

CHAPTER 9

RESPONSE TO COMMENTS

The Response to Comments chapter of the EIR includes comment letters for the Port San Luis Harbor Terrace Development Plan Draft EIR. These comment letters were received from entities including federal and state agencies, non-agency organizations, and the general public. In accordance with CEQA Guidelines §15132(d), this Final EIR presents the Harbor District'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 2013 Draft EIR.

Respondent	Code	Contact Information	Page
State of California Office of Planning and Research State Clearinghouse and Planning Unit Letter dated: October 31, 2014	SCH	1400 10th Street Sacramento, CA 95812 www.ceqanet.ca.gov	9-2
Federal Emergency Management Agency Region IX Letter dated: September 22, 2014	FEMA	1111 Broadway, Suite 1200 Oakland, CA 94607-4052 <i>Contact: Gregor Blackburn,</i> <i>CFM, Branch Chief,</i> <i>Floodplain Management</i> <i>and Insurance Branch</i>	9-5
County of San Luis Obispo Department of Planning and Building Letter dated: November 13, 2014	SLOPB	County Government Center San Luis Obispo, CA 93408 <i>Contact: Rob Fitzroy,</i> <i>Environmental</i> <i>Resource Specialist</i>	9-8
San Luis Obispo Council of Governments Letter dated: November 13, 2014	SLOCOG	1114 Marsh Street San Luis Obispo, CA 93401 <i>Contact: Ronald L. De Carli,</i> <i>Executive Director</i>	9-16
San Luis Obispo County Air Pollution Control District Letter dated: November 13, 2014	SLOAPCD	3433 Roberto Court San Luis Obispo, CA 93401 <i>Contact: Gary Arcemont, Air</i> <i>Quality Specialist</i>	9-18
California Coastal Commission Central Coast District Office Letter dated: November 14, 2014	CCC	725 Front Street, Suite 300 Santa Cruz, CA 95060 <i>Contact: Daniel Robinson,</i> <i>Coastal Planner</i>	9-21



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

October 31, 2014

Steve McGrath
San Luis Harbor District, Port of
3950 Avila Beach Drive
PO Box 249
Avila Beach, CA 93424

Subject: Port San Luis Harbor Terrace Development Plan
SCH#: 2014031024

Dear Steve McGrath:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on October 30, 2014, 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.

SCH-1

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,

Scott Morgan
Director, State Clearinghouse

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NOV - 5 2014

PORT SAN LUIS
HARBOR DISTRICT

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#	2014031024		
Project Title	Port San Luis Harbor Terrace Development Plan		
Lead Agency	San Luis Harbor District, Port of		
Type	EIR	Draft EIR	
Description	Range of overnight campground accommodations w/in a range of costs, including 80 RV sites, 15 RV/RV cabin sites, 31 hotel/motel units (yurts, cabins, casitas, or bungalows), 35 car/tent campsites, and 21 walk-in campsites. Approx. 16,000 sf of commercial uses may include retail, restaurant, meeting/conference facilities; office/lobby/reception area; campground manager's residence; storage/restroom/laundry area; and picnic/gathering/courtyard/bbq; outdoor pool/Jacuzzi; and patio. Include 70 trailer boat storage spaces, 20 marine gear storage spaces, 1.05 acre Harbor storage area, 10,000 sf, and future 6,000 sf Harbor Use building. Includes: 48,000 sf public parking;		
Lead Agency Contact			
Name	Steve McGrath		
Agency	San Luis Harbor District, Port of		
Phone	805 595 5414	Fax	
email	sscott@swca.com		
Address	3950 Avila Beach Drive PO Box 249		
City	Avila Beach	State CA	Zip 93424
Project Location			
County	San Luis Obispo		
City			
Region			
Lat / Long	35° 10' 33.8" N / 120° 45' 16.5" W		
Cross Streets	Avila Beach Drive/Babe Lane		
Parcel No.	076172002, 010, 019, 022; 171018, 021		
Township	31/32S	Range 11E	Section Base MDB&M
Proximity to:			
Highways			
Airports			
Railways			
Waterways	San Luis Crk, Wild Cherry Cyn Crk, unnamed drainages		
Schools			
Land Use	Harbor/boat/RV; Public Facilities, Agriculture/LCP, Geological Study, Archaeologically Sensitive, Coastal Stream, Sensitive Res.		
Project Issues	Air Quality; Biological Resources; Archaeologic-Historic; Geologic/Seismic; Toxic/Hazardous; Noise; Public Services; Recreation/Parks; Traffic/Circulation; Other Issues; Water Quality; Water Supply; Aesthetic/Visual; Agricultural Land; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Minerals; Population/Housing Balance; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Vegetation; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects		
Reviewing Agencies	Resources Agency; Department of Boating and Waterways; Coachella Valley Mountains Conservancy; Department of Fish and Wildlife, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Caltrans, District 5; Air Resources Board; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission		
Date Received	09/16/2014	Start of Review	09/16/2014
		End of Review	10/30/2014

9.1.1 Response to Letter from State Clearinghouse

Comment No.	Response
SCH-1	Standard notice of agency distribution from State Clearinghouse. No changes to the EIR are necessary.

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U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052



FEMA

September 22, 2014

Shawna Scott, Senior Planner
Port San Luis Harbor District
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, California 93401

Dear Ms. Scott:

This is in response to your request for comments regarding the Public Notice of Availability of a Draft Environmental Impact Report for the Port San Luis Harbor Terrace Development Plan project.

FEMA-1

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of San Luis Obispo (Community Number 060304), Maps revised November 16, 2012. Please note that the County of San Luis Obispo, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any *development* must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

FEMA-2

FEMA-3

www.fema.gov

NOT FOR CONSTRUCTION

Shawna Scott, Senior Planner
Page 2
September 22, 2014

- All buildings constructed within a coastal high hazard area, (any of the “V” Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.
- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA’s Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

FEMA-4

FEMA-5

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community’s floodplain manager for more information on local floodplain management building requirements. The San Luis Obispo County floodplain manager can be reached by calling John Maguire, Head of Engineering, Public Works Department, at (209) 953-7617.

FEMA-6

If you have any questions or concerns, please do not hesitate to call Jane Hopkins of the Mitigation staff at (510) 627-7183.

Sincerely,



Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:
John Maguire, Head of Engineering Services, Public Works Department, San Luis Obispo County
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region Office
Jane Hopkins, NFIP Planner, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

www.fema.gov

9.1.2 Response to Letter from Federal Emergency Management Agency

Comment No.	Response
FEMA-1	The Flood Insurance Rate Map (FIRM) for the County of San Luis Obispo (Community Number 060304) dated November 16, 2012 was reviewed during preparation of the Draft EIR. No changes to the EIR are necessary.
FEMA-2	As documented in the Draft EIR (Section 4.8.1.5 Hydrology and Water Quality, Flood Hazard), the project site not located within a flood zone. A Special Flood Hazard Area (Zone AE) subject to 1% annual flood (100-year flood zone) is located adjacent to the project site, at elevation 24, which covers Avila Beach Drive. No structures are proposed within Zone AE. No changes to the EIR are necessary.
FEMA-3	The project is not located within a Regulatory Floodway; the flood risk in the immediate area is due to coastal/ocean flooding. Please refer to Draft EIR Section 4.8 (Hydrology and Water Quality) and hydrological analysis study conducted for the project (Sherwood 2014) (see Appendix F of the EIR). Based on the hydrological analysis and incorporation of design measures identified in the study consistent with County of San Luis Obispo standards, the proposed project would not change the rate or amount of surface runoff flowing from the site onto the beach, and would not increase the base flood level (elevation 24). No changes to the EIR are necessary.
FEMA-4	Please refer to Draft EIR Section 4.8 (Hydrology and Water Quality). No buildings are proposed within Zone VE (elevation 24). No changes to the EIR are necessary.
FEMA-5	Based on the EIR analysis, completion of the development would not change existing Special Flood Hazard Area, and a FIRM revision is not necessary. No changes to the EIR are necessary.
FEMA-6	The Draft EIR and hydrological analysis study (Sherwood 2014, see Appendix F of the EIR) were reviewed by the County Department of Public Works. No changes to the EIR are necessary.



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the Wise Use of Land – Helping to Build Great Communities

November 13, 2014

Port San Luis Harbor District
 c/o Shawna Scott, Senior Planner
 SWCA Environmental Consultants
 1422 Monterey Street, Suite C200
 San Luis Obispo, CA 93401
 sscott@swca.com

Subject: Harbor Terrace - Draft Environmental Impact Report (EIR) Comments

Dear Ms. Scott,

Thank you for the opportunity to comment on the Draft EIR for the Harbor Terrace project located in Avila Beach. The County of San Luis Obispo is a Responsible Agency and will be considering issuance of a Coastal Development Permit for the project upon approval of the project and certification of the EIR by Port San Luis Harbor District. The County of San Luis Obispo as a Responsible Agency will rely upon the certified EIR when processing the Coastal Development Permit and other applicable permits. The County offers the following comments on the Draft EIR.

SLOPB-1

Global Comments:

1. In general, it would be helpful to list mitigation measures from the Port Master Plan Final Program EIR when referencing them in the list of mitigation measures within each respective section. For Example, Page 4.1-19, under Impact AES-1, mitigation measure V-1, V-2 and V-3 are mentioned from the Program EIR but not listed specifically. It is understood that those measures are listed in the setting, but it may be helpful to the reader to have them listed in the mitigation measures as well.
2. Mitigation measures should specify who items will be submitted to and when. For example, GEO/mm3 states "shall submit a fault investigation report", this should state who it will be provided to. Several measures include such language, as such it is recommended to further specify who/what/when if the applicant is to submit a particulate item.

SLOPB-2

SLOPB-3

Aesthetics:

3. County staff has reviewed this section; no comment.

SLOPB-4

Air Quality:

County staff reviewed this section and offers the following comments. In addition to County staff comments, please see the attached letter from the Air Pollution Control District.

