residences on the west side of Osage will require cuts and fills that will both fill in existing,

NPC-26

NPC-27

County mandated drainage swales and cut into old-growth Coast Live Oaks and a previous environmental mitigation planting. Maintaining the County standard 2:1 cut/fill requirement will require earth moving into private property, and likely onto existing homes. The EIR should describe the effects of the cuts and fills on the 4 affected parcels. The widening will require removal of the curbs that currently act as drainage conduits for the steep Osage Road slope. A complete new drainage strategy for this 1,100 ft road section is required. There is no justification for this widening. Class I impact.

NPC-28

Water Resources

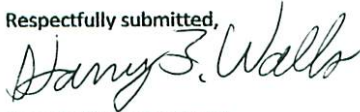
4.12-15 WAT impact 4 Additional demands for water from NCSD: Nipomo has been at a Level III water Resource Severity since 2003 and conservation measures have been in place. The voting results for funding of the pipeline from Santa Maria will not be tabulated until May 9, 2012. A funding resource for the project has not been determined so the completion of the project is years away. We are currently using more water than we are accumulating. With overdraft a possibility, it is doubtful NCSD could provide water for the massive park build out until completion of the pipeline. Alternative water sources would need to be explored for the Master Plan development. Class I impact.

NPC-29

We thank you for the opportunity to submit our concerns.

NPC-30

Respectfully submitted,



Harry F. Walls, President
Nipomo Parks Conservancy
PO Box 2042
Nipomo, CA 93444

9.2.5 Response to Letter from Nipomo Parks Conservancy

Comment No.	Response
NPC-1	Please refer to response to individual comments below.
NPC-2	The Lil Bits Preschool is currently operating as a temporary use in NCP under a permit issued by General Services, under a lease issued to the Nipomo Area Recreation Association. The permit was issued with the intention of authorizing management of uses with NCP, as part of the overall park program. The 2004 permit identified uses including a youth-oriented community recreation and child care program, and coordination of sports activities, clubs, and events within NCP. The County recognizes that conditions may have changed since the permit was originally issued in 2004; therefore, the NCPMP fulfills the vision of the original lease, and includes a method for resolving the issue of the temporary pre-school by identifying the need for a Conditional Use Permit prior to establishment of a permanent facility within NCP. No changes to the EIR are necessary.
NPC-3	Based on the analysis of aesthetic impacts (refer to Sections 4.1.5.1 Effect on Scenic View and 4.1.5.2 Effect on Visual Character and Quality, Visual Compatibility), and incorporation of mitigation measures AES/mm-1 through AES/mm-5, potential impacts would be reduced to less than significant. These measures have been prepared and reviewed to verify feasibility. The EIR acknowledges that the project would change the existing visual setting; however, key scenic views would be maintained. Therefore, potential impacts would be less than significant, and no changes to the EIR are necessary.
NPC-4	The EIR's analysis of aesthetic resource impacts, including the effects of lighting and impacts on the night sky, was conducted based on a worst-case scenario, including use of all the multi-use sports fields between the hours of 6:00 p.m. and 10:00 p.m. (refer to EIR Section 4.1.5.3 Effects of Light and Glare). As noted in the EIR, the number of lights was estimated based on the design of existing sports fields in San Luis Obispo County. Mitigation measure AES/mm-6 addresses potentially significant impacts resulting from use of lighted multi-use sports fields, based on this worst case scenario, and includes requirements for a lighting plan that would shield all lights and reduce adverse effects to off-site land uses. No changes to the EIR are necessary.
NPC-5	The EIR's analysis of aesthetic resource impacts included a worst-case scenario, which includes use of sports field lighting, and all other lighting within the park, including courts, parking areas, the community center, and other amenities (refer to AES Impact 6). Mitigation measure AES/mm-7 includes standards to reduce off-site light and glare, applicable to all other lighting in the park. While the discussion in the EIR is separated to allow for impact analysis and more specific mitigation based on use, identified mitigation (AES/mm-6 and AES/mm-7) would reduce the adverse effects resulting from exterior lighting throughout the park as a whole. No changes to the EIR are necessary.
NPC-6	As discussed in Chapter 1 Introduction, the proposed NCPMP is a long-range plan (20 years); therefore the appropriate level of CEQA review is a Program EIR. Use of a Program EIR allows for an analysis for a larger project as a whole (such as the NCPMP), while allowing for more specific evaluation of program elements at a later date when more information is available. At this level of review, information regarding significant environmental effects is disclosed and mitigation is provided based on available information. Regarding referenced AES Impact 2 and associated mitigation measure AES/mm-2, The County General Services Agency will be required to develop additional design guidelines consistent with identified performance goals. Consistency with the identified goals would reduce potential impacts to less than significant. No changes to the EIR are necessary.
NPC-7	As noted in the comment, implementation of AES/mm-3 and AES/mm-4 would not reduce the overall size of the structures; however, the mitigation includes standards that would create visual articulation and improved visual consistency with the surrounding landscape. The proposed mitigation directly addresses the significant impact identified in AES Impact 3 (monolithic form, architectural style, and exterior colors and materials). No changes to the EIR are necessary.

Comment No.	Response
NCP-8	The oak trees proposed for removal are located adjacent to existing internal and adjacent roadways. No oak trees would be removed along the dense oak woodland ridge through the center of the park. The County recognizes that the loss of mature oak trees would be noticeable in the short-term; however, the planting of new oak trees within a conservation easement will mitigate the potentially significant impact in the long term. No changes to the EIR are necessary.
NCP-9	The 21 mitigation measure options listed in AES/mm-2 are included in the San Luis Obispo County Air Pollution Control District <i>CEQA Handbook</i> (December 2009), as effective measures to reduce the effects of ROG and NO _x generated by transportation and stationary uses. Emissions generated from vehicles in parking areas are affected by air temperature, and planting trees within parking areas provides a cooling effect, and thus reduces vehicle hydrocarbon emissions. Therefore, this is an effective measure to reduce operational emissions generated by the project. Providing trails and paths within and adjacent to the park contributes to use of alternative sources of transportation, such as walking and use of bicycles, which in turn reduces emissions. As noted in the comment, numerous mitigation measures are recommended, which would have a beneficial effect when combined. No changes to the EIR are necessary.
NCP-10	In the long term, the NCPMP includes the planting of additional trees of varying native species onsite, which would have a long-term beneficial effect to air quality. No changes to the EIR are necessary.
NCP-11	Please refer to response to comment NCP-9 above.
NCP-12	Please note that the referenced bulleted list noted in the EIR (refer to Section 4.2.5.1 Air Quality, Violate Air Quality Standard or Exceed Emission Thresholds, Emission Quantification), includes features currently included in the NCPMP, and are not part of the 21 mitigation measures identified under AQ/mm-2. This list is provided to show how the NCPMP incorporates various measures recommended by the APCD. No changes to the EIR are necessary.
NCP-13	Mitigation measure AES/mm-1 recommends locating the proposed community center a minimum of 150 feet from the existing park road, which would be approximately in the same location as proposed, but shifted more to the west to preserve views. No air quality mitigation measures would require location of the structure at the Dana School property line. No changes to the EIR are necessary.
NCP-14	Please note under AQ Impact 2, Residual Impacts that “implementation of identified mitigation would not eliminate air emissions...the concentration of pollutants would be reduced to below identified thresholds”; therefore impacts are considered less than significant. No changes to the EIR are necessary.
NCP-15	Please refer to response to comments NCP-9 through NCP-14 above. No changes to the EIR are necessary.
NCP-16	While only one occurrence of white-tailed kite was observed during field surveys conducted for the EIR (refer to Table 4.3-2, Special-status Wildlife Species Evaluated for Occurrence on the Project Site), the EIR recognizes that NCP provides roosting and foraging habitat for this species. The County appreciates additional documentation evidence provided by members of the public and other organizations in order to improve public knowledge and disclosure of species occurrence, which has been added to Table 4.3-2. Occurrence on the Project Site has been updated to reflect that the potential for occurrence of white-tailed kite is “Moderate to High”. Please refer to section 4.3.6.4 Biological Resources Impacts to Nesting Birds and Roosting Bats, and BIO Impact 4 for a discussion of potential impacts to white-tailed kite and other bird and bat species. Noted clarifications do not elevate the impact determination identified in the EIR because this species was documented by the EIR biologist, and the analysis assumes continued presence of this species within NCP.

Comment No.	Response
NCP-17	As noted in EIR Section 4.3.1.2 Biological Resources, Plant Communities and Habitat Types, the project site supports habitat suitable for coyotes, which are considered a common species. The County recognizes the importance of the coyote to noted members of the public; however, the species is considered common to the area, and no significant adverse effects to coyote were identified during preparation of the EIR; therefore, no significant impacts are presented in the EIR. No changes to the EIR are necessary.
NCP-18	Loss of habitat for special-status species and wildlife is considered in the EIR (please refer to EIR Section 4.3.6.1 Biological Resources, Unique or Special Status Species or their Habitats). Based on the analysis of habitat loss, the NCPMP's proposal to restore "spur" or volunteer trails, and identification of mitigation measures including restoration of habitat for noted species (refer to BR/mm-2, BR/mm-5, BR/mm-6, and BR/mm-7), potential impacts are considered less than significant. No changes to the EIR are necessary.
NCP-19	Please refer to response to comment NCP-8.
NCP-20	While it is true that San Luis Obispo County does not currently have an ordinance in place, mitigation measure PSU/mm-1 incorporates relevant standards and guidelines identified in the Crime Prevention through Environmental Design (CPED) document. No changes to the EIR are necessary.
NCP-21	The EIR considers emergency response and evacuation at full project build-out. As proposed, there are two options for ingress and egress (Pomeroy Road and West Tefft Street), as shown in Figure 2-5, Nipomo Community Park Master Plan, consistent with CALFIRE guidelines for access. In the event of a major disaster, US 101 is identified as a key evacuation route, and implementation of the project would not impede or interfere with mass evacuation (refer to EIR Section 4.6.5.2 Hazards and Hazardous Materials, Emergency Response or Emergency Evacuation Plan). Therefore, no significant impact would occur. No changes to the EIR are necessary.
NCP-22	As noted in the County Land Use Ordinance, Table 2-2, Allowable Land Uses and Permit Requirements, "child day care centers" are identified as an allowed use within the Recreation land use category, and require issuance of a Conditional Use Permit. Please refer to response to comment NCP-2, which notes that a Conditional Use Permit is required for permanent establishment of this use. The NCPMP would fulfill the intention of the 2004 lease by incorporating the pre-school into the overall uses within NCP. Mitigation is required based on the assessment of all proposed uses identified in the NCPMP, and use of public funds to implement identified improvements and mitigation is not considered an environmental effect under CEQA. The EIR includes an assessment of the environmental effects resulting from implementation of improvements and identified mitigation, as is appropriate. No changes to the EIR are necessary.
NCP-23	Please refer to EIR Section 4.7.2.2 (Land Use, Local Policies and Regulations) of the EIR. Pursuant to County Land Use Ordinance Section 22.06.040, the NCPMP is exempt from land use permit requirements, such as waivers. The EIR discloses the potential inconsistency with the setback standards identified in the Land Use Ordinance, presents estimated noise levels that would be generated by the skate park use (73 decibels), and presents mitigation that would reduce the estimated noise level below identified thresholds of significance (5 to 10 decibel reduction at the noise barrier), resulting in a noise level of approximately 57 decibels at the noise-sensitive use (residential area on the opposite side of West Tefft Street) (refer to EIR Section 4.7.5.1 Land Use, Consistency with Land Use, Policy/Regulation), and adding approximately one decibel to the ambient noise level in the affected location. The actual design of the noise barrier will depend on the design of the skate park. Mitigation measure N/mm-2 has been clarified to state the following (additional standard noted in <i>italics</i>): "Prior to construction of the skate park, the design plans shall incorporate the following noise reduction measures, <i>achieving a maximum average hourly noise level of 65 decibels as measured 25 feet from the edge of the skate park</i> ". This addition does not change the impact determinations of the EIR, and this impact remains less than significant.

Comment No.	Response
NCP-24	At this time, the use of the sports fields is currently undetermined. The “reasonable worst case scenario” identified for the EIR analysis is six youth soccer fields (refer to EIR Section 2.3.2 Project Description, Proposed Facilities). The noise measurements were conducted during an actual soccer tournament, in order to obtain a realistic estimate, and the results were applied to an anticipated situation at NCP, assuming a reasonable worst case scenario. At this time, bleachers and amplified sound are not specifically included in the proposal for the NCPMP; however, the EIR considers that some amplified sound may occur. Mitigation is identified to direct any amplified sound towards the interior of the park and away from adjacent noise sensitive uses (refer to N/mm-3). Therefore, this impact remains less than significant, and no changes to the EIR are necessary.
NCP-25	NCP currently employs a park ranger (daytime) and park host (nighttime) to supervise activities within the park. Monitoring compliance with park rules, and other regulations, is effective and feasible. Mitigation measure N/mm-4 is recommended in the event substantiated noise complaints are received by The County General Services Agency, and additional monitoring is necessary to support park staff. This impact remains less than significant, and no changes to the EIR are necessary.
NCP-26	At this time, specific, engineered grading plans are not included in the program-level review of road improvements on Osage Road. The EIR analysis identified the anticipated affected area, in order to determine affected acreage, tree removals, sand mesa manzanita removals, and impacts to native vegetation. Such impacts are identified, and mitigation is recommended including restoration and conservation within an easement area (refer to BR/mm—2 and BR/mm-5 through BR/mm-10).
NCP-27	Please refer to EIR Section 2.3.3.1 Project Description, Access, which states that the paved walkway would be located within the County Right of Way. The improvements would be located within the existing roadway and extend onto County property; therefore, no cuts and fills would occur on private property. No changes to the EIR are necessary.
NCP-28	As noted above in response to NCP-27, improvements to Osage Road would occur within County Right of Way. Preparation of road plans, including drainage management, would be conducted in coordination with County Public Works to ensure appropriate management of drainage and connection to the County drainage system. The General Services Agency will coordinate with Public Works to minimize grading and avoid oak tree removal to the maximum extent feasible. The EIR has been clarified to explain this process (Section 2.3.1.1 Project Description, Access): <i>“The County General Services Agency will coordinate with the County Public Works Department prior to preparation of construction plans for road improvements in order to confirm that road improvements will meet the standards applicable at the time of actual development. In addition, there may be opportunities to incorporate design features that would avoid or minimize ground disturbance, and associated impacts to mature oak trees, drainage infrastructure, and the community.”</i> This clarification does not change the analysis or determinations presented in the EIR.
NCP-29	The EIR has been clarified to summarize recent events affecting the Supplemental Water Project, Water Intertie (please refer to Section 4.12.1 Existing Conditions, Potential Future Water Supply): <i>“The NCSD initially proposed an assessment district to provide funding for the Supplemental Water Project, Waterline Intertie, which required approval by vote. In June 2012, a majority of property owners voted against the assessment district proposal, and the NCSD determined that construction of a pipeline (as currently proposed) to provide the supplemental water could not be funded by existing funds. The NCSD issued a moratorium on the issuance of new will serve letters while considering other options for supplemental water, which may include other funding sources and/or a scaled-down project.”</i> As noted in the EIR, provision of additional water by NCSD “is contingent on the implementation of improvements to the existing irrigation system to reduce current water supply, consistent with measures to target reducing consumption for high-use customers” (Section 4.12.5.5 Water Resources, Adversely Affect Community Water Service Provider). In addition, recommendations provided by the NCSD are incorporated into mitigation measures WAT/mm-4 (water survey for irrigated turf and landscaped areas, requires a 50% reduction in existing irrigation water use) and WAT/mm-5 (compliance with water survey recommendations and water conservation measures, and incorporation of recycled water for irrigation). Implementation of these measures would achieve a no net gain in additional water demand; therefore, the residual impact

Comment No.	Response
	remains less than significant.
NCP-30	Comment noted; no changes to the EIR are necessary.

9.3 GENERAL PUBLIC COMMENT LETTERS AND RESPONSES

The following members of the general public have submitted comments on the Draft EIR.

Respondent	Code	Contact Information	Page
Bill Deneen Email dated: March 8, 2012	BD(a)	1040 Cielo Lane Nipomo, CA 93444	9-78
Nora Jenae Email dated: March 12, 2012	NJ	692 Beverly Drive Nipomo, CA 93444	9-80
Istar Holliday Letter received: March 14, 2012	IH	577 Sheridan Road Arroyo Grande, CA 93420	9-82
El-Jay Hansson Letter dated: March 15, 2012	EJH	2315 Idyllwild Place Arroyo Grande, CA 93420	9-84
Stephanie Greene Letter dated: March 28, 2012	SG	1075 Cheyenne Court Nipomo CA 93444	9-90
Barbara Verlengiere Email dated: March 28, 2012	BV	PO Box 503 Nipomo, CA 93444	9-93
Cherie Dodds Email dated: April 5, 2012	CD	rcdodds@sbcglobal.net	9-96
Bill Deneen Comment card received: April 10, 2012	BD(b)	1040 Cielo Lane Nipomo, CA 93444	9-98
Jacqueline Sue Walls Letter received: April 10, 2012	JW	410 Tejas Place Nipomo, CA 93444	9-100
Cindy Jelinek President, Nipomo Native Garden Email dated: April 23, 2012	CJ	cjelinek@calpoly.edu	9-120
Vincent McCarthy Email dated: April 26, 2012	VM	vincemcc@att.net	9-122
Jane Peterson Letter dated: April 26, 2012	JP	355 Via Vicente Nipomo, CA 93444	9-124
Dan Woodson, PE Email dated: April 26, 2012	DW	william_woodson@hotmail.com	9-128
Ed Eby Email dated: April 29, 2012	EE	520 Camino Roble Nipomo, CA 93444	9-134
Harry F. Walls Letter received: April 30, 2012	HW	410 Tejas Place Nipomo, CA 93444	9-143
"BLME" Comment card received: (undated)	BLME	(no contact information given)	9-145

Respondent	Code	Contact Information	Page
Neighbor Comment card received: (undated)	N	(no contact information given)	9-147

Shawna Scott

From: secooper@co.slo.ca.us
Sent: Friday, March 09, 2012 9:48 AM
To: smcmasters@co.slo.ca.us; ekavanaugh@co.slo.ca.us; Shawna Scott
Subject: Fw: NIPOMO PARK

Good morning all,

FYI- See below comment from Bill Denneen.

Shaun Cooper
Senior Planner
SLO County Parks
ph.(805) 781-4388
fx. (805) 781-1102
<http://www.slocountyparks.org>

----- Forwarded by Shaun E Cooper/GenSrvcs/COSLO on 03/09/2012 09:45 AM

From: Bill Denneen <bdenneen@kcbx.net>
To: <secooper@CO.SLO.Ca.US>
Date: 03/08/2012 08:41 PM
Subject:NIPOMO PARK

Hi,
I enjoyed your coverage tonight (March 8). As an ancient I gave historical info. Take time to visit Nipomo Native Garden.
I am so proud at what the community has done there. I go there almost daily
to jog/walk the trails. Bill Denneen (white beard), 1040 Cielo Lane,
Nipomo, 93444 929-3647

BD(a)-1

[Scanned @co.slo.ca.us]

9.3.1 Response to Email from Bill Deneen

Comment No.	Response
BD(a)-1	Comment noted; no changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Monday, March 12, 2012 10:52 AM
To: Shawna Scott
Subject: Fw: Nipomo Park EIR

----- Forwarded by Steve McMasters/Planning/COSLO on 03/12/2012 10:51 AM -----

From: "Nora Jenae" <nijenae@sbcglobal.net>
To: <smcmasters@co.slo.ca.us>
Date: 03/12/2012 10:49 AM
Subject: Nipomo Park EIR

Steve McMasters
Department of Planning and Building
Environmental Division
smcmasters@co.slo.ca.us

Thank you for your presentation of the EIR on March 8.

NJ-1

As I recall you found nothing that could not be mitigated satisfactorily (Level 1).

I disagree with that statement because all areas covered with cement and buildings cease to be a park despite a few scattered plantings in memory of what was destroyed. The acreage involved in effect reduces the actual park by that much. A busy street with accompanying traffic, noise and fumes, to access the pre-school and a community center in the middle does not enhance the park. That loss cannot be mitigated with a few scattered plantings. A pre-school is not a park facility any more than the high-school would have been.

NJ-2

NJ-3

If a pre-school and community center are to replace park land, let them at least be located with the Library along Tefft which is already a busy street with all its negative impact. Playing fields and the required parking do have some resemblance to a park playground.

NJ-4

Sincerely,
Nora Jenae
692 Beverly Drive
Nipomo, CA 93444

9.3.2 Response to Email from Nora Jenae

Comment No.	Response
NJ-1	Comment noted; no changes to the EIR are necessary.
NJ-2	Please note that parks may include a variety of uses, both passive and active. The County recognizes the commenter's noted preference. No changes to the EIR are necessary.
NJ-3	Please refer to mitigation measures BR/mm-5 (Special-status Plant Mitigation Plan), BR/mm-5 (Habitat Restoration Plan) and BR/mm-7 through BR/mm-10 (Oak Woodland Protection and Restoration Plan), which require substantial restoration and protection of vegetation within NCP. No changes to the EIR are necessary.
NJ-4	Please note Alternative Master Plan A (refer to EIR Section 5.3.2.1 Alternatives Analysis, Alternative Master Plan A and Figure 5-1, Alternative Master Plan A), which locates the pre-school and community center near West Tefft Street. No changes to the EIR are necessary.

Steven McMasters. Project Manager
County Planning and Building Department
976 Osos Street, Room 300
San Luis Obispo, CA 93408-2040

Dear Mr. McMasters,

I could not attend the March 8 informational meeting, so I did not have the opportunity to get an answer to this question.

IH-1

Included in this draft are plans for a community center, gymnasium, pool, and skate park, which collectively, with parking, other structures, courts and fields, would occupy about a third of the present Nipomo Community Park. Who would design, administer, manage, and take liability for these facilities, designed to be built with taxpayers' money? Does the Nipomo Area Recreation Center, which has been lobbying for this Master Plan for many years, plan to occupy, manage, and profit from these spaces?

IH-2

IH-3

Originally built with private donations of time and money from the community, the Nipomo Area Recreation Center, which is a private non-profit organization that presently operates out of a shopping mall on Tefft, seems to be well-managed at present. However, in my 26 years in the area, I have witnessed several incarnations of the Nipomo Rec Center, with turnovers of management due to mismanagement, embezzlement, and other human frailties, and a loss of its long-time facility on Frontage Road. Since, several other appropriate sites have been offered, and rejected, for this community center.

IH-4

My questions follow: What control or responsibility would the County have on/for a privately run Community Center in a public space? What financial costs would the County (taxpayer) incur should there be a problem with operation or accidents?

