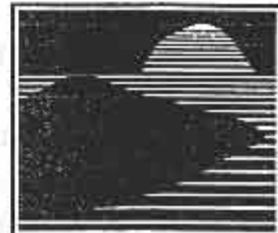


PLM



PROJECT REFERRAL

DATE: March 7, 2005

FROM: County Public Works Department
County Government Center Room 207
San Luis Obispo, CA 93408

MORRO GROUP, INC.
Environmental Services

FROM: Shawna Scott, Morro Group, Inc.

SUBJECT: Nipomo Park Master Plan



PROJECT DESCRIPTION: Request by San Luis Obispo County Parks to implement the Master Plan for the Nipomo Community Park (refer to attached project description and figures).

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

- YES (Please go on to Part II)
- NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- NO (Please go on to Part III)
- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

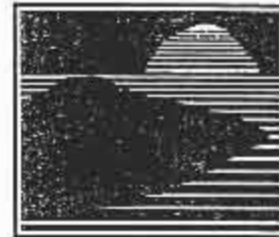
PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL 543-7095 extension 111.**

RECOMMEND APPROVAL — OSAGE Rd WIDENED TO A 32 ft total width fronting the park. All work within County Road R/W (VEGETATED ENTRANCES, TRAFFIC SIGNAL AND ROAD WIDENING) will require ENCROACHMENT Permit.

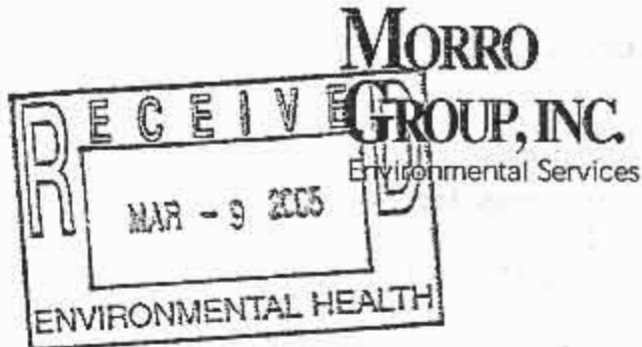
Response Date: 21 MARCH 2005 Name: GOODWIN

Please return this letter with your comments by March 28, 2005.

PROJECT REFERRAL



DATE: March 7, 2005
TO: County Environmental Health Division
2191 Johnson Avenue
San Luis Obispo, CA 93401
FROM: Shawna Scott, Morro Group, Inc.
SUBJECT: Nipomo Park Master Plan



PROJECT DESCRIPTION: Request by San Luis Obispo County Parks to implement the Master Plan for the Nipomo Community Park (refer to attached project description and figures).

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

- YES (Please go on to Part II)
- NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- NO (Please go on to Part III)
- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL 543-7095 extension 111.**

No CONCERNS AT THIS TIME.

Response Date: 3/15/05 Name: Lauri Salo

Please return this letter with your comments by March 28, 2005.



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

March 24, 2005

Shawna Scott
Morro Group, Inc.
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

SUBJECT: Nipomo Park Master Plan

Thank you for including the APCD in the environmental review process. We have completed our review of the Nipomo Park Master Plan. The project as described would allow for the phased construction of recreational facilities and infrastructure within Nipomo Community Park and Mesa Meadows over the next twenty years.

GENERAL COMMENTS:

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 that are highlighted by bold and underlined text.**

SPECIFIC COMMENTS:

Construction Phase Mitigation

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule. In addition, this site is located in close proximity to the Dana Elementary School. **All of the following mitigation measures for fugitive dust control should be implemented for all site grading activities:**

- a. Reduce the amount of the disturbed area where possible,
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible,
- c. All dirt stock pile areas should be sprayed daily as needed,
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities,
- 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,

- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD,
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used,
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site,
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114,
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to the start of construction activities.**

Diesel Exhaust

This project will involve the use of numerous pieces of heavy-duty diesel equipment. Diesel particulate matter is listed as a toxic air contaminant by the California Air Resources Board with no identified threshold level below which there are no significant effects. Therefore, the APCD is very concerned with projects that will produce large amounts of diesel exhaust near public use areas, school and other sensitive receptors. **During construction activities to control particulate matter from diesel exhaust the following measures should be implemented:**

- All construction equipment shall be properly maintained and tuned according to manufacturer's specifications.
- All off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, shall be fueled exclusively with CARB motor vehicle diesel fuel.
- Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.

Due to the close proximity to the Dana Elementary School, if grading activities will exceed 4 acres, the contractor shall install one catalyzed diesel particulate filter (CDFP) or five diesel oxidation catalysts. **These filters should be installed prior to the issuance of the grading and/or building permit.**

Demolition activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

Development Burning

Effective February 25, 2000, **the APCD prohibited developmental burning of vegetative material within San Luis Obispo County.** Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority. The applicant is required to furnish the APCD with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

Permits

Portable equipment greater than 50 horsepower (hp) used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. The following list is provided as a guide to

equipment and operations that may have permitting requirements, but should not be viewed as exclusive.

- Portable generators greater than 50 hp
- IC Engines
- Concrete batch plants
- Rock and pavement crushing
- Tub grinders
- Trommel screens

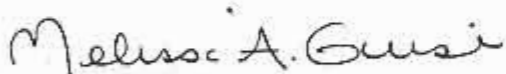
To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

Operational Phase Mitigation:

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 through out 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.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-4667.

Sincerely,



Melissa A. Guise
Air Quality Specialist

MAG/sll

cc: Karen Brooks, SLOAPCD Enforcement Division
Tim Fuhs, SLOAPCD Enforcement Division
David Dixon, SLOAPCD Engineering Division

Enclosure: Attachment 1 NOA Exemption Request



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

September 27, 2005

Shawna Scott, Morro Group
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Subject: Nipomo Master Plan

Dear Ms. Scott,

I have reviewed the referral for the Nipomo Park Master Plans located at the Nipomo Regional Park. This project is located approximately 5 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. Any project in the plan would be required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The Plan should include the following concerns:

- The Master Plan should include provisions for access and fire hydrant locations.
- Any buildings proposed will be required to comply with all Building and Fire Codes.
- A fire prevention plan should be developed for the park which should include vegetation fuel management, No Smoking areas and an Evacuation Plan.
- It would be beneficial that provisions be made so that the park can be used as an Incident Base or/and evacuation center for use during an emergency.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Lewin", is written over the word "Sincerely,".

Robert Lewin, Fire Marshal
Battalion Chief

cc: Dan Anderson, Battalion Chief

2005-10-03



Patrick Hedges
Sheriff-Coroner

P.O. Box 32
San Luis Obispo, CA 93406

San Luis Obispo County Sheriff's Department

Area Code:
(805)

Administration
781-4540

Animal Services
781-4400

Civil
Enforcement
781-5484

Crime
Prevention
781-4547

Custody
781-4600

Detectives
781-4500

Patrol
781-4550

Coast Station
528-6083

Dispatch
781-4550

North Station
237-3000

South Station
473-7100

Watch
Commander
781-4553

Permits
781-4575

Property
781-4533

Records
781-4140

Warrants
781-4588

TO: Morro Group, Inc.
Shawna Scott, Project Manager
1422 Monterey Street, Suite C-200
San Luis Obispo, California 93401

FROM: Commander Martin Basti
San Luis Obispo County Sheriff's Department
Coast Station
1681 Front Street
Oceano, California
(805) 473-7100

DATE: January 18, 2006

RE: Project Referral

PROJECT TITLE: Nipomo Park Master Plan

PROJECT APPLICANT: San Luis Obispo County Parks

PATROL REGION: South

COMMUNITY: Nipomo

Law enforcement needs for the unincorporated area of San Luis Obispo County are served by the Sheriff's Department. San Luis Obispo County encompasses 3250 square miles of which 66 miles are incorporated (city) and served by police departments.