SLOPB-5

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
 planning@co.slo.ca.us • FAX: (805) 781-1242 • sloplanning.org

<p>4. Regarding AQ Impact 1 and construction emissions, it is understood that emissions would exceed construction thresholds with mitigation as modeled by CalEEMod. Mitigation measure AQ/mm-5 requires coordination with APCD to calculate how implementation of CAMP and BACT would further reduce emissions. If emissions are below threshold after implementation of CAMP and BACT no further action would be required, but evidence will need to be provided to the County supporting this conclusion. If emissions still exceed thresholds, it will need to be demonstrated how the payment of fees would mitigate air quality impacts and measures should be specified and/or performance standards included. Please consider including a statement that the County will need to be provided the calculations and results of the subsequent air quality analysis.</p>	SLOPB-5
<p>5. Regarding AQ Impact 4, it is noted that operational emissions were calculated using CalEEMod (as per standard practice). Given that the project would include a larger proportion of RV's than most common projects, was the fleet mix assumed for the CalEEMod model run adjusted to account for the higher proportion of RV's or was an appropriate land use selected in the model to account for the higher proportion?</p>	SLOPB-6
<p>Biological Resources:</p>	SLOPB-7
<p>6. County staff has reviewed this section; no comment.</p>	
<p>Cultural Resources:</p>	
<p>7. County staff has reviewed this section; no comment.</p>	
<p>Geology and Soils:</p>	
<p>8. County staff and the County Geologist reviewed this section; no comment.</p>	
<p>Greenhouse Gas Emissions:</p>	SLOPB-8
<p>County staff reviewed this section and provide the following comment.</p>	
<p>9. As noted in Air Quality, if it is demonstrated that emissions would still exceed thresholds with mitigation, the measures for off-site mitigation should be described and how those measures would ensure that emissions would be lowered below threshold by listing measures and/or performance standards.</p>	
<p>Hazards and Hazardous Materials:</p>	SLOPB-9
<p>County staff and CalFire reviewed this section and provide the following comments.</p>	
<p>10. Include reference to the requirement for secondary egress which shows an agreement with Diablo Canyon Nuclear Power plant for emergency access and/or evacuation and analyze as applicable.</p>	
<p>11. HAZ/mm-2 d. Site access also includes pedestrian pathways/hiking trails, must also provide strategically located access for emergency vehicle equipment and signage/milepost markers.</p>	SLOPB-10
<p>12. HAZ/mm-3 b. All proposed structures are subject to the requirements of the CA Fire & building code. Yurts and other tents or membrane structures as defined in building code are not allowed as permanent structures. [Reference must also (not only) refer to chapter 7A]</p>	SLOPB-11
<p>13. HAZ/mm-3 e. Clarify to include operational "fire" water system.</p>	SLOPB-12
<p>Hydrology:</p>	SLOPB-13
<p>County staff, including Public Works, reviewed this section and provide the following comment:</p>	

14. The entire section should be revised as applicable to reflect that the County has issued a technical exemption for Performance Requirement 2.

SLOPB-13

Noise:

15. County staff has reviewed this section; no comment.

SLOPB-14

Public Services:

16. County staff has reviewed this section; no comment.

Transportation and Traffic:

17. The project is located in the San Luis Bay road fee area; payment of County road impact fees will be required. The project would generate 126 peak hour trips. Under the current fee schedule, the County has established a fee of \$3,800.00 per peak hour trip, which based on the peak hour trips generated by the project, would total \$478,800.00.

SLOPB-15

18. Encroachment permits will be required for construction activities located within the County right-of-way.

SLOPB-16

If you have any questions, please feel free to contact me at rfitzroy@co.slo.ca.us or (805) 781-5179.

Sincerely,



Rob Fitzroy,
Environmental Resource Specialist

ATTACHMENTS: APCD Comment Letter



Air Pollution Control District
San Luis Obispo County

SLOPB-17

November 13, 2014

Rob Fitzroy
Coastal Team/Development Review
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

SUBJECT: APCD Comments Regarding the Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor District Terrace Project - DRC2013-00044

Dear Mr. Fitzroy,

Thank you for including the San Luis Obispo (SLO) County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the DEIR for the Port San Luis Harbor District Terrace project (DRC2013-00044 Port San Luis Harbor). Harbor Terrace is an approximately 32-acre portion of the District's landholding's associated with Port San Luis (Port). The project shall comply with the San Luis Bay Coastal Area Plan Local Coastal Plan (LCP) so as not to require an amendment to the LCP. In compliance with the LCP, the project program will include a mix of tent sites, tent cabins, bungalows, inns or yurts, full service recreational vehicle (RV) camp sites and other related amenities such as a food and beverage retail store and/or an eating and drinking establishment, and parking and storage facilities to serve the Port. The project will improve upon existing circulation, re-vegetate portions of the site with native habitat and employ engineering solutions that meet or exceed new County of San Luis Obispo (County) and Regional Water Quality Board (RWQCB) storm water regulations.

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.**

OPERATIONAL PHASE IMPACTS

Fire Pits

Recent studies by the South Coast Air Quality Management District (SCAQMD) examined the impact of beach bonfires on public health. Results from air monitoring at Southern California beaches showed that smoke from beach fires impacted air quality in nearby residential areas.

DEIR for Port San Luis Terrace Project
November 13, 2014
Page 2 of 2

Recommendations from the SCAQMD study include:

- Locate fire pits at least 700 feet from the nearest residence; or,
- Fire pits should be at least 100 feet apart (If a city has 15 or fewer fire pits, they must be separated by at least 50 feet); and,
- Fire pits should not be used when air quality for fine particulates (PM2.5) is forecasted to exceed 100 on the Air Quality Index (AQI). Based on historical air quality data, the AQI is expected to rarely exceed 100 in the vicinity of this project.

Fire pit use is discussed on page 4.2-18 of the DEIR. The DEIR states that fire pit use is not anticipated to increase PM10 emissions above APCD thresholds and the Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions. **The APCD recommends that the Harbor District also reserve the right to prohibit fire pit use during poor air quality conditions. The APCD also recommends locating the fire pits:**

- **at least 100 feet apart; and,**
- **as far as feasible from the hotel/motel units; and,**
- **at least 700 feet from the nearest residence.**

Nuisance

As defined in APCD's Rule 402, a person shall not discharge, from any source whatsoever, such quantities of air contaminant or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or public, or which cause or have a natural tendency to cause, injury or damage to business or property. **If fire pit use has the potential to cause nuisance impacts, the project proponent needs to proactively take steps to reduce these impacts.**

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.

Sincerely,



Gary Arcemont
Air Quality Specialist

GJA/Img

cc: Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD
Shawna Scott, Port San Luis Harbor District

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9.1.3 Response to Letter from County of San Luis Obispo Department of Planning and Building

Comment No.	Response
SLOPB-1	Please refer to responses to specific comments below.
SLOPB-2	The EIR has been revised to list the Final Program EIR mitigation measures within the Project Specific Impacts and Mitigation sections within each resource section in Chapter 4 of the Final EIR, as requested, for clarity.
SLOPB-3	As requested, mitigation measures have been clarified as applicable, consistent with the Mitigation, Monitoring, and Reporting Program (Chapter 7 of the EIR).
SLOPB-4	Thank you for your comment; no changes to the EIR are necessary.
SLOPB-5	Please refer to responses APCD-1 through APCD-5. Regarding AQ Impact 1 and AQ/mm-5, the following clarification has been added to mitigation measures AQ/mm-5: <i>“Emissions calculations and results of the subsequent air quality analysis shall be provided to the County Environmental Coordinator for review and approval, in addition to the SLOAPCD”.</i>
SLOPB-6	As shown in EIR Appendix C (Air Quality and GHG Emissions), the land use for the RV and other campsites is “User Defined Recreational”. RVs will consist of both motorhomes and towed RVs. Default fleet mixes were applied for each identified land use. The operational fleet mix would consist of the following: passenger cars/light trucks/motorcycles (79%), motorhomes and medium to heavy-duty trucks capable of towing RVs (19%), and large diesel trucks associated with Harbor District areas (2%). The default CalEEMod fleet mix for the project consists of the following: passenger cars/light-duty trucks (72%), motorcycles (0.8%); light-heavy duty and medium-heavy duty trucks (capable of towing an RV) (25%), heavy-heavy duty trucks (2%), busses (0.4%), and motorhomes (0.5%). The default fleet mix is reasonable considering RV campsites would be occupied by both motorhomes and RVs that are towed by medium to heavy-duty trucks. In addition, the emissions modeling is conservative because it assumes full occupancy every day of the year, while in reality, occupancy would vary by season.
SLOPB-7	Comments noted; no changes to the EIR are necessary.
SLOPB-8	Mitigation measure GHG/mm-2 has been amended to include off-site mitigation options identified in the SLOAPCD CEQA Handbook (additional text shown in <i>italics</i>): “GHG/mm-2 Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall include building efficiency improvements with construction permit applications and/or secure SLOAPCD approved off-site reductions in GHG emissions to ensure that GHG emissions to not exceed the SLOAPCD thresholds. <i>Off-site mitigation may include, but not be limited to, the following measures, as approved by the County of San Luis Obispo Environmental Coordinator and SLOAPCD:</i> <i>a. Payment of off-site mitigation fees, as approved by the SLOAPCD and the Carl Moyer grant program;</i> ”

Comment No.	Response
	<ul style="list-style-type: none"> <i>b. Develop or improve park-and-ride lots;</i> <i>c. Retrofit existing homes in the project area with APCD-approved natural gas combustion devices;</i> <i>d. Retrofit existing homes in the project area with energy-efficient devices;</i> <i>e. Retrofit existing businesses in the project area with energy-efficient devices;</i> <i>f. Construct satellite worksites;</i> <i>g. Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles.</i> <i>h. Replace/repower transit buses;</i> <i>i. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles);</i> <i>j. Fund an electric lawn and garden equipment exchange program;</i> <i>k. Retrofit or repower heavy-duty construction equipment, or on-road vehicles;</i> <i>l. Install bicycle racks on transit buses;</i> <i>m. Purchase Verified Diesel Emission Control Strategies (VDECS) for local school buses, transit buses or construction fleets;</i> <i>n. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.);</i> <i>o. Fund expansion of existing transit services;</i> <i>p. Fund public transit bus shelters;</i> <i>q. Subsidize vanpool programs;</i> <i>r. Subsidize transportation alternative incentive programs;</i> <i>s. Contribute to funding of new bike lanes;</i> <i>t. Install bicycle storage facilities; and,</i> <i>u. Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans”.</i>
SLOPB-9	<p>Please refer to EIR Section 4.7.1 (Hazards and Hazardous Materials, Existing Conditions), which states: “Access to the Port is currently limited to Avila Beach Drive. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County Office of Emergency Services (County of San Luis Obispo 2014), and CAL FIRE (CAL FIRE 2002)”.</p>
SLOPB-10	<p>Please refer to EIR Figure 2-3 Site Layout Plan, which shows the location of proposed internal trails. These short trails would provide access in between facilities within the proposed development area. Emergency vehicles would be able to easily access these areas from existing and proposed internal access roads, and the trails are short enough that mile markers are not necessary in order for a person to call emergency services and explain to the dispatcher their location within the campground.</p>