IH-5

I know the need for such a facility in our community. My younger daughter worked there decades ago, and my now grown grandchildren took an excellent Karate class there for years. However, I do not believe that the taxpayers, especially in this difficult economy, should be asked to pay to build and maintain it, nor do I believe enough attention has been given to separating private and public monies and interests.

IH-6

I would appreciate a response to my concerns.

Sincerely,

Istar Holliday
577 Sheridan Road
Arroyo Grande, CA 93420
(805) 343-2581

9.3.3 Response to Letter from Istar Holliday

Comment No.	Response
IH-1	Please refer to responses to individual comments below.
IH-2	The County General Services Agency would be responsible for all facilities within NCP. Contractors may be retained by the County to prepare construction and design plans. Organizations, such as the Nipomo Native Garden, may be issued a lease or permit to administer and manage facilities and other improvements within NCP at the discretion of the County. The County will take liability for uses, or assign liability, as designated in the permit or lease for the specific use. No changes to the EIR are necessary.
IH-3	Aside from the 2004 use permit issued by the County General Services Agency, no other agreements or leases have been issued to the Nipomo Area Recreation Center by the County for improvements identified in the NCPMP, and no agreements have been made regarding the community center. No changes to the EIR are necessary.
IH-4	Comment noted; no changes to the EIR are necessary.
IH-5	As noted above in response to comment IH-2, the County General Services Agency would be responsible for all facilities within NCP. While a community center within NCP may be managed by an organization (pursuant to an issued permit or lease), the center would be a public facility. Identification of potential financial costs related to problems or incidents would be identified in the associated permit or lease, and at this point providing an assumption regarding such future costs is considered speculative and outside the scope of the EIR. No changes to the EIR are necessary.
IH-6	Comment noted; no changes to the EIR are necessary.

**EL-JAY HANSSON
2315 IDYLLWILD PLACE
ARROYO GRANDE, CA. 93420
805/343-1949**

March 15, 2012

Mr. Steve McMasters
County of San Luis Obispo
Department of Planning & Building
976 Osos Street, Room 300
San Luis Obispo. Ca 93408-2040

Reference: Nipomo Park EIR

Dear Mr. McMasters:

There are a number of items, I would like to address.	EJH-1
ES5 – I believe a skate park was deemed too dangerous, in spite of the fact someone donated the material.	EJH-2
Total 27.5acres – does this include all paving?	EJH-3
ES6 – When one considers the large number of people that use the trails now, is it prudent to remove nearly one half?	EJH-4
ES10 – To widen Osage have you considered that the banks are steep and several old oaks would have to be removed?	EJH-5
Where will they get the recycled water? Understand NCSD is not in position to take this on, and even when the supplemental water comes in, it is slated for existing needs.	EJH-6
That there are no Class One impacts, doesn't sound logical.	EJH-7
ES11 – Believe this was a former dump site. Is this really where we want children playing in the sand?	EJH-8
ES17 – Makes sense to have the community center in a different location. All traffic would not be directed to the same area. Most children could bike or walk to a local one.	EJH-9
ES25- Alternative Master Plan B, seems to be a compromise which the community might adopt.	EJH-10
ES29 – What size are the new oak trees?	EJH-11

ES39- Is it allowed to use herbicide applications?	EJH-12
With the limited budget, who is going to pay for the additional maintenance, patrolling for vandalism and code enforcement?	EJH-13
ES41 – At then end of the 5 years, who is responsible for replacement? In the past many subdivisions were required to landscape – somehow many of the plants are no more.	EJH-14
ES44-- Oaks are notoriously slow growers, so why are you using only one gallon pots or tubes?	EJH-15
ES46-- Who is applying for “what” grant, and how sure are you of getting it, and how much will be requested?	EJH-16
ES54-- Who will pay for the park monitor program?	EJH-17
Who will protect the park after hours from people “hanging out”? Fences are easily jumped.	EJH-18
2-6 NCAC was told to ask for the sun and settle for much less. There would be no development shoved on the community, and soccer has more than enough fields.	EJH-19
2-8 Is the preschool “not a for profit” business, and if so should the tax payers be contributing?	EJH-20
3-2 Will Mesa Meadows remain as it?	EJH-21
3-25 -What happened to the trees the Eisner group planted many years ago? How large and healthy are the trees?	EJH-22
3-29 Is reclaimed water acceptable for young children playing on the lawns?	EJH-23
3-41 Several of these projects have no water	EJH-24
4-6-3 Nipomo is extremely limited on law enforcement	EJH-25
4-7-5 Skate Park – only 120 feed setback??	EJH-26
4-12-3 Why was there so much water delivered in 2007? If we get more years like this will it adversely hurt the community?	EJH-27
4-12-15 Has the NCSD put aside supplemental Water from pipeline to take care of the park's needs?	EJH-28
5-11 A very large community center could be built on any of these parcels	EJH-29
5-21 How large is the equestrian staging center?	EJH-30
7-13 Why not leave the trails as they are?	EJH-31
7-31 In all fairness to the community, the hours of operation should be no more than 8:00 a.m. To 8:00 p.m. This is a bedroom community, and many people retire earlier.	EJH-32

Sincerely,

El-Jay Hansson

9.3.4 Response to Letter from El-Jay Hansson

Comment No.	Response
EJH-1	Please refer to response to individual comments below.
EJH-2	Comment noted; no changes to the EIR are necessary.
EJH-3	Yes, the 27.5 acres includes all paving. No changes to the EIR are necessary.
EJH-4	Trail removal is proposed to restore spur "volunteer" trails, and focus trail use in designated areas. As noted in Table 2-2, Master Plan Existing and Proposed Amenities, approximately 127,373 square feet of additional trails is proposed as part of the NCPMP. No changes to the EIR are necessary.
EJH-5	Potential impacts, including ground disturbance and vegetation and tree removal are identified in the EIR. Please refer to EIR Section 4.3.6.2 Biological Resources, Native or Other Important Vegetation, Oak Woodland.
EJH-6	As discussed in EIR Section 4.12 Water Resources, recycled water would be provided by the NCSD upon implementation of improvements to the Southland Wastewater Treatment Facility. The EIR has been clarified to summarize recent events affecting the Supplemental Water Project, Water Intertie (please refer to EIR Section 4.12.1 Existing Conditions, Potential Future Water Supply): <i>"The NCSD initially proposed an assessment district to provide funding for the Supplemental Water Project, Waterline Intertie, which required approval by vote. In June 2012, a majority of property owners voted against the assessment district proposal, and the NCSD determined that construction of a pipeline (as currently proposed) to provide the supplemental water could not be funded by existing funds. The NCSD issued a moratorium on the issuance of new will serve letters while considering other options for supplemental water, which may include other funding sources and/or a scaled-down project."</i> As noted in the EIR, provision of additional water by NCSD "is contingent on the implementation of improvements to the existing irrigation system to reduce current water supply, consistent with measures to target reducing consumption for high-use customers" (EIR Section 4.12.5.5 Water Resources, Adversely Affect Community Water Service Provider). In addition, recommendations provided by the NCSD are incorporated into mitigation measures WAT/mm-4 (water survey for irrigated turf and landscaped areas, requires a 50% reduction in existing irrigation water use) and WAT/mm-5 (compliance with water survey recommendations and water conservation measures, and incorporation of recycled water for irrigation). Development of NCP is not dependent on the NCSD's Supplemental Water Project, but rather on water conservation measures that would result in a no net gain in additional water demand. No changes to the EIR are necessary.
EJH-7	Impact significance is determined based on environmental analysis and use of identified thresholds of significance. Although significant impacts are identified, mitigation is proposed that would reduce noted impacts to less than significant. No changes to the EIR are necessary.
EJH-8	The County assumes commenter is referencing the proposed playground near Camino Caballo. Based on surveys conducted for the project, no hazardous waste or historic artifacts were documented within this location. No changes to the EIR are necessary.
EJH-9	Comment noted; no changes to the EIR are necessary.
EJH-10	Comment noted; no changes to the EIR are necessary.
EJH-11	Please refer to mitigation measure BR/mm-8 (Oak Woodland Protection and Restoration Plan). This measure notes that replacement oak trees would be seedlings, transplanted from one-gallon pots. No changes to the EIR are necessary.

Comment No.	Response
EJH-12	Legal use of herbicides may occur during revegetation and maintenance activities. No changes to the EIR are necessary.
EJH-13	NCP is a public facility, and would be maintained and patrolled by existing County resources. No changes to the EIR are necessary.
EJH-14	The County, or an assigned organization, would remain responsible for restoration and maintenance of vegetation. No changes to the EIR are necessary.
EJH-15	One gallon pots are used to facilitate successful restoration. Larger trees have a lower rate of success when transplanted. No changes to the EIR are necessary.
EJH-16	Mitigation measure BR/mm-9, item (c) (Oak Woodlands Conservation Act grant), presents one option, out of three, to mitigate loss of oak woodland, pursuant to Senate Bill 1334, Oak Woodlands Conservation Act. In the event this option is selected, the County would be responsible for obtaining the grant and implementing subsequent actions funded by the grant, such as an oak tree ordinance, general plan element, or oak woodlands management plan. At this time, the amount is not determined. The County would be required to satisfy mitigation measure BR/mm-9 prior to ground disturbance in areas affecting oak woodland (refer to Chapter 7, Table 7-1, Mitigation Monitoring and Reporting Program). No changes to the EIR are necessary.
EJH-17	The County would be responsible for the park monitor program. No changes to the EIR are necessary.
EJH-18	As noted in EIR Section 4.8.5.1 Noise, Exposure to Noise Levels Exceeding County Thresholds, Stationary Noise, a park host is present during night hours. In addition, construction of a six-foot tall fence with vertical slats (similar to existing fencing surrounding the skate park at the Los Osos Community Park) would prevent climbing and unauthorized use of skate park facilities. No changes to the EIR are necessary.
EJH-19	Comment noted; no changes to the EIR are necessary.
EJH-20	The Lil Bits Preschool is currently operating as a temporary use in NCP under a permit issued by General Services, under a lease issued to the Nipomo Area Recreation Association. The permit was issued with the intention of authorizing management of uses with NCP, as part of the overall park program. The 2004 permit identified uses including a youth-oriented community recreation and child care program, and coordination of sports activities, clubs, and events within NCP. The County recognizes that conditions may have changed since the permit was originally issued in 2004; therefore, the NCPMP fulfills the vision of the original lease, and includes a method for resolving the issue of the temporary pre-school by identifying the need for a Conditional Use Permit prior to establishment of a permanent facility within NCP. Issuance of the Conditional Use Permit would clarify the facility's role within NCP as a secondary use relative to the overall uses and public benefit provided by the NCP. No changes to the EIR are necessary.
EJH-21	The Mesa Meadows area is included in the NCPMP, but it will remain "as is" (please refer to Figure 2-5, Nipomo Community Park Master Plan). No changes to the EIR are necessary.
EJH-22	The County assumes that the commenter is referencing the oak trees located within the Osage Road right-of-way. These trees are located within and adjacent to oak woodland, and the County is unable to clearly discern between trees that were planted, and "volunteer" oak trees. The EIR assessed all oak trees, regardless of the method of establishment. No changes to the EIR are necessary.
EJH-23	Preparation of the EIR included review of the <i>Southland Wastewater Treatment Facility Master Plan</i> (NCSO 2009), which includes a description of the standards required for use of reclaimed water. The California Code of Regulations (CCR) Title 22, Division 4, Chapter 3, Section 60301 through 60355 are used to regulate recycled wastewater and are administered jointly by the California

Comment No.	Response
	Department of Health Services and the Regional Water Quality Control Board. Disinfected tertiary recycled wastewater requires a level of treatment that meets the most stringent requirements for allowed uses, including parks and playgrounds (NCSD 2009). Based on these existing regulations, use of tertiary treated recycled water (as proposed in the Southland WWTF Master Plan) would be acceptable to ensure public safety, including children. No changes to EIR are necessary.
EJH-24	Comment noted; no changes to the EIR are necessary.
EJH-25	Please refer to section 4.9.1.3 Public Services and Utilities, San Luis Obispo County Sheriff, which also notes this existing deficiency in law enforcement personnel. No changes to the EIR are necessary.
EJH-26	As noted, the setback for the skate park (as measured from the nearest noise-sensitive use) is 120 feet, across West Tefft Street. No changes to the EIR are necessary.
EJH-27	Average rainfall in the Nipomo Mesa area is 15.52 inches (NMMA 2009), and the average rainfall in water (or fiscal year) 2007, as measured from the Nipomo CDF station was 7 inches. Therefore, additional irrigation was likely required to supplement the lack of rainfall. As noted in EIR Section 4.12.1 (Water Resources, Existing Conditions), the NCSD “requests that the County implement recommended water conservation measures within existing facility areas and incorporate the use of recycled water to minimize the anticipated demand for new uses.” Water conservation measures are identified to reduce existing and future anticipated water demand for NCP, which would reduce adverse effects to the NCSD and community at large (refer to EIR Section 4.12.5.5 Water Resources, Adversely Affect Community Water Service Provider, mitigation measures WAT/mm-4 and WAT/mm-5). No changes to the EIR are necessary.
EJH-28	Please refer to response to comment EJH-6. Pursuant to mitigation measures WAT/mm-4 and WAT/mm-5, the primary source of additional water for irrigation would be recycled water. No changes to the EIR are necessary.
EJH-29	Comment noted; no changes to the EIR are necessary.
EJH-30	The equestrian staging center identified in Alternative Master Plan A includes seven pull-through spaces, similar to the proposed NCPMP (please refer to <i>Nipomo Community Park Master Plan CEQA Review Draft</i> , Table 2.0, Parking Tabulation; Firma, May 2009). No changes to the EIR are necessary.
EJH-31	The objectives of the NCPMP include providing “a range of passive and active facilities and use areas to meet the recreational needs of the community” and “maintain and upgrade existing recreational and community facilities and amenities” (please refer to EIR Section 2.2, Project Description, Project Objectives). Improving the trail system will allow for multiple uses and restoration of areas disturbed by “spur” trails. No changes to the EIR are necessary.
EJH-32	No changes to current park hours are currently proposed. No changes to the EIR are necessary.

To - Steve Masters - Please include my letter in DEIR packet.

Page 1 of 1

SCAC - *deir*

RE: NIPOMO PARK - RURAL OPEN SPACE - NOT BUILT UP & NOT BLACKTOP

XXX ITEMS OF CONCERN:

Air Quality - Big current issue in development - Run off - vehicles - oil slicks - fumes -

DEIR says "emissions exceed threshold levels if built out" -

Aesthetics (lights and view shed) - Unwanted - Class 11 Impact -

Loss of rural character - Once lost it is never returned -

Noise - Quiet space is desired -

Air quality= DEIR says "emissions exceed threshold levels if built out" -

Biological= loss of habitat for sensitive and protected species - oak trees - crucial loss -

Land use= loss of horse trails for fields and activities that are available at

schools - Mitigations -

The overall cumulative loss of trails via development and no dedication of new trails -

Special and protected species - the DEIR says we have habitat for -

The "Potential for Occurrence" should be changed from low/moderate to high for some important species -

XX The biological impact on the following species of concern are:

White Tailed Kite, Federally protected gull like bird, Observed; Alligator lizard, Observed;

Silvery Legless Lizard, Observed; Coyotes, Observed; Egrets, Observed;

Coast Horned Lizard, Observed; Pallid Bat, Observed;

Monterey Dusky-footed Wood Rat, Observed many nests in wooded area.

XX ILLEGAL ACTIVITY:

LIL BITS DAY CARE CENTER - ILLEGAL USE - Remove -

Cultural Resources - Riding arena, reinstated.

NOTE: Crucial evidence left out of all reports - including this one - that at many meetings the people have asked for and voted on to have the "d: None of the above" box included. It has never been included in any reports, including this meeting of today, and again this group majority again voted on including "d: None of the above." It is evident that Parks and Rec have refused to hear the majority vote and majority voices in the community that want the Nipomo Park left alone because the most important thing to be needed ten years from now is green, open space. Parks and Rec can put their 'wants' in other places. This point will be brought to the attention of SLO County Board of Directors and the fact that the "NO VOTE" has purposely not been included in any report to date.

Majority of community want a rural park and not blacktop, big cement, hi-rise, or industrial build out.

As the area is built up, the most important community need is a green, rural park.

- Keep It Green and Keep it Rural For The Future -

Respectfully, STEPHANIE GREENE - Nipomo - March 28, 2012
1075 Cheyenne Court
Nipomo CA 93444
805.276.0067

SG-1

SG-2

SG-3

SG-4

SG-5

SG-6

SG-7

SG-8

SG-9

SG-10

SG-11

SG-12

Saturday, April 14, 2012 AOL: REALVOICEOFTWH

9.3.5 Response to Letter from Stephanie Greene

Comment No.	Response
SG-1	Please refer to EIR Section 4.2 Air Quality, and Section 4.12 Water Resources, which address stormwater runoff, oil leaks, and emissions (fumes) from vehicles and construction equipment. No changes to the EIR are necessary.
SG-2	Please note that AQ Impact 1 (fugitive dust) and AQ Impact 2 (ROG and NO _x) can be reduced to less than significant upon implementation of mitigation measures AQ/mm-1 and AQ/mm-2 (refer to EIR Section 4.2.5.1 Air Quality, Violate Air Quality Standard or Exceed Emission Thresholds). No changes to the EIR are necessary.
SG-3	Please note that while the project would result in significant impacts to aesthetic resources, noted impacts can be reduced to less than significant upon implementation of mitigation measures (refer to EIR Section 4.1 Aesthetic Resources. No changes to the EIR are necessary.
SG-4	Comment noted; no changes to the EIR are necessary.
SG-5	Please refer to response to comment SG-2 above.
SG-6	Please refer to mitigation measures BR/mm-5 (Special-status Plant Mitigation Plan), BR/mm-5 (Habitat Restoration Plan) and BR/mm-7 through BR/mm-10 (Oak Woodland Protection and Restoration Plan), which require substantial restoration and protection of vegetation within NCP. No changes to the EIR are necessary.
SG-7	As shown in Figure 2-5, Nipomo Community Park Master Plan, the project includes a separate equestrian trail within NCP. Reviewer is unsure about reference to “activities available at schools”. No changes to the EIR are necessary.
SG-8	As noted in Table 2-2, Master Plan Existing and Proposed Amenities, approximately 127,373 square feet of additional trails is proposed as part of the NCPMP. No changes to the EIR are necessary.
SG-9	<p>Please refer to EIR Section 4.3.2.2 Biological Resources, Special-Status Species, which provides the following definitions for special-status wildlife:</p> <p>“Animals listed or proposed for listing as threatened or endangered under the ESA (50 CFR 17.11 for listed animals and various notices in the Federal Register for proposed species).</p> <ul style="list-style-type: none"> ▪ Animals that are candidates for possible future listing as threatened or endangered under the ESA (Federal Register Vol. 73, No. 238, pp. 75175-75244, December 10, 2008). ▪ Animals that meet the definitions of rare or endangered species under the CEQA (State CEQA Guidelines, §15380). ▪ Animals listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5). ▪ Animal species of special concern to the CDFG (Remsen 1978 for birds; Williams 1986 for mammals). ▪ Animal species that are fully protected in California (California Fish and Game Code, §3511 [birds], §4700 [mammals], and §5050 [reptiles and amphibians]). <p>Please note that the alligator lizard, coyote, and egret are not designated special-status species (the Panamint alligator lizard is a Special Animal, occurring in Inyo and Mono counties). EIR Section 4.3 Biological Resources, Table 4.3-2, Special-status Wildlife Species Evaluated for Occurrence on the Project Site, has been updated to reflect that the potential for occurrence of white-tailed kite is “Moderate to High”, based on public responses that these species has been observed within NCP. The EIR noted the presence of this species, identified potential impacts to this species in addition to other avian species (refer to BIO Impact 1 and BIO Impact 4) and includes mitigation to avoid</p>

Comment No.	Response
	adverse effects to this species. Please refer to BR/mm-1 (worker education and training), BR/mm-11 (avoidance or pre-construction survey for nesting birds), and BR/mm-12 (pre-construction survey for nesting birds). Therefore, this clarification does not elevate the impact determination identified in the EIR. Regarding silvery legless lizard, coast horned lizard, pallid bat, and Monterey dusky-footed woodrat, the EIR notes the occurrence of these species and/or presence of suitable habitat. The occurrence rankings are appropriate based on observances, public comment, and noted habitat conditions.
SG-10	The Lil Bits Preschool is currently operating as a temporary use in NCP under a permit issued by General Services, under a lease issued to the Nipomo Area Recreation Association. The permit was issued with the intention of authorizing management of uses with NCP, as part of the overall park program. The 2004 permit identified uses including a youth-oriented community recreation and child care program, and coordination of sports activities, clubs, and events within NCP. The County recognizes that conditions may have changed since the permit was originally issued in 2004; therefore, the NCPMP fulfills the vision of the original lease, and includes a method for resolving the issue of the temporary pre-school by identifying the need for a Conditional Use Permit prior to establishment of a permanent facility within NCP. No changes to the EIR are necessary.
SG-11	Comment noted; no changes to the EIR are necessary.
SG-12	Please refer to Appendix A of the EIR, which includes the <i>Nipomo Community Park Master Plan, CEQA Review Draft</i> (Firma, May 2009). This document includes the results of public surveys (refer to Attachment A). All public comment is filed in the Administrative Record for the EIR. The EIR is a public information document, and it will be considered along with public testimony and other comments provided by the public during review by the Parks and Recreation Commission (PRC) and Board of Supervisors (BOS). The Commission and Board will ultimately determine what elements are included in the NCPMP. No changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Thursday, March 29, 2012 7:16 AM
To: Shawna Scott
Cc: secooper@co.slo.ca.us
Subject: Fw: Nipomo Park

----- Forwarded by Steve McMasters/Planning/COSLO on 03/29/2012 07:13 AM -----

From: Barbara Verlengiere <blondmare@hughes.net>
To: smcmasters@co.slo.ca.us
Cc: harrylwalls@sbcglobal.net
Date: 03/28/2012 04:27 PM
Subject: Nipomo Park

Steve McMasters

March 28, 2012

San Luis Obispo

Department of Planning and Building

To those individuals who are pushing for the overloading of the Nipomo Park.

BV-1

1. Please listen to what the residents of Nipomo have to say.
2. This project is extremely large and intrusive.
3. The scope of this project is not reasonable for this community!
4. Your methods are like a bulldozer, continually pushing through the crowds to reach your goal with NO regard to the damage you are inflicting.
5. Tefft Street cannot accommodate more traffic.

BV-2

I have been to 90% of the meetings for this project and 60% of the Nipomo residents do not want this project. 15% of the Nipomo residents do want this project, and 25% of them don't care.