The South Patrol Station is located at 1681 Front Street in Oceano. The South Station serves

Morro Group, Inc.
San Luis Obispo, California
January 18, 2006
Page Two

the communities of Oceano, Nipomo, rural Arroyo Grande, New Cuyama and Lopez Lake. Deputies at the South Station work in a demanding environment and handle a high volume of calls for service.

The California Highway Patrol (CHP) is primarily responsible for traffic-related calls along highways and streets in the unincorporated areas of the County. Unlike the Sheriff's Department, they will not investigate, take action or respond to crimes in progress in residential, commercial or industrial areas. They may respond upon request as back-up to the Sheriff's Department response, if available; however, the CHP does not normally provide emergency response. Times for the South Station are dependent on where patrol vehicles are in relation to a call, as well as the nature of the call. Estimated average time to project area is 20-30 minutes. Currently, the Sheriff's Department is understaffed, with calls for service increasing.

The Nipomo Master Park Plan, particularly one with the myriad of proposed mixed uses as this one, will impact Sheriff's Department resources. Alternates One and Two of the Nipomo Park Plan present different challenges. Various types of calls for service require different responses from the Sheriff's Department. As an example, a robbery in progress call will require a different response than a routine report call. A medical assistance call will differ from a neighborhood dispute call. Each is a unique situation which law enforcement must plan and train for.

This Project, plus the cumulative impacts of approved and proposed building, would greatly impact Sheriff Department services. In an attempt to forecast future needs for additional personnel, vehicles, equipment (everything including firearms, safety equipment to computers) and building (jail facilities, etc.) formulas are used in an attempt to predict public safety needs. Crime, be it reported, unreported, unacknowledged, or undetected losses significantly impact law enforcement and the public safety community. Using a model by the Federal Bureau of Investigation (FBI) *, the need for law enforcement can be projected. This model is based on the number of deputies to population per 1,000. The ratio of deputy to population has not kept pace with population growth for many years. Our current ratio is .64 deputy to every 1,000 citizens. This is not an acceptable ratio. A ratio of one deputy per 1,000 citizens would align our level of service with city police departments in the County. Nationwide, the officer/deputy ratios per 1,000 population ranged from 2.3 to 1.76.


As San Luis Obispo County grows, the Sheriff's Department must anticipate public safety needs. Funds required for operating and staffing expenses for the Sheriff's Department are

Morro Group, Inc.
San Luis Obispo, California
January 18, 2006
Page Three

derived from the General Fund and are a budgetary matter to be determined by the Board of Supervisors on an annual basis. The Sheriff's Department, like other County services, i.e., fire, engineering, must petition funding for new personnel positions. Each project creates a law enforcement impact.

The Sheriff's Department would like to see all new construction within San Luis Obispo County use the "Crime Prevention Through Environmental Design (CPTED) ** Standard (see attached materials). Using the "CPTED" standard for business, commercial, residential and park application is a proven crime reduction and prevention technique.

Adequate exterior lighting is absolutely essential for businesses and home security. There is no substitute for it. The effects of good exterior lighting can be generally summarized as safety, security, identification, attraction, beautification, environmental integrity and utility. It is essential to bear in mind that all of the effects are influenced by future and system design. The most important value of good exterior lighting is that it denies camouflage. It denies the would-be assailant the ability to hide from his potential victim. Additionally, good lighting provides a psychological deterrent to theft or assailant. The individual or individuals who would commit such crimes prefer to operate in the shadows of darkness where the probability of detection or apprehension is less. "Lighting and Lighting Systems*** design suggestion materials are included.


Martin J. Basti
Commander, South Station

MJB:jrj:jcs

- * FBI. Uniform Crime Reports (law Enforcement Officers)
- ** Crime Prevention Through Environmental Design (DPTED)
- *** Lighting and Lighting Systems

NIPOMO COMMUNITY

BOARD MEMBERS

LARRY VIERHEILIG, PRESIDENT
ED EBY, VICE-PRESIDENT
MICHAEL WINN, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
JUDITH WIRSING, DIRECTOR



SERVICES DISTRICT

STAFF

MICHAEL LeBRUN, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
DAN MIGLIAZZO, UTILITY SUPERVISOR
JON SEITZ, GENERAL COUNSEL

Celebrating 40-Years of Service 1965-2005

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Web site: nipomocsd.com

March 28, 2005

Shawna Scott
Morro Group, Inc
1422 Monterey Street, Ste. C200
San Luis Obispo, CA 93401

Dear Ms. Scott:

SUBJECT: NIPOMO PARK MASTER PLAN

We appreciate receiving your March 7, 2005, project referral for the Nipomo Community Park Master Plan. As the water supplier for the Community Park, our paramount issue is water use by the Park. The Community Park is currently one the District's largest single water users with annual demand approaching 50 acre-feet or about 16 million gallons of water annually (enough to supply 100 or more average homes).

We recognize that certain areas of a park require fairly intense water use (play field and turf). We also recognize that a well designed and used park offsets the need for individual homes' and developments' need for turf/play fields and thereby can lead to an overall decrease in the community's water demand. We are excited by this opportunity for state-of-the-art landscape design and operation to enhance and expand needed community entities in the most water efficient manner.

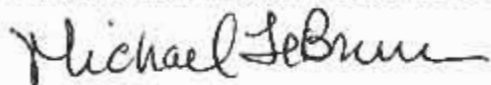
The District is currently performing a rate study and expects to be increasing water rates in the future. The District is also working to promote conservation throughout the community and hopes to include a new rate class for large irrigation users within our new rate structure. In general, the irrigation class would allow District staff to work with a willing irrigation customer to establish a reduced water rate based on the customer meeting a specified set of criteria. The criteria would include such things as:

- conservation measures
- conservation education (low water landscape displays
- a defined reduction schedule in the event of a water emergency

Hopefully, the above information will prove useful as you finalize the Community Parks Master Plan. If you have questions regarding this letter, please contact me at Nipomo Community Services District office, telephone 929-1133.

Sincerely,

NIPOMO COMMUNITY SERVICES DISTRICT

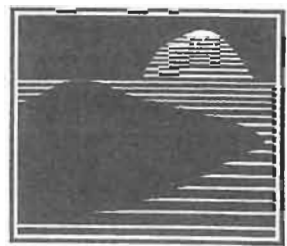


Michael LeBrun, General Manager

msl:

FILE: Community park customer file
E-FILE PATH: T:\Documents\SERVICES\PARKS\Park master plan comment.doc

msl 30 302



MORRO
GROUP, INC.
Environmental Services

PROJECT REFERRAL

DATE: March 7, 2005
TO: Nipomo Community Advisory Council
PO Box 1165
Nipomo, CA 93444
FROM: Shawna Scott, Morro Group, Inc.
SUBJECT: Nipomo Park Master Plan

PROJECT DESCRIPTION: Request by San Luis Obispo County Parks to implement the Master Plan for the Nipomo Community Park (refer to attached project description and figures).