Comment No.	Response
SLOPB-11	<p>Mitigation measure HAZ/mm-2(b) has been clarified as follows (note additional text in <i>italics</i>):</p> <p>“b. Building and construction plans incorporating fire prevention and suppression measures consistent with <i>the complete</i> California Fire and Building Code, <i>California Fire and Building Code</i> Chapter 7A Ignition Resistant Construction in Wildland Urban Interface Areas, National Fire Protection Association standards, the California Fire Code, and the California Electrical Code”.</p>
SLOPB-12	<p>Mitigation measures HAZ/mm-2(e) has been clarified as follows (note clarification in <i>italics</i>):</p> <p>“e. <i>Operational fire water system</i>, fire water storage tanks, and hydrants designed and located to the satisfaction of CAL FIRE.”</p>
SLOPB-13	<p>EIR Section 4.8.5 (Hydrology and Water Quality, Project Specific Impacts and Mitigation Measures) has been updated to include the following paragraph:</p> <p><i>“The County Public Works Department reviewed the Port San Luis Harbor Terrace Stormwater Technical Feasibility Exemption Request and Stormwater Control Plan, and determined that the preliminary Stormwater Control Plan appears acceptable, and the technical exemption for Performance Standard 2 was approved (Tim Tomlinson 2014).”</i></p> <p>All references to the exemption request have been updated in the Final EIR.</p>
SLOPB-14	Comments noted; no changes to the EIR are necessary.
SLOPB-15	Thank you for your comment; no changes to the EIR are necessary.
SLOPB-16	Thank you for your comment; no changes to the EIR are necessary.
SLOPB-17	Please refer to responses APCD-1 through APCD-5.



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

November 13, 2014
Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

RE: Harbor Terrace Draft Environmental Impact Report (DEIR)

Ms. Scott,

This letter is to provide comment on the Harbor Terrace Draft EIR. San Luis Obispo Council of Governments (SLOCOG) is the Regional Transportation Planning Agency and Metropolitan Planning Organization, as such our board is responsible for developing the Regional Transportation Plan and funding regionally significant transportation projects that enhance the economy, provide for access by all modes, and bring unique value to the region. SLOCOG has funded Harbor District projects such as the Harford Pier restoration.

SLOCOG-1

SLOCOG is generally supportive of the Harbor Terrace project, in particular that it will provide hike and bicycle camping. However the Harbor Terrace project does have the potential to increase the number of people accessing the Pier and Avila Beach from the campground, hotel, and other visitor amenities – as well as increasing overall trips into and through Avila Beach.

The DEIR does not identify any mitigation measures that include provision of bike or pedestrian facilities on Avila Beach Drive (though it does acknowledge a potential need for a left turn lane at the entrance). It also does not include any mitigation measures for San Luis Bay Drive. We recommend the Harbor District coordinate with the County and participate in a sub-regional impact fee program to assure Harbor Terrace pays it fair share of offsite roadway improvements consistent with AB 1600 and determined through traffic impact study.

SLOCOG-2

We also recommend that the mitigation measures for TR Impact 1 include bicycle and pedestrian improvements at this location should a left turn lane be needed, and that the development of a left turn lane be consistent with County Parks' Conceptual Design for the future Bob Jones/Coastal Trail segment between Avila and the Harford Pier.

SLOCOG-3

Furthermore, we see that the project itself has the following project objective:

- In new visitor serving developments on Harbor Terrace, incorporate measures to provide safe pedestrian access on- and off-site and coordinate access to the beach and other Port facilities.

SLOCOG-4

We strongly encourage the Harbor District to ensure that the final site plan include extensive pedestrian and bicyclist access that can potentially reduce the amount of vehicular traffic traveling between the new amenities at Harbor Terrace and destinations in Avila and at the Pier.

If you have any questions or concerns please contact me at 781-4251 or Jessica Berry at 781-5764.

Sincerely,

Ronald L. De Carli
Executive Director

1114 Marsh Street San Luis Obispo, CA 93401 | t (805) 781-4219 f (805) 781-5703 | slocog@slocog.org SLOCOG.ORG

9.1.4 Response to Letter from San Luis Obispo Council of Governments

Comment No.	Response
SLOCOG-1	Thank you for your comment; no changes to the EIR are necessary.
SLOCOG-2	The Harbor District has coordinated, and will continue to coordinate, with County Public Works and County Parks regarding potential transportation and circulation-related impacts and current and future projects including the extension of the Bob Jones Bikepath and multi-use Coastal Trail. The project is located within the San Luis Bay road fee area, and the Harbor District will be required to pay County road impact fees pursuant to the existing ordinance. Based on review by the County of San Luis Obispo, no off-site road improvements are identified or required to mitigate potential impacts. Therefore, no changes to the EIR are necessary.
SLOCOG-3	As discussed in the project description (EIR Chapter 2), the project includes two crosswalks across Avila Beach Drive. One crosswalk would be located at the Babe Lane entrance, and the second would be located at the second access road east of Diablo Canyon Road. If a left turn lane is determined to be required by County Public Works, the Harbor District would coordinate with the County regarding future plans for the multi-use path along Avila Beach Drive. No changes to the EIR are necessary.
SLOCOG-4	Development of off-site pedestrian and bicycle facilities, aside from proposed crosswalks, is within the jurisdiction of the County. The EIR recognizes current planning efforts related to regional improvements proposed by the County, and as noted above in responses SLOCOG-3 and SLOCOG-4, the Harbor District would contribute fair share fees as required by the County, and would continue to coordinate with the County regarding future development of regional pedestrian and bicycle facilities. No changes to the EIR are necessary.



Air Pollution Control District
San Luis Obispo County

November 13, 2014

Rob Fitzroy
Coastal Team/Development Review
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

SUBJECT: APCD Comments Regarding the Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor District Terrace Project - DRC2013-00044

Dear Mr. Fitzroy,

Thank you for including the San Luis Obispo (SLO) County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the DEIR for the Port San Luis Harbor District Terrace project (DRC2013-00044 Port San Luis Harbor). Harbor Terrace is an approximately 32-acre portion of the District's landholding's associated with Port San Luis (Port). The project shall comply with the San Luis Bay Coastal Area Plan Local Coastal Plan (LCP) so as not to require an amendment to the LCP. In compliance with the LCP, the project program will include a mix of tent sites, tent cabins, bungalows, inns or yurts, full service recreational vehicle (RV) camp sites and other related amenities such as a food and beverage retail store and/or an eating and drinking establishment, and parking and storage facilities to serve the Port. The project will improve upon existing circulation, re-vegetate portions of the site with native habitat and employ engineering solutions that meet or exceed new County of San Luis Obispo (County) and Regional Water Quality Board (RWQCB) storm water regulations.

SLOAPCD-1

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.**

SLOAPCD-2

OPERATIONAL PHASE IMPACTS

Fire Pits

Recent studies by the South Coast Air Quality Management District (SCAQMD) examined the impact of beach bonfires on public health. Results from air monitoring at Southern California beaches showed that smoke from beach fires impacted air quality in nearby residential areas.

SLOAPCD-3

DEIR for Port San Luis Terrace Project
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Recommendations from the SCAQMD study include:

- Locate fire pits at least 700 feet from the nearest residence; or,
- Fire pits should be at least 100 feet apart (If a city has 15 or fewer fire pits, they must be separated by at least 50 feet); and,
- Fire pits should not be used when air quality for fine particulates (PM2.5) is forecasted to exceed 100 on the Air Quality Index (AQI). Based on historical air quality data, the AQI is expected to rarely exceed 100 in the vicinity of this project.

SLOAPCD-3
(continued)

Fire pit use is discussed on page 4.2-18 of the DEIR. The DEIR states that fire pit use is not anticipated to increase PM10 emissions above APCD thresholds and the Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions. **The APCD recommends that the Harbor District also reserve the right to prohibit fire pit use during poor air quality conditions. The APCD also recommends locating the fire pits:**

- **at least 100 feet apart; and,**
- **as far as feasible from the hotel/motel units; and,**
- **at least 700 feet from the nearest residence.**

Nuisance

As defined in APCD's Rule 402, a person shall not discharge, from any source whatsoever, such quantities of air contaminant or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or public, or which cause or have a natural tendency to cause, injury or damage to business or property. **If fire pit use has the potential to cause nuisance impacts, the project proponent needs to proactively take steps to reduce these impacts.**

SLOAPCD-4

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.

SLOAPCD-5

Sincerely,



Gary Arcemont
Air Quality Specialist

GJA/lmg

- cc: Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD
Shawna Scott, Port San Luis Harbor District

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

Comment No.	Response
SLOAPCD-1	Thank you for your comment; no changes to the EIR are necessary.
SLOAPCD-2	Thank you for your comment; please refer to responses to specific comments below.
SLOAPCD-3	<p>Based on the location of the project, there are no residential areas within 700 feet of the proposed development; therefore, no further limitation regarding off-site residences is required. The EIR has been clarified to state the following (note additional clarification in <i>italics</i>:</p> <p>“The Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions, including drought conditions and high winds, <i>and during poor air quality conditions as determined by the SLOAPCD</i>”.</p> <p>Mitigation measure AQ/mm-15 has been clarified to add:</p> <p>“o. <i>Locate proposed fire pits at least 100 feet apart, at least 700 feet from any on-site manager residence where feasible, and as far as feasible from proposed hotel/motel units</i>”.</p> <p>These clarifications further mitigate potential operational impacts, and do not result in a change in the level of impact identified in the EIR.</p>
SLOAPCD-4	As noted above in SLOAPCD-3, the project site is not located proximate (or within 700 feet) of a residential area. Mitigation measure AQ/mm-15 has been clarified to reduce potential nuisance on-site related to the use of fire pits as recommended.
SLOAPCD-5	Thank you for your comment; no changes to the EIR are necessary.