BV-3

The vocal minority should not be allowed to overrule the majority.

At every meeting about this matter, the majority of the residents are apposed to the build out of the park.

What is it going to take to get the elected officials to listen, and to stop pushing their personal agendas? Just because there is no environmental impact to stop this project, does not mean the park should be a full build out or any build out. The impact to the community will be long lasting and one more open area will be gone.

Give it a rest... and use the monies somewhere else.

I retired from the grocery business after 35 years, but continue to work full time at my own business. Yet... I still find time to defend my community.

BV-3
(continued)

Barbara Verlengiere Tax paying (working) resident

PO Box 503

Nipomo, CA 93444

blondmare@hughes.net

805-550-6323

[Scanned @co.slo.ca.us]

9.3.6 Response to Email from Barbara Verlengiere

Comment No.	Response
BV-1	Comment noted; no changes to the EIR are necessary.
BV-2	Please refer to EIR Section 4.10 Transportation, Circulation, and Traffic, which includes an analysis of traffic conditions, including the project's effect on Tefft Street. Based on the analysis, no project-specific significant impacts are identified; however, the project will contribute to cumulative traffic conditions (refer to TR Impact 2). Mitigation is recommended to reduce the project's effect on the US 101/West Tefft Street interchange, resulting in a less than significant impact (refer to mitigation measure TR/mm-2). No changes to the EIR are necessary.
BV-3	Comment noted; no changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Thursday, April 05, 2012 1:15 PM
To: Shawna Scott
Cc: secooper@co.slo.ca.us
Subject: Fw: Nipomo Park

----- Forwarded by Steve McMasters/Planning/COSLO on 04/05/2012 01:14 PM -----

From: "robert dodds" <rdodds@sbcglobal.net>
 To: <smcmasters@co.slo.ca.us>
 Cc: "Walls, Jacki & Harry" <Harry/walls@sbcglobal.net>
 Date: 04/05/2012 09:41 AM
 Subject: Nipomo Park

To Steve McMasters:

I attended the last Nipomo Park meeting at the Nipomo Community Services District last week and made comments regarding the Cultural Value of the arena in the park.

CD-1

Addressing the Historical or Cultural Value that the Nipomo Park has, really gets its roots from the Equestrian Riders. I talked to Don Souza a former Mesa Rider who gave me quite a bit of history regarding the park and it's riders, that date back to 1958. Apparently they had a deal with the county to lease it for one dollar a year. The Mesa Riders put in all the piping, arena area, and a 12' cook shack that they sold food from. There would be 50 riders who did Gymkhana and horse shows, with as many as 40-50 horse trailers. They always kept it watered down to keep the dust from flying. It was used by them up until the 1990's where it then was then taken over by the Mexican Charros. The Charros used it until the County kicked them out. Then of course Brush Poppers tried to get in, but they were denied the access per environmental reasons, dust, and noise cited as reasons not to let them in. (I was there for those meetings)

CD-2

On the other hand, the community center in its inception, apparently was given \$100,000 dollars by the men's center. Peg Miller and her husband carpeted or floored it for free. The Hermreck's and other locals all volunteered their services to make it work. Sometimes as much as \$32,000 dollars was accumulated through bingo nights. But the Community Center was allowed to be run into the ground, and lost all their money that had been raised, not do to the initial supporters but those who took it over after its beginnings.

CD-3

In my opinion, an arena where local families and equine groups could ride their horses and have activities would be much more beneficial to the park, it has never even been a part of the design, and should be part of this process. I feel that the Equines have more history and cultural value in the park than skaters, or a community center that doesn't have a proven track record here to succeed. The equestrians have lost the most in the proliferation of Nipomo. The only arenas to have shows or other equine venues are in Santa Maria at the Elks Rodeo Grounds, or in the North County at the Paso Robles Fair grounds. Equine events bring in thousands of dollars annually. As we continue to be pushed out, the local businesses that are equine friendly are not making it, because we are losing horses and trails. In the design element I would like to see an arena put back in, and the skate park and community center taken out. I personally feel that weekend events like Gymkhana and horse shows, have more family structure and be greatly supported by residents, and would provide a different element in the park than skaters. Thank you, Sincerely Cherie Dodds

CD-4

9.3.7 Response to Email from Cherie Dodds

Comment No.	Response
CD-1	Please refer to responses to individual comments below.
CD-2	Comment noted; please note the NCPMP includes an equestrian staging area and designated equestrian trails (refer to Figure 2-2, Nipomo Community Park Master Plan).
CD-3	Comment noted; no changes to the EIR are necessary.
CD-4	Comment noted; no changes to the EIR are necessary.

COMMENTS ON THE NIPOMO COMMUNITY PARK MASTER PLAN PROGRAM EIR

I am commenting on the:

☐ Draft Program EIR ☐ Master Plan

The following useful comments are addressing these issues:

- Content of the EIR.
- Methods on how environmental issues are analyzed.
- Potential Alternatives to the project.
- Potential mitigation measures that would avoid or reduce environmental issues.

Comments on Draft Program EIR: *The Nipomo Native Garden (NNG) is the example to follow. Suggestions:*

① Remove all non-natives particularly in the park west of the regular park that goes around the houses. The problem non-native is African Velt grass.

② Protect chaparral

③ Expand the park area — particularly the riparian area west of H/S


④ More raptor poles

Comments on Master Plan: *less large structures*

NAME: _____

ADDRESS: _____

CITY: _____



Bill Denneen
1040 Cielo Ln
Nipomo CA 93444-9039
WLT PROUD SUPPORTER

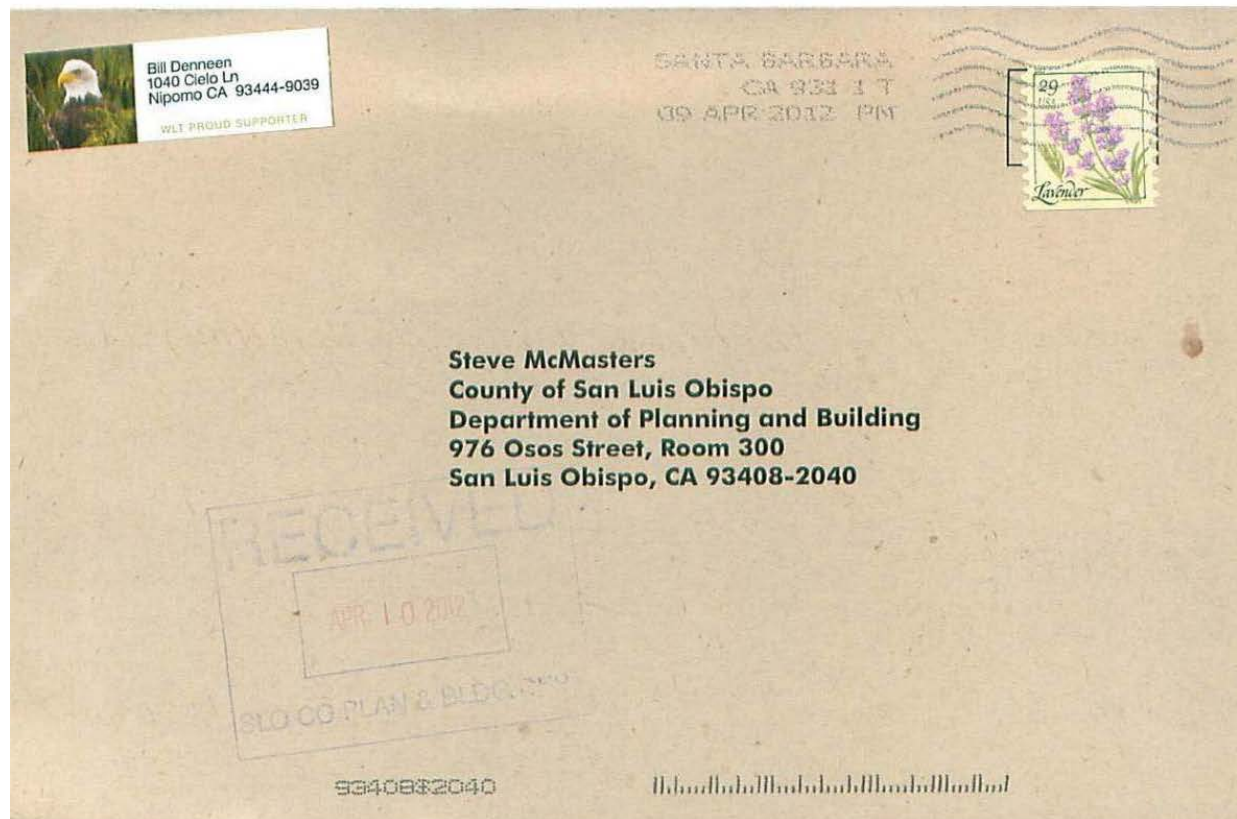
EMAIL: *BDenneen@KCBX.net*

PHONE: _____

STATE: _____ ZIP: _____

BD(b)-1

BD(b)-2



9.3.8 Response to Comment Card from Bill Deneen

Comment No.	Response
BD(b)-1	Comments noted; no changes to the EIR are necessary. Such elements may be included in future restoration efforts within NCP, and volunteers with the Nipomo Native Garden provide a good resource for these improvements within NCP.
BD(b)-2	Comment noted; no changes to the EIR are necessary.

April 2012

Mr. Steve McMasters
County of San Luis Obispo
Department of Planning and Building
976 Osos Street Room 300
San Luis Obispo, CA 93408-2040

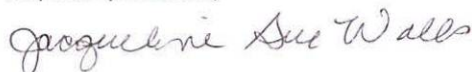
Reference: DEIR Nipomo Community Park 2012

Dear Mr. Mc Masters;

I have read the Draft Nipomo Park Plan Program Environmental Impact Report prepared February 2012 and I attended the County informational meeting at Nipomo High School on March 8, 2012. Attached is a list of my concerns, questions, corrections, and responses to the impacts and mitigations. I appreciate your careful consideration of my concerns.

JW-1

Respectfully submitted,



Jacqueline Sue Walls
410 Tejas Place
Nipomo, CA 93444

Executive Summary

ES4	Existing Facilities needs a correction. The existing horse shoes were left out.	JW-2
ESS-6	states the total existing developed recreation area is 11% of the park. That is flawed math using incorrect figures. Table ES-1 does not list existing 2 horseshoe pits. That would change the developed area total. The report also includes the 22 acres from Mesa Meadows as a part of the remaining 130 acres available for development. Those 22 acres are limited to passive recreation, buffer and basin use only. Removing them from the total of available developmental land changes the percentage of existing park development upward. The EIR uses 145 total acres and 15 developed acres to get 11%. It should be 123 acres with 15 acres developed which would be 12%. (using another mathematical correction 2 entries below the percentage changes upward again).	JW-3 JW-4
ES6	table ES1 does not list existing 2 horseshoe pits. This would change stats.	JW-5
ES6	table ES1 lists Open Space (undeveloped) and Open Play Area (turf) in the same category. This is misleading as to the actual loss of Open Space because it is added back in under Open Play Area. Open Play Area (4 acres) should more accurately be placed under Recreation Area. The stats need to be changed accordingly. Total recreation area now including turf would be approx 24 acres of the 123 total available acres putting the existing portion at 20%.	JW-6
ES6	Preschool is listed at Infrastructure. It is a temporary contracted non-recreational business and should not be considered as Infrastructure. It is in the park via a temporary use permit.	JW-7

Chapter 1 Introduction

1-1.1	a "program EIR" sounds like a loop hole to not really establishing workable and specific mitigations to a project but rather allowing certification under vague non specific stock mitigations. Once certified under stock mitigations it is difficult to show substantial impacts at time of development.	JW-8
-------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------

Chapter 2 Project Description

2-9	ref 2.3.1: see ES-4 above, horseshoes left out of existing facilities	JW-9
2-10	table 2-1 under "use type" category, "open space" should read "open space and trails" for consistency and clarity with ES1 on page ES-6. Stats are skewed by using 135 acres for the "open space and trail" total. Again, Mesa Meadows (22 acres) and The Native Garden (12 acres) need to be subtracted as they are designated rural areas and should not be considered in the total available undeveloped acreage. Both are being used recreationally and should be classified as such. The new total would be 101. Remaining stats need to be adjusted accordingly. Are the 4 Mesa Meadows infiltration basins counted under infrastructure or open space?	JW-10 JW-11 JW-12

2-14	table 2-2: see ES5-6 above	JW-13
Chapter 3 Environmental Setting		
3-1	3.1.1 the temporary Lil Bits preschool as listed at infrastructure. It is a contractually permitted non recreational temporary business. Its current location is in the area designated by LUO as Recreation and should be in the Public Facilities designated LUO area.	JW-14
3-2	table 3-1 needs to include under land uses Dana Elementary School and CHCC medical clinic and its expansion currently in progress (add'l 15,000 sq ft).	JW-15
3-11	table 3-2/1.F states NCP is the only public park in Nipomo. The Jack Reddy Park has been approved and will include a volleyball court, a basketball court, and approximately one acre of grassy fields. The Jim Miller Memorial Park on Tefft is approx 1 acre and is available for development. The Kaminaka project on Pomeroy includes 29 acre sports complex with ball fields in their plans. These should be referenced in the table and considered for recreation.	JW-16
3-15	table 3-2, policy 3.1: as mentioned earlier, EIR claims NCP is only park in Nipomo. Jack Reddy, Jim Miller Memorial Park and the Kaminaka sports complex development need to be mentioned and considered.	JW-17
3-16	table 3-2, policy 3.2: see above, NCP listed as the only existing park in Nipomo.	JW-18
3-26	table 3-2, E1.3: typo, text should read, "the NCPMP is a conceptual plan and does NOT include renewal energy facilities;..."	JW-19
3-39	table 3-3, Cumulative Projects List: There is a project currently under construction that is not listed. It is located at 239 Tefft. It is a mixed used development that will include commercial and 3 residential units to be completed in 2012. Once occupied this would add to the traffic on Tefft and should be considered as a cumulative traffic and circulation impact.	JW-20
Chapter 4 Environmental Impacts Analysis		
AESTHETICS		
4.1-18	AES impact 1: sites the recreation center as the only visual block to existing rural view. In terms of aesthetic character, the NCP serves an important role in defining the visual identity of Nipomo. As development continues around the community, NCP remains one of the last surviving native areas tying it to its rural roots. There is a cumulative block from the combination facilities including the fenced pool and deck, the 36,000 sq. ft. recreation center (250'x230'Wx36'H) covering 2 acres plus a defensible space fire break, fenced basketball courts with pole lighting, 2 fenced tennis courts with wind screening and pole lighting, fenced skate board park, a hand ball court, a transit stop, and parking lot with cars. Further, native chaparral would be stripped away and replaced with 10 acres of ball fields with 8-10 pole lights. The view from the interior of the park (KVA1, KVA-2, &KVA-5) would be irreparably altered from a rural	JW-21

	view to an urban utilitarian view not in character with our rural goals. Mitigation of shrubbery would not diminish the size of the view obstruction, only decorate it. Setting structures back 150' from the road is equally ineffective. Ineffective mitigations.	JW-22
4.1-20	multi use sports fields: It estimates 8-10 pole lights for 10 acres of playing fields. That ratio does not seem right, only one light per acre? The 25' high cut and fill slopes needed to accommodate the 10 acres of fields in combination with lights and its mere size would noticeably affect the visual view to the South (KVA-2). With the adjacent added facilities the rural ambiance would be transformed into an active sports center with a definite urban feel. The park would change from a calm, peaceful, rural setting to a bustling, noisy, and urban one. Class I impact.	JW-23 JW-24
4.1-25	Basketball courts and handball courts: no mention of lights	JW-25
4.1-27	Tennis courts: no mention of lights	
4.1-29	AES Impact 2: Basically defers impacts because there is no definite design plan. Mitigations are to use rural designs. That is an ineffective mitigation because design does not diminish size. It is the cumulative number and mass of the additions that detract from the visual view not the architectural design. 24 acres of illumination and all the required fencing detracts from the rural ambiance and adds to the harsh, urban, industrial look. Inadequate mitigations. Class I impact.	JW-26 JW-27
4.1-31	AES Impact 3: community center would be visually imposing	JW-28
	AES/mm-3: mitigation by architectural design is ineffective. The size not style is the imposing factor creating a significant impact on the rural character. Class I impact .	JW-29
	AES/mm-4: mitigation by landscaping is ineffective. Landscaping reduces the visual scale of the building but not the actual size. Class I impact	JW-30
4.1-32	AES Impact 4 : Impact on character of park by removal of 1.12 acres/20 mature trees. Planting smaller trees at a biological mitigation receptor site on the other side of the park or at a purchased easement elsewhere does not mitigate the loss of trees, rural character, and view shed from the area where they were taken. It would take 50 plus years to see the benefit of the replanting and the area where they were removed would be significantly and permanently altered. This is not an immediate mitigation; it would take 50+ yrs. Ineffective mitigation. Class I impact.	JW-31
AIR QUALITY		
4.2-14	table 4.2-8 emissions chart: where are pollutants listed for horseshoe pits, dog park, picnic/BBQ area, horse staging area, turf, playgrounds, and rapid transit vehicles/stops? Have emissions been factored in from the 2 main thoroughfares that border the park (Tefft and Pomeroy)? Idling automobiles on Tefft while dropping off and picking up students at the adjacent Dana School adds to the cumulative emissions. Have the emissions from the newly constructed 15,000sq ft Medical center adjacent to the park been factored in? Chart figures need updating.	JW-32 JW-33

<p>Emissions Quantification: EIR states proposed project would exceed the daily ROG+NOx combined threshold. It currently requires 18 on site mitigation measures. That threshold may be inaccurately low if the items mentioned in above emissions chart notation have not been factored in. The mitigations are not effective or feasible. Internal paths would not diminish the trips to the park. The auto traffic is not generated from trips within the park. Planting trees in the parking lot to reduce evaporative emissions will not offset the loss of the 20 mature trees removed. Has the removal of those trees been factored in the equation as a cumulative effect? On site housing already exists for the ranger so that is not a feasible mitigation. A recreational facility cannot be moved to the area adjacent to the school and residences. The topography would limit development, the height of the property would interfere with the view shed and aesthetics, and it would be adjacent to the newly developed 16,000 sq ft medical center on Tejas Place with its accompanying emissions. Not a feasible mitigation. There would be a significant air quality impact on the park visitors and day care children in the park as well as to the sensitive receptors adjacent to the park (Dana school, the medical center, the Library, and the church with its additional day care.) Class I mitigation.</p>	JW-34
<p>4.2-16 AQ Impact 2, AQ/mm-2 AQ emissions exceed daily thresholds: see chart corrections above that would increase daily emissions and threshold totals. Mitigation of valet bicycle parking at community events centers is not feasible given the rural nature of our community and how spread out the residents are. Residual impacts: EIR states even with implementation of mitigations the emissions would not be reduced. With additional contributing factors (noted above re chart) and mitigations not feasible (moving rec. facility, building ranger residence, & bicycle valet) this becomes a class I impact.</p>	JW-35
<p>4.2-19 4.2.5.3, Create or subject individuals to Objectionable Odors: When Lil Bits temporary day care was placed in the park turf was dug up and a septic system was installed. If they are removed or moved to the new site on the project map, what happens to that system? Will it be dug up?</p>	JW-36
<p>In the 3/24/05 letter to Shawna Scott at Morro Group Inc. from Melissa A, Guise, Air Quality specialist from SLO Air Pollution Control District she states, "District staff supports Alternative 2, which provides for less development than Alternative 1 and does not increase parking. District staff commends the applicant on the multi-use trail system proposed throughout the park and recommends the pathways be linked to bus stops, pedestrian trails and bike paths outside the park to encourage the use of alternative transportation".</p>	JW-37
<p>BIOLOGICAL RESOURCES</p>	JW-38
<p>4.3-2 Oak woodland: correction- 2nd paragraph, 1st sentence. "poison oak" is listed twice.</p>	JW-39
<p>4.3-20 Special status wildlife: white Tailed Kite. My husband has sited these frequently in the rural section of the park as has Bill Deneen a noted naturalist in Nipomo. With the frequency of sightings, the limited habitats in the coastal area and the MBTA/FP status their potential for occurrence should be elevated to "High" and elevation to Class I Impact.</p>	JW-40
	JW-41
	JW-42
	JW-43

4.3-23	Special status wildlife: Pallid Bat. My husband has observed bats in the park species unk. May or may not be Pallid. Do other species of bats live there?	JW-44
	Monterey Dusky-Footed Woodrat: My husband and I have both observed them in the rural section.	JW-45
	Silvery Legless lizard: My husband and I have both observed them in the rural section.	
	Coastal Horned Lizard: My husband, grandchildren and I have all observed them in the rural section.	
	Class Aves: My husband and I have observed Red Tailed Hawks, American Crows, Scrub Jays, Great horned owls and numerous quail in the rural section.	
	It further serves as habitat for rabbits and coyotes. At least 5 people have seen a Mountain Lion in the park; one has seen a Bob Cat and occasionally a Fox.	JW-46
4.3-28	Project would disturb natural habitat for special status plant and wildlife species. 4.3-29 BR/mm-3, Legless and Horned Lizard: 27.5 acres of special status wildlife species habitat would be eliminated, substantially affecting their ability to survive. Monitor's soil raking has limited protection against loss of wildlife during the removal/relocation efforts during the ground disturbing activities. Not an effective mitigation	JW-47
	BR/mm-4, Monterey Dusky-footed Woodrat: Special species Woodrats would be displaced with their destroyed nests to serve as a stockpile of materials to scavenger and rebuild their nests. They would have permanently diminished habitat by the removal of Oak Woodland and Maritime Chaparral, affecting their normal activities. These animals are nocturnal so they won't be sited by day time monitors. What time will their nests be moved to not disturb their natural way of life? Unknown numbers of the species would be without nests until they could be rebuilt leaving them subject to natural predators which could substantially affect their numbers. Ineffective mitigation.	JW-48
4.3-35	BR Impact 3, Loss of 1.12 acres of oak woodland, approx 20 trees, BR/mm7, BR/mm-8, BR/mm-9, BR/mm-10: The mitigation only allows for 50% mitigation via replanting. That is not an immediate mitigation; that will take 50+ years. An additional feasible mitigation would be to alter path/trail plans to route around established trees. Trails do not need to be straight lines. Trails curving around established trees would add to the rural character Nipomo is attempting to maintain and habitat would be preserved.	JW-49
		JW-50
		JW-51
4.4-40	4.3.7 cumulative impacts: If all the biological impacts in this chapter have been considered class II with mitigation, how does the cumulative impact result in Class III? Shouldn't that be Class II as well?	JW-52
	GEOLOGY, SOILS, DRAINAGE	