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

- YES (Please go on to Part II)
- NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- NO (Please go on to Part III)
- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter) * See attached letter

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL 543-7095 extension 111.**

* see attached letter

Response Date: 3.25.05 Name: Susan M Yernick

Please return this letter with your comments by March 28, 2005. Nipomo Community Advisory Council

Nipomo Community Advisory Council
P. O. Box 1165
Nipomo, California 93444

March 25, 2005

Shawna Scott
Morro Groups, Inc.
1422 Monterey Street, Suite C200
San Luis Obispo, California 93401

Re: EIR Concerning Master Plan Proposed for Nipomo Community Park

Dear Ms. Scott:

In response to your project referral letter, a recent town hall meeting of the Nipomo Community Advisory Council was held. The following issues and impacts were cited by the community concerning the EIR for the proposed Master Plan for Nipomo Community Park:

1. Alternative 1: The NCAC has serious reservations and lists the following potential impacts that need to be evaluated for this plan:
 - A. Equestrian and pedestrian interface with traffic at Tefft, Camino Caballo, Juniper Streets and interior of Nipomo Park
 - B. Effects on Wildlife and Bird Population
 - C. Increased Potential for Crime and Vandalism
 - D. Noise
 - E. Rural Night Sky
 - F. Exact dimensions for Building envelopes/ Parking envelopes and resultant hard scape created
 - G. Disposal of Waste Water and Sewage
 - H. Increase and resultant costs related to water usage
 - I. Expected Occupancy
 - J. Effects on Aesthetics and Viewshed
 - K. Drainage Basins: Location and Aesthetics
 - L. Extent of Road Improvements/ Parking spaces required
 - M. Access for Night Activities
 - N. Interface with traffic and pedestrians/equestrians at playground located on Camino Caballo
 - O. Traffic circulation issues surrounding Dana Elementary School
 - P. Public Safety

2. Alternative 2: The NCAC has serious reservations and lists the following potential impacts that need to be evaluated for this plan. The NCAC recognizes that some impacts, such as rural night skies, public safety, potential for crime and vandalism, and impacts on wildlife populations may be lessened in this alternative. NCAC also endorses the addition of a community center at the corner of Pomeroy and Juniper Streets be included into this alternative. This small footprint Community Center would be used for meetings and small gatherings. NCAC supports this building to be limited to one story and of similar size and design as the NCSD building located at 148 South Wilson Street in Nipomo. The inclusion of a traffic signal at this intersection would be warranted.

- A. Equestrian and pedestrian interface with traffic at Tefft, Camino Caballo, Juniper Streets and interior of Nipomo Park
- B. Effects on Wildlife and Bird Population
- C. Increased Potential for Crime and Vandalism
- D. Noise
- E. Rural Night Sky
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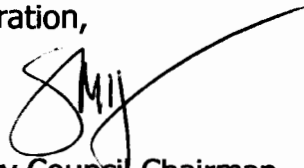
3. Alternative 3: The NCAC endorses the inclusion of a third alternative which would study the environmental concerns of the addition of a community center at the corner of Pomeroy and Juniper Street and a "rural friendly" limited development plan, with the addition of a signal at that intersection. The community center would have a small footprint that would be limited to one-story and of similar size and design as the current NCSD building located at 148 South Wilson, Nipomo. This rural friendly park would contain the following features:

- 1. Perimeter trails
- 2. Equestrian staging area
- 3. Conversion of existing tennis courts into basketball courts
- 4. New modest size grassy area containing:
 - A. Open play and picnic areas

- B. Two covered and two open BBQ areas
- C. Six new tennis courts
- D. One volleyball court
- E. Two restrooms
- F. Gazebo
- G. Lawn Bowling
- H. Additional parking
- I. Expansion of current children's playground area
- J. Adult Fitness Zone Equipment
- K. Additional Landscaping
- L. Retention of existing off-leash dog park and horse-shoe pit area

The Nipomo Community Park has and continues to be a jewel in our community. The NCAC feels that mitigation to the proposed current Master Plan of Nipomo Park could be addressed in alternate sightings within the South County Planning Area. The NCAC also strongly recommends that the Advisory Council and the Nipomo Community Services District be allowed review of the final design configuration.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'SH', with a long, sweeping horizontal line extending to the right from the end of the signature.

Susie Hermreck
Nipomo Community Advisory Council Chairman



MORRO
GROUP, INC.
Environmental Services

PROJECT REFERRAL

DATE: March 7, 2005
TO: Nipomo Parks Conservancy
PO Box 2042
Nipomo, CA 93444
FROM: Shawna Scott, Morro Group, Inc.
SUBJECT: Nipomo Park Master Plan

PROJECT DESCRIPTION: Request by San Luis Obispo County Parks to implement the Master Plan for the Nipomo Community Park (refer to attached project description and figures).

PART 1 IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

- YES (Please go on to Part II)
- NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- NO (Please go on to Part III)
- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. **IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL 543-7095 extension 111.**

See PARTS 1 AND 2 OF ATTACHED DOCUMENT FOR A DISCUSSION OF ADDITIONAL DATA REQUIRED AND POTENTIAL SIGNIFICANT IMPACTS.
See PART 3 FOR RECOMMENDATIONS.

Response Date: MAR 25, 2005 Name: NIPOMO PARKS CONSERVANCY

Please return this letter with your comments by March 28, 2005.

DELIVERED VIA FAX AND HARD COPY VIA LAND MAIL



**NIPOMO PARKS
CONSERVANCY**

P.O. BOX 2042 NIPOMO CA 93444-2042

World Wide Web: <http://NipomoParks.org>

ANALYSIS OF ENVIRONMENTAL IMPACTS NIPOMO COMMUNITY PARK MASTER PLAN

**RESPONSE TO SAN LUIS OBISPO COUNTY PARKS
PROJECT REFERRAL – MARCH 24, 2005**

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DATE: March 24, 2005

TO: Shawna Scott
Morro Group, Inc.
1422 Monterey Street. Suite C200
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SUBJECT: Nipomo Park Master Plan

This letter is in response to a Project Referral from the Morro Group Inc. promulgating a request by San Luis Obispo County Parks to implement a proposed Master Plan for Nipomo Community Park. Pursuant to CEQA (California Environmental Quality Act), the deadline for comment stipulated by the lead agency is March 28, 2005. This response is being filed timely.

PART 1: REQUEST FOR ADDITIONAL INFORMATION

The information provided in the Project Description is **not** adequate to facilitate a review. This is a formal request for additional information.

The Project Description is inadequate and lacks specificity. It is merely a brief narrative that describes highlights of the park master plan in ambiguous terms, leaving the public to only imagine what the intended end result might be. The document fails to provide even rudimentary data needed to evaluate the proposed development plan or to draw informed conclusions about the benefits or drawbacks of the proposed master plan or its potential impacts on the park, including but not necessarily limited to aesthetics, air quality, drainage, noise, public services and infrastructure, historic recreational use patterns, traffic and circulation, water, and wastewater.

For example, the Project Description provides no data on the physical dimensions or square footage of any of the proposed new buildings or maximum occupancies. No usage profiles are included on prospective users, hours of operation, peak hours, or daily vehicle trips. There is no indication of how many additional parking spaces are being proposed or would be required to support the new recreation facilities, how much resulting traffic would be generated, the potential cumulative effects of such increased traffic on Tefft Street, which is already highly congested, and no mention of what other potentially significant impacts on the park's environment and infrastructure might occur.

We recommend that this project be denied until the lead agency updates the Project Description to include critical details such as the physical characteristics of the proposed buildings and other details including but not limited to the additional information and data requested herein so that a reasonable evaluation of the project and potential environmental impacts is possible.

To cure the deficiencies of the Project Description and allow information pertinent to the proposed park master plan to be disseminated to the public for review and comment as

required by CEQA, we are requesting the following additional information. Further, we request that the data provided by the lead agency be adequately specific so that it will allow the true footprint of the proposed development to be understood and evaluated.