RECEIVED NOV 18 2014

STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
 725 FRONT STREET, SUITE 300
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November 14, 2014

Port San Luis Harbor District
 c/o Shawna Scott, Senior Planner
 SWCA Environmental Consultants
 1422 Monterey Street, Suite C200
 San Luis Obispo, CA 93401

Subject: *Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor Terrace Development Plan*

Dear Ms. Scott:

Thank you for the opportunity to offer comments on the DEIR for the Harbor Terrace project. The DEIR primarily analyzes a multi-use campground containing a range of overnight accommodations, including 80 RV sites, 15 RV/RV-cabin sites, 31 hotel/motel units, 35 car/tent campsites, and 21 walk-in campsites. In addition, the preferred project includes 16,000 square feet of commercial uses, various harbor uses such as 70 trailer boat storage spaces, and 48,000 square feet of public parking. Additionally, the DEIR discusses a No Project Alternative and a Reduced Project Alternative. The site is located on the north side of Avila Beach Drive, east of Diablo Canyon Road, at Port San Luis in San Luis Obispo County.

CCC-1

As you are well aware, in November 2006 the Coastal Commission approved Local Coastal Program Amendment (LCPA) SLO-MAJ-1-05 (Part 1), which amended the County's Land Use Plan (San Luis Bay Area Plan) to include, among other things, development standards facilitating future development of the area within the Harbor Terrace Planning Sub-Area (Harbor Terrace). Stated goals within the LCP for this area include ensuring that new development provide a range and mix of uses, with emphasis on coastal related and visitor serving uses meant to enhance the public's enjoyment of the Port and serve the needs of harbor uses. Commission staff has reviewed this LCP amendment and the relevant sections of the LCP and provides the following comments and recommendations based on the proposed project:

Project Scope. We are encouraged by the depth of review and attempts at adherence to the LCP's strict requirements for a project on this site. We are also pleased that the DEIR presented a reduced project, which is stated as the environmentally superior alternative. We recognize the benefits of the reduced project, which appears to reduce impacts to visual resources, improve air quality and reduce greenhouse gas emissions, minimize transportation and traffic issues, lessen strain on public services and utilities, and better protect on-site habitats to the maximum extent feasible, while at the same time providing a range of coastal visitor-serving uses and accommodations, consistent with the LCP.

CCC-2

Under the reduced project alternative, the number of hotel/motel units would be reduced to 20, RV spaces would be reduced to 64, and harbor use areas (including five marine gear storage

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spaces and four harbor use storage spaces) would be relocated to the east of the proposed storage areas. In summary, these reductions and their stated intent include the following:

CCC-2
(continued)

A. Reduction in Hotel/Motel Sites from 31 to 20. All units would be located in areas designated as ruderal/disturbed habitat. As stated in the DEIR, this modification is proposed to address potential impacts to biological resources, including avoidance of coastal scrub and valley needlegrass grassland habitats in the northern portion of the project site. Reducing the development of hotel/motel units and relocation of storage areas would avoid permanent impacts to 0.30 acre of coastal scrub and 0.08 acre of valley needlegrass grassland. Removal of eleven hotel/motel units would also reduce the extent of fuel modification and vegetation management within scrub and grassland habitats.

B. Relocation of Harbor Use Areas. Some harbor use area and marine gear storage spaces would be relocated east to avoid impacts to coastal scrub. Reducing the development of hotel/motel units and relocation of storage areas would avoid permanent impacts to 0.30 acre of coastal scrub and 0.08 acre of valley needlegrass grassland.

C. Reduction in RV Spaces from 80 to 64. Reducing the RV spaces by 20 percent would reduce visual clutter, provide greater flexibility to site RV pads in less visually sensitive areas (e.g., further back from the terrace edge), and allow for more integration of landscaping features.

The reduced project appears to better avoid the on-site coastal scrub and other native vegetation, as well reduce visual impacts by providing greater flexibility in site design. The reduced project would also result in additional open space that would allow for interspersed landscaping and trees between various project elements, which may provide a higher quality user experience. The reduced project would also result in a lower demand for water supply and wastewater capacity.¹ Energy demand would also decrease by 35% for the hotel units and 20% for the RV sites, compared to the proposed project. The reduction in hotel/motel units and RV spaces would result in a reduction in traffic trips generated by the project. Importantly, the amount of required lower-cost campsites (in this case, both car/tent campsites and walk-in/bike-in sites) and the required ratio of these sites to both hotel/motel rooms and RV campsites (spaces) would be unchanged with the reduced project.²

¹ Water demand would be reduced by approximately 2.97 acre feet per year (AFY) and demand for wastewater capacity would be reduced by approximately 810 gallons per day (GPD).

² Chapter 8 (pages 8-22) of the San Luis Bay Area Plan (Harbor Terrace Planning Criteria) requires a minimum of one lower-cost campsite for every 1.5 units of hotel/motel and for every three RV campsites. The "RV Cabins" would also trigger the 1.5 hotel/motel to campsite ratio.

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However, implementation of the reduced project would result in fewer RV spaces and hotel/motel units on the site, thereby reducing the overall amount of accommodations available. Page 5-8 of the DEIR state:

CCC-2
(continued)

“Implementation of this alternative would result in fewer low-cost options for overnight visitor accommodations in the Avila Beach/Port San Luis area. In addition, the provision of 64 RV spaces would result in an overall net loss of approximately 6 RV spaces in the Port San Luis Area, which may potentially conflict with Coastal Policies intended to increase public accessibility to the coastline and provide low-cost accommodations for visitors.”

However, it is not clear that RV spaces constitute a low-cost option for overnight stays, given the cost of renting or buying an RV combined with the generally higher cost of RV campsites compared to tent campsites. Thus Commission staff is unclear that the reduction of RV spaces and hotel/motel units would result in fewer “low-cost options.” To understand this issue better, the EIR should include an evaluation of the room and campsite rates that will be charged to visitors. Further, given that, pursuant to the LCP, the tent campsites are intended as lower-cost visitor serving accommodations, the EIR should evaluate and explain what rates would be appropriate to ensure the campsites remain as such, including through ensuring that rates remain on par with those of State Parks, or other similar measures.

CCC-3

Additionally, it is unclear how the Port determined the loss of “6 RV” spaces in the area from the reduce project alternative. It would appear that the number of RVs eliminated would be 16 (20%). Please explain. Is the Port basing this on the regional number of RV spaces? Will ten RV spaces be constructed somewhere else or does this include the existing RV spaces that are available on and near the site currently? Please ensure that the FEIR explains this calculation, and that it also explains what is meant when the EIR refers to the “Avila Beach/Port San Luis area.”

CCC-4

CCC-5

In terms of the required numbers of lower-cost campsites, Commission staff notes that it appears that the ratios would require 57 or 58 lower-cost accommodations (walk-in/bike-in campsites and the car/tent campsites) as opposed to 56.³ Again, the preference would be to increase the number of lower-cost campsites instead of reducing an RV space to ensure that the required ratios are adhered to.

CCC-6

In general, striking an appropriate balance between the often competing demands of providing visitor-serving accommodations along the coast while protecting coastal resources is challenging. Commission staff would like to see the reduced project alternative further explored and detailed, because it appears to provide increased habitat and visual protections, as well as other benefits as stated in the DEIR. However, and because it is our understanding that a reduced

CCC-7

³ The required ratio of RVs to lower-cost campsites is 3:1 while the ratio of hotel/motel units to lower-cost campsites is 1.5 to 1. In this case, 80 RVs (26.67) and 46 hotel/motel/RV cabins (30.67) would require 57 lower-cost campsites (if added without rounding) and would require 58 (if rounded up).

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project site plan has not yet been developed, perhaps there is an opportunity and flexibility in redesigning the project to avoid having to eliminate RV spaces and hotel/motel units. We would be happy to meet with you on-site and discuss project designs that strive to retain this number of accommodations. Perhaps a site design indicating where the proposed reduced project components would specifically be sited (and in the case of the harbor use areas, re-sited) based on the above changes would provide an appropriate baseline and help to assist Commission staff in this respect.

CCC-7
 (continued)

Additionally, Commission staff has the following comments:

CCC-8

Visual Resources. Pages 8-13 of the San Luis Bay Area Plan identify the visual and scenic resource goals and policies for lands owned or controlled by the Port San Luis Harbor District. The primary visual and scenic resource goal of the Plan is a landscape that reflects the context of its use and the natural setting with minimal impacts to scenic viewsheds. Importantly, Policy #2 states:

New development on bluffs and scenic hillsides shall be sited and designed to protect scenic resources and enhance the visual quality of the bluffs and hillsides. Visually degraded areas shall be restored where feasible.

As the DEIR confirms, the future Harbor Terrace project would be located in a visually prominent, highly scenic coastal area within Port San Luis, Avila Beach, and the central coast of California. Port San Luis and the surrounding Avila Beach area contain sandy beaches, piers, and rolling hillsides which reflect an important oceanfront character. The future project, be it the preferred or reduced alternative or a variation of the two, would be visible from Avila Beach Drive, Fisherman's Beach, Harford Pier, and San Luis Bay. Therefore, it is important that the project protect scenic resources and assure compatibility with the surrounding uses and views to the maximum extent feasible. Additionally, a project objective should include the reduction of visual clutter on the project site by requiring that certain types of especially noticeable developments, such as RV pads and RV Cabins, e.g., and thus RVs, be located in less visually sensitive areas on the site, and that landscape screening and berming be used to hide development (including parked RVs) to the maximum extent feasible. Lastly, all development should be set back from the terrace edge as much as feasible so that the development will blend with, rather than protrude from, the hillside location and avoid the appearance of a silhouette extending above the ridgeline as seen from local public viewsheds. With that said, it would appear that the reduced project alternative would better accomplish these goals. However, as mentioned above, it would be our preference to retain the number of overnight accommodations, while still ensuring visual protection. Again, staff would be happy to discuss this further.