4.5-8	Drainage: 5 th paragraph refers to intersection of Osage and Pomeroy. Those 2 streets do not intersect. Do you mean Osage and Camino Caballo?	JW-53
HAZARDS & HAZARDOUS MATERIALS		
4.6-4	3 rd paragraph, The Sheriff's Department recommends implementation of several safety measures in conjunction with development of additional park facilities, including "Crime Prevention Through Environmental Design" and "light and lighting system guidelines", which have been proven to prevent and reduce crime. This creates a Class I impact on the recreation center. Per the CPTED guidelines, youth facilities should be on main roads in plain view to allow effective policing and natural public surveillance. The lighting in lighting and lighting systems guidelines needs to be factored in when determining the aesthetic impacts of cumulative lighting. The cumulative lighting from both of these safety measures plus the activity lighting would be a Class I impact on lighting.	JW-54
		JW-55
4.6-7	4.6.3, Thresholds of Significance: Need to include 6 th category of Potential for Crime as discussed on pg 4.6-3. Building the youth recreation center in the center of the park would be out of compliance with recommended safety measure to use Crime Prevention Through Environmental Design principles. This would create a class I Hazard Impact.	JW-56
4.6-9	Exposure to Hazardous Emissions: 1 st sentence would be more accurately stated as, "The NCP is located directly adjacent to the Dana Elementary School. The closer proximity would also change the concern for emissions at the school which is an air quality sensitive receptor.	JW-57
4.6-10	4.6.5.2 Emergency Response or Emergency Evacuation Plan: states implementation of the Master Plan would not interfere with emergency evacuations because no element blocks the public. Evacuation plans must include adequacy of escape routes for the population functioning at full capacity. There is no information regarding the maximum capacities of all the activity areas and the ability to safely and efficiently evacuate them. Class I Impact.	JW-58
LAND USE		
4.7-1	4.7.1.1 Existing Land Uses: needs to include horse shoes under "uses"	JW-59
	4.7.1.2 Land Use of Adjacent Properties: "other vacant area" is now the 15,000sq ft CHC medical center expansion.	JW-60
4.7-4	4.7.5.1 Consistency with Land Use, Policy/Regulations: County Gen Plan guides future growth to enhance scenic resources. So County Inland Area balances social, economic, environmental a governmental resources and activities affecting quality of life in an area. The So County Planning Area preserves the character of communities and rural	JW-61

	<p>areas that currently exist in the area. The Recreation Element insures the development of new parks and equitable distribution of parks throughout the county. Principles of Strategic Growth attempts to preserve open space, scenic natural beauty, and sensitive environmental uses (like our sensitive an protected species in the park) and foster a distinctive, attractive community with a strong sense of place. 1988 Master Plan included a plan for acquisition of new parklands which was never done. The massive build out of the park impacts all of these land use policies to preserve Nipomo's rural equestrian character, provide equitable distribution of parks, preservation of open space, scenic natural beauty, and sensitive environmental uses and to acquire additional parkland. As Nipomo has grown there has been considerable loss to riding trails and the county has failed to dedicate new trails as requested creating a net loss of recreation to equestrians. The impact needs to address the cumulative loss of recreation to our equestrians and the unnecessary duplication of amenities for organized sports already existing in Nipomo violating our land use guidelines. Suggested mitigations would be 1. Acquisition of new parkland while real estate prices are low. 2. Enter into joint use agreements with our schools to share and save tax dollars during tight county budgets. There are funds for building but not maintenance. 3. Enter into joint use agreement with schools to pay for the Crime Prevention Through Environmental Design changes to campuses so that they will feel safe to open them to the public on off school hours. 4. Place some smaller developments in Jim Miller Park instead of in NCP (horse shoes, Bocce Ball, gazebo, skateboard park) 5. Partner with Jack Reddy Park to get it up and running.</p>	JW-61 (continued)
		JW-62
		JW-63
4.7-5	2 nd paragraph, skate board park mitigation: Cannot state that using mitigations N/mm-2 will reduce the noise to a specific level when the dimensions of the berm used in that mitigation are not given. Facts are not supplied to support that conclusion.	JW-64
NOISE		
4.8-1	4.8.1.1 Identified Sensitive Land Uses: Final sentence needs to include the CHC medical center and its 15,000 sq ft expansion.	JW-65
4.8-12	Last paragraph: States Pomeroy/Juniper would experience decreased traffic under build out conditions. What is the basis for this? This street will be realigned, signalized, and have turn lanes added. A pay booth will be added to this entrance and will serve as one of two entrances joined by a circular interior road. It will generate more traffic than currently and as much as Tefft upon completion. With that entrance signalized, it is reasonable to assume an increase in the people who cut thru the park now in order to avoid that signal and the ones at Pomeroy/Tefft and Tefft/Orchard.	JW-66
4.8-14	Stationary Noise, 2 nd paragraph: Noise measurements were taken at Damon Garcia Sports Complex during 3 games without amplified sound. Our proposed build is 10 acres or 6 youth soccer fields/games that could be played on simultaneously with	JW-67

	amplification, whistles, and crowd roars. Also practice games would include whistles and loud coaching instructions. The comparison is not equal. The measurement needs to be more accurately calibrated based on 6 fields.	JW-67 (continued)
4.8-15	3 rd paragraph: The multi game soccer event would be closer that 200 ft from a sensitive receptor, Dana Elementary and the new 15,000 sq ft CHC expansion.	JW-68
4.8-16	2 nd paragraph: no description of the skate board park barrier other than earthen and 25' from the edge. What are the dimensions?	JW-69
	3 rd paragraph: Potential remediation options for noise abatement are not mitigations and are not acceptable or reliable measures to reduce noises. Noise impact would be Class I.	JW-70
	N/mm-2: What are the dimensions of the berm? It cannot be offered as an adequate mitigation if no dimensions are given to calculate its effects. Will its size be a conflict with the Aesthetics requirement not to block view of the park from the street? What is the style and height of the fence? In order to block noise it would have to be solid which would conflict if safety and aesthetic mitigations and the West Tefft Corridor Design elements. Ineffective conflicting mitigation, not feasible.	JW-71
	N/mm-3: Directing loud speakers inward would not mitigate sound from effecting sensitive receptors within 200 ft. The loud speakers currently at the football field on Pomeroy can be very clearly heard across the park to the homes on Tejas Place, well over 200 ft.	JW-72
	N/mm-4: These are not mitigations. They are POSSIBLE afterthought solutions of questionable value. The ranger and/or park host do not have police powers. The County has no money for a Park Monitor. They are cutting park personnel. There is no guarantee a volunteer could be secured and that position would not have police powers either. What design and height would the fence be to effectively keep people out? If it is solid as needed to mitigate noise it would be in conflict with mitigating safety measures to use Crime Prevention Through Environmental Design. CPTED requires no blind spots and all recreational activities remain visually open for effective policing and naturally occurring public surveillance. If it is open for safe viewing it won't mitigate the sound. Conflicting and ineffective mitigations. Class I Impact.	JW-73
		JW-74
4.8-18	4.8.6: 1 st sentence is incorrect. The CHC 15,000 sq ft expansion on Tejas Place adjacent to the park will generate a significant level of stationary noise.	JW-75
	2 nd paragraph: Need to recalculate the increased number of visits to the park upon build out. With an additional 27.5 acres of new recreation (more than doubling its current size) the additional trips would be substantially higher. The new amenities would draw high numbers of people each both on a casual use and tournament basis. (recreation	JW-76

center, ball fields, skateboard park, swimming pool, tennis courts, basketball courts).
Facts do not support this assumption.

JW-76
(continued)

9.3.9 Response to Letter from Jacqueline Sue Walls

Comment No.	Response
JW-1	Please refer to responses to individual comments below.
JW-2	Horseshoe pits were installed within NCP near West Tefft Street to temporarily address community requests; however the NCPMP includes a permanent location for the horseshoe pits southwest of the Juniper Street entrance (refer to Figure 2-5, Nipomo Community Park Master Plan). No changes to the EIR are necessary.
JW-3	The two horseshoe pits are approximately 1,800 square feet, or 0.04 acre. Including this acreage under the existing column in Table ES-1 (also Table 2-2), Master Plan Existing and Proposed Amenities, would increase the existing developed area within NCP (not including Mesa Meadows) from (specifically) 10.88173 percent to 10.91189 (difference of approximately 0.030 percent). The EIR rounds this number to 11 percent, therefore this specification does not result in a change to the calculated percentage presented in the EIR. As noted in EIR sections Executive Summary C.1. Existing Facilities, and 2.31 Project Description, Existing Facilities, the existing developed area is approximately 15 acres (the specific calculation is 14.908 acres). Inclusion of the 0.04-acre horseshoe pits would increase this calculation to 14.948 acres, which is then also rounded to approximately 15 acres. Therefore these specifications do not result in a change to the developed area acreage or percentage presented in the EIR. No changes to the EIR are necessary.
JW-4	The Mesa Meadows area (22 acres) is included as part of the NCPMP because the trail system connects to NCP. This acreage was not included in the total acreage of land available for development, because no changes, improvements, or additional amenities are proposed within the Mesa Meadows open space area. All new facilities and amenities would be located within NCP (137 acres). If the Mesa Meadows open space area were to be included in the calculation, the percentage of existing developed area would decrease to 9.4 percent. Please note that the 11 percent developed area identified in the EIR is calculated by dividing the acreage of existing recreation area (8.18 acres) and NCP infrastructure (6.72 acres) (total 14.9 acres) by the total acreage of NCP (137 acres). No changes to the EIR are necessary.
JW-5	Please refer to response to comments JW-2 and JW-3 above. No changes to the EIR are necessary.
JW-6	As noted in Table ES-1, use types listed under "Open Space" include Open Space (undeveloped), Open Play Area (turf), and Trails (dirt). These distinctions are presented to show the loss of 25 acres of Open Space (undeveloped). The additional Open Space Play Area (turf) will consist of areas without structures or facilities. The amenities listed under "Recreation" include active use areas and structural facilities. No changes to the EIR are necessary.
JW-7	The pre-school is listed under "Infrastructure" similar to the Nipomo Library. No changes to the EIR are necessary.
JW-8	A Program EIR is the appropriate level of review for this type of project, because the NCPMP is a long-range conceptual plan, including various elements that would be implemented in different stages in the future. The intent of the Program EIR is to assess the potential impacts of the project as a whole, while identifying where additional analysis may be necessary in the future to assess specific elements (i.e., community center). Where information was not available, a reasonable worst case scenario is identified. Proposed mitigation measures include measurable standards and review requirements to verify compliance. The Program EIR was prepared consistent with CEQA Guidelines Section 15168 (Program EIR). No changes to the EIR are necessary.
JW-9	Please refer to response to comment JW-2 above.
JW-10	In Table 2-1, Master Plan Existing and Proposed Use Types, the Use Type column has been clarified as follows (changes shown in <i>italics</i>): Recreation Area & <i>Designated Trails</i> ; Open Space

Comment No.	Response
	& <i>Trails (dirt)</i> ; Open <i>Play Area</i> Turf; Infrastructure. This clarification does not affect the impact determinations of the EIR.
JW-11	Please refer to response to comment JW-4 above. Trails/walkways (paved/unpaved) are included under the “Recreation Area” category. All other undeveloped areas (i.e., no structures or trails) are included under “Open Space”. Plant restoration and demonstration areas within the Nipomo Native Garden are considered “Open Space” uses. No changes to the EIR are necessary.
JW-12	The four basins within Mesa Meadows are included under “Open Space” because the basins are vegetated depressions within a designated “Open Space” area. No changes to the EIR are necessary.
JW-13	Please refer to response to comment JW-5 above.
JW-14	As noted in the County Land Use Ordinance, Table 2-2, Allowable Land Uses and Permit Requirements, “child day care centers” are identified as an allowed use within the Recreation land use category, and require issuance of a Conditional Use Permit. A Conditional Use Permit is required for permanent establishment of this use. No changes to the EIR are necessary.
JW-15	Table 3-1, Surrounding Land Uses, includes “school” in the row describing uses to the south of NCP. The described land uses has been clarified to include “ <i>health center</i> ”. This clarification does not affect the impact determinations of the EIR.
JW-16	In Table 3-2, Consistency with Plans and Policies, Framework for Planning (1.F.) has been clarified to note (in italics) that “The NCP is currently the only <i>developed</i> public park in Nipomo. <i>Other opportunities for park improvements in the community include the recently approved Jack Ready Park, Jim Miller Memorial Park, and private developments.</i> ” This clarification does not change the consistency determination identified in the EIR.
JW-17	In Table 3-2, Consistency with Plans and Policies, San Luis Obispo County General Plan, Parks and Recreation Element, Recreation Goal, Objectives and Policies, General Recreation, Policy 3.1 has been clarified to state (note clarification in italics): “The project proposes new and expanded recreational uses and facilities at the only existing <i>developed</i> park serving the Nipomo community, consistent with this policy. <i>Other opportunities for park improvements in the community include the recently approved Jack Ready Park, Jim Miller Memorial Park, and private developments.</i> ” This clarification does not change the consistency determination identified in the EIR.
JW-18	In Table 3-2, Consistency with Plans and Policies, San Luis Obispo County General Plan, Parks and Recreation Element, Recreation Goal, Objectives and Policies, General Recreation, Policy 3.2 has been clarified to state (note clarification in italics): “The project entails new and expanded open space and recreational uses at Nipomo’s only existing <i>developed</i> park, consistent with this policy.” This clarification does not change the consistency determination identified in the EIR.
JW-19	In Table 3-2, Consistency with Plans and Policies, San Luis Obispo County General Plan, Conservation and Open Space Element, Policy E 1.3, Proposed Action, has been clarified to state (note change in italics): The NCPMP is a conceptual plan, and does <i>not</i> include renewable energy facilities...”. This clarification does not change the consistency determination identified in the EIR.
JW-20	In EIR Section 3.4 Cumulative Study Area, Table 3-3, Cumulative Projects List, has been updated to include the mixed use project under construction at 239 Tefft Street (east of US 101). The cumulative development scenario for the traffic analysis was based on the <i>South County Traffic Model</i> , which includes a Future Conditions Model. The cumulative traffic analysis identifies the projected traffic conditions at year 2025, which would include the noted project. The inclusion of this project in the list of “recently approved projects” does not affect the impact determinations of the EIR.

Comment No.	Response
JW-21	Please refer to EIR Section 4.1.6 Aesthetic Resources, Cumulative Impacts, which addresses the resulting effect of total NCPMP build-out. The EIR recognizes that the visual character of NCP would be affected by proposed major elements (refer to AES Impact 8). No changes to the EIR are necessary.
JW-22	Based on the analysis of aesthetic impacts (refer to Sections 4.1.5.1 Effect on Scenic View and 4.1.5.2 Effect on Visual Character and Quality, Visual Compatibility), and incorporation of mitigation measures AES/mm-1 through AES/mm-5, potential impacts would be reduced to less than significant. These measures have been prepared and reviewed to verify feasibility. The EIR acknowledges that the project would change the existing visual setting; however, key scenic views would be maintained. Therefore, potential impacts would be less than significant, and no changes to the EIR are necessary.
JW-23	The EIRs estimate of 8-10 lights would cover three adult soccer fields (or six youth fields), based on comparison with local multi-use and soccer fields in the area. No changes to the EIR are necessary.
JW-24	The EIR recognizes that the proposed sports fields would substantially alter the south-central portion of NCP; however, the majority of the park area would not be affected. Mitigation including restoration with native vegetation is recommended to minimize the potential for erosion and exposed earth (AES Impact 7, mitigation AES/mm-8), which would reduce the long-term noticeability of the sports fields. Although the change would be visible, the residual impact would be less than significant. No changes to the EIR are necessary.
JW-25	Please refer to impacts analysis EIR Section 4.1.5.3 Aesthetic Resources, Effects of Light and Glare, which states: "Lighting would also likely be required elsewhere as part of NCP improvements....Security lighting may be necessary at the community pool, skate park, tennis and basketball courts, and other areas". No changes to the EIR are necessary.
JW-26	Please refer to response to comment JW-8, regarding applicability of Program EIRs. In lieu of a defined plan, a reasonable worst case scenario was identified and assessed in the EIR. This scenario was applied to photo-simulations presented in 4.1-18 through 4.1-23. No changes to the EIR are necessary.
JW-27	Please refer to EIR Section 4.1.6 Aesthetic Resources, Cumulative Impacts, which addresses the resulting effect of total NCPMP build-out. The EIR recognizes that the visual character of NCP would be affected by proposed major elements (refer to AES Impact 8). As noted in the comment, implementation of mitigation measures would not reduce the overall size of the structures; however, the mitigation includes standards that would create visual articulation and improved visual consistency with the surrounding landscape (refer to AES/mm-3 and AES/mm-4). The proposed mitigation directly addresses the significant impact identified in AES Impact 3 (monolithic form, architectural style, and exterior colors and materials). Mitigation measures AES/mm-7 and AES/mm-7 include standards to reduce off-site light and glare, applicable to the proposed sports fields all other lighting in the park. The combination of these measures would mitigate the project's effect on aesthetic resources to less than significant by incorporating rural design elements and minimizing adverse effects to the public viewshed, including changes to visual character. No changes to the EIR are necessary.
JW-28	Comment noted; no changes to the EIR are necessary.
JW-29	Please refer to response to comment JW-27 above.
JW-30	Please refer to response to comment JW-27 above.
JW-31	The oak trees proposed for removal are primarily located adjacent to existing internal and adjacent roadways. No oak trees would be removed along the dense oak woodland ridge through

Comment No.	Response
	the center of the park. The County recognizes that the loss of mature oak trees would be noticeable in the short-term; however, the planting of new oak trees within a conservation easement will mitigate the potentially significant impact in the long term. No changes to the EIR are necessary.
JW-32	In EIR Section 4.2 Air Quality, Table 4.2-8, Estimated Operational and Area Source Emissions, includes the emissions generated by all proposed uses within the park (refer to Appendix C Air Quality Background Information for complete summary of emission model results), pursuant to the San Luis Obispo County Air Pollution Control District <i>CEQA Handbook</i> (December 2009). Uses that would not typically generate high levels of traffic as a single-destination type use are grouped within the "City Park" category. The emissions generated by vehicles would be dispersed along the travel route, including roads within and adjacent to NCP (i.e. Pomeroy Road and West Tefft Street). No changes to the EIR are necessary.
JW-33	<p>Existing uses, such as the Dana Elementary School, generate emissions, which are considered part of the environmental baseline and contribute to air pollutant emissions in the area. As noted in EIR Section 4.2.1 Air Quality, Existing Conditions, "motor vehicles are the primary source of air pollutant emissions and greenhouse gases" and in 2008, state ozone standards were exceeded (as measured from the Nipomo air quality monitoring station). Park access, trails, and road improvements may contribute to a reduction in trips generated by adjacent uses by providing safe options for alternative transportation.</p> <p>In EIR Section 4.2 Air Quality, Table 4.2-8, Estimated Operational + Area Source Emissions, identifies the estimated emissions that would be generated by various elements included in the NCPMP, which would not include the medical center. Cumulative impacts are addressed within EIR Section 4.2.6 Air Quality, Cumulative Impacts. Based on the Mitigated Negative Declaration that was adopted for the Community Health Center project on October 27, 2011 (County project number DRC2010-00027, Environmental Determination number ED10-193), the project would not generate a significant level of air pollutants during construction or operation. Potential air quality impacts include the generation of fugitive dust during construction, potentially affecting nearby residences and resulting in a nuisance, and the use of diesel equipment near sensitive receptors. Standard mitigation was adopted for the project, consistent with APCD guidelines. The NCPMP's contribution to the cumulative generation of air pollutants in the area was determined to be less than significant, based on elements incorporated into the NCPMP, which are consistent with the APCD's <i>Clean Air Plan</i>, and incorporation of additional mitigation measures to reduce project-specific emissions. No changes to the EIR are necessary.</p>
JW-34	Please refer to response to comment JW-32 and JW-33 above.
JW-35	The 21 mitigation measure options listed in AES/mm-2 are included in the San Luis Obispo County Air Pollution Control District <i>CEQA Handbook</i> (December 2009), as effective measures to reduce the effects of ROG and NO _x generated by transportation and stationary uses. Providing trails and paths within and adjacent to the park contributes to use of alternative sources of transportation, such as walking and use of bicycles, which in turn reduces emissions both within the park and surrounding area. Although traffic is not generated from trips within the park, community members may elect to ride their bicycles or walk to the park, or traverse the park using improved paths en-route to an offsite destination. Emissions generated from vehicles in parking areas are affected by air temperature, and planting trees within parking areas provides a cooling effect, and thus reduces vehicle hydrocarbon emissions (which is the intent of the mitigation measure). Therefore, this is an effective measure to reduce operational emissions generated by the project. In the long term, the NCPMP includes the planting of additional trees of varying native species onsite, which would have a long-term beneficial effect to air quality. As noted in the comment, numerous mitigation measures are recommended, which would have a beneficial effect when combined. No changes to the EIR are necessary.
JW-36	Please note that the referenced bulleted list noted in the EIR (refer to Section 4.2.5.1 Air Quality, Violate Air Quality Standard or Exceed Emission Thresholds, Emission Quantification), includes features currently included in the NCPMP (such as the existing ranger residence), and are not part of the 21 mitigation measures identified under AQ/mm-2. This list is provided to show how the