A. Characteristics of Proposed Buildings and Other Improvements:

For each proposed building or other recreational facility listed in the Project Description and reiterated in Table A, attached hereto, the following particulars are requested:

1. Dimensions and square footage
2. Proposed maximum occupancy or capacity
3. Usage profile (hours of operation, peak hours, etc.)
4. Projected number of vehicle trips per day
5. Projected number of users served per month
6. The physical location (stated either as a detailed narrative or depicted on an enlarged map and drawn to scale so the proposed site can be easily identified and evaluated)

B. Characteristics of Proposed New Roads and Road Improvements

Additional Information is requested on the proposed new roads, proposed improvements to existing roads, and proposed additional parking:

1. How wide will the Orchard Road extension be? Will it maintain this width from the park entrance at Tefft until it terminates at Pomeroy Road?
2. Will the Orchard Road extension have curbs, gutters, and sidewalks?
3. Will the Orchard Road extension create a busy street that dissects the park and allows motorists to bypass traffic congestion at the Tefft/Pomeroy intersection? If so, how will park users and children playing on grassy areas adjacent to this street be protected from vehicular traffic?
4. What speed limit will be imposed on the Orchard Road extension through the park? How will these speed limits be enforced?

C. Characteristics of Proposed Additional Parking

Additional Information is requested on the proposed additional parking contemplated in the park master plan:

1. How many additional parking spaces are proposed in total?
2. How many of these new parking spaces will be allocated to each of the existing and proposed buildings and other facilities?
3. What are the physical dimensions of these new parking lots?
4. Where is the proposed new parking located? (either a detailed narrative or an enlarged map drawn to scale so that the proposed sites can be identified and evaluated)
5. How will these parking lots be surfaced (asphalt, gravel, or otherwise)

D. Characteristics of Other Proposed Infrastructure Improvements:

Additional information is requested on the following proposed infrastructure improvements referenced in the Project Description:

1. The dimensions/square footage and exact physical location of the two new public restrooms
2. The dimensions and proposed location of the ranger residence, and details about whether the existing building will be relocated, rebuilt, or left "AS IS"
2. The dimensions and proposed location of the maintenance facility, and pertinent details about whether the existing facility will be relocated, rebuilt, or left "AS IS"

E. Funding of Capital Improvements and Ongoing Operating and Maintenance Costs:

Although questions pertaining to capital expenditures, operating expenses, and maintenance are typically not regarded as "environmental impacts" under CEQA, the park master plan being contemplated will cost many millions of dollars in Quimby and PFF Fees. Such costs greatly exceed the monies currently available (or which are likely to ever be available) to Nipomo. Thus, it is reasonable to assume that only some of the proposed improvements will ever be built. Therefore, the manner in which Nipomo's limited park funds are expended by the County, and which facilities the County ultimately builds, or decides not to build, could have far-reaching and long-term effects, as well as significant and potentially irreversible impacts on the park environment and infrastructure, on surrounding neighborhoods, and on residents' well-documented desire for Nipomo to retain its rural character. During the past eighteen months, Nipomo residents and local community groups have repeatedly asked that San Luis Obispo County Parks provide good faith cost estimates on each of the proposed buildings and other recreational amenities contemplated in the Project Description (and reiterated in Table A herein) so that residents can prioritize their recreational needs and desires and put their park dollars to the best possible use. However,

this requested information has never been provided. At this time, we restate our request for the following data:

1. A good faith estimate of the cost of building each of the buildings and other recreational facilities shown in Table A.
2. A good faith estimate of the ongoing annual cost of operation and maintenance for each of the recreational facilities shown in Table A.
3. A good faith estimate of revenue stream(s) and other primary source(s) of funding to underwrite annual operating and maintenance costs of each facility shown in Table A.
4. With respect to #3, if park user fees are contemplated as a way to defray Operating costs and maintenance, what is the proposed fee structure for each proposed amenity in Table A?
5. A good faith estimate of the cost of realigning Orchard Road and other road improvements contemplated in the proposed park master plan.
6. Will the cost of the road improvements in #5 be paid from Quimby fees, PFF fees, or some other source? (if the latter, please elaborate)
7. A good faith estimate of building costs attributed to the additional parking as proposed in the park master plan.

PART 2: SIGNIFICANT CONCERNS, PROBLEMS AND IMPACTS

Notwithstanding the fact that the park master plan represents a drastic departure from the rural character and historic uses of Nipomo Community Park, and that conversion of this natural resource to more urban uses runs counter to the strong desire of residents that the rural character of the park, and Nipomo generally, be preserved, the Nipomo Park Master Plan raises a host of significant concerns, problems, and potential environmental impacts.

The following is an overview of potential environmental impacts that the proposed park master plan will cause. While this is not a complete list of impacts, it sets forth realistic concerns that the project will cause significant environmental impacts that may or may not be mitigated. Whether these impacts can be mitigated, and what measures would be necessary to reduce these impacts to a less than significant level as required by CEQA can only be determined through a complete Environmental Impact Study.

A. Aesthetics

New construction will alter the visual character of the park. The impact of the new development on the natural setting must be carefully evaluated. Most areas in the park are totally natural with no man-made visual obstructions. The visual character of the park as

viewed both from within the park and from outside the park viewing inward will be significantly changed by the development. These impacts and their mitigations need to be examined.

Chapter 22.112 of the Land Use Ordinances (LUO) includes standards that in full or in part are intended to maintain aesthetic character in the South County. The consistency of this project with the LUO must be examined for compliance. In particular, setbacks, sitings of buildings, and landscaping must be carefully designed to maintain the rural character required by the General Plan.

Section 22.10.060 of the LUO, Exterior Lighting, enumerates standards to be followed to ensure that exterior lighting does not cause adverse light and glare effects. Intensities of exterior lighting for outdoor nighttime events should be limited per the LUO to 150 watts or less, and the requirements for shielding, direction of lighting, fixture height, etc, must be studied and appropriately addressed.

Other problems, concerns and potentially significant impacts that must be examined and mitigated as applicable include the following:

1. Will the design of the proposed buildings and other recreational facilities retain the Park's rural character, protect the native habitat, and preserve the scenic views of the wooded areas, meadows, and other natural areas?
2. Will the buildings and other facilities be unobtrusive and blend harmoniously with the natural surroundings in form and scale and free of discordant architectural shapes and colors which vie for attention?
3. Will all features of the proposed development compliment the park's natural environment and not destroy or compete with it?
4. Will the proposed facilities be sited and configured in a manner that preserves as many existing natural landscape features as possible?
5. Will grading and clearing of trees be performed only to the extent necessary to complete proposed improvements?
6. Will parking areas include large canopy-forming trees to provide shade?
7. Will the exterior building materials be consistent with the rural character of the park, compatible with the natural aesthetics, and graffiti-resistant?
8. Will plants, vines and other landscape screening be used to mitigate possible graffiti defacement of buildings?
9. With respect to #8 above, will these mitigations be adequate to ensure thorough and year-round protection of the facilities against graffiti and other defacement, low-

cost maintenance, and to protect park goers' sensibilities and enjoyment of the natural aesthetics of the park?

10. Will light and glare from illumination of any proposed building impact any of the homes in surrounding residential neighborhoods?
11. Will light and glare from illumination of the proposed sports fields or other facility impact any of the homes in surrounding residential neighborhoods?
12. Will light and glare from vehicular traffic entering and leaving the park at night impact any of the homes in surrounding residential neighborhoods?

B. Air Quality

Air quality is of concern due to its potential effects on public health, vegetation, and visibility. Children, the elderly, and persons with respiratory illnesses and heart disease, which make them particularly sensitive to the harmful effects of air pollution, use Nipomo Community Park. Air pollutants of concern include carbon monoxide (CO), reactive organic gases (ROG), particulate matter (PM), and oxides of nitrogen (NOx).