CCC-9

CCC-10

To help ensure that the final project, however it is designed based on the above, is consistent with the visual policies of the LCP, the project should include mitigation measure AES/mm-2, which requires that 80 percent of the parked RVs and other vehicles, and 70 percent of all buildings and structures (including the water tank) be screened from view from public vantage points within ten years. In addition, we are encouraged by the project's landform restoration

CCC-11

CCC-12

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<p>component, as the existing site conditions contain hard edges, scarps, and appear heavily unnatural as seen from the beach and the pier. The proposed grading and landform alteration should create softened, natural-looking terraces and be vegetated with native plant species appropriate to this area of the coast. We note that the proposed geologic mitigation measures mention the possibility of constructing a protective wall. Any necessary geologic mitigation measures should be designed and located so as to not result in adverse visual impacts.</p>	<p>CCC-12 (continued)</p>
<p>Biological Resources. The DEIR states that the reduced project would reduce biological impacts. Specifically, the number of hotel/motel units would be reduced to 20 (from 31), and all of these units would be located in areas designated as ruderal/disturbed habitat. This reduction would address potential impacts to biological resources, including through avoidance of coastal scrub and valley needlegrass grassland habitats located in the northern portion of the project site. In addition, five marine gear storage spaces and four harbor use storage spaces would be relocated to the east of the proposed storage areas, to avoid impacts to coastal scrub.</p>	<p>CCC-13</p> <p>CCC-14</p>
<p>Protection of these habitats, if feasible, should be undertaken by avoidance. While in it not known if the grassland would actually map out as coastal prairie/native grassland, the FEIR should describe the needlegrass/bunch grass species on site as well as the associated forbs (definition: herbaceous flowering plant that is not a graminoid – e.g. grass, sedge, rush). In other words, the FEIR should include a description of the grassland habitat including the species composition and percent cover, and include a map. Depending on this information, native grassland ESHA could be located on the project site, and therefore would influence development patterns which would be required to setback from ESHA. Generally, the intent is to avoid impacts to coastal habitats such as coastal scrub, and thus it appears that the reduced project alternative would succeed in that intent, by removing project components away from these habitats and keeping them more on the disturbed area. However, as mentioned above, it would be our preference to retain the number of overnight accommodations, while still avoiding these habitat areas. Again, staff would be happy to discuss this further.</p>	<p>CCC-15</p>
<p>Lastly, the DEIR describes a preliminary landscape plan (Figure ES-4), which outlines three planting zones and associated plantings within each zone. The blue line stream that runs between Diablo Canyon Road and the project site appears to be located in <i>Area 1: Existing Naturalized</i>. The DEIR states that “no new landscaping or irrigation is proposed in <i>Area 1</i>.” However, it is unclear if the project includes a “restoration” component of the blue line stream as part of the project. If not, Commission staff would recommend a restoration and enhancement component of this riparian area. Additionally, the Commission is not supportive of the landscaping proposed for Area 3, i.e. <i>Area 3: Climate Appropriate with Lawn</i>. Given the ongoing drought and severe water shortage issues in San Luis Obispo County, the Port should strive to reduce water consumption, including by eliminating lawn and vegetation that would require supplemental irrigation. For this reason, the landscaping in Area 3 should include appropriate native plantings such as those proposed in Area 2.</p>	<p>CCC-16</p> <p>CCC-17</p>
<p>Geologic Hazards. The proposed project would be located within an LCP-mapped Geologic Study Area (combining designation) and in an area known for overall geologic instability</p>	<p>CCC-18</p>

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(including due to unconsolidated soils, liquefaction, seismically-induced landslide, erosion, tsunamis, etc.). The LCP requires that new development ensure structural stability while not creating or contributing to erosion or geological instability (including LCP Hazards Policies 1 and 2, and CZLUO Section 23.07.086).

CCC-18
 (continued)

In this case, the project includes extensive grading of the site, required to remediate landslide and slope stability hazards. As stated in the DEIR, and based on preliminary grading plans, approximately 16.5 acres would be graded, including approximately 115,000 cubic yards of cut and 43,000 cubic yards of fill. Based on the amount of grading and area and volume proposed for disturbance there is a high potential for erosion and down-gradient sedimentation to occur at the project site during construction. Therefore, it will be important, at a minimum, to follow the recommended geologic mitigation measures in the DEIR.

Minimizing potential long-term post-construction impacts will also be important. For example, it may be prudent to include different hazard abatement measures for different components of the project when and if they become threatened, including for expected Sea Level Rise. Additionally, Commission staff supports the long-term monitoring component of the project to ensure the project does not contribute to erosion or geological instability in the future.

CCC-19

Public Access. We are encouraged by the Port's attempts to connect the Harbor Terrace project to the surrounding beach areas. As described in the DEIR, the project includes a crosswalk to access the beach. However, Commission staff would recommend additionally connect a beach trail to an additional crosswalk which would allow access *from* the beach to the Fisherman's Memorial and the eventual relocation trailhead of the Pecho Coast Trail, which is an important highly scenic coastal trail.

CCC-20

In addition, we would recommend that the Port ensure through a coastal access program (interpretive signage, hours of operation, day/nighttime use, etc.) that new access trails/overlooks, etc. on the Harbor Terrace site be open not only to the guests of the campground but to the general public as well. The project should include clearly defined trails from the public parking lots that provide for opportunities to explore the surrounding terrain, and that include scenic destination points or loop trails.

CCC-21

Conclusion. Thank you again for the opportunity to comment on the DEIR. As the project moves forward, Commission staff would be pleased to meet and discuss the issues raised in this letter, review revised site designs, or revisit the site.

CCC-22

If you have any questions regarding these comments or wish to discuss the project further, please contact me at (831) 427-4863.

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Page 7

Sincerely,



Daniel Robinson
Coastal Planner
Central Coast District Office

CC: State Clearinghouse
Port District

9.1.6 Response to Letter from California Coastal Commission

Comment No.	Response
CCC-1	Thank you for your comment; please refer to responses to specific comments below.
CCC-2	Comment consists of a summary of the project alternatives analysis; no changes to the EIR are necessary.
CCC-3	The description of the Reduced Project Alternative has been clarified to note that the RV and RV/cabin sites are considered “ <i>medium to lower-cost options</i> ” (refer to EIR Section 5.4.2 Alternatives Analysis, Reduced Project Alternative). Please refer to the Memorandum: Response to the California Coastal Commission’s comments regarding overnight visitor accommodation rate evaluations for Port San Luis Harbor Terrace (Lisa Wise Consulting, Inc. December 2014) following this table.
CCC-4	EIR Section 5.4.2 Reduced Project Alternative has been clarified to note that the provision of 64 RV spaces would result in an overall net loss of approximately “16 RV spaces in the Port San Luis Area (<i>i.e. within the Port San Luis Master Plan Area</i>)”.
CCC-5	Please refer to response to CCC-4 above.
CCC-6	The Harbor Commission will consider the comments regarding the appropriate ratio and number of low-cost campsites, and may consider and approve a project that includes 58 low-cost campsites.
CCC-7	Comments regarding the reduced project alternative are noted, and the Harbor District will continue to coordinate with California Coastal Commission staff regarding this alternative and the proposed project.
CCC-8	Please refer to EIR Section 4.1.4 (Aesthetic Resources, Project Specific Impacts and Mitigation Measures), which includes an analysis of potential visual impacts and identification of mitigation measures proposed to further consistency with the Visual Resource policies identified in the County’s LCP and the Coastal Act. No changes to the EIR are necessary.
CCC-9	Please refer to EIR Section 4.1.2.2 (Aesthetic Resources, Local Regulations and Policies), which identifies County LCP Coastal Policies, and San Luis Bay Coastal Area Plan Policies specific to the planning area and Harbor Terrace, as indicated. The project sites proposed development components based on the San Luis Bay Coastal Area Plan and Port San Luis Master Plan, and was designed to balance the visitor-serving and coastal-dependent function of the project with protection of visual resources. In addition, please refer to mitigation measure AES/mm-2, which includes performance standards applicable to the landscape plan. No changes to the EIR are necessary.
CCC-10	Please refer to mitigation measure AES/mm-3, which includes a performance standard for the design of RV spaces, and mitigation measure AES/mm-1, which includes a performance standard to avoid silhouetting of structures above the background ridgeline. No changes to the EIR are necessary.

Comment No.	Response
CCC-11	The proposed project, or an approved alternative, would incorporate all Aesthetics mitigation measures identified in the EIR and Mitigation Monitoring and Reporting Program. No changes to the EIR are necessary.
CCC-12	Thank you for your comment; no changes to the EIR are necessary.
CCC-13	<p>Implementation of geologic mitigation measures, including preparation of a final grading plan, would be incorporated into the project, in addition to identified Aesthetic mitigation measures. AES/mm-4 has been amended to include the following measure, in order to further reduce potential visual effects:</p> <p><i>“f. The design of above-ground retaining walls shall incorporate features of the natural setting, including colors and articulation (i.e., simulated stone) to blend the appearance of the visible portion of the retaining wall into the surrounding landscape.”</i></p>
CCC-14	Thank you for your comment; no changes to the EIR are necessary.
CCC-15	<p>EIR Section 4-3 has been clarified to further describe the valley needlegrass grassland habitat present on the project site, which is identified as a native grassland on Figures 4.3-1 (Habitat Map) and 4.3-2 (Habitat Map with Project Overlay). The proposed reduced project alternative identifies avoidance of this native grassland. Additional clarification included in the EIR is provided below (also refer to Final EIR Section 4.3.1.4 Biological Resources Native and Important Vegetation):</p> <p><i>“Native grassland observed on the project site was classified as valley needlegrass grassland (Holland 1986) and more specifically as a Nassella Pulchra Herbaceous Alliance (Sawyer et. al 2009). This plant community consists of mid-height (up to 2 feet) grasslands dominated by perennial, tussock-forming purple needlegrass (Nassella [=Stipa] pulchra). Native shrubs/forbs and non-native annual grasses were observed between the purple needlegrass tussocks, and were observed to be intermixed with non-native grassland, coastal scrub and coast live oak woodlands in particular areas of the site.</i></p> <p><i>Native grasslands on the site were determined by estimating the percent cover of purple needlegrass within 10-meter plots. One-meter quadrats were also placed within the plots to determine species richness within the plots and to further support the cover of purple needle grass within the plots. The 10-meter plots were also placed in areas determined to be non-native grassland and where a distinct change in species composition was observed. Native grasses and forbs observed in the plots and during surveys conducted during the blooming period include purple needlegrass, soap plant (Chloragalum pomeridianum), blue eyed grass (Sisyrinchium bellum), blue dicks (Dichelostemma capitatum), wild cucumber (Marah fabaceus var. fabaceus), catch fly (Silene gallica), rattlesnake weed (Daucus pusillus), pacific sanicle (Sanicula crassicaulis), yarrow (Achillea millefolium), arroyo lupine (Lupinus succulentus), coast morning glory (Calystegia macrostegia ssp. cyclostegia), and California poppy (Eschscholzia californica). Emergent native shrubs observed in the native grassland areas include saw-toothed goldenbush (Hazardia squarrosa), coyote brush (Baccharis pilularis), and California sagebrush (Artemisia californica). Non-native grasses and forbs observed in the native grassland areas include oats (Avena spp.), brome (Bromus spp.), rattail fescue (Festuca myuros), Italian ryegrass (Festuca perennis), and iceplant (Carpobrotus edulis).</i></p> <p><i>Percent cover of purple needlegrass within the plots was observed to be 20-60% in the</i></p>