Comment No.	Response
	NCPMP incorporates various measures recommended by the APCD. No changes to the EIR are necessary.
JW-37	Mitigation measure AES/mm-1 recommends locating the proposed community center a minimum of 150 feet from the existing park road, which would be approximately in the same location as proposed, but shifted more to the west to preserve views. No air quality mitigation measures would require location of the structure at the Dana School property line. No changes to the EIR are necessary.
JW-38	Based on the analysis of air quality impacts, which was conducted consistent with the APCD's <i>CEQA Handbook</i> (December 2009) and considered full build-out of the NCPMP as proposed, all potentially significant impacts can be mitigated to less than significant. In addition the project is consistent with the APCD's <i>Clean Air Plan</i> (refer to EIR Section 4.2.5.4 Air Quality, Consistency with SLOAPCD Clean Air Plan), which identifies land use and transportation guidelines to achieve state and federal air quality standards. The intention of identified operational mitigation measures is to reduce trip generation, increase energy efficiency, and apply the use of alternative energy and fuels to reduce the project's emissions, which affect adjacent land uses and regional air quality. No changes to the EIR are necessary.
JW-39	Please refer to response to comments JW-32, JW-33, and JW-35 above. Use of bicycle valet parking is not intended to reduce all trips, but provide an incentive for the public to ride their bicycle to an event rather than drive a vehicle. Please note under AQ Impact 2, Residual Impacts that "implementation of identified mitigation would not eliminate air emissions...the concentration of pollutants would be reduced to below identified thresholds"; therefore impacts are considered less than significant. No changes to the EIR are necessary.
JW-40	In the event the Lil Bits pre-school is relocated, the septic system would be removed and reconstructed pursuant to existing regulations. No changes to the EIR are necessary.
JW-41	Comment noted; no changes to the EIR are necessary.
JW-42	In EIR Section 4.3.1.2 Biological Resources, Plant Communities and Habitat Types, Oak Woodland has been corrected to eliminate a duplicate species "poison oak". This change is minor and does not affect the impact determinations of the EIR.
JW-43	In EIR Section 4.3 Biological Resources, Table 4.3-2, Special-status Wildlife Species Evaluated for Occurrence on the Project Site, has been updated to reflect that the potential for occurrence of white-tailed kite is "Moderate to High", based on public responses that these species has been observed within NCP. The EIR noted the presence of this species, identified potential impacts to this species in addition to other avian species (refer to BIO Impact 1 and BIO Impact 4) and includes mitigation to avoid adverse effects to this species. Please refer to BR/mm-1 (worker education and training), BR/mm-11 (avoidance or pre-construction survey for nesting birds), and BR/mm-12 (pre-construction survey for nesting birds). Therefore, this clarification does not elevate the impact determination identified in the EIR.
JW-44	As noted in Table 4.3-2, Special-status Wildlife Species Evaluated for Occurrence on the Project Site, NCP does support suitable habitat for pallid bat. Other common species of bat may also be present. No changes to the EIR are necessary.
JW-45	Please refer to Table 4.3-2, Special-status Wildlife Species, which has been clarified to include community-noted occurrences of Monterey dusky-footed woodrat, silvery legless lizard, Coast horned lizard, and Class Aves (multiple bird species). These species were either observed, or assumed to be present based on habitat conditions; therefore, this clarification does not affect the impact determinations of the EIR.
JW-46	Please refer to EIR Section 4.3.1.2 Plant Communities and Habitat Types, which notes observed species or suitable habitat conditions for a variety of special-status and common wildlife species, including coyote, fox, and bobcat. Under the description of Oak Woodland, the following statement

Comment No.	Response
	has been added to clarify additional common wildlife species observed by the public: “ <i>Additional occurrences noted by the public include rabbits and mountain lion.</i> ” This clarification does not affect the impact determinations of the EIR, because these species are not considered endangered, threatened, or species of special concern.
JW-47	In EIR Section 4.3.6.1 Biological Resources, Unique or Special Status Species or their Habitat, identifies the potential loss of varying types of habitat and vegetation types within NCP, ranging from oak woodland and maritime chaparral to grassland and ruderal/ornamental. The NCPMP generally focuses development in one section of NCP, to allow for contiguous habitat areas for noted species and common wildlife. Restoration activities are proposed within NCP, including a 5.6-acre biological mitigation receptor site for maritime chaparral (sand mesa manzanita) and oak woodland, which would improve habitat conditions for special-status species. Mitigation measures BR/mm-5 (Habitat Restoration Plan) and BR/mm-7 through BR/mm-9 (Oak Woodland Protection and Restoration Plan) include measures that would provide a long-term benefit to plants and wildlife within NCP. Therefore, potential impacts are considered less than significant, and no changes to the EIR are necessary.
JW-48	Mitigation measure BR/mm-3 (silvery legless lizard and Coast horned lizard), including soil raking, is an acceptable and feasible measure to locate and capture these species for transfer outside of the construction area. This measure also includes onsite monitoring during all initial ground disturbing activities. No changes to the EIR are necessary.
JW-49	Mitigation measure BR/mm-4 (Monterey dusky-footed woodrat), including relocation of nests (if necessary), is an acceptable and feasible measure to avoid adverse effects to these species. Nest relocation may occur during the day; however, upon evacuation the woodrat individual(s) would likely scatter along known routes into adjacent habitat areas. Based on the presence of adjacent habitat and suitable cover, these activities would not have a significant adverse effect. No changes to the EIR are necessary.
JW-50	Mitigation measure BR/mm-9, item (c) (Oak Woodlands Conservation Act grant) presents one option, out of three, to mitigate loss of oak woodland, pursuant to Senate Bill 1334, Oak Woodlands Conservation Act. The County recognizes that maturation of oak trees within the restoration area will not be immediate; however, mitigation includes replanting and maintenance within a conservation area, which will mitigate potentially significant effects to less than significant. No changes to the EIR are necessary.
JW-51	Please refer to mitigation measure BR/mm-10 item (b): “Oak Tree Avoidance Measures. Grading and development within the proposed project shall avoid the removal of oak trees to the maximum extent feasible”. The EIR identifies a reasonable worst case scenario regarding tree impacts and removal. As final plans are developed, the County will locate trails and roads to avoid oak trees to the maximum extent feasible, such as curving around established trees, as noted in the comment. No changes to the EIR are necessary.
JW-52	When considered with the cumulative development scenario (projects recently approved or under development in the area), the project’s impacts to biological resources is not considered cumulatively considerable because the project primarily avoids areas identified as sensitive habitat (i.e. oak woodland) and includes restoration and conservation within the park. No changes to the EIR are necessary.
JW-53	EIR Section 4.5.1.1 Geologic Setting, Drainage, has been corrected per your comment, as follows (note correction in italics): “In the northwestern section of the park, near the intersection of Osage Street and <i>Camino Caballo...</i> ” This clarification does not change the impact determinations of the EIR.
JW-54	The Crime Prevention Through Environmental Design (CPTED) Guidelines do not specifically state that youth facilities should be located on main roads; however a CPTED strategy notes that “Gathering areas or congregating areas need to be located or designed in locations where there is good surveillance and access control”. The project is generally consistent with this guideline,

Comment No.	Response
	<p>because the community center would be located in close proximity to the internal park road and park ranger residence. The NCPMP was reviewed by the San Luis Obispo County Sheriff (refer to Appendix B, Notice of Preparation Comment Letters, letter dated December 3, 2009). All suggestions provided by the County Sheriff's office, which incorporate CPTED measures, are listed in mitigation measure PSU/mm-1 (refer to EIR Section 4.9 Public Services and Utilities). Based on the project's incorporation of these measures, potentially significant impact related to adverse effects to police and emergency services would be less than significant, and no changes to the EIR are necessary.</p>
JW-55	<p>Please refer to EIR Section 4.1.5.3 (Aesthetic Resources, Effects of Light and Glare), which states that "Safety regulations and guidelines require lighting for parking areas, pedestrian uses, and buildings" and "Security lighting may be necessary at the community pool skate park, tennis and basketball courts, and other areas". The EIR analysis considered all types of lighting that would either be proposed or included per existing regulations and recommended guidelines, and includes mitigation to shield and direct light towards its intended target and purpose, as noted in mitigation measure AES/mm-7. These standards have been considered by the County Sheriff, as noted in their response to the Notice of Preparation, dated December 3, 2009 (refer to Appendix B of the EIR), and are incorporated into mitigation measure PSU/mm-1, item (c), including the following: "Proper care should be taken to ensure exterior lighting is properly shielded to prevent illumination that would affect the ambient level of light in the nighttime sky". Therefore, potentially significant impacts can be mitigated to less than significant, and no changes to the EIR are necessary.</p>
JW-56	<p>Pursuant to Section 15131 (CEQA Guidelines, Economic and Social Effects): "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes....The focus of the analysis shall be on the physical changes". This Section of the CEQA Guidelines further states that "Economic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR". Based on analysis of the project, and incorporation of recommended mitigation measures (PSU/mm-1), economic or social changes will not occur, resulting in an adverse physical effect. Please refer to EIR Section 4.6.1.5 (Hazards and Hazardous Materials, Potential for Crime), which refers the reader to EIR Section 4.9 Public Services and Utilities "for further discussion of the potential for additional crime within the project area". This potential environmental impact is appropriately analyzed under EIR Section 4.9 Public Services and Utilities, including incorporation of recommended CPTED guidelines, under the following threshold of significance: "Have an effect upon, or result in the need for new or altered public services in any of the following areas...Police protection (e.g. Sheriff, CHP)". Therefore, potentially significant impacts can be mitigated to less than significant, and no changes to the EIR are necessary.</p>
JW-57	<p>EIR Section 4.6.5.1 Hazards and Hazardous Materials, Risk of Explosion, Release of, or Exposure to Hazardous Substances, Exposure to Hazardous Emissions, has been clarified to state (note changes in italics): "The NCP is located <i>immediately adjacent</i> to the Dana Elementary School". This clarification does not change the analysis or impact determinations of the EIR, because this impact is considered under HM Impact 1 (which considers all actions within NCP at varying distances from Dana Elementary School) and would be mitigated by incorporation of mitigation measure HM/mm-1 (which also applies to all actions within NCP at varying distances from Dana Elementary School).</p> <p>Regarding air quality, and exposure to toxic air emissions, the potentially affected area includes sensitive uses within 1,000 feet, which would include Dana Elementary School (refer to EIR Section 4.2.3.2 Air Quality, SLO APCD CEQA Air Quality Handbook, Special Considerations for Construction Activity, Sensitive Receptors and EIR Section 4.2.5.2 Air Quality, Expose Sensitive Receptors to Substantial Pollutant Concentrations). No changes to the EIR are necessary.</p>

Comment No.	Response
JW-58	EIR Section 4.6.5.2 Hazards and Hazardous Materials, Emergency Response or Emergency Evacuation Plan refers to community-wide and regional evacuation. Regarding project-specific emergency response and evacuation, the NCPMP includes two vehicle ingress/egress opportunities on Pomeroy Road and West Tefft Street and several access points for pedestrians and bicyclists. Based on review by CALFIRE, the project does not include design or access components that would be inconsistent with general planning guidelines for emergency evacuation and response. The County is required to comply with the State Fire Code for all structures and facilities (including capacity limits), and prior to development, a Fire Prevention Plan (including emergency access) will be required for review and approval by CALFIRE prior to operation of any major facilities (refer to EIR Section 4.6.5.4 Hazards and Hazardous Materials, Fire Hazard Risk). No changes to the EIR are necessary.
JW-59	Please refer to response to comment JW-2 above. No changes to the EIR are necessary
JW-60	EIR Section 4.7.1.2 Land Use, Land Use of Adjacent Properties has been clarified to state (note changes in italics): "There are also two parcels at the southeast corner of the project area within other designations: a Public Facility parcel at the location of Dana Elementary School and an Office Professional parcel with some general office buildings and <i>a community health center expansion (under construction)</i> ". This clarification does not change the impact determinations of the EIR.
JW-61	Please refer to Chapter 3 Environmental Setting, Table 3-2, Consistency with Plans and Policies, which includes an assessment of the project's consistency with specific plans and policies. Please note that the decision-makers (County General Services Agency and Parks and Recreation Commission [PRC] and Board of Supervisors [BOS]) will consider and provide the final recommendation and determination regarding the project's consistency with plans and policies. As noted in Table 3-2, the project appears to be consistent with the policies referenced in the comment, because the project includes equestrian-use parking and trails within NCP, provides contiguous open space and undeveloped area, avoids sensitive habitats and species to the maximum extent feasible, includes restoration of habitat within the park, and preserves highly scenic areas within the park (i.e., oak woodland ridge). Regarding equitable distribution of parks and acquisition of additional parkland, the project does not interfere or conflict with implementation of this standard. No changes to the EIR are necessary.
JW-62	The project includes designated equestrian trails and a parking area, and therefore, does not result in a significant loss of equestrian use areas. Provision of additional recreational opportunities for the community is consistent with the Parks and Recreation Element. Specific impacts to the environment related to the physical changes that would occur upon implementation of the NCPMP are addressed in the EIR. No changes to the EIR are necessary.
JW-63	The mitigation suggestions identified by the commenter would apply to higher level of park planning, outside of the scope of the EIR for the NCPMP. These suggestions are appreciated by the County, and will be considered by County management and appropriate decision makers, such as the County General Services Agency, PRC, and BOS. No changes to the EIR are necessary.
JW-64	The actual design of the noise barrier will depend on the design of the skate park. Mitigation measure N/mm-2 has been clarified to state the following (additional standard noted in italics): "Prior to construction of the skate park, the design plans shall incorporate the following noise reduction measures, <i>achieving a maximum average hourly noise level of 65 decibels as measured 25 feet from the edge of the skate park</i> ". This addition does not change the impact determinations of the EIR, and this impact remains less than significant.
JW-65	EIR Section 4.8.1.1 (Noise, Identified Sensitive Land Uses), has been clarified to state (note addition in italics): "Existing noise sensitive uses within, adjacent to, and in the vicinity of NCP include residences, Dana Elementary School, Little Bits Preschool, Day Springs Preschool, Nipomo Library, <i>Community Health Center (expansion under construction)</i> , and NCP itself." This

Comment No.	Response
	minor clarification does not change the impact determinations of the EIR.
JW-66	Based on data obtained from the South County Traffic Model, estimated trips in this location would be reduced under community build-out conditions (year 2020) (likely due to the construction of other roadways in the area). Please refer to EIR Section 4.10 Transportation, Circulation, and Traffic, which includes an analysis of existing, existing plus project (i.e., build-out of the NCPMP), build-out (of the community), build-out plus project (i.e., build-out of the community and build-out of the NCPMP). As shown in Table 4.8-7, Estimated Traffic Noise Level Increase (Existing Plus Project), the project would add approximately 202 trips at the Pomeroy/Juniper intersection. Based on the traffic study, the trips generated on Pomeroy would not equal that of Tefft Street (refer to EIR Section 4.10 Transportation, Circulation, and Traffic, Table 4.10-9, Existing and Existing with Project Street Roadway Segment Daily Traffic Conditions). Please note that all park entrances would be signalized, and there is no evidence that proposed improvements and additional signalization would result in increased “cut-throughs” within NCP. No changes to the EIR are necessary.
JW-67	At this time, the use of the sports fields is currently undetermined. The “reasonable worst case scenario” identified for the EIR analysis is six youth soccer fields (refer to EIR Section 2.3.2 Project Description, Proposed Facilities). The noise measurements were conducted during an actual soccer tournament (including crowd and coaching-related noise and whistles), in order to obtain a realistic estimate, and the results were applied to an anticipated situation at NCP, assuming a reasonable worst case scenario. At this time, bleachers and amplified sound are not specifically included in the proposal for the NCPMP; however, the EIR considers that some amplified sound may occur. Mitigation is identified to direct any amplified sound towards the interior of the park and away from adjacent noise sensitive uses (refer to N/mm-3). Therefore, this impact remains less than significant, and no changes to the EIR are necessary.
JW-68	The multi-use sports fields would be located approximately 350 feet from school facilities (the uses are separated by an existing ball field associated with the school), and a minimum of 200 feet from the Community Health Center property boundary. No changes to the EIR are necessary.
JW-69	The actual height of the berm will be contingent on the final design of the skate park. Based on an in-ground design, the vegetated noise berm would likely be approximately four feet in height parallel to the skate park. No changes to the EIR are necessary.
JW-70	As documented in the EIR, the NCPMP has been designed to avoid exceedance of the noise standard by incorporating setbacks from noise sensitive land uses, and taking advantage of natural barriers such as West Tefft Street and the Dana Elementary School ball field. The EIR analysis considers “reasonable worst-case scenario” situations, such as a multi-field soccer tournament. In addition, the County recognizes that there may be times when the public engages in activities that generate unwanted noise affecting other users within NCP and adjacent noise-sensitive uses. For this reason (in addition to others), the County has a park ranger and park host present onsite to monitor conditions during both open and closed park hours. This existing method has proved effective to address unwanted situations, and could reasonably continue to address any future conditions requiring remediation. In addition, The County General Services Agency has the discretion to issue and revoke permits for use of amplified sound, and could do so in the event of documented noise violations. Mitigation measure N/mm-4 is included in order to address any situations that do not prove to be addressed by the park ranger or park host. No changes to the EIR are necessary.
JW-71	The actual height of the berm and fencing will be contingent on the final design of the skate park. Based on an in-ground design, the vegetated noise berm would likely be approximately four feet in height parallel to the skate park, which would not significantly obstruct views along West Tefft Street. Pursuant to AES/mm-2, standard, uncoated, galvanized fencing would be avoided. Potential options include dark-coated fencing to improve the appearance, and vertical bars to avoid climbing. The height of the fence would likely be approximately six feet. No changes to the EIR are necessary.

Comment No.	Response
JW-72	Please refer to EIR Section 4.8 Noise, Table 4.8-6, Maximum Allowable Noise Exposure- Stationary Noise Sources, which includes measurable noise thresholds. The Noise Element does not require that noises cannot be heard, but establishes limits to the level of acceptable exposure. The EIR recognizes this fact, as noted in N Impact 2 Residual Effects: "Operation of new uses within NCP would increase the noise levels both within and surrounding the park. Implementation of recommended mitigation would reduce anticipated noise levels to a level below identified County thresholds; however, persons within and adjacent to NCP may experience noise levels above current levels during higher levels of use (i.e. sports field tournaments, summertime use of skate park)". No changes to the EIR are necessary.
JW-73	Please refer to response to comment JW-70.
JW-74	Please refer to response to comment JW-69 and JW-71. Construction of an approximately four-foot high berm and six-foot fence (vertical posts) would not significantly block surveillance views. No changes to the EIR are necessary.
JW-75	Based on the Mitigated Negative Declaration that was adopted for the Community Health Center project on October 27, 2011 (County project number DRC2010-00027, Environmental Determination number ED10-193), the project would not generate significant levels of noise during operation, and restrictions on construction activities was identified to further reduce temporary noise impacts. No changes to the EIR are necessary.
JW-76	Please refer to EIR Section 4.10 Transportation, Circulation, and Traffic, which includes an analysis of cumulative traffic counts, based on documented trip generation estimates and the County-adopted traffic model. No changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Tuesday, April 24, 2012 8:23 AM
To: Shawna Scott; secooper@co.slo.ca.us
Subject: Fw: Comments on Master Plan for the Nipomo Regional Park

----- Forwarded by Steve McMasters/Planning/COSLO on 04/24/2012 08:22 AM -----

From: Cindy Jelinek <cjelinek@calpoly.edu>
To: smcmasters@co.slo.ca.us
Date: 04/23/2012 06:34 PM
Subject: Comments on Master Plan for the Nipomo Regional Park

Dear Steve: At the meeting you held months ago at Nipomo High School going over the DEIR for the regional park, I talked with you a bit about the Nipomo Native Garden. You suggested I email you to remind you of our conversation. Of course, I forgot. But I just came across the notes that I took and hope you can pass these on to the folks who might be interested.

CJ-1

On the Master Plan for the Nipomo Native Garden, our parking lot is shown in the wrong place. Since the Master plan process began a number of years ago, we have installed the parking lot and it is located further up Osage Road from where it is shown on your maps. Additionally, we have changed our mind about building a visitor center.

CJ-2

The Nipomo Native Garden's Board looked at the Master Plan and would like to suggest that the cross-walk shown going from the NNG across Camino Caballo to a proposed children's playground be changed. Unless you are planning to put a stop sign right in the middle of the block, this is a dangerous place to have parents and children crossing the street. The logical crossing would be at the corner of Osage and Camino Caballo.

CJ-3

Additionally, we disagree with the idea of putting a children's playground in that area at all. It is supposed to be the Cesar Chavez Native Garden and should be kept with drought tolerant native plants. It is also far away from any other services that children might require like restrooms.

CJ-4

Thanks for seeing that this goes to the correct person, Steve.

Cindy Jelinek
President, Nipomo Native Garden

[Scanned @co.slo.ca.us]

9.3.10 Response to Email from Cindy Jelinek

Comment No.	Response
CJ-1	Please refer to response to individual comments below.
CJ-2	The NCPMP will be adjusted to show the current location of the Nipomo Native Garden parking area. In addition, the Parks and Recreation Commission (PRC) and Board of Supervisors (BOS) will review the NCPMP, EIR, public comments, and testimony, and provide recommendations and direction regarding the type and location of specific facilities and amenities. No changes to the EIR are necessary.
CJ-3	The proposed modification to the NCPMP can be accommodated to address the commenter's concerns regarding the crosswalk as proposed the Draft EIR. The existing raised crosswalk and entrance to the Nipomo Native Garden would remain in place. No changes to the EIR are necessary.
CJ-4	This modification to the NCPMP will be considered by the County General Services Agency, PRC, and BOS. No changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Thursday, April 26, 2012 4:37 PM
To: Shawna Scott
Cc: secooper@co.slo.ca.us
Subject: Fw: DEIR Comments for Nipomo Community Park

----- Forwarded by Steve McMasters/Planning/COSLO on 04/26/2012 04:36 PM -----

From: Vince McCarthy <vincemcc@att.net>
To: smcmasters@co.slo.ca.us
Date: 04/26/2012 04:33 PM
Subject: DEIR Comments for Nipomo Community Park

Mr Steve McMasters,

I am writing you with comments on the Nipomo Draft EIR. These comments have to do with the amount of building in the park and the Intensive building that will cause more traffic congestion in the area of the park. I realize this is a twenty year plan, but it still has a huge possibility of traffic problems.

When the NCAC(now the SCAC) examined several of the large drain basins here in Nipomo several years ago, it found in the summer time that they could be used as parks. There are three to five of the largest drain basins that could be used for this purpose. Using these drain basins as parks would dissipate the traffic that would be in the area of the park.

The traffic congestion during the weekdays would be from off work people trying to get home. This is also the time many games are going on in the park.

This would add more problems for the Community than it would save.

All the mitigations proposed still have to find a way to get paid for. At this time, with a recession going on no one is going to have money to donate to the building in the Park. The recession is expected to last another five years.

None of these ideas were mentioned in the Draft EIR. It is just about the build out of the Community and the central area of the Nipomo Community Park.

The Planning and Building Dept need to relook at this whole situation, before accepting the Final EIR and committing this beautiful park to this kind of use.