Much of the park interior is situated in a low, wind protected area that is believed to limit the dispersion of air pollutants. Additional traffic generated by users of the new facilities will most assuredly generate more air pollution. In fact, David Yosso, Executive Director of the Nipomo Recreation Center Inc., which the County is proposing to relocate into the park, is on record as having stated that the previous Recreation Center site generated one thousand two hundred (1,200) vehicle trips per day. Given that the new recreation center in the park would be greatly expanded, the number of vehicle trips per day inevitably would increase proportionately, and the cumulative air pollution effect of those twelve hundred additional cars, combined with the additional traffic generated by the expanded facility, requires examination. Also, the air pollution from all the other new recreational buildings, facilities, and activities contemplated in the park development plan, as well as the overall air pollution resulting from all of this traffic considered as a whole also needs to be studied.

During the development of the new facilities, site preparation activities such as grading, trenching, removal and mulching of trees and other vegetation, and other construction will cause short-term generation of certain pollutants. The environmental effect of these pollutants needs examination.

Consistency analyses with the CAP are guided by *CEQA Air Quality Handbook* (APCD 2003) Section 2.2, Consistency with the District's Clean Air Plan, which states that "a consistency analysis with the CAP is required for a Program Level environmental review, and may be necessary for a Project level environmental review, depending on the project being considered. Program level environmental reviews include General Plan Updates and Amendments, Specific Plans, and Area Plans. The consistency analysis should evaluate the following questions:

1. Are the population projections used in the plan or project equal or less than those used in the most recent CAP for the same area?
2. Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
3. Have all applicable land use and transportation control measures and strategies from the CAP been included in the plan or project to the maximum extent feasible? If the answer to all of the above questions is yes, then the proposed project or plan is considered to be consistent with the CAP. This test needs to be made.

Other relevant concerns and significant potential impacts on air quality that must be examined and mitigated to an inconsequential level include the following:

1. Would the project and its cumulative impacts in the aggregate exceed healthful air quality standards?
2. What is the projected number of vehicle trips to and from each of the proposed buildings and other facilities, and to and from all of the facilities in the aggregate: (a) during weekdays, (b) on weekends, (c) during peak hours in the morning and evening, (d) on holidays, and (e) prior to, during, and after special events such as sporting competitions, music concerts, festivals, rental of the facilities for commercial purposes, etc.?
3. Will charter buses or vans access the park to pick up and transport children or other individuals for special events such as summer camps and field trips? During what hours and how often?
4. Will charter buses or vans access the park to drop off and pick up out-of-town sports teams, tourists, or other groups?
5. Will a "Park and Ride" lot, commuter bus stop, or any other mass transportation facility or similar infrastructure operate in the park?
6. Will any of the new buildings or other facilities be used for wedding receptions or other social, cultural, political or religious events that involve more than an inconsequential number of vehicles (including busses, taxis, and limousines) arriving or departing simultaneously?
7. Will school buses, shuttles, or more than an inconsequential number of automobiles drop off or pick up students at the park or any of the new buildings or other proposed facilities for after-school programs or similar activities?
8. With respect to #7 above, how many vehicles will be involved in such drop-offs or pick-ups, how often, from which schools or other locations, what are the peak hours, and the aggregate number of vehicle trips during those peak hours?

9. How will sensitive receptors such as the proposed toddler/preschool facility and proposed day care facility be affected by: (a) school bus emissions and (b) other, cumulative emissions from at least one thousand two hundred (and arguably a great many more) daily vehicle trips to and from the park and the proposed new buildings and other recreational facilities therein?
10. Will any of the proposed buildings include a commercial kitchen that may emit objectionable odors, smoke, or pollutant particulates? How will such fumes and other emissions related to cooking of foods affect the air quality?

C. Biological Resources

A large area of the park has been untouched by human interference. The coastal Live Oak woodland of the Nipomo Mesa is a unique natural habitat consisting mostly of the Coast Live Oak. The coastal Live Oak woodland, which has taken hundreds of years to evolve, is rapidly disappearing and is being increasingly fragmented due to encroaching developments. One of the last remnants of the coastal Live Oak woodland is in Nipomo Community Park. A careful study is required to determine the extent of the potentially devastating and irreversible impacts that the proposed park master plan may have on this dwindling resource and to formulate appropriate mitigations to protect this valuable habitat.

In addition to the foregoing concern, the proposed park development may have adverse effects, either directly or through habitat modifications, on multiple plant and animal species that have been identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish or Wildlife Service.

An up-to-date inventory of plant species unique to and scarce in the park is essential to protection of these biological resources. Several species of uncommon and rare plants have been reported in the park. These include:

- 1.1 Bigelow's Spike-Moss (uncommon)
- 1.2 Gnaphalium ramosissimum (uncommon)
- 1.3 Silene laciniata ssp. major (uncommon)
- 1.4 Helianthemum scoparium (uncommon)
- 1.5 Shagbark Manzanita (rare)
- 1.6 San Luis Obispo Suncup (uncommon)
- 1.7 California Peony (uncommon)
- 1.8 Mission Star (uncommon)
- 1.9 Purple Owl's Clover (uncommon)
- 1.10 Blue Toadflax (uncommon)

Comparison of inventoried plants in the park with the following publications will establish the degree of environmental fragility:

- *Inventory of Rare and Endangered Vascular Plants of California* (California Native Plant Society 2001)
- *Special Vascular Plants, Bryophytes, and Lichens List* (CDFG 2003), State and Federally Listed Endangered, Threatened, and Rare Plants of California (CDFG 2003)
- State and Federally Listed Endangered, Threatened, and Rare Plants of California (CDFG 2003)
- *State and Federally Listed Endangered, Threatened, and Rare Plants of California* (CDFG 2003)

Moreover, an up-to-date inventory of birds reported in the park is essential to protection of this biological resource. Several species of uncommon, rare, and very rare birds have been reported in the park. These include:

- 2.1 Sharp-shinned Hawk (uncommon)
- 2.2 Cooper's Hawk (uncommon)
- 2.3 Ferruginous Hawk (uncommon)
- 2.4 Long-billed Curlew (uncommon)
- 2.5 Hairy Woodpecker (uncommon)
- 2.6 Olive-sided Flycatcher (rare)
- 2.7 Western Wood-pewee (uncommon)
- 2.8 White-breasted Nuthatch (uncommon)
- 2.9 Pygmy Nuthatch (single sighting)
- 2.10 Brown Creeper (uncommon)
- 2.11 House Wren (uncommon)
- 2.12 Blue-gray Natcatcher (uncommon)
- 2.13 Hermit Thrush (uncommon)
- 2.14 California Thrasher (uncommon)
- 2.15 Nashville Warbler (very rare)
- 2.16 Townsend's Warbler (uncommon)
- 2.17 Hermit Warbler (rare)
- 2.18 Wilson's Warbler (uncommon)
- 2.19 Savannah Sparrow (uncommon)
- 2.20 Fox Sparrow (uncommon)
- 2.21 Lincoln's Sparrow (uncommon)

Comparison of inventoried birds in the park with the following publications will establish the degree of environmental fragility:

- *California Department of Fish and Game Natural Diversity Data Base* (Oceano, Nipomo, Tar Spring Ridge, and Arroyo Grande NE quadrangles) (CDFG 2003)
- *Special Vascular Plants, Bryophytes, and Lichens List* (CDFG 2003)

- *State and Federally Listed Endangered and Threatened Animals of California* (CDFG 2003)
- *Special Animals* (CDFG 2003)

Other relevant concerns and significant potential biological impacts on the park that must be studied and mitigated to an inconsequential level include the following:

- 3.1 How will this project affect the wildlife resources in the park; the adjacent natural open spaces and wildlife corridor, and the habitat upon which wildlife depends?
- 3.2 Will the development require excavation of any ditches, tunnels, trenches, or install pavement within a radius of ten (10) feet from any native or public tree?
- 3.3 How many mature trees would be removed under the proposed park master plan? How much of the natural grassy areas and meadows will be paved over or otherwise disturbed?
- 3.4 Will the development conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 3.5 Will the development conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?