Comment No.	Response
	<p><i>areas mapped as native grassland. Purple needlegrass presence within the random 1-meter quadrats was observed to be 30-90%. The condition of the grassland habitat onsite varied based on slope and location. Native grassland within the upper slopes of the northwest portion of the project site appear to have remained undisturbed due to the topography and lack of historic and recent access. Grassland areas on gently sloping areas adjacent to ruderal/disturbed areas have historically been disturbed by the storage of materials and use of equipment near existing storage areas and roads, and do not exhibit the same habitat quality as the upper northwestern grassland areas”.</i></p> <p>Additional information including photographs of coastal scrub vegetation within and adjacent to the existing Harbor District storage areas (the proposed Harbor Use Areas) is provided below (refer to Coastal Scrub Photo-documentation).</p> <p>The EIR documents and quantifies potential impacts to native habitats, and identifies a Reduced Project Alternative that would avoid these habitats. The Harbor Commission will consider comments regarding biological resources, and may consider the project and potential alternatives that avoid or have a reduced effect upon native habitats.</p>
CCC-16	<p>The blue line stream adjacent to Diablo Canyon Road is not within the project site, and is not located on property owned by the Harbor District. Therefore, the Harbor District does not have the ability to implement restoration off-site. The preliminary landscape plan includes vegetation planting between proposed development areas and the western boundary of the project site, which would provide a restored vegetative buffer between the stream and the proposed development. No changes to the EIR are necessary.</p>
CCC-17	<p>The Harbor Commission will consider the comment regarding removal of lawn from the proposed landscape plan.</p>
CCC-18	<p>The Harbor District would incorporate all recommended mitigation measures included in the Final EIR and Mitigation Monitoring and Reporting Program into the proposed project, as recommended. No changes to the EIR are necessary.</p>
CCC-19	<p>Please refer to EIR Section 4.8.5 (Hydrology and Water Quality, Project Specific Impacts and Mitigation Measures, Risk Exposure to Flooding or Inundation), which states that:</p> <p>“Affected areas of the project site may include the access roads and lower parking areas. Exacerbated coastal erosion may compromise the commercial structure, swimming pool, and lower campsites. In the future, modifications to the site may be required to adapt to climate change and sea level rise, and may include removal of structures or features. Based on the lower elevations of the Port and community of Avila Beach, the effects would occur along the Avila coastline, and regional adaptation measures would be required for the region”.</p> <p>In addition, the following mitigation measure is included in the Final EIR:</p> <p><i>“In order to plan for and further mitigate potential future effects resulting from sea level rise, the following mitigation is recommended:</i></p> <p><i>HYD/mm-1 Prior to occupancy of the proposed project, the Harbor District or their designee shall develop a Sea Level Rise Adaptation Plan including, but not limited to, the Harbor District’s (or their designee’s) ongoing documentation of high tide elevation levels and coastal storms, the future removal of structures and features as a result of sea level rise and associated coastal hazards including erosion and slope stability, and indicators that the lower facility amenities may be compromised by sea level rise (i.e.,</i></p>

Comment No.	Response
	<i>wave action overtops and floods Avila Beach Drive and erodes the road cut adjacent to the project site). The initial plan, and subsequent revisions based on actual conditions, shall be submitted to the County of San Luis Obispo Environmental Coordinator for review and approval".</i>
CCC-20	At this time, the off-site improvements associated with the project are limited to the proposed crosswalks. Additional improvements outside of the project limits are within the jurisdiction of the County. This does not preclude the Harbor District's future consideration of additional improvements in the area in the future, consistent with proposed projects described in the Port San Luis Master Plan and County of San Luis Obispo LCP and San Luis Bay Area Plan. No changes to the EIR are necessary.
CCC-21	The proposed project would include limited general public access onto the project site, including the commercial area, parking area, and barbeque areas within the lower terraces of the site. These limitations are recommended by the Harbor District to ensure the safety of guests and the public, and to ensure avoidance of biologically and culturally sensitive areas within the property boundaries. No changes to the EIR are necessary.
CCC-22	The Harbor District looks forward to further coordination with the Coastal Commission. No changes to the EIR are necessary.

lisa wise consulting, inc.
planning economics natural resources

Memorandum

Response to the California Coastal Commission's
comments regarding overnight visitor accommodation
rate evaluations for Port San Luis Harbor Terrace

Prepared by Lisa Wise Consulting, Inc.

December 4, 2014

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INTRODUCTION

In a letter dated November 14, 2014, the California Coastal Commission (CCC) offered the Port San Luis Harbor District (Port) comments on the Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor Terrace Development Plan. The DEIR studied a mix of tent sites, RV sites, and hotel/ motel units designed to be consistent with the San Luis Bay Area Plan's lower-cost visitor serving accommodation standards, which require one tent site for every three RV sites and one tent site for every 1.5 hotel/ motel units (referred to in this letter as the 1:3:1.5 requirement).¹

Regarding the issue of lower-cost overnight visitor accommodations for Harbor Terrace, the CCC's letter requests the following:

To understand this issue better, the EIR should include an evaluation of the room and campsite rates that will be charged to visitors. Further, given that, pursuant to the LCP, the tent campsites are intended as lower-cost visitor serving accommodations, the EIR should evaluate and explain what rates would be appropriate to ensure the campsites remain as such, including through ensuring that rates remain on par with those of State Parks, or other similar measures.²

The purpose of this memorandum is to respond to the CCC's above request. First, to provide context for the rate evaluations, this memo briefly discusses the background of the CCC's approach concerning lower-cost overnight visitor accommodations and the 1:3:1.5 requirement. Second, this memo offers rate evaluations for the tent sites, RV sites, and hotel/motel units planned for Harbor Terrace.

BACKGROUND: THE 1:3:1.5 REQUIREMENT

Section 30213 of the California Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.³

¹ County of San Luis Obispo, "Chapter 8: Planning Area Standards," in *San Luis Bay Area Plan*, (2009), 22.

² Daniel Robinson, California Coastal Commission, letter to Shawna Scott, Port San Luis Harbor District, November 14, 2014, 3.

³ Cal. Coastal Code § 30213

In 2006, the CCC conducted a workshop that studied hotel affordability along the California coast. The study showed that only 7.9 percent of hotels in the State's nine most popular coastal counties were of low-cost.⁴ As a mitigation measure per Section 30213, the CCC requires some coastal developments or local plans to provide for lower-cost accommodations for approval.

For the Port San Luis Master Plan to be consistent with Section 30213, the CCC required that overnight visitor accommodations on the site be composed of the following ratios:

A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every one and a half (1.5) unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three (3) RV campsites.⁵

For the CCC in this case, tent sites represented the provision of lower-cost accommodations.⁶ The CCC derived these ratios (the 1:3:1.5 requirement) from the density ranges of uses shown in the Harbor Terrace Example Land Use Concept legend, shown in Figure 1, which reflected the Port's economic feasibility studies on demand for lower-cost visitor serving uses.⁷

⁴ California Coastal Commission, South Coast Area Office, *Major Amendment Request No. LOB-MAJ-1-10 (1-10) to the City of Long Beach Certified Local Coastal Program. For Public Hearing and Commission action at the Commission's June 16, 2011 Meeting in Marina del Rey*, by John Ainsworth, Gary Timm, and Charles Posner, Th18a-6-2011, (Long Beach, CA, 2011), 33.

⁵ California Coastal Commission, Central Coast District Office, *San Luis Obispo County Local Coastal Program Major Amendment No. 1-05 (Part 1) Port San Luis Harbor Master Plan. For public hearing and action at the California Coastal Commission's November 16, 2006 meeting to take place at the Hyatt Regency in Huntington Beach*, by Charles Lester, Steve Monowitz, and Jonathan Bishop, Th9a-11-2006, (Santa Cruz, CA, 2006), 19.

⁶ *Ibid.*, 45.

⁷ *Ibid.*, 46.