There are other problems with the proposed use of the park. I am sure other people will touch on all of these problems,

Thank you for your time and consideration in this matter.
Vincent McCarthy

VM-1

VM-2

VM-3

VM-4

VM-5

VM-6

VM-7

9.3.11 Response to Email from Vincent McCarthy

Comment No.	Response
VM-1	Please refer to EIR Section 4.10 Transportation, Circulation, and Traffic, which includes a comprehensive traffic analysis. Please refer to responses to individual comments below.
VM-2	At this time, The County General Services Agency is not aware of potential drainage basins that could be used for public parks within the community of Nipomo. These basins provide open space when not functioning as part of a stormwater management system; however, they could not be developed with amenities or other uses. Please note that based on the traffic analysis conducted as part of the EIR (refer to EIR Section 4.10), the project would not result in a significant amount of traffic adversely affecting the immediate area. No changes to the EIR are necessary.
VM-3	Please refer to EIR Section 4.10 Transportation, Circulation, and Traffic, which includes an assessment of the p.m. peak hour (i.e., typical weekday evening traffic congestion period referred to in the comment). The NCPMP includes road improvements, which would address existing and anticipated operational traffic issues, such as the need for additional traffic signals and pedestrian crosswalks. Based on this analysis, implementation of the proposed NCPMP would not result in a significant, project-specific adverse traffic impact related to congestion (refer to EIR Section 4.10.6.1 Transportation, Circulation, and Traffic, Increase in Traffic and Level of Service). No changes to the EIR are necessary.
VM-4	The County recognizes the funding challenges currently facing public projects; no changes to the EIR are necessary.
VM-5	The EIR includes an assessment of the project as proposed, and identifies Alternatives to the project that would avoid or reduce identified significant impacts. As noted in response to comment VM-2 above, the use of drainage basins as public parks may not be feasible for the development of recreational amenities. No changes to the EIR are necessary.
VM-6	Please note that the County General Services Agency, Parks and Recreation Commission, and County Board of Supervisors will review all public comments when considering approval or modification of the NCPMP (as currently proposed) and certification of the Final EIR. No changes to the EIR are necessary.
VM-7	Comment noted; no changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Thursday, April 26, 2012 5:02 PM
To: Shawna Scott
Cc: secooper@co.slo.ca.us
Subject: Fw: Nipomo Park Master Plan DEIR
Attachments: Park EIR response letter.docx

----- Forwarded by Steve McMasters/Planning/COSLO on 04/26/2012 05:01 PM -----

From: Gary & Jane Peterson <garyjane@charter.net>
To: smcmasters@co.slo.ca.us
Date: 04/26/2012 04:47 PM
Subject: Nipomo Park Master Plan DEIR

Hello Mr. McMasters,

Attached find a letter I composed in response to the draft EIR for Nipomo Regional Park. I am also sending you a signed copy by US Mail. You should have that by the Monday deadline but if not, you do at least have this one.

Thank you for giving us the opportunity to respond. I love that park and want it to be the best it can be.

Jane Peterson

JP-1

[Scanned @co.slo.ca.us]



Jane Peterson

355 Via Vicente • Nipomo, CA 93444 • Phone: 805 929-1849 • E-Mail: garyjane@charter.net



April 26, 2012

Steven McMasters
Project Manager
County Planning & Building Dept.
976 Osos St., Rm 300
San Luis Obispo, CA 93408-2040

Dear Mr. McMasters:

I am a 21-year resident of Nipomo, as well as a retired Lucia Mar teacher who has taught at both Nipomo and Dana Schools. I have lived and worked in Nipomo long enough to have a feeling as to how some of the changes could impact our community in both positive and negative ways so I would like to share a few thoughts regarding the Nipomo Community Park Master Plan and its DEIR.

JP-2

General comments: This community greatly needs a community center and many of the other amenities proposed in the master plan. Years ago I volunteered at the old rec center on Frontage and know what a great asset that building was to our community. We certainly need sports fields and a preschool, and a skate park would be nice for our older kids. A pool the entire community could use would be wonderful and keeping space for horseback riding is a must in this rural community, with trails disappearing at an alarming rate.

JP-3

I question the placement of an extra playground near the Native Garden when that adjoining neighborhood has so very few children. Personally, I think that area would be better suited for the equestrian staging area, keeping those large horse rigs out of the middle of the park where there could be traffic and pedestrian issues with driving them through a crowded park. Actually, I question the rationale of your planners in the placement of the horse staging area smack in the middle of a busy park; perhaps that location could be re-evaluated.

JP-4

I also question having a second dog park, when the first one is not that well used. That space might be better for the extra playground area for youngsters. It adjoins the ballparks and I think parents would appreciate one located there. Perhaps another re-evaluation is in order here.

JP-5

Lighting: I am very concerned about the amount of lighting that would be generated with a full build out. Yes, I understand that the lighting would be focused down with shades and would hopefully be of low wattage. However the amount of reflected light is still going to light up the skies around the park. If the lighting was spread out in different places around the park, as in the alternate plans, the impact would be reduced. I do not live directly next to the park but if I did I would be very upset to think that my comforting dark skies would forever be gone. I have lived in a city, a suburb of LA, and know what it is like to have the skies always aglow. Nipomo is special because of its rural nature and dark skies in the midst of suburban sprawl. Encroaching light from Santa Maria and the Five Cities are already having an impact. We rarely see the Milky Way anymore when it used to be a regular sight. Let's do what we can now to minimize the impact of lights by doing less, not more, when we build up our park.

JP-6

Noise: I live about ½ mile from the park and can hear noise from there on occasion when there are big events. I have lived in Nipomo long enough to remember the loud music and speakers from the vaqueros riders when they had their arena

JP-7

there and would meet on weekends. It disturbed the calm of our rural neighborhood and there was no escape other than leaving the area if we didn't want to hear it. If sports fields were installed behind Dana School the amount of noise generated would be similar, I am sure, and would happen more than one day a week. If I lived on Tejas or Mesa, alongside the park, I could not have a quiet weekend for months on end.

JP-7
(continued)

***The sports fields belong near Nipomo High School and 101 where the distraction of extra noise would be negligible. I have brought up the point before that the long empty field adjoining the parking lot at the high school was designated in the high school master plan as community soccer fields. There is more than enough parking for large tournaments, not to mention that the area can easily handle the large amount of excess traffic. This is where we should be considering the placement of soccer fields. There would obviously be details to work out with Lucia Mar USD and some mitigations regarding the adjoining agricultural fields, but the pluses in this scenario and the negatives with the park scenario make this a no brainer. Please look into this as a viable alternative to having soccer fields in the park.

JP-8

Traffic: As a former teacher at Dana School I am intimately aware of traffic concerns in and around the park. You need to be doing all you can to keep as much traffic away from the school as possible. I appreciate the fact that the master plan does indeed create a new road that takes traffic to the other side of the library away from the school. But you can do more... This means putting less, not more, amenities in the middle of the park. Please make the major, traffic-generating build-outs, like the community center, along Tefft. There really is a lot of space in that area, especially if you consider moving the existing dog park to another location. You need to be in close communication with Lucia Mar USD about traffic near the school, as a lot of children walk home through the park or are picked up in the park by their parents. I assume that you and LMUSD have already been in communication on this issue.

JP-9

Safety: Putting the major build-outs along Tefft has another advantage in that it makes the park much more accessible and visible to law enforcement as they increase their patrol to keep the park safe. Putting a skate park on Tefft is a MUST for law enforcement reasons—it has to be easily visible as it has great potential to be a problem spot if off the beaten track. That location also makes the park amenities most likely to need emergency medical help, like the community center and skate park, more accessible.

JP-10

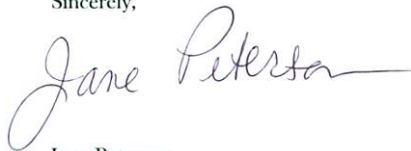
Environment: I have always been interested in science and our natural world. I believe that minimal build-out in the park's center is consistent with maintaining a natural area for future generations to enjoy as our community continues to grow and change with the inevitable loss of natural areas.

JP-11

Closing: All in all, I like what has been proposed in concept—our community needs it—but lean definitely towards minimal build-out in the center of the park for a number of reasons, many cited above. Therefore I suggest that we move towards the alternate plans as we go forward. I hope my comments, suggestions, and insights have been helpful. I love my community and want it to be the best it can be for generations to come.

JP-12

Sincerely,



Jane Peterson

9.3.12 Response to Letter from Jane Peterson

Comment No.	Response
JP-1	Please refer to responses to individual comments below.
JP-2	Please refer to responses to individual comments below.
JP-3	Comment noted; no changes to the EIR are necessary.
JP-4	These suggested modifications to the NCPMP will be considered by the County General Services Agency, Parks and Recreation Commission (PRC) and Board of Supervisors (BOS). No changes to the EIR are necessary.
JP-5	This suggested modification to the NCPMP will be considered by the County General Services Agency, PRC, and BOS. No changes to the EIR are necessary.
JP-6	The EIR acknowledges that implementation of the NCPMP would result in additional lighting, what would be visible, and have an effect on surrounding land uses and the night sky (refer to EIR Section 4.1.5.3 Aesthetic Resources, Effects of Light and Glare). As noted in the comment, mitigation is required, including use of shields, timers, and directional lighting to minimize offsite effects to the maximum extent feasible. No changes to the EIR are necessary.
JP-7	The County recognizes that there may be times when the public engages in activities that generate unwanted noise affecting other users within NCP and adjacent noise-sensitive uses. For this reason (in addition to others), the County currently has a park ranger and park host present onsite to monitor conditions during both open and closed park hours. This existing method has proved effective to address unwanted situations, and could reasonably continue to address any future conditions requiring remediation. In addition, The County General Services Agency has the discretion to issue and revoke permits for use of amplified sound, and could do so in the event of documented noise violations. Mitigation measure N/mm-4 is included in order to address any situations that do not prove to be addressed by the park ranger or park host. No changes to the EIR are necessary.
JP-8	Please note that approval of the NCPMP as proposed does not preclude further discussions between the County and the Lucia Mar School District. The County General Services Agency, PRC, and BOS may consider this option when reviewing public comments. No changes to the EIR are necessary.
JP-9	Please refer to EIR Section 5.3.2.1 Alternatives Analysis, Alternative Master Plan A, which considers the suggestion option to locate the community center near West Tefft Street. The NCPMP includes road improvements such as signalization and crosswalks to improve vehicle access into NCP, and improve safety for pedestrians, including school children, accessing NCP and surrounding uses. No changes to the EIR are necessary.
JP-10	Suggested options are considered in EIR Chapter 5, Alternatives Analysis; no changes to the EIR are necessary.
JP-11	Suggested options are considered in EIR Chapter 5, Alternatives Analysis, and further reduced options or varying combinations of uses may be considered by the County General Services Agency, PRC, and BOS. No changes to the EIR are necessary.
JP-12	Comment noted; no changes to the EIR are necessary.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Thursday, April 26, 2012 3:16 PM
To: Shawna Scott; secooper@co.slo.ca.us
Subject: Fw: Nipomo Park DEIR Response
Attachments: Comments Regarding Traffic With Respect to the Nipomo Park DEIR.pdf

I believe this was already in the SCAC group of comments...but here it is again for good measure.

----- Forwarded by Steve McMasters/Planning/COSLO on 04/26/2012 03:14 PM -----

From: D Woodson <william_woodson@hotmail.com>
To: <smcmasters@co.slo.ca.us>
Cc: "James Patterson, BOS Chair" <jpatterson@co.slo.ca.us>
Date: 04/26/2012 01:24 PM
Subject: Nipomo Park DEIR Response

Mr. McMasters:

The attached document is my response to the Nipomo Park DEIR. I have only commented on Section 4.10, *Transportation, Circulation and Traffic*.

As a member of the Nipomo Traffic and Circulation Committee and a Civil Engineer I have been observing Nipomo traffic problems for eleven years and feel that I have some expertise on the Nipomo traffic situation. I also am a member of SLOCOG's Citizens Transportation Advisory Council. This has allowed me to adapt a more regionalized viewpoint of those traffic situations that affect Nipomo.

In my opinion those two mitigation measures (TR/mm-1 and TR/mm-2) proposed in the DEIR will do nothing to alleviate near-term and long-term traffic problems. Meanwhile the proposed park will gradually be developing thus, causing increased traffic loads on key intersections initiating a traffic-carrying failure of these intersection resulting in Class III traffic impacts and RMS problems.

Nipomo's Road Impact Fee account is nearly empty and as local and State agencies have labored long and hard to get the funding to complete the Willow Road Interchange completed I would not expect any financial help from them to provide an improved southbound freeway ramp and bridge deck widening to allow a more efficient northbound freeway on ramp.

I hope you can address this in the EIR.

Thank you for your consideration,

Dan Woodson, PE

DW-1

DW-2

DW-3

[Scanned @co.slo.ca.us]

4.10 Traffic and Circulation Impacts

DW-4

General Comments

All the traffic tables are from 2009 or earlier. There is a need for more current data.

TR/mm-1 – Asking the RTA to approve a local fixed route transit expansion does not mitigate the traffic impacts created by this proposal. Nipomo does not have sufficient population density to justify transit expansion and this request to RTA would be denied. **The traffic impacts will continue to be unresolved.**

TR/mm-2 – Merely paying into the Road Impact Fee account does not mitigate the traffic impacts created by this proposal. The Area 1 Road Impact Fee account is nearly exhausted and is in debt to the Area 2 account. It will take a considerable amount of development to create sufficient RIF funds for any Tefft/101 improvements. This development cannot occur until there is sufficient water to cancel the building moratorium. The current waterline intertie project will not provide sufficient water for future development and there are no additional water acquisition projects scheduled for the future. **The traffic impacts will continue to be unresolved.**

Specifics**4.10.6.1 Increase in Traffic and Level of Service**Proposed Intersection and Roadway Improvements

The DEIR indicates that a realignment of Orchard Road and Juniper Street will occur to provide appropriate entrances to the Park. However, the DEIR does not mention when during this 20 year plan this proposed new traffic related construction will occur or whether the traffic improvements must be completed prior to any major development in the park.

Traffic signal at Juniper and Pomeroy – This is a decision that must be made by the County Traffic Engineer and submitted to the BOS for approval. A traffic signal should only be placed in accordance with the Manual of Uniform Traffic Control Devices.

Neighborhood Impacts

Impacts are to be expected. When the Park charges admission people will park on public streets in the adjacent neighborhoods causing friction between residents and park users.

4.10.6.2 Create Unsafe Conditions

Traffic signal at Juniper and Pomeroy – This is a decision that must be made by the County Traffic Engineer and submitted to the BOS for approval. A traffic signal should only be placed in accordance with the Manual of Uniform Traffic Control Devices or other, accepted prevailing standards.

Osage Road widening – Based on the statement, *Osage road will be widened to meet County road standards, allowing for adequate room for two vehicles to pass in alternate directions. These improvements would have a beneficial impact related to safety and road hazards by remediating sub-*

4.10 Traffic and Circulation Impacts

standard existing conditions. No significant project access impacts are anticipated and no mitigation measures are warranted, then, why is the Osage Street widening is even included in this DEIR for the park, particularly since Osage St. is rated Level of Service "A" and the existing ADT is the same as the anticipated ADT with the project.

This not wanted by the adjacent landowners. It has never appeared on any of the South County Traffic Model updates, a report published by Public Works documenting the transportation and circulation needs for the South County Planning Area. Furthermore, the topography does not lend itself to easy road construction. Construction will require the taking of property or the placement of extensive and expensive retaining walls to accommodate the necessary cut and fill slopes. Filling on the park side will destroy some stately, old oaks.

4.10.6.5 Alternative Transportation

Pedestrian Impacts

Path along Osage – There is insufficient roadway width along part of Osage (see above) to allow a path. Path construction along that segment must be within the park boundary.

Bicycle Impacts

Although the Nipomo Community Park Master Plan 1" to 150' scale plan sheet shows separate paved and equestrian trails, this must be reemphasized in the final EIR.

Transit Impacts

*TR/mm-1**

County does not need to coordinate with RTA. Public Works is capable designing and siting a transit stop. Such stop should be located on Tefft Street and serve the Library, the School and the Park. A transit stop may encourage transit service in the future. This should be completed before any interior improvements. There will be no transit service in Nipomo until there is a significant increase in population density and this cannot be considered a mitigating factor for many years. With the addition of the park amenities traffic generation will increase starting from the first day of operations.

* TR/mm-1 will not be mitigated for many years.

Residual impacts

Improved pedestrian and bicycling access will not reduce potential vehicle trips contributing to the US 101/West Tefft Street interchange. Those that choose to bicycle or walk to the park will come from local neighborhoods. These people would not contribute to decreasing potential vehicle trips at the US 101/West Tefft Street interchange.

Even with a transit stop there will be no transit service in Nipomo until there is a significant increase in population density.

4.10.7.1 Year 2025 Cumulative Impacts

4.10 Traffic and Circulation Impacts

DW-4

Now that the Central Coast Community Health Center is under construction has the traffic generated from that project been considered as a cumulative impact.

4.10.7.2 Cumulative Planned Road ImprovementsGeneral

The monies that would fund those projects listed in the latest edition of the South County Traffic Model are depleted. Funds can only be generated from future development. Development will not occur unless developers can provide a water source separate from the existing purveyors.

North Frontage Road Connection to Willow Road Extension

This will not be achieved until buildout of the area between Hettrick and Highway 101 in the vicinity of Willow. This development will not occur unless they can provide a water source separate from the existing purveyors. These improvements should not be assumed to be completed under the baseline cumulative scenario.

State Route 1 connections to Dawn Road, Mesa Road and Eucalyptus Road

Mesa Road and Eucalyptus Road traverse Woodlands with a slow circuitous alignment. Dawn road is not scheduled to be a through road. Of the three roads only Mesa is a designated truck route. These improvements should not be assumed to be completed under the baseline cumulative scenario.

Alternatives 1, 2, and 3

Action on all three alternatives are dependent on the results of a Highway Corridor Study. Alternative 3 is a separate consideration. It is not influenced by Alternatives 1 and 2. CalTrans indicates that implementation of Alternative 3 would require additional deck widening. This would be a very expensive project.

TR Impact 2 Buildout of the NCP Master Plan will potentially have a significant cumulative impact at the US 101/West Tefft Street interchange southbound ramps during the p.m. peak hour.

TR/mm-2*

Transportation Demand Management measures – Who will monitor this? How will we know it's being done given Parks and Recreation minimal budget?

-in lieu fees

To mitigate problems caused by park activities these fees will need to be supplemented by other road impact fees. These fees will not be generated without future development This development will not occur unless developers can provide a water source separate from the existing purveyors.

- and incorporation of a transit stop within NCP (if requested by RTA)

4.10 Traffic and Circulation Impacts

DW-4

County does not need a request from RTA. In fact RTA will not request a transit stop. Public Works is capable designing and siting a transit stop. Such stop should be located on Tefft Street and serve the Library, the School and the Park. A transit stop may encourage transit service in the future. This should be completed before any interior improvements. There will be no transit service in Nipomo until there is a significant increase in population density and this cannot be considered a mitigating factor for many years. With the addition of the park amenities traffic generation will increase starting from the first day of operations.

Does a transit stop rectify both TR/mm-1 and 2?

It does not appear that TR/mm-2 can be mitigated until there is development. Development can only commence when there is water available from sources other than the purveyors.

9.3.13 Response to Email from Dan Woodson, PE

Comment No.	Response
DW-1	Comment noted; please refer to responses to individual comments. Your letter was received as an attached report in a packet from the South County Advisory Council. Please refer to response to comments SCAC-5 through SCAC-29.
DW-2	Please refer to response to comments SCAC-6 and SCAC-7.
DW-3	Please refer to response to comments SCAC-7 and SCAC-22.
DW-4	Your letter was received as an attached report in a packet from the South County Advisory Council. Please refer to response to comments SCAC-5 through SCAC-29.

Shawna Scott

From: smcmasters@co.slo.ca.us
Sent: Monday, April 30, 2012 8:40 AM
To: Shawna Scott
Cc: secooper@co.slo.ca.us
Subject: Fw: Comments to Nipomo Community Parks PEIR
Attachments: 2012 Park Draft PEIR Comments.docx

----- Forwarded by Steve McMasters/Planning/COSLO on 04/30/2012 08:37 AM -----

From: edeby@charter.net
To: smcmasters@co.slo.ca.us
Date: 04/29/2012 04:50 PM
Subject: Comments to Nipomo Community Parks PEIR

Steve McMasters, Project Manager
County Planning & Building Dept.
976 Osos St. Room 300
SLO, CA 93408-2040

Dear Mr. McMasters:

Please find attached my comments to the draft PEIR for the Nipomo Community Parks Master Plan. I find three major problems with the PEIR including at least one Class I Impact that was missed.

EE-1

Regards,
Ed Eby

[Scanned @co.slo.ca.us]

COMMENTS to the
DRAFT
NIPOMO COMMUNITY PARK MASTER PLAN
PROGRAM ENVIRONMENTAL IMPACT
REPORT

SCH NO 2009111067

(Dated February 2012)

EE-2

Submitted by:
Ed Eby
520 Camino Roble
Nipomo, CA 93444
April 29, 2012

Summary:

The following comments describe deficiencies in the draft PEIR for the Nipomo Community Park Master Plan.

EE-3

1. Disturbance of the oak woodlands should be a Class I impact, as there are no current mitigations. Future mitigations are not permitted under CEQA. In addition, there are possible alternatives to the oak woodlands disturbance that were completely ignored in the alternatives section.

EE-4

2. The widening of Osage Street will have many environmental impacts that were not examined. In addition, there is no nexus of between the park modifications and the widening of Osage Street

EE-5

3. There is a misconception of water supplies that might be available to the park.

EE-6

DISCUSSION

4.3 Biological Resources

Under 4.3.6.2 Native or Other Important Vegetation (page 4.3-35) the statement is made that:

“If project modifications are not feasible and conversion of oak woodland is unavoidable, [emphasis added] the County allows mitigation for oak woodland impacts to be implemented via oak tree replanting and implementation of a conservation easement, or payment of a fee to the Wildlife Conservation Board.”

EE-7

In fact project modifications are feasible and conversion of oak woodland is avoidable. Trails can be routed around oak trees, and ball fields and picnic areas can be located in areas lacking oak trees. The EIR made no attempt to recommend alternatives with feasible modifications to the project that avoid oak woodlands. The design was laid out on a flat map with total disregard to avoidance of oak woodlands disturbance. The lack of a zero-impact alternative to oak woodland disturbance is a fatal flaw in this EIR.

In addition, the need to remove oak trees to permit widening of Osage Street is negated by the lack of requirement in the Master Plan to have a wider street. The street is outside the park boundaries, and will not even have an access road into the park. All park entrances and exits are on the opposite side of the park from Osage Street.

EE-8

Regarding BR/mm-7 and BR/mm-8: Neither of these “mitigations” are mitigations at all. The impact of removing 75 to 100 year-old oak trees is permanent and not possible to mitigate. When they are gone, they leave a biological vacuum. These mature trees cannot be transplanted. Replacement of a 75 to 100 year-old oak tree with a sapling would not be a mitigation for 75 to 100 years. This is a deferred mitigation, which is not permitted under CEQA. There is not even any evidence cited that shows the success of a replanting program that produced a living 75 to 100 year-old oak tree. It is speculative that such a “mitigation” would ever produce a successful mature living oak.

EE-9

The impact on tree removal in the oak woodland is permanent and should be redefined as a Class I Impact.