D. Cultural Resources

According to a report authored by Nipomo Recreation Center Director David Yosso and Cal Poly student Nathan Parks, entitled, *Feasibility Study for the Construction of the Nipomo Community Center and Park Development*, "an archaeology report that partially encompassed the project area" was compiled in June 2002. A California Historic site lies in the eastern section of the park in the existing baseball diamond area, identified as CA-CLO-2188H. The report goes on to confirm that archaeologically significant historic remains dating from 1880 to 1930, including Depression Era artifacts, have been unearthed in the area. Yosso further states that the Regional California Historical Resources Information Center in Santa Barbara confirms that there are three archaeologically significant prehistoric sites within one mile of the development site. Yosso argues that no prehistoric or historical artifacts have been discovered at the project site, however, it is also true that the previously mentioned archaeology report only partially encompassed the park and did not study any of the area where the proposed development would occur. On page 40 of his report, Yosso admits that "since the Nipomo area has traditionally been known to contain archeological findings, and three known sites are within 1 mile of the project, the archeologist recommends that monitoring occur during any construction" in the project area.

Because the project site has not been fully investigated, any prehistoric, paleontological, archaeological, historic, or culturally important landmarks, monuments, or artifacts upon, under or near the project site must be evaluated and potential impacts mitigated.

E. Drainage and Erosion

The proposed park development will create a tremendous amount of hardscape that does not now exist in the park. "Hardscape" includes asphalt roadways, parking lots, buildings, concrete pads for basketball and tennis courts, and other similar types of facilities having non-porous surfaces that would inhibit percolation of rainwater runoff and cause such runoff to be diverted elsewhere. Such diversion may cause flooding of areas in the park previously not susceptible to flooding. Manmade channels and drainage retention basins must be built to handle the increased runoff and must be properly engineered so that flooding of roads, structures, and other improvements does not occur.

Anticipating the potential impacts from rainwater diversion, the park master plan envisions that two drainage basins will be built on low ground near the project. An on-site inspection confirms that considerable excavation will be required to create these basins. They must be deep enough and of sufficient diameter that a considerable volume of water can be ponded during a major storm. During such peak flow events, the water level in these basins must remain below that of the proposed roads, parking lots, and nearby structures.

The Project Description raises a number of red flags. For one, it does not provide even a glimmer of information about the square footage of the new buildings, or of the new concrete surfaces such as basketball and tennis courts, or the size of new parking lots, or how many new parking spaces will be built. Without such data, it is impossible to "guesstimate" how much hardscape will be built or how much drainage capacity might be needed. Furthermore, soil and percolation dispersion conditions at the project site are unknown.

These quantitative values must be studied to determine the volume of rainwater runoff from the project's new hardscape. Only then will it be possible to calculate the required depth and circumference of these drainage basins. More than two basins may be needed to handle the runoff that may occur during peak flow events. The need for an additional basin may trigger further impacts on the park which require further study and additional mitigation.

Another potential significant impact on the park's aesthetics directly related to drainage is San Luis Obispo County Parks' own track record of building drainage basins in the park. A basin built by the County two years ago at the corner of Tefft Street and Pomeroy Road is much larger than necessary, very deep, and, quite frankly, an embarrassing visual blight. The Nipomo Community Advisory Council has twice complained to the County, asking that landscaping be planted to screen this eyesore from motorists and pedestrian passersby. Now County Parks is proposing to build two more drainage basins in the park. These two new basins will be highly visible from almost every vantage point in the park. Therefore, the site topography must be studied, the design of the basins must be well thought-out, and appropriate landscaping must be installed to ensure that the destruction of park views and the needless wasting of park land – a precious and finite resource -- will not be repeated.

Potential impacts and mitigations should be addressed by competent design and landscape professionals so the “cure” does not create greater impacts than if nothing at all were done to correct the underlying problem.

F. Noise

An increase in both long-term and short-term noise will be created by this development. Potentially sensitive noise receptors (e.g., residences) exist on all sides of the project. Long-term noise will inevitably increase as a result of additional, new vehicle traffic (see “Air Quality” (section B), paragraph 2, citing Nipomo Recreation Center Director David Yosso’s own study that the previous, much smaller Recreation Center on Frontage Street generated one thousand two hundred vehicle trips per day – this traffic would be in addition to the already enormous amount of traffic and congestion that presently exists in and around the park due to existing park uses as well as traffic from the adjoining (and admittedly over-crowded) Dana Elementary School on the western perimeter of the park.

Significant noise will also be generated from outdoor events and the use of amplified sound emanating from the various new facilities. The cumulative effect of these noise sources will greatly exceed the noise levels currently produced by existing recreational uses throughout this predominantly rural park.

In addition, temporary short-term noise impacts will be generated during construction of the new facilities. The peak noise for construction equipment that will be used during the project construction is expected to be 70 to 95 dBA at a distance of 50 feet. This level of noise will impact the users of the park during construction. Mitigations of the increased noise from these multiple sources need to be developed.

Noise and nuisance generated by the proposed Gymnasium//Teen Center/Skate Park/ Recreation Center/Commercial Kitchen and various other facilities will ultimately depend on the size of the facilities, how the facilities will be used, and by which user groups. The proposed facilities may create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Other relevant concerns and significant potential noise impacts on the park, patrons of existing and well-established park uses, and surrounding residential neighborhoods that must be studied and mitigated to an inconsequential level include the following:

1. For purposes of noise computation, what are the hours of operation and peak hours of these facilities on: (a) week days, (b) week nights, (c) weekend days, (d) weekend nights, (e) holiday days, and (f) holiday nights.
2. Will the proposed facilities be used for entertainment activities, celebrations, or commercial events including but not limited to fundraisers, weddings, Bar Mitzvahs, bachelor parties, proms, auctions, Teen Raves, dances, live bands, punk rock or rap music concerts, theater productions, playing amplified music or boom box equipment, or any other activities that produce loud and/or repetitive sounds or rhythms, or lyrics or other content that could be construed as socially

offensive, obscene, or otherwise objectionable to residents and/or children in the surrounding neighborhoods .

3. Will the facilities be used for any competitive sporting events at which loud and repetitive noise from spectators typically occurs including but not limited to indoor or outdoor basketball, wrestling, boxing, or other commercial sporting or entertainment venues?
4. Will alcohol be dispensed or consumed in any of the new buildings or other proposed recreational facilities?
5. Will any of the public, private, or commercial events conducted at any of the new facilities potentially give rise to loud, repetitive, or offensive noise or nuisance, including but not limited to cheering, whistling, Karaoke singing, chanting, screaming, booing, or obscene language?
6. How will the noise, potential nuisance, and hours of operation associated with the activities conducted in these facilities impact: (a) walkers, hikers, joggers, picnicking families, equestrians, and other classes of park users, (b) Library users, (c) nearby residences; (d) nearby Churches and worship services, and (e) Dana Elementary School?