FIGURE 1. HARBOR TERRACE EXAMPLE LAND USE CONCEPT LEGEND

EXAMPLE LAND USE CONCEPT
Compiled from Chapter 3, Harbor Terrace Limitation on Use Policy

KEY	USE	DENSITY RANGE	
		Low	High
A	Trailer/Boat Storage	25 spaces	95 spaces
	Marine Gear Storage	24 spaces	48 spaces
	Port Material Storage	15,000 sf	20,000 sf
	Harbor Office/Shop	9,000 sf	16,000 sf
	Piñon Parking	48,000 sf	66,000 sf
B	Eating and Drinking Establishments (May include meeting rooms for rent)	16,000 sf	
	Food and Beverage Retail Sales (e.g., commissary or market)	22,000 sf	
C	Tent Camp Sites	22 sites	44 sites
	RV Camp Sites (may be combination RV/full service tent camp sites)	69 sites	125 sites
	Hotels and motels (e.g., cabins, bungalows, inns, yurts, casitas)	33 units	67 units
D	Park and Open Space (e.g., parks, scenic overlooks, common landscaped areas, picnic areas)	23,300 sf	46,600 sf

NOTES:

- Square footages for uses under "B" indicate building footprints.
- Commercial uses (for example, meeting rooms, food & beverage sales, eating & drinking establishments) may be divided into smaller components in different locations on the site.
- Overnight accommodations must at least meet the minimum density as listed above.
- In the event that a portion of the designated area for Harbor Uses is not needed, that area may be converted to a compatible Harbor Terrace use for a temporary or long-term duration.
- Please refer to Chapter 3, "Limitations on Use" policy for a complete list of possible uses for the Harbor Terrace site.
- Park and Open Space are incorporated in and around other land uses.

Source: California Coastal Commission, Central Coast District Office 2006, C5.

Using the overnight visitor accommodation uses listed in Key C of the legend, the CCC found the 1:3:1.5 ratios present in both the low and high density ranges, as shown in Table 1 below:

TABLE 1. RATIOS DERIVED FROM EXAMPLE LAND USE CONCEPT LEGEND KEY C

Use	Density Range		Ratio to Tent Camp Sites
	Low	High	
Tent camp sites	22	44	1
RV camp sites (may be combination RV/full service tent camp sites)	69	125	3
Hotel and motel units (e.g., cabins, bungalows, inns, yurts, casitas)	33	67	1.5

Source: California Coastal Commission, Central Coast District Office 2006, 46.

The CCC argued that the 1:3:1.5 requirements served three primary objectives:

First, it ensures a portion of the new overnight accommodations will be dedicated to low-cost camping. Second, it ensures a greater mix of uses available to a wider spectrum of the public. Third, it ensures that the scale of development on the site will not be overburdened by one particular use to the detriment of coastal resources and the character of the area, including scenic views.⁸

⁸ Ibid.

EVALUATION OF RATES

Per the CCC's request, below are rate evaluations for prospective tent sites, RV sites, and hotel/motel units.

TENT SITES

The 1:3:1.5 requirement ensures that the Harbor Terrace will include lower-cost overnight visitor accommodations, as represented by tent sites. The CCC has acknowledged tent sites along the California coast "are affordable to many residents, and are in extremely high demand."⁹ Further, the CCC has recognized that tent camping fees at state parks along the California coast range from \$5 to \$60.¹⁰ Relying on the same data referenced by the CCC,¹¹ Table 3 shows the rate ranges for drive-in and walk-in tent sites at state parks:

TABLE 2. RATES RANGES FOR DRIVE-IN AND WALK-IN TENT SITES AT CALIFORNIA STATE PARKS

Type of Tent Site	Park Count	Peak Season Rates		Non-Peak Season Rates	
		Low	High	Low	High
Drive-in	142	\$10.00	\$60.00	\$10.00	\$60.00
Walk-in	12	\$5.00	\$35.00	\$5.00	\$35.00
Total	154	\$5.00	\$60.00	\$5.00	\$60.00

Source: California Department of Parks and Recreation 2014.

Although these rates subject to change,¹² the rates for tent site planned for Harbor Terrace are expected fall within the above ranges. Further, because the CCC drew the 1:3:1.5 requirement from density designs derived from the Port's economic feasibility studies, market rate pricing for RV sites and hotel/motel units is expected to ensure the lower-cost pricing of the tent sites.

⁹ California Coastal Commission, *Public Workshop on Lower Cost Visitor Serving Accommodations*, by Charles Lester, Susan Hansch, Madeline Cavalieri, and Rich Hyman, W3-12-2014, (San Francisco, CA, 2014), 9.

¹⁰ Ibid.

¹¹ The CCC cited the state park tent site rate ranges as from California Department of Parks and Recreation, *California State Parks Camping Fees by Geographical Region*, (Sacramento, CA, 2014), accessed December 2, 2014, http://www.parks.ca.gov/pages/737/files/current_geoloc%20web_camping.pdf

¹² Each page of the listing states "Prices subject to change without notice." *California State Parks Camping Fees by Geographical Region*.

RV SITES

The DEIR's contention that RV sites can constitute lower-cost overnight accommodations was consistent with statements in prior CCC staff reports concerning Section 30213.¹³ For example, according to the CCC's 2011 staff report for the City of Long Beach's Local Coastal Program amendment:

Hostels, RV parks, and campgrounds are *inherently lower cost*, [emphasis added] and are the type of facilities that a mitigation charge for the loss of affordable over-night accommodations would support.¹⁴

The "inherently lower cost" language, along with the CCC's categorization of RV sites as "middle cost accommodation[s]" in the 2006 staff report for the Port San Luis Master Plan,¹⁵ suggests that RV sites may represent an affordable option for visitors to the coast. However, a November 2014 CCC report makes clear that RV sites are most likely precluded from counting as lower-cost accommodations:

[W]hen the cost of purchasing and maintaining, or renting an RV, is combined with the campground fee (which ranges from \$50 to \$80 per night at State Parks campgrounds along the coast), and the cost of gas (with typical RVs requiring a gallon of gas every ten miles), RV campgrounds would no longer be considered lower cost.¹⁶

The RV sites at Harbor Terrace will be priced at market rate. The 1:3:1.5 requirement imposed by the CCC via the San Luis Bay Area Plan accounts for market rate pricing of RV sites by requiring one tent site per three RV sites.

HOTEL/MOTEL UNITS

Like the RV sites, the hotel/motel units will be priced at the market rate. The 1:3:1.5 requirement also accounts for the market rate pricing of hotel/motel units by requiring one tent site per three RV sites.

¹³ *LOB-MAJ-I-10 (I-10)*, 33; California Coastal Commission, South Coast Area Office, *Major Amendment Request No. 2-08 to the City of Redondo Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the July 8-10, 2009 meeting in San Luis Obispo)*, by Jack Ainsworth, Teresa Henry, Gary Timm, and Gabriel Buhr, Th11a-6-2009, (Long Beach, CA, 2011), 44.

¹⁴ *LOB-MAJ-I-10 (I-10)*, 33.

¹⁵ *Major Amendment No. 1-05 (Part 1) Port San Luis Harbor Master Plan*, 45.

¹⁶ *Public Workshop on Lower Cost Visitor Serving Accommodations*, 9-10.

Coastal Scrub Photo-documentation

As shown in EIR Figure 4.3-2 (Habitat Map with Project Overlay), coastal scrub vegetation is present within and adjacent to existing Harbor District storage use areas. Vegetation within the existing storage areas has been historically disturbed. Vegetation density and quality increases in areas downslope from the existing storage area, towards the unnamed drainage along Diablo Canyon Road and oak woodland to the northwest. Figure 1 below is an excerpt from Figure 4.3.2 showing locations of photos taken on December 23, 2014.

Figure 1. Map excerpt and photo locations

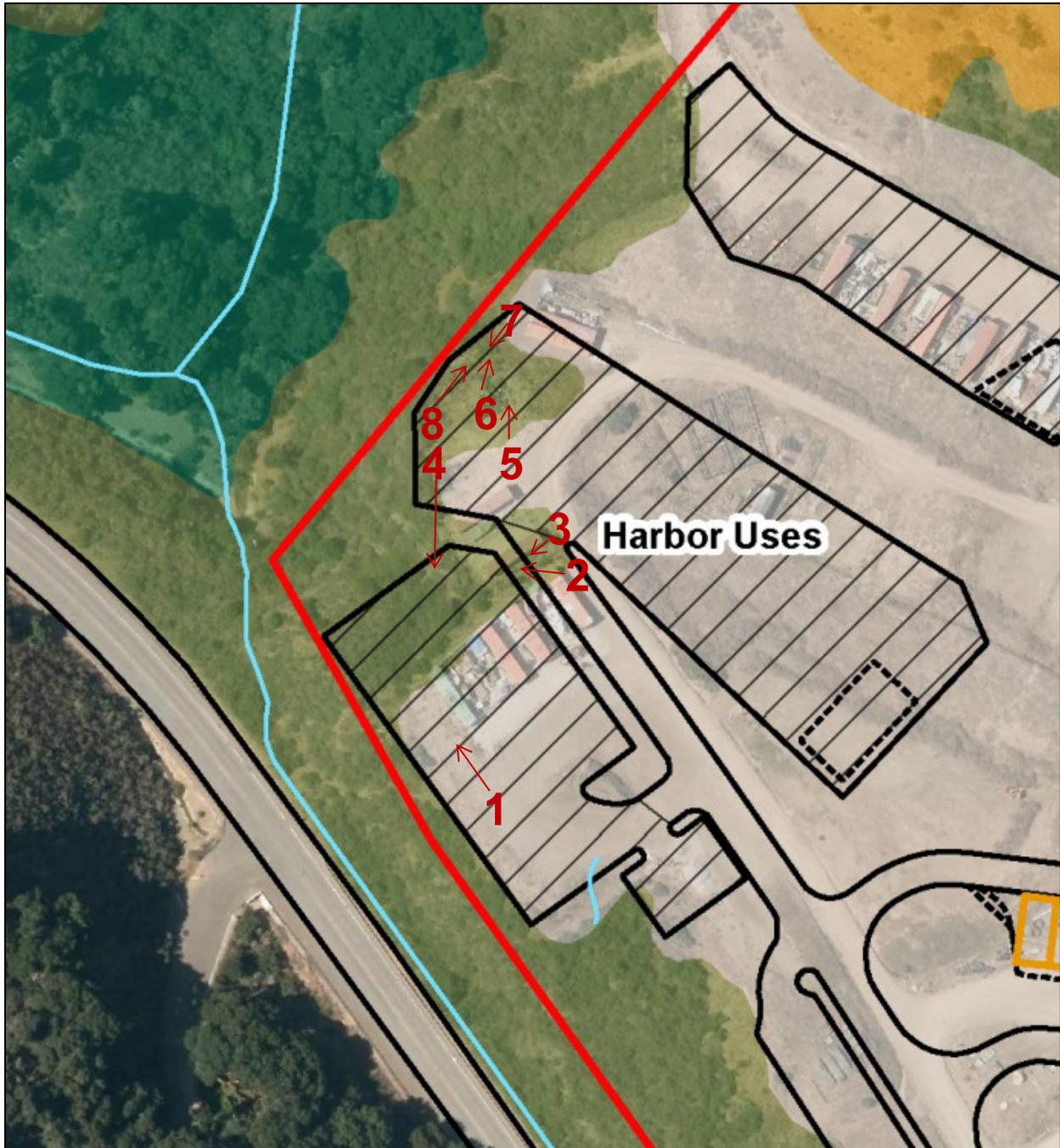




Photo 1: View looking northwest towards disturbed vegetation adjacent to existing lower storage area.