EE-10

The impact on the Oak Woodland is completely avoidable by alternatives not considered except in the No Project alternative.

EE-11

4.10 Transportation, Circulation, and Traffic.

Under 4.10.6.2 Create Unsafe Conditions, the statement is made that:

“Osage Road will be widened to meet County road standards, allowing for adequate room for two vehicles to pass in alternate directions. These improvements would have a beneficial impact related to safety and road hazards

EE-12

by remediating sub-standard existing conditions. No significant project access impacts are anticipated and no mitigation measures are warranted. [emphasis added]"

EE-12
(continued)

This impact conclusion is deficient and incorrect. Widening Osage Street requires the removal of 75 to 100 year-old oak trees as is discussed in section 3. In addition to the Class I impact of destroying ancient trees, significant grading and earthmoving is required to widen Osage Street, affecting both the park geology and neighboring residences.

On the east side of Osage the park has steep rising and falling slopes on the park property. Widening Osage to make a 34-foot width will require fill near Camino Caballo, and deep cuts south of Camino Roble. Such grading will disturb or destroy native plants including ancient Coast Live Oaks and manzanitas planted to mitigate the environmental impact of the development of the Mesa Meadows neighborhood. Further widening and cuts on the east side will be required if the paved walkway in the park adjacent Osage is to be a safe distance from motor vehicle traffic.

EE-13

EE-14

On the west side of Osage, four residences will require cuts and fills that will both fill in existing, County mandated drainage swales and cut into old-growth Coast Live Oaks and a previous environmental mitigation planting. Maintaining the County standard 2:1 cut/fill requirement will require earth moving onto private property, and likely onto existing homes.

EE-15

The EIR should describe the effects of the cuts and fills on the following residential parcels:

EE-16

091-431-015 (cuts)

091-431-016 (fills, effect on drainage, interference with fire hydrant, encroachment of property, removal of at least two 50+ year-old Coast Live Oaks)

EE-17

091-431-030 (cuts and fills, effect on drainage, encroachment of property)

EE-18

091-431-029 (cuts, encroachment of property, removal of at least one 50+ year-old Coast Live Oak)

EE-19

In addition, the widening will require removal of the curbs that currently act as drainage conduits for the steep Osage Road slope. A complete new drainage strategy for this 1,100-foot road section will be required.

EE-20

The requirement to change a relatively newly constructed Osage Road requires justification beyond "widening for consistency." The justification must be related to the environmental impact of the park improvements. When this road was approved, prior to the home construction in the late 1990s these standards might more logically have been applied. It is additionally questionable why a requirement to make "improvements" to Osage Road exists. None of the developments in the Master Plan require any entrances or exits via Osage Road.

EE-21

In fact, only two roads, Pomeroy and Tefft will access the park, nearly one mile from any Osage Road pavement. The EIR must establish any nexus to the park improvements to this apparently unrelated road project.

EE-22

Recognition of these impacts and mitigations, if and where possible, are required in the EIR.

EE-23

4.12 Water Resources

Under 4.12.1 Existing Conditions, on pages 4.12-3 and 4, the statement is made that:

EE-24

“The NCSD is addressing this issue by obtaining water from Santa Maria (Supplemental Water Project, Waterline Intertie), and planning phased improvements at the Southland Wastewater Treatment Facility to allow for distribution and use of recycled water.”

This statement is incorrect, and should be retracted. There is no Supplemental Water Project funding approved for the pipeline, so this is not an existing condition, just a potential future condition. In addition, there are no plans, approved projects or approved funds to provide use recycled water from the Southland Wastewater Treatment Facility.

9.3.14 Response to Email from Ed Eby

Comment No.	Response
EE-1	Please refer to responses to individual comments below.
EE-2	Noted coverage of comment letter; please refer to responses to individual comments below.
EE-3	Please refer to responses to individual comments below.
EE-4	Please refer to mitigation measures BR/mm-7, BR/mm-8, BR/mm-9, and BR/mm-10 (Oak Woodland Protection and Restoration Plan), which include feasible mitigation measures that address potentially significant impacts to oak woodland and individual oak trees. These mitigation measures would be implemented prior to development within the park that would impact oak trees, and include measurable performance standards and verification measures. In addition, the NCPMP includes identification of suitable area within NCP for biological mitigation and restoration. Specific comments regarding potential alternatives are addressed below. No changes to the EIR are necessary.
EE-5	As noted in the EIR and correspondence between the County General Services Agency and County Public Works (initiated by a referral response to the Initial Study in 2005), Osage Street is not currently constructed in compliance with County Road Standards, and improvements are necessary to bring the adjacent road system into compliance. The affected area includes the County road right-of-way adjacent to NCP. No changes to the EIR are necessary.
EE-6	Specific comments regarding water supply are addressed below.
EE-7	Please note that affected oak trees are primarily located in areas where major road improvements are proposed or required, such as the widening of Osage Street and realignment of the park entrance at Juniper and Pomeroy Roads. No oak trees would be removed for the construction of trails or picnic areas. For these reasons, oak tree removal and other impacts are avoided to the maximum extent feasible. No changes to the EIR are necessary.
EE-8	Please refer to response to comment EE-5 regarding the required for the widening of Osage Street.
EE-9	Please refer to mitigation measure BR/mm-7 (Oak Woodland Protection and Restoration Plan), which includes protection of existing oak trees and replanting additional oak trees onsite, and establishment of an easement to preserve the restoration area. The County recognizes that the loss of mature oak trees would be noticeable in the short-term; however, the planting of new oak trees within a conservation easement will mitigate the potentially significant impact in the long term. . Implementation of BR/mm-7 is not deferred mitigation, because the EIR identifies potential impacts to oak trees, and the mitigation is specific to the loss of individual oak trees and oak woodland, based on the conceptual plan, and assuming a “worst-case” or maximum development scenario. The County is required to implement the mitigation <i>prior to site disturbance and grading activities</i> , which is a specific milestone. Requirements for oak woodland restoration have not been in place for 75 to 100 years; however, the mitigation as proposed includes standards such as use of young seedlings, hand-weeding to remove invasive plants, irrigation, and implementation of a minimum seven-year monitoring program to ensure successful establishment. Requirements for a conservation easement would protect the restoration area in perpetuity. Therefore, potential impacts are considered less than significant, and no changes to the EIR are necessary.
EE-10	Please refer to response to comment EE-9 above. Based on implementation of identified mitigation measures, the effects would not be permanent. No changes to the EIR are necessary.
EE-11	Please refer to response to comment EE-7 above.

Comment No.	Response
EE-12	Please note that the cited section (4.10.6.2 Transportation, Circulation, and Traffic, Create Unsafe Conditions) includes an assessment of the project's effect on the road system, and specifically determines that the project would not include any features that would result in a traffic hazard. Impacts related to biological resources are discussed in EIR Section 4.3 Biological Resources, and impacts related to slope stability and soil erosion are discussed in EIR Section 4.5 Geology and Soils. No changes to the EIR are necessary.
EE-13	Potential adverse impacts to individual oak trees and sand mesa manzanita are documented in EIR Section 4.3 Biological Resources. Biological mitigation is typically not implemented within County road right-of-way, specifically because the County reserves the right to develop the right-of-way to bring roads in compliance with adopted road standards. The proposed mitigation would replace all removed oak trees at a 4:1 ratio (refer to BR/mm-8), and all sand mesa manzanita plants at a 5:1 ratio (refer to BR/mm-2). No changes to the EIR are necessary.
EE-14	At this time, specific, engineered grading plans are not included in the program-level review of road improvements on Osage Road. As noted in EIR Section 2.3.3.1 Project Description, Access, that the paved walkway would be located within the Osage Road right-of-way. The EIR analysis identified the anticipated affected area within the Osage Road right-of-way, in order to determine affected acreage, tree removals, sand mesa manzanita removals, and impacts to native vegetation. Such impacts are identified, and mitigation is recommended including restoration and conservation within an easement area (refer to BR/mm—2 and BR/mm-5 through BR/mm-10). No changes to the EIR are necessary.
EE-15	Please refer to EIR Section 2.3.3.1 Project Description, Access, which states that the paved walkway would be located within the County right-of-way. The improvements would be located within the existing roadway and extend onto County property; therefore, no cuts and fills would occur on private property. Preparation of road plans, including drainage management, would be conducted in coordination with County Public Works to ensure appropriate management of drainage and connection to the County drainage system. No changes to the EIR are necessary.
EE-16	Please refer to response to comment EE-15. No cuts or fills are proposed outside of the road right-of-way.
EE-17	Please refer to response to comment EE-15. No cuts or fills are proposed outside of the road right-of-way.
EE-18	Please refer to response to comment EE-15. No cuts or fills are proposed outside of the road right-of-way.
EE-19	Please refer to response to comment EE-15. No cuts or fills are proposed outside of the road right-of-way.
EE-20	Preparation of road plans, including drainage management, would be conducted in coordination with County Public Works to ensure appropriate management of drainage and connection to the County drainage system. No changes to the EIR are necessary.
EE-21	Currently, Osage Road is narrow, and does not meet County Road Standards for average daily trips. Based on review of the project by County Public Works, improvements to Osage Road are required along the park frontage because additional development is proposed within the NCP, which will contribute additional daily trips on this sub-standard roadway. Therefore, improvements are required by County Public Works. No changes to the EIR are necessary.
EE-22	Please refer to response to comments EE-5 and EE-21 above.
EE-23	Please refer to responses to comments above.

Comment No.	Response
EE-24	<p>The EIR has been clarified to summarize recent events affecting the Supplemental Water Project, Water Intertie (please refer to EIR Section 4.12.1 Existing Conditions, Potential Future Water Supply): <i>“The NCSD initially proposed an assessment district to provide funding for the Supplemental Water Project, Waterline Intertie, which required approval by vote. In June 2012, a majority of property owners voted against the assessment district proposal, and the NCSD determined that construction of a pipeline (as currently proposed) to provide the supplemental water could not be funded by existing funds. The NCSD issued a moratorium on the issuance of new will serve letters while considering other options for supplemental water, which may include other funding sources and/or a scaled-down project.”</i> As noted in the EIR, provision of additional water by NCSD “is contingent on the implementation of improvements to the existing irrigation system to reduce current water supply, consistent with measures to target reducing consumption for high-use customers” (EIR Section 4.12.5.5 Water Resources, Adversely Affect Community Water Service Provider). In addition, recommendations provided by the NCSD are incorporated into mitigation measures WAT/mm-4 (water survey for irrigated turf and landscaped areas, requires 50% reduction in existing irrigation water use) and WAT/mm-5 (compliance with water survey recommendations and water conservation measures, and incorporation of recycled water for irrigation). While recycled water is not currently available, the EIR identifies measures that can be implemented to address existing water use. In addition, implementation of the NCPMP would be phased over the next 20 years, and by the time the sports fields can be funded, recycled water may be available and incorporated into the irrigation system (pursuant to WAT/mm-5).</p>

Nipomo Community Park
Draft Environmental Impact Report
Response

2.3.1 Existing Facilities

The Lil' Bits pre-school is located in Park illegally. The California Supreme Court decided sixty years ago in *San Vicente etc. v. County of L. A.*, 147 Cal.App.2d 79 that the laws governing nursery schools made them incompatible with the laws governing county parks. The Environmental Impact Report cannot sanction an illegal activity. As such, the pre-school cannot be mitigated and is a Class one impact.

HW-1

Harry F. Walls
410 Tejas Pl.
Nipomo, CA
93444

SANTA BARBARA CA 931

27 APR 2012 PM 1 L



Steven McMasters, Project Manager
County Planning and Bldg. Dept,
976 Osos St. Rm. 300
San Luis Obispo, CA 93408-2040

93408\$2040



9.3.15 Response to Letter from Harry F. Walls

Comment No.	Response
HW-1	<p>The Lil Bits Preschool is currently operating as a temporary use in NCP under a permit issued by General Services, under a lease issued to the Nipomo Area Recreation Association. The permit was issued with the intention of authorizing management of uses with NCP, as part of the overall park program. The 2004 permit identified uses including a youth-oriented community recreation and child care program, and coordination of sports activities, clubs, and events within NCP. The County recognizes that conditions may have changed since the permit was originally issued in 2004; therefore, the NCPMP fulfills the vision of the original lease, and includes a method for resolving the issue of the temporary pre-school by identifying the need for a Conditional Use Permit prior to establishment of a permanent facility within NCP. No changes to the EIR are necessary.</p>

COMMENTS ON THE NIPOMO COMMUNITY PARK MASTER PLAN PROGRAM EIR

I am commenting on the:



Draft Program EIR



Master Plan

B?



The following useful comments are addressing these issues:

- Content of the EIR.
- Methods on how environmental issues are analyzed.
- Potential Alternatives to the project.
- Potential mitigation measures that would avoid or reduce environmental issues.

Comments on Draft Program EIR:

please, please, leave it alone?
We want a friendly - quiet park
Crime?
No - Skate Park in Park
Water - Sewer?
No - Comm Ctr in Park
Maint.? who pays?
No - Pre School in Park
Traffic on Pomeroy - OAC H&N Noise ADA?

BLME-1

BLME-2

BLME-3

BLME-4

BLME-5

Comments on Master Plan:

Pool? wet about additional Red rooms?
Pet, food?

BLME-6

NAME: BLME
ADDRESS:
CITY:
EMAIL:
PHONE:
STATE: ZIP:

9.3.16 Response to Comment Card from “BLME”

Comment No.	Response
BLME-1	Comment noted; no changes to the EIR are necessary.
BLME-2	Please refer to EIR Section 4.6.1.5 Hazards and Hazardous Materials, Potential for Crime and for Section 4.9.5.1 Public Services and Utilities, Effect Upon or Result in New or Altered Public Services, Police Protection. No changes to the EIR are necessary.
BLME-3	Please refer to EIR Section 4.12 Water and Section 4.11 Wastewater. No changes to the EIR are necessary.
BLME-4	The County General Services Agency is responsible for maintenance of the park facilities, and securing funding for improvements and maintenance.
BLME-5	Please refer to Section 4.10 Transportation, Circulation, and Traffic. Please refer to Section 4.8 Noise. An American Disabilities Act (ADA) trail system is not specifically proposed as part of the NCPMP; however, the plan does not preclude the development of ADA-compliant facilities. No changes to the EIR are necessary.
BLME-6	Please refer to Chapter 2, Table 2-2, Master Plan Existing and Proposed Amenities. An additional 1,490 square feet of restrooms and an additional 422 parking spaces are proposed as part of the NCPMP. All festivals and events at NCP will occur pursuant to existing guidelines and temporary event permit requirements, as issued by County General Services. No changes to the EIR are necessary.

COMMENTS ON THE NIPOMO COMMUNITY PARK MASTER PLAN

I am commenting on the:



Draft Program EIR



Master Plan

B



The following useful comments are addressing these issues:

- Content of the EIR.
- Methods on how environmental issues are analyzed.
- Potential Alternatives to the project.
- Potential mitigation measures that would avoid or reduce environmental issues.

Comments on Draft Program EIR: Leave it alone Nipomo H2O prob? | N-1Lib exp? Lib Relosing | N-2Traffic? | N-3Why pre school? | N-4Horse Trails - Yes | N-5

Comments on Master Plan:

NAME: Neighbor EMAIL: _____
 ADDRESS: _____ PHONE: _____
 CITY: _____ STATE: _____ ZIP: _____

9.3.17 Response to Comment Card from “Neighbor”

Comment No.	Response
N-1	Please refer to EIR Section 4.12 Water Resources. No changes to the EIR are necessary.
N-2	Please refer to EIR Section 2.3.2 Project Description, Proposed Facilities. The proposed project includes a 4,000-square foot expansion of the library near West Tefft Street. No changes to the EIR are necessary.
N-3	Please refer to Section 4.10 Transportation, Circulation, and Traffic. No changes to the EIR are necessary.
N-4	The Lil Bits Preschool is currently operating as a temporary use in NCP under a permit issued by General Services, under a lease issued to the Nipomo Area Recreation Association. The permit was issued with the intention of authorizing management of uses with NCP, as part of the overall park program. The 2004 permit identified uses including a youth-oriented community recreation and child care program, and coordination of sports activities, clubs, and events within NCP. The County recognizes that conditions may have changed since the permit was originally issued in 2004; therefore, the NCPMP fulfills the vision of the original lease, and includes a method for resolving the issue of the temporary pre-school by identifying the need for a Conditional Use Permit prior to establishment of a permanent facility within NCP. No changes to the EIR are necessary.
N-5	Comment noted; no changes to the EIR are necessary.

9.4 ADDITIONAL NON-AGENCY ORGANIZATIONS COMMENT LETTERS AND RESPONSES

The following non-agency organizations have submitted comments on the Draft EIR.

Respondent	Code	Contact Information	Page
South County Advisory Council Attached report and individual comments	ASCAC	<i>Council Officers and Members</i>	9-150



SCAC 3-18-12 Park Meeting

Response the Nipomo Park DEIR

Aesthetics

The aesthetic section analyzes the extent that the proposed development would alter the visual quality of the project site and the areas surrounding it. The project related actions would be considered to have a significant impact on the visual character of the site and surroundings if they altered the area in a way that significantly changed, detracted, or degraded the visual quality of the site and was inconsistent with community policies regarding visual character. NCP serves an important role defining the visual identity of Nipomo. County policies as well as community scoping workshops have identified the preservation of rural character as a goal for the NCP site.

ASCAC-1

The DEIR finds the development in the center of the park with mitigations to be a class II impact. The center of the park developments would include a 36,000 sq ft (250' L x 230' W x 36' H, which is the absolute maximum allowable height by LU policy) recreational center covering 2 acres plus a defensible space fire break, fenced basketball courts with pole lighting, 2 tennis courts with wind screening and pole lights, fenced skate board park, an 8,400 sq ft pool with decking, a transit stop, a lighted parking lot with 422 cars, 10 acres of ball fields with an estimated 8-10 pole lights built on 25' high cut and fill slopes, a hand ball court, 2 restroom sites, open play area with play ground equipment, horse shoes, horse staging area, paved pathways, and a drainage basin. A total of 27.5 acres of rural land, habitat, and trails would be replaced, significantly and permanently altering the view. The rural view shed would become urban and utilitarian. The mitigations were to set back the recreational center 150', use a rural architectural building design, plant shrubs that visually change the proportions of the building, and paint it in earth tones. Further, there would be a restriction from ridge top development; new structures would be so located that they would not be silhouetted against the sky as viewed from public roads or the ocean. This last mitigation conflicts with the emissions mitigation to move the recreation center ¼ mile to the land adjacent the school, residences, and new medical center addition because the elevation would constitute a ridge top. It could also be a violation of the noise set back requirements because of its close proximity to the school, medical center, and residences. The mitigations to use earth tone paints, rural architecture, shrubs, and set backs are only attempts to camouflage amenities but cannot diminish their massive cumulative size. These are ineffective and conflicting mitigations. Class I impact.

ASCAC-2
ASCAC-3
ASCAC-4

The EIR states apart from the multi use sports field lighting, visibility of lighting throughout the NCP would affect nighttime views resulting in a long term impact. They mitigate it with shielded lighting, motion detector activated security lighting, and by directing light downward and using full cut-off fixtures or shields. Per table 4.7-1 on page 4.7-4 the areas established to have lights are; the sports turf area, the group picnic area, the tennis courts, and the basket ball courts totaling 17 acres. It says unlit areas would be the pool, dog park, skate park, hand ball, and horse shoes. Areas not noted either way are the amphitheater, playground, and recreation center. One of the mitigations in the Hazard/Crime section is to use Crime Prevention Thru Environmental Design (CPTED) principles in the development of the park. Compliance with CPTED requires potential problem areas to be well lit including: pathways, stairs, entrances and exits, parking areas, bus stops, children's play area, recreation areas, pools, storage areas and dumpsters. Further lighting along pathways is to be at the proper height for people's faces to be identified in case of potential attacks. The DEIR declares with mitigation, lighting is a class II impact but admits the light and glare would still be visible from within the park and adjacent residences. All the additional lighting from the CPTED requirements in the Hazards section mitigations needs to be factored

ASCAC-5

in. This would change the amount of lighting significantly and the impact to a Class I. Note that a standard of CPTED is that all youth facilities should be on main roads in plain view to allow effective policing and natural public surveillance. The recreation center's location in the middle of the park puts it in direct conflict with CPTED standard and there for is not a feasible mitigation under Crime/Hazards)

ASCAC-6

Air Quality

The DEIR states the proposed project would exceed the daily ROG+NO_x combined threshold and requires 18 on site mitigations. Special attention needs to be given to this impact because of the nearby sensitive receptors including The Lil Bits temporary Day care center, the adjacent church and daycare center, Dana Elementary School, CHC and its 15,000sq ft expansion currently under construction, the library and its expansion, and the residences on Tefft and Tejas Place. The emissions chart (table 4.2-8) may be inaccurately low because some activities have not been factored in. Additional pollution emissions need to be calculated for the horse shoes pits, dog park, picnic/BBQ areas, horse staging area, turf, play ground, and rapid transit vehicles. Cumulative impacts would be the emissions from the adjacent CHC addition and the traffic from 2 main thoroughfares that border the park; Tefft and Pomeroy. Also the Dana school student drop off and pick up emissions from bumper to bumper idling vehicles 2x a day. The DEIR's suggested mitigations include; developing internal pathways to reduce vehicle traffic, moving the rec facility to the property adjacent to the school and residences, building a ranger residence, planting trees in the parking lot to reduce evaporative emissions, and providing valet bicycle parking at community event centers. The report admits the implementation of the stated mitigations would NOT eliminate the emissions; however, the concentration of pollutants would be reduced to below identifiable thresholds and therefore, the impacts would be Class II. The mitigations are unfeasible or ineffective. Moving the rec facility to the land adjacent to the school and residences is in conflict with the set back mitigations for land use/noise impacts and aesthetic mitigations not to build on ridge tops. Plus the emissions from the CHC need to be factored in, and consideration that Dana School and CHC are sensitive receptors. Internal paths will not reduce emissions because traffic is to and from the park not within it once visitors are there. Those internal walkways exist now as does the ranger residence. Planting small new trees in the parking lot to absorbed emissions would not offset the 20 mature trees removed. Bicycle valet parking is not feasible. With the new emissions calculated into the already excessive levels and ineffective mitigations, the impact of air quality is significant and Class I.