G. Public Services

Inarguably, there will be an increased demand for public services from: (a) the influx of additional people using the park's new facilities, (b) the "public service intensive" nature of the proposed facilities, and (c) the residential neighborhoods on all sides of the park which potentially will experience a higher demand for police and emergency responder services to handle incidents of vandalism, burglary, drug dealing, gang activity, physical altercations, and other crimes that predictably will accompany the increased number of park users and the particular types of activities which the park master plan envisions.

If development occurs in the interior of the park, additional police patrols will be required to manage the increased population of the park, as well as to protect the new buildings from burglary, arson, and other forms of vandalism.

Also notable is the fact that it is the current policy of San Luis Obispo County Parks that the park is closed from dusk until sunrise. This has been true for a number of years and for good reason – gangs, drug dealers, sexual deviates and other criminal elements are known to frequent secluded places such as the park when the sun goes down. At the same time, the recreational facilities contemplated in the Project Description lend themselves to night-time use and/or should be utilized at night to capture the maximum benefit from the expenditure. Such night use would certainly require additional police and patrol vehicles than if there were no development in the park. If the bulk of the new buildings and buildings were instead sited on the perimeter of the park, there would still be need for more frequent

patrols, but they might be made part of a community patrol routine, since the police vehicles would remain on city streets.

The increased density of buildings within the center of the park will require additional fire protection mitigation. The numerous new buildings will likely require internal suppression sprinklers to comply with State and local building and safety codes, and additional access facilities for fire trucks will be required. This may necessitate wider roads through the park and turnaround areas. The new buildings will probably require hydrant fireflow capacities of 1,000 gallons-per-minute or greater. Current water supply lines within the park only require sufficient diameter to supply the irrigation and drinking water needs of the park (typically 1 to 2 inch diameter pipes). A 1,000 gallon-per-minute hydrant can easily require greater than eight-inch diameter lines. A thorough fire safety analysis of the park development project, certified by the California Department of Forestry, is essential. Moreover, the potential significant impacts of a major excavation across the park to install a larger water pipeline must be studied and mitigated.

Other relevant questions and underlying, potential significant impacts on public services related to this park master plan include but are not limited to the following:

1. Will any of the proposed facilities be used to provide social services or rehabilitation to "at risk" youth or other individuals who have been identified by school, probation, law enforcement, or social service agencies as having disciplinary problems or have had prior involvement with drug abuse, gang violence, truancy, theft, vandalism, or other criminal or antisocial behavior?
2. Will any of the proposed facilities in the park be used by law enforcement as a drop-off site for youth curfew violators?
3. Will any of the proposed facilities in the park be used to provide education, outreach, case management, referral or counseling services to individuals participating in any of the following programs for either youth or adults: drug/alcohol prevention; AIDS prevention; truancy/delinquency abatement; gang abatement, anger management, or mental health services?

Detailed information on the proposed new facilities, usage profiles on intended users, and a thorough analysis of impacts and mitigations required to address the increased demand on public services is needed. The Project Description fails to provide sufficient data to do such an analysis at this time.

H. Transportation and Circulation

Traffic levels in the park as they exist today need to be measured and compared to the projected traffic at full build-out of the park development plan. Project trip generation, trip distribution, traffic volume and levels of service should be assessed. As previously noted, the former Nipomo Recreation Center site generated one thousand two hundred daily vehicle trips. This level of congestion, coupled with the gridlock that already exists from

hundreds of vehicles coming and going twice a day from the severely over-crowded Dana Elementary School, and further exacerbated by the additional traffic from the new park facilities including a preschool, gymnasium, teen center, administration building, and community center, needs to be addressed by a significant traffic and circulation study and design for mitigation.

The plan to realign Orchard Avenue as well as Juniper Street and to create a “through” road across the park connecting the intersections of Tefft and Orchard to Juniper and Pomeroy may invite cross-park traffic that has never previously used the park. Thus, in addition to the additional traffic created by the existing and anticipated new users of the park, the potential impacts of this “short cut” traffic needs to be studied and mitigated.

If development occurs within the park interior, access roads will need to be modified to accommodate fire and rescue vehicles. The twelve hundred vehicle trips per day baseline from the old Recreation Center facility, plus the additional traffic generated by the new buildings and other facilities, and further potential traffic from the Orchard Road “short cut” through the park, all would compete with emergency response vehicles (i.e., police, fire and ambulance). Building additional traffic lanes by widening the Orchard extension could mitigate the congestion, but not without having degrading the rural aesthetics of the park. Placing the majority of the development on the perimeter of the park (e.g., along Tefft Street as proposed in Design Alternative Two) would still involve a greater number of police, fire, and rescue calls, but existing city streets already accommodate those emergency vehicles.

The increased use of park access roads by the additional numbers of people accessing the various new facilities envisioned in the park master plan will invariably result in more wear and tear on those roads and, thus, higher road maintenance costs. The County has often said: “There is plenty of money to build new things . . . but no money for maintenance.” Likewise, as gridlock in rural Nipomo becomes more severe, we are told that the County has no money to build new roads or improve existing roads. This does not bode well for either the park infrastructure or its increased numbers of users. The potential impacts of this increased use of park roads must be analyzed. Furthermore, a reliable plan of action must be developed and put in place to ensure that the higher road maintenance costs generated by the proposed park development are adequately funded.

A cogent understanding of the increased public services needed to support this park development, and an affirmative plan of action to ensure that the necessary infrastructure is in place before this intensive development is allowed to proceed is essential. Otherwise, we are doomed to repeat the careless and negligent planning decisions made at the County level which have given us traffic gridlock across Nipomo, shopping centers with poorly designed and unsafe exits, and a lack of neighborhood parks in newly built communities which are congested even before the last home in the development is sold. Many Nipomo residents are already complaining that such traffic and other infrastructure deficiencies have become exponentially worse with each passing year and are undermining the rural quality of life that they are promised in the General Plan.

Other relevant concerns and potential significant impacts involving traffic and circulation within the park and on the streets and neighborhoods around the park that may arise from this park development, and which require study and mitigation, include but are not limited to the following:

1. Will the park development cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
2. Will the project result in temporary street or lane closures that would induce a change of traffic patterns or capacity that is substantial in relation to the existing traffic load and capacity of the street system during construction activities (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
3. Would the project exceed either individually or cumulatively a level of service standard established by the county congestion management agency for designated roads or highways?
4. Will the project result in a change in vehicle traffic patterns including either an increase in traffic levels or other changes which result in potential safety risks or other impacts?
5. Will the park's interior road be open to traffic at night? If so, will this result in potential "cruising," joyriding, or use of the Orchard Road "short cut" through the park by drunk drivers, speeders, or other dangerous or unlawful activities?
6. Will increased traffic through the park result in potential safety hazards to joggers, walkers, bicyclists, families picnicking on the grass adjacent to the road, or children playing in the immediate vicinity of the vehicular traffic?
7. Will the project create or exacerbate problems with inadequate parking capacity, with resulting impacts on traffic and circulation, noise, public safety, or the aesthetics of the park?

1. Water Resources

Nipomo Community Park is currently served with potable water by the Nipomo Community Services District (NCSO). A test well drilled on the park property was determined to have inadequate water production. Due to excess water pumping on the Nipomo Mesa in recent years, a condition exacerbated by explosive residential development in the South County, the San Luis Obispo County Planning Commission, as well as the SLO County Department of Planning and Building staff, have recommended that the Board of Supervisors declare a Level III water severity condition in the South County. Level III indicates the most critical

level of concern and occurs when demand for the resource equals or exceeds its supply. The NCSD agrees with this assessment and has limited new water connections under a restricted water allocation process adopted in 2004. No more than fifty-one (51) acre feet of water per year can be obligated to NCSD customers until further notice.

The new grass multipurpose sports fields, playing fields, and playgrounds envisioned in the proposed park development require the greatest use of water. Of all landscaping, grass uses the most water and returns the least water to the aquifer, which provides the NCSD its water supply. It is very unlikely that the NCSD would approve additional water supply to the park to irrigate these fields in light of the current water severity conditions. Any additional use by the park of water taken from beneath the Nipomo Mesa will create a significant additional stress on an already severely depleted water source.

Apart from whether the NCSD would serve additional water to the new grass fields in the park development, the aggregate water requirements of the remaining park development must be carefully studied and a determination made as to whether the NCSD would be willing to supply those requirements or only a portion of the anticipated needs. In the latter case, some of the proposed facilities in the park master plan could not be developed until such time that supplemental water becomes available and/or the Level III severity is otherwise reduced to a less critical condition.

Despite optimistic predictions that supplemental water will be flowing through the NCSD pipes very soon, there is no assurance that this water will materialize, or when. Some months have passed since a water purchase agreement was signed with Santa Maria and as of this moment, the NCSD has no idea how the water will be brought in, or how much it will cost to develop the infrastructure, or where the money will come from, or who will pay the cost. It could take months of planning and negotiating with landowners; and more months or years to complete the required environmental studies and obtain the necessary permits to transport chlorinated water over, under, or through the Santa Maria River.

In any event, an alternative water source other than the aquifer beneath the Nipomo Mesa must be identified to supply additional park water requirements for this project.

J. Wastewater

The NCSD sewer system does not currently service the park. Existing restrooms use on-site septic systems. The additional population of park users who will be using the new facilities and, in turn, using the restrooms, needs to be known before an assessment of on-site wastewater treatment requirements can be made. It is very likely that a sewer connection to the NCSD community sewer system will be required. The park topography lies at a lower level than the NCSD sewer mains. Consequently, use of the NCSD sewer would require a complicated and expensive set of lift stations to pump the sewage uphill. An indepth study of anticipated park usage patterns and the projected user population will be required before this analysis can be commenced.

Other relevant questions and potentially significant impacts on the park environment and infrastructure arising from this development involving wastewater considerations include but are not limited to the following:

1. Will the project exceed wastewater treatment requirements of the Regional Water Quality Control Board?
2. Will the park development plan require or result in the construction of new wastewater treatment facilities or expansion of existing facilities? If so, would this new construction or expansion have potential environmental impacts?
3. Will the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities? Will this new construction or expansion have potential environmental impacts?
4. Will the project result in a favorable determination by the wastewater treatment purveyor (i.e., the NCSD) that it has adequate capacity to serve the project's anticipated demand?
5. Will the park development plan comply with federal, state, and local statutes and regulations related to solid waste?

PART 3: RECOMMENDATIONS AND ALTERNATIVES

We recommend that the Nipomo Community Park Master Plan set forth in the Project Description be denied for the reasons stated earlier in this document – to summarize, both of the suggested alternative design schemes would have significant, multiple impacts on the park that cannot be mitigated to a less than significant level or that which, if mitigated, radically change and degrade the rural character of the park. This injection of a “big city” recreation complex into one of the last frontiers of old Nipomo would degrade or destroy scenic park viewsheds, threaten natural areas, eliminate pathways and trails which have been used by hikers and equestrians for many years, and encroach upon plant and animal species inhabiting the wilderness areas, which are already rapidly vanishing in an ocean of suburban estates and condominiums.

In place of the two unacceptably intensive designs mentioned in the Project Description, we recommend an alternative plan that would allow the various proposed recreational facilities to be built, but would also ensure that development proceeds in ways which protect the rural character of Nipomo Community Park and which preserve the rural flavor of Nipomo. Our specific recommendations are as follows:

1. Acquire New Park Land East of the Freeway

An 80-acre undeveloped property adjacent to the Nipomo High School has been identified as a potential site where new recreational facilities appropriate for teenaged youth could be developed. Locating these facilities within walking distance of the high school will allow the persons who are most likely to use them to do so conveniently. Hundreds of daily vehicle trips to and from Nipomo Community Park would be eliminated, and motorists would be spared worsening gridlock on Tefft Street during peak traffic hours.

New facilities recommended for this proposed new park site would include:

- Gymnasium/Rec Center
- Skate Park
- Teen Center
- Amphitheater
- Preschool/Daycare and Administration
- Playground
- Open lawn for open play
- Basketball and handball courts
- Several multipurpose sports fields
- Restrooms and Parking

2. “Rural Friendly” Limited Development of Nipomo Community Park

Under our “rural-friendly” design alternative, limited development of low-impact facilities would occur in Nipomo Community Park. The development would be consistent with the rural nature of the park, preserving most of the existing natural and wilderness areas. The

placement of new facilities should be studied and decided by a consensus of the Nipomo Community Advisory Council with input from local groups, park users, and residents. The new facilities proposed here are intended to serve the growing needs of the community for the next 10-15 years and would include:

- Perimeter trail around the park
- Equestrian staging area
- Convert existing tennis courts exclusively to basketball courts
- Develop a new, modest-sized grassy area for:
 - Open play, picnicking
 - 2 covered and 2 open BBQs
 - 6 new tennis courts, 1 volleyball court
 - 2 restrooms
 - Additional parking
 - Gazebo
- Expand the existing children's playground area moderately
- Adult exercise equipment
- New landscaping throughout the park
- Retain off-leash dog-area, baseball fields and horseshoe pits "as is"

3. Nipomo Park Community Center

A small footprint Community Center should be built at the park entrance on Pomeroy Road. This building would be used for meetings of local groups (4H Club, NCAC, etc.), lectures, classes for all age groups, etc. It would be a one-story building (not a gymnasium), similar in size and design to the NCS D Building in Old Towne. The NCS D should assume management of this building for the County.

The Community Center would make use of the existing, large parking lot that runs along Pomeroy, allowing convenient access to the facility from Pomeroy without diverting traffic into the park's interior. A new traffic light should be placed at the park entrance. This signal would have the added benefit of improving safety at this intersection.

4. Sports Field Complex at Kaminaka Park

New sports fields and other limited outdoor recreational amenities should be developed at the Kaminaka Park, namely:

- 2 soccer fields
- 2 baseball/softball fields
- 1 volleyball court
- Grassy lawn for picnics, open play
- Restrooms and parking
- Veterans Monument

5. Items to be Deleted from Park Master Plan

The two proposed drainage basins should be deleted from the park plan. These basins would not be needed under the less intensive development suggested in this document.

6. Conclusions

The “rural friendly” design alternative proposed in this document will not only facilitate construction of all recreational amenities envisioned in the initial Project Description but will also satisfy the need for acquiring additional park land on the east and north sides of Nipomo and distribution of recreational facilities throughout the community.

Please direct questions about this park design alternative to the Nipomo Parks Conservancy staff at Staff@NipomoParks.Org

PROPOSED BUILDINGS AND OTHER FACILITIES

- a. Skate Park
- b. Community Pool
- c. Amphitheater
- d. Teen Center
- e. Preschool and Administration
- f. Gymnasium
- g. Community Center
- h. Basketball courts
- i. Handball courts
- j. Tennis courts
- k. Playground
- l. Open lawn for open play
- m. Gazebo/Informal Stage
- n. Equestrian staging area
- o. Off-leash dog area
- p. Horseshoe pits
- q. Ranger Residence
- r. Maintenance Facility
- s. Two drainage basins
- t. Two restrooms
- u. Additional parking throughout the park
- v. Multipurpose trails around the perimeter of the park
- w. New landscaping throughout the park