ASCAC-7

ASCAC-8

ASCAC-9

ASCAC-10

ASCAC-11

ASCAC-12

ASCAC-13

Land Use

LUO regulations are in place to minimize adverse effects on the public resulting from land use and development, as well as to protect and enhance the significant natural, historic, archeological, and scenic resources within the county as identified by the **County General Plan**. The **South County Inland Plan** seeks to guide future development that will balance social, economic, environmental, and governmental resources and activities affecting the quality of life within the area. This plan includes planning area standards for the **South County Planning Area**, which includes the urban community of Nipomo, and seeks to preserve the character of the communities and rural areas that currently exist in the area. The **Recreation Element** establishes goals policies, and implementation measures for management, renovation, and expansion of existing, and development of new parks and recreation facilities in order to meet existing and projected needs and to insure an equitable distribution of parks throughout the county. The **Principals of Strategic Growth** adopted by the BOS include: 1. Preserve open space, scenic natural beauty and sensitive environmental uses, and 2. Foster distinctive attractive communities with a strong sense of place. The **1988 Park Master Plan** included purchasing additional parkland. The massive build out of the park impacts all of these land use policies to preserve Nipomo's rural equestrian character,

ASCAC-14

provide equitably distribution of parks, preserve open space, scenic natural beauty, and sensitive environmental uses and to acquire additional parkland. The DEIR proposes eliminating 27.5 acres of scenic rural parkland, habitat and trails to develop many facilities that duplicate what has been built at our new schools. Nipomo H.S. has a track& football field, several baseball and soccer fields, multiple volleyball, basketball, and tennis courts, a gymnasium, state of the art fitness room and Olympic size pool. Dorothea Lange has playground equipment, 2 handball courts and open playing fields. Our older schools also have similar amenities. The Kamanaka property has included fields in its development. On the other hand, as Nipomo has grown there has been considerable loss to riding trails plus the county has failed to dedicate new trails as requested creating a net loss of recreation to those equestrians who are the foundation to Nipomo's character. The impact needs to address the cumulative loss of recreation to our equestrians and the unnecessary duplication of amenities already existing in Nipomo violating our land use guidelines. Suggested mitigations would be:

1. Acquisition of new parkland while real estate prices are low and because we have money for development and acquisition but not maintenance.
2. Enter into joint use agreements with the schools to develop amenities on site for their use during school hours and for the public during evenings, weekends, and summer months. It would be a tax saving endeavor at a time of tight County budgets.
3. Our local public schools currently have closed campuses with access to facilities only allowed to sports organizations due to fear of crime and graffiti. Our park is subject to those same problems but is mitigated by utilizing the concepts of Crime Prevention Through Environmental Design (CPTED). The standards utilize fences and lighting. Parks could partner with the school to install the necessary lighting (that would be so effective in our parks) in our school yards. Then recreation would be available to the public throughout Nipomo as our planning elements require. Tax payers would save money. Schools would have better security, Parks would not have to worry about the lack of maintenance funds, recreation would be available at a neighborhood level, traffic and circulation would be improved, equestrians could retain one of the last remaining trail areas, and our rural character would be preserved.
4. Place some smaller developments in Jim Miller Park i.e. horse shoes, Bocce balls, gazebo, or the skate board park.
5. Partner with Jack Reddy Park to get it up and running. Park building funds could be used again without worry about lack of maintenance funds. This park would serve the need of those currently neglected in our recreational element.

ASCAC-14
(continued)

ASCAC-15

ASCAC-16

ASCAC-17

ASCAC-18

Monday, April 19, 2012 From: Dan Gaddis, SCAC Area 2 Representative

To: Steve McMasters, County of S.L.O., Dept. of Bldg. & Planning, Room 300, &
To: SCAC Members.

Re: Comments on February 2012 Draft Nipomo Community Park Master Plan Program
Environmental Impact Report (E.I.R.)

All of these comments regard the "Content of the E.I.R.":

Comment # 1: Security & Crime concerns:

ASCAC-19

New park development would place additional service demands on existing South
County Sheriff services. (See page 4.9-8)

The February 2012 Master Plan calls for a Community Center/Gymnasium of 36,000 s.f.
near the center of the park (See Executive Summary pages ES-6 & 7).

A County Parks and Nipomo Community Advisory Council (NCAC) public meeting was
held in July 2004 at the Nipomo High School Auditorium.

At that meeting a Sheriff's Department Commander told those in attendance that only
one patrol car is on patrol in the South San Luis Obispo County area at nighttime, and
that sheriff cars patrol mostly major streets and that it would be difficult to patrol
adequately a Community Center located deep in the center of the park. (Like in the
Master Plan (See Executive Summary pages ES-6 & 7).

He recommended if you build a Community Center to build it off a major road such as at
Tefft Street where patrol cars can easily drive by and spot suspicious behavior (Like in
the Master Plan Alternative "A". See pages ES-15 & 19).

In addition, currently the Sheriff's Department is understaffed (See pages 4.6-3 & 4).

The current ratio of deputies per population unit is one deputy per 1,140 citizens, which is
deficient (See page 4.9-2).

The F.B.I. standard is one deputy per 1,000 citizens.

City police departments within San Luis Obispo County have a ratio of one deputy per
750 citizens (See page 4.9-2).

Comment # 2: Monies from Private Organizations could build the Community Center:**ASCAC-20**

It is possible that the Nipomo Community, a concessionaire, and/or a community organization may be a partner in the development of the Community Recreation buildings planned for the park (See page 2-18).

Do we want private developers/organizers to have an ownership status on facilities in our County Nipomo Community Park?

Comment # 3: Is an area near the intersection of Osage Street and Camino Caballo Street a safe area for a Playground?**ASCAC-21**

A play structure and open play area is to be built near Osage Street and Camino Caballo Street (See Executive Summary page ES-5 & page 2-9).

This area is now known as the Caesar Chavez park area, and it is very small. The corner of Osage Street and Camino Caballo Street is an intersection of two busy streets. There is no parking for this area.

This small area adjacent to busy streets is not a safe area to put a playground for small children.

Comment # 4: Regarding widening Osage Street to meet County Road Standards allowing for two vehicles to pass in alternate directions.**ASCAC-22**

Osage Street will be widened to meet County Road Standards allowing for adequate room for two vehicles to pass in alternate directions (See page 4.10-15).

Osage Street already has adequate room for two vehicles to pass in alternate directions.

Plan is to: Widen street to County Road Standard A-1 (d) (two 11 ft wide travel lanes, with 6 ft shoulders on each side for a total of 34 ft), & 6 ft wide paved multi use trail, & parallel equestrian trail (See Executive Summary page ES-10 & page 2-10).

So: $34 \text{ ft} + 6 \text{ ft} + \sim 4 \text{ ft}$ could = $\sim 44 \text{ ft}$. expansion width for Osage Street plus paved trail plus equestrian trail.

This will result in the removal of a large number of oak trees along side Osage Street.

Comment # 5: Regarding County do E.I.R. on more intense Concept Plan.

ASCAC-23

On July 12, 2004, County Parks staff and the Nipomo Community Advisory Council (NCAC) held a noticed public meeting at the Nipomo High School Auditorium.

The Draft E.I.R. states that: “The NCAC recommended that the County move forward with environmental review on the more intense Concept Plan, based on the face that it is easier to take items out of a master plan than put them in later” (See page 2-6).

This content statement of the E.I.R. is not accurate.

It was the County Parks staff, over the objections of the NCAC members, who insisted on the NCAC accepting moving forward with the more intense Concept Plan based on the premise that it is easier to take items out of a master plan than to put them in later.



SOUTH COUNTY ADVISORY COUNCIL

PO Box 1165 Nipomo, CA 93444-1165

Paul Teixeira, District 4 Supervisor
San Luis Obispo Board of Supervisors
County Government Center
San Luis Obispo, CA 93408
April 24, 2012

Dear Supervisor Teixeira.

At last night's regular meeting of the South County Advisory Council, the Council considered the following issues :

ASCAC-24

DRC2011-00071 Sandberg-CUP to modify minimum site area for a kennel project. 2.3 acre site located off Summit Station Road in Arroyo Grande. APN:091-131-059 (existing permit to train rescue, companion and service dogs, but needs Kennel permit is required to allow dogs to stay overnight).

A motion was passed to recommend approval on the condition that the permit does not follow the property if ownership changes, and owner fully complies with all laws and rules of Animal Control.

Review of DEIR on The Master Plan for Nipomo Community Park:

ASCAC-25

A motion was passed thanking the ad hoc committee members for their hard work on the Draft EIR for the Master Plan for the Nipomo Community Park, and that The SCAC submit their appraisal and the attached comments by individual SCAC members and residents of the Nipomo community for the Planning Department's careful consideration.

By direction of the South County Advisory Council,

Istar Holliday
Corresponding Secretary

Steven McMasters, Project Manager
 County Planning and Building Department
 976 Osos Street, Room 300
 San Luis Obispo, CA 93408-2040

Dear Mr. McMasters,

I have read the DEIR, the SCAC ad hoc committee's response and the attached responses from other individual SCAC members and concerned Nipomo community members.

ASCAC-26

I agree with several comments already made: in particular, the following:

The impact of a Recreational center with all its described structures, facilities, pool, skateboard park, parking requirements, and expectation of intensive use, an assigned use in the Master Plan that would take up approximately one third of the only community park in the Nipomo area, cannot be mitigated and is, therefore, a Class 1 impact, not the Class II assigned by the DEIR.

The issue of public monies being spent to build what is intended to be privately run structures has been litigated and denied in several court cases, and should be explored by counsel before the final EIR containing the community center plans is put forth.

ASCAC-27

There are two major errors in the DEIR in the section entitled **2.1.4 Public Workshops and Scoping Meetings** on page 2-6:

ASCAC-28

On July 12, 2004, at the public meeting called by County Parks Staff and the Nipomo Community Advisory Council at the Nipomo High School, a highly vocal minority, **not** a majority, of those 100 residents present, requested additional development within the park.

In addition, it was **not** the NCAC that "recommended that the County move forward with environmental review on the more intense Concept Plan, based on the fact that it is easier to take items out of a master plan than put them in later." It was Jan di Leo of the Parks Department that recommended this approach after vigorous objection from the NCAC, which favored a more passively developed park, as Mrs. Di Leo claimed it was less expensive than a piecemeal approach should the community ever decide to place a center in the park (see **DEIR 2.1.5 Initial Study**), and the NCAC deferred to her request.

ASCAC-29

Istar Holliday
 577 Sheridan Road (Nipomo Mesa)
 Arroyo Grande, CA 34320
 (805) 343-2581

9.4.1 Response to Additional Comments from South County Advisory Council Officers and Members

Comment No.	Response
<i>Jacqueline Walls – Park Meeting</i>	
ASCAC-1	Comment noted. No changes to the EIR are necessary.
ASCAC-2	Comment noted. No changes to the EIR are necessary.
ASCAC-3	The referenced language regarding “Ridgetop Development” is a policy from the County’s Parks and Recreation Element, and is not a specific mitigation measure identified in the EIR (refer to EIR Section 4.1.3.2 Aesthetics, Consistency with County of San Luis Obispo Plans and Policies). Mitigation measure AES/mm-1 requires relocation of the community center within 150 feet of the existing, internal park road, consistent with this policy. This location is not adjacent to the school, residences, or new medical addition, and would be consistent with all setback requirements related to land use and noise. The reference to “1/4 mile” in the EIR (Section 4.2.5.1 Violate Air Quality Standard or Exceed Emission Thresholds) is taken from the Air Pollution Control District’s Clean Air Plan land use policies, which recommend provision of recreational facilities within one quarter-mile of residential areas and schools. As noted in the EIR, the project is consistent with this policy. No changes to the EIR are necessary.
ASCAC-4	As noted in Section 4.1.6 Cumulative Impacts, the EIR analysis considered the cumulative development of all proposed elements of the NCPMP, in addition to development in the area. Mitigation is recommended (AES/mm-1 through AES/mm-8), which would address each component, and the NCPMP as a whole. The EIR recognizes that new facilities and amenities will be visible to the public; however, based on implementation of these measures, cumulative impacts would be less than significant. No changes to the EIR are necessary.
ASCAC-5	Please refer to EIR Section 4.1.5.3 (Aesthetic Resources, Effects of Light and Glare), which states that “Safety regulations and guidelines require lighting for parking areas, pedestrian uses, and buildings” and “Security lighting may be necessary at the community pool skate park, tennis and basketball courts, and other areas”. The EIR analysis considered all types of lighting that would either be proposed or included per existing regulations and recommended guidelines, and includes mitigation to shield and direct light towards its intended target and purpose, as noted in mitigation measure AES/mm-7. These standards have been considered by the County Sheriff, as noted in their response to the Notice of Preparation, dated December 3, 2009 (refer to Appendix B of the EIR), and are incorporated into mitigation measure PSU/mm-1, item (c), including the following: “Proper care should be taken to ensure exterior lighting is properly shielded to prevent illumination that would affect the ambient level of light in the nighttime sky”. Therefore, potentially significant impacts can be mitigated to less than significant, and no changes to the EIR are necessary.
ASCAC-6	The Crime Prevention Through Environmental Design (CPTED) Guidelines do not specifically state that youth facilities should be located on main roads; however a CPTED strategy notes that “Gathering areas or congregating areas need to be located or designed in locations where there is good surveillance and access control”. The project is generally consistent with this guideline, because the community center would be located in close proximity to the internal park road and park ranger residence. The NCPMP was reviewed by the San Luis Obispo County Sheriff (refer to Appendix B, Notice of Preparation Comment Letters, letter dated December 3, 2009). All suggestions provided by the County Sheriff’s office, which incorporate CPTED measures, are listed in mitigation measure PSU/mm-1 (refer to EIR Section 4.9 Public Services and Utilities). Based on the project’s incorporation of these measures, potentially significant impact related to adverse effects to police and emergency services would be less than significant, and no changes to the EIR are necessary.

Comment No.	Response
ASCAC-7	<p>In EIR Section 4.2 Air Quality, Table 4.2-8, Estimated Operational and Area Source Emissions, includes the emissions generated by all proposed uses within the park (refer to Appendix C Air Quality Background Information for complete summary of emission model results), pursuant to the San Luis Obispo County Air Pollution Control District CEQA Handbook (December 2009). Uses that would not typically generate high levels of traffic as a single-destination type use are grouped within the "City Park" category. The emissions generated by vehicles would be dispersed along the travel route, including roads within and adjacent to NCP (i.e. Pomeroy Road and West Tefft Street). No changes to the EIR are necessary.</p>
ASCAC-8	<p>Existing uses, such as the Dana Elementary School, generate emissions, which are considered part of the environmental baseline and contribute to air pollutant emissions in the area. As noted in EIR Section 4.2.1 Air Quality, Existing Conditions, "motor vehicles are the primary source of air pollutant emissions and greenhouse gases" and in 2008, state ozone standards were exceeded (as measured from the Nipomo air quality monitoring station). Park access, trails, and road improvements may contribute to a reduction in trips generated by adjacent uses by providing safe options for alternative transportation. In EIR Section 4.2 Air Quality, Table 4.2-8, Estimated Operational + Area Source Emissions, identifies the estimated emissions that would be generated by various elements included in the NCPMP, which would not include the medical center. Cumulative impacts are addressed within EIR Section 4.2.6 Air Quality, Cumulative Impacts. Based on the Mitigated Negative Declaration that was adopted for the Community Health Center project on October 27, 2011 (County project number DRC2010-00027, Environmental Determination number ED10-193), the project would not generate a significant level of air pollutants during construction or operation. Potential air quality impacts include the generation of fugitive dust during construction, potentially affecting nearby residences and resulting in a nuisance, and the use of diesel equipment near sensitive receptors. Standard mitigation was adopted for the project, consistent with APCD guidelines. The NCPMP's contribution to the cumulative generation of air pollutants in the area was determined to be less than significant, based on elements incorporated into the NCPMP, which are consistent with the APCD's Clean Air Plan, and incorporation of additional mitigation measures to reduce project-specific emissions. No changes to the EIR are necessary.</p>
ASCAC-9	<p>Please note that the EIR does not include a mitigation measure to locate the community center (recreation facility) adjacent to the school and residences. No changes to the EIR are necessary.</p>
ASCAC-10	<p>The 21 mitigation measure options listed in AES/mm-2 are included in the San Luis Obispo County Air Pollution Control District CEQA Handbook (December 2009), as effective measures to reduce the effects of ROG and NOx generated by transportation and stationary uses. Providing trails and paths within and adjacent to the park contributes to use of alternative sources of transportation, such as walking and use of bicycles, which in turn reduces emissions both within the park and surrounding area. Although traffic is not generated from trips within the park, community members may elect to ride their bicycles or walk to the park, or traverse the park using improved paths en-route to an offsite destination. Emissions generated from vehicles in parking areas are affected by air temperature, and planting trees within parking areas provides a cooling effect, and thus reduces vehicle hydrocarbon emissions (which is the intent of the mitigation measure). Therefore, this is an effective measure to reduce operational emissions generated by the project. In the long term, the NCPMP includes the planting of additional trees of varying native species onsite, which would have a long-term beneficial effect to air quality. Numerous mitigation measures are recommended, which would have a beneficial effect when combined, and would reduce potential impacts related to air quality to less than significant (Class II). No changes to the EIR are necessary.</p>
ASCAC-11	<p>Please refer to response to comment ASCAC-3 above. No changes to the EIR are necessary.</p>

Comment No.	Response
ASCAC-12	Regarding emissions from existing surrounding sources, please refer to response to comment ASCAC-8 above. Regarding air quality, and exposure to toxic air emissions, the potentially affected area includes sensitive uses within 1,000 feet (refer to EIR Section 4.2.3.2 Air Quality, SLO APCD CEQA Air Quality Handbook, Special Considerations for Construction Activity, Sensitive Receptors and EIR Section 4.2.5.2 Air Quality, Expose Sensitive Receptors to Substantial Pollutant Concentrations). Mitigation measures apply to any sensitive uses within 1,000 feet, which may include existing and future uses (refer to AQ/mm-3). No changes to the EIR are necessary.
ASCAC-13	Please refer to response to comment ASCAC-10 above. No changes to the EIR are necessary.
ASCAC-14	As noted in EIR Table 3-2 Consistency with Plans and Policies (Chapter 3 Environmental Setting), the proposed project is consistent with all applicable policies and goals. With incorporation of mitigation measures identified in Section 4.1 Aesthetics, development of the NCPMP would not have a long-term, significant, adverse effect on visual character. As noted in the EIR (Table 3-2), “the South County Inland Area Plan of the LUO indicates that the South County Inland Area averages almost twice the annual growth rate of the rest of the County in general, with the Nipomo urban area experiencing the majority of new development. The project proposes new and expanded recreational uses and facilities at the only existing developed park serving the Nipomo community”, which is consistent Recreation Policy 3.1 to provide an equitable distribution of recreation. The NCPMP includes preservation of open space, areas considered highly scenic, and sensitive environmental resources (such as the oak woodland ridge). The EIR does assess alternative locations for the community center, as noted in Chapter 5, Alternatives Analysis. No changes to the EIR are necessary.
ASCAC-15	As noted in EIR Table 4.3-3 Habitat Impacts (Section 4.3 Biological Resources), areas affected by the NCPMP include coastal scrub, annual grassland, and ruderal (disturbed) areas. A majority of the 130 acres of oak woodland habitat and 14.6 acres of maritime chaparral habitat would be preserved (1.12 acres would be affected primarily by road improvements). No changes to the EIR are necessary.
ASCAC-16	Please note that approval of the NCPMP as proposed does not preclude further discussions between the County and the Lucia Mar School District regarding shared use of school facilities. The County General Services Agency and BOS may consider this option when reviewing public comments. No changes to the EIR are necessary.
ASCAC-17	As shown in EIR Figure 2-5, Nipomo Community Park Master Plan, the project includes a separate equestrian trail and staging area within NCP. No significant impact to recreational resources and opportunities would occur. No changes to the EIR are necessary.
ASCAC-18	The County may consider further discussions with the Lucia Mar School District regarding shared use of school facilities, assistance with CPTED measures at school facilities, and further development of other parks in the area. The County General Services Agency and BOS may consider these options when reviewing public comments. No changes to the EIR are necessary.
Dan Gaddis	
ASCAC-19	Comments noted. The NCPMP was reviewed by the San Luis Obispo County Sheriff (refer to Appendix B, Notice of Preparation Comment Letters, letter dated December 3, 2009). All suggestions provided by the County Sheriff’s office, which incorporate CPTED measures, are listed in mitigation measure PSU/mm-1 (refer to EIR Section 4.9 Public Services and Utilities). Based on the project’s incorporation of these measures, potentially significant impact related to adverse effects to police and emergency services would be less than significant, and no changes to the EIR are necessary.

Comment No.	Response
ASCAC-20	The County General Services Agency would be responsible for all facilities within NCP. Contractors may be retained by the County to prepare construction and design plans. Organizations, such as the Nipomo Native Garden, may be issued a lease or permit to administer and manage facilities and other improvements within NCP at the discretion of the County. The County will take liability for uses, or assign liability, as designated in the permit or lease for the specific use. No changes to the EIR are necessary.
ASCAC-21	No significant impacts related to environmental hazards specific to the playground were identified during preparation of the EIR. Fencing is installed around the park boundary, and caution will need to be practiced near all roadways surrounding the park, similar to existing conditions. Public comment regarding the location and type of facilities included in the NCPMP will be considered by the Board of Supervisors.
ASCAC-22	As noted in the EIR and correspondence between the County General Services Agency and County Public Works (initiated by a referral response to the Initial Study in 2005), Osage Street is not currently constructed in compliance with County Road Standards, and improvements are necessary to bring the adjacent road system into compliance. The affected area includes the County road right-of-way adjacent to NCP. Potential adverse impacts to individual oak trees and sand mesa manzanita are documented in EIR Section 4.3 Biological Resources. The No changes to the EIR are necessary.
ASCAC-23	The summary of the July 12, 2004 meeting states that the NCAC recommended that environmental review be conducted on a more intensive plan, not that the NCAC was recommending approval of the more intense plan. No changes to the EIR are necessary.
SCAC – Meeting on April 23, 2012	
ASCAC-24	Comment related to other project. No changes to the EIR are necessary.
ASCAC-25	Comment noted. No changes to the EIR are necessary.
Istar Holliday	
ASCAC-26	Please note that all potential impacts related to the NCPMP, including the community center and other passive and active recreational amenities identified in the plan, have been assessed based on resource topics and County adopted thresholds of significance. Based on this analysis, no significant, unavoidable, adverse impacts were identified. No changes to the EIR are necessary.
ASCAC-27	The County General Services Agency would be responsible for all facilities within NCP. While a community center within NCP may be managed by an organization (pursuant to an issued permit or lease), the center would be a public facility. Identification of potential financial costs would be identified in the associated permit or lease. No changes to the EIR are necessary.
ASCAC-28	Comment noted, and will be considered by the County BOS.
ASCAC-29	The summary of the July 12, 2004 meeting states that the NCAC recommended that environmental review be conducted on a more intensive plan, not that the NCAC was recommending approval of the more intense plan. No changes to the EIR are necessary.

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