Photo 2: View looking northwest of coastal scrub vegetation present between existing storage units, within existing lower storage area.



Photo 3: Southwest view of coastal scrub vegetation present between existing storage units, within existing lower storage area.



Photo 4: Southern view fringe of coastal scrub adjacent to lower and middle existing storage areas.



Photo 5: Northern view of fringe of coastal scrub adjacent to existing roadway, within existing middle storage area.



Photo 6: View looking northeast (closer view of Photo 5), showing disturbed vegetation and fringe of coastal scrub adjacent to existing roadway, within existing middle storage area.



Photo 7: View looking southwest, showing coastal scrub vegetation within existing middle storage area.



Photo 8: View looking northeast, showing disturbed vegetation and fringe of coastal scrub within existing middle storage area.

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
yak tityu tityu – Northern Chumash Tribe Emails dated: October 1, 2014, and November 12, 2014	ytt	olivas.mona@gmail.com <i>Contact: Mona Olivas Tucker, Tribal Chair</i>	9-45
Northern Chumash Tribal Council Letter dated: October 22, 2014	NCTC	67 South Street San Luis Obispo, CA 93401 <i>Contact: Fred Collins, Tribal Administrator</i>	9-48
San Luis Obispo Bicycle Club Email dated: November 6, 2014	SLOBC	daveabrecht@me.com <i>Contact: Dave Abrecht, Bicycle Advocate</i>	9-50
Avila Valley Advisory Council Letter dated: November 10, 2014	AVAC	P.O. Box 65 Avila Beach, CA 93424 <i>Contact: Jim Hartig, AVAC Chairperson</i>	9-52
San Luis Obispo Coastkeeper Letter dated: November 12, 2014	CK	EPI-Center 1013 Monterey Street, Suite 202 San Luis Obispo, CA 93401 <i>Contact: Gordon R. Hensley</i>	9-80
Sierra Club Santa Lucia Chapter Email dated: November 13, 2014	SC	P.O. Box 15755 San Luis Obispo, CA 93406 <i>Contact: Andrew Christie, Director</i>	9-82
San Luis Obispo County Bicycle Coalition Letter dated: November 13, 2014	SLOCBC	860 Pacific St, Suite 105 San Luis Obispo, CA 93401 <i>Contact: Dan Rivoire, Executive Director</i>	9-84

Shawna Scott

From: Mona Tucker <olivas.mona@gmail.com>
Sent: Wednesday, October 01, 2014 1:32 PM
To: Shawna Scott
Subject: Port San Luis Harbor Terrace Development Plan

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants (consultants to the District)
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
sscott@swca.com

Dear Ms. Scott:

This project is on top of my family's home village and we need a better understanding of what protective measures are being proposed to protect and preserve the amazing culture of the yak tityu tityu yak tilhini - Northern Chumash. A cemetery is mentioned and the avoidance of any disturbance to these areas is the only way to protect these people. The same measure of avoidance should be employed for any burial.

ytt-1

We object to the dismantling of our culture and once our sacred and important sites are destroyed, they can never be replaced. We also believe that most people would support the respectful treatment of our culture. Our history in Avila Beach is significant to us but I believe it is also significant to the community of Avila Beach, County of San Luis Obispo and State of California. We would appreciate a meeting with you in which to better understand the proposed project.

ytt-2

Thank you,

Mona Olivas Tucker, Tribal Chair
yak tityu tityu - Northern Chumash Tribe

Shawna Scott

From: Mona Tucker <olivas.mona@gmail.com>
Sent: Wednesday, November 12, 2014 2:21 PM
To: Shawna Scott
Subject: Port San Luis Harbor Terrace

November 12, 2014

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants (consultants to the District)
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
sscott@swca.com

Shawna:

Thank you for the recent tour and discussion regarding the Port San Luis Harbor Terrace project. It was good to hear that there are no known culturally sensitive sites within the boundaries of this project. However, I would like to make the following comments;

ytt-3

1. There is a rich Northern Chumash history in this area and that makes it crucial to have a monitoring plan in place long before there is any disturbance. This will help guide all parties on appropriate protocols in the event of a cultural resource discovery.

2. We would like to see any trails directed away from culturally sensitive sites that may be nearby.

ytt-4

3. Because the yak tityu tityu - Northern Chumash have thousands of years of history in this area, we would like to see our culture included in your educational component .

ytt-5

4. We are requesting there be a contiguous open space through the project that would accommodate the safe movement of wildlife through the property.

ytt-6

5. We recommend that you consider using the Audubon Society sanctuary practices for maintaining a safe habitat for birds and other wildlife. This includes the careful use of insecticides, pesticides, fertilizers and proper management of open spaces to include cover and food sources. Overall, the Audubon Society sanctuary practices or similar practices will promote a healthier environment for all birds, animals and humans.

ytt-7

If you have any questions, please feel free to write or call.

Thank you,

Mona

Mona Olivas Tucker, Tribal Chair
yak tityu tityu - Northern Chumash Tribe

9.2.1 Response to Letter from yak tityu tityu – Northern Chumash Tribe

Comment No.	Response
ytt-1	Please refer to EIR Section 4.4.5 (Cultural Resources, Project Specific Impacts and Mitigation Measures). The proposed development areas and grading activities would be located outside of documented archaeological sites, and the known burials are located outside of the project boundaries. No changes to the EIR are necessary.
ytt-2	As noted above, the project would not impact archaeological sites located in the vicinity of the project. An on-site meeting was held with the commenter, Harbor District, Lisa Wise Consultants, and SWCA on October 28, 2014 to further discuss the project. No changes to the EIR are necessary.
ytt-3	The Harbor District appreciates the current and continued coordination with the yak tityu tityu. Please refer to mitigation measure CUL/mm-1, which states that the Monitoring Plan shall be submitted prior to issuance of grading permits from the County of San Luis Obispo. No changes to the EIR are necessary.
ytt-4	Based on the project design, no trails are proposed within culturally sensitive areas. No changes to the EIR are necessary.
ytt-5	Please refer to additional mitigation measure CUL/mm-5 regarding cultural resource educational materials: <i>“CUL/mm-5 Prior to occupancy, the Harbor District or their designee shall submit samples of cultural resource interpretive materials to the County Environmental Coordinator. The Harbor District or their designee shall coordinate with local Native American representatives during the initial development of the materials, and subsequent updating of materials for the life of the project. Materials shall not specifically identify the locations of archaeologically sensitive sites. Interpretive materials may include, but not be limited to, pamphlets, posters, kiosks or boards, exhibits, and online posting of information. Interpretive materials shall include, but not be limited to: prehistory, modern history, and living history of the Chumash in the Avila/Port San Luis Area and region, and citation or reference to laws governing the protection of cultural resources”.</i>
ytt-6	Based on the design layout of the project, natural areas and wildlife corridors within the upper slopes of the property would remain, in addition to existing drainages within and adjacent to the project site. No changes to the EIR are necessary.
ytt-7	Recommendations regarding operational maintenance activities and management of landscaping and open space areas will be considered by the Harbor Commission and the developer/operator of the project. No changes to the EIR are necessary.



Northern Chumash Tribal Council

A Native American Corporation - NorthernChumash.org
67 South Street, San Luis Obispo, CA 93401 805-801-0347

Northern Chumash Tribal Councils Comments on the Port San Luis Harbor Terrace Development Plan Draft EIR 10/22/14

The Avila Beach, Port San Luis Harbor coastal bluffs from Indian Head Point to Port San Luis Light House was once a California Chumash Native American village complex, which was connected to Pismo to the south and Morro Bay to the north. The villages were interconnected by land form, trails, gathering places, ceremonial places, and living places. The bay was rimmed with a thriving community, interconnected and amazing. Living for over 15,000 years, looking at the viewshed of Sacred Point Conception and the virgin horizons, Tomols fishing on the bay from the beginning of time, all life connected living in balance and thriving.

NCTC-1

The current Draft EIR uses as its source of recommendation a Bob Gibson archaeological report dated December 10, 1996, after a complete review of the report the Northern Chumash Tribal Council (NCTC) finds the report to be outdated and missed the complete picture, there are not three sites, but, one village landscape, one village, interconnected.

NCTC-2

After walking the current site, recently, and evaluating what is left of the original land form, it is NCTC understanding that a portion of the south easterly site may still containing some deposits and therefore a complete new evaluation should be done to prevent any uncalculated encounters, before any recommendation or mitigations for this project are determined. Monitoring is not mitigation. A complete new review of the old Bob Gibson report and a new evaluation taking in to consideration, what will be determined from the new archaeological extended Phase I evaluation.

NCTC-3

NCTC would like to thank Mr. Steve McGrath for his outreach to NCTC, Mr. McGrath has been working to make sure the Chumash community is involved in commenting on this project, we thank him for his efforts.

NCTC-4

Fred Collins
Tribal Administrator
Northern Chumash Tribal Council

ENVIRONMENTAL & LAND-USE CONSULTING
EDUCATIONAL SERVICES TEACHING NATURE, NATIVE CULTURES &
FARMING

9.2.2 Response to Letter from Northern Chumash Tribal Council

Comment No.	Response
NCTC-1	<p>Please refer to Final EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting, Archaeological Resources), which has been expanded as follows:</p> <p><i>“Native American coordination was conducted during preparation of the EIR. Responding parties included representatives from the Northern Chumash Tribal Council and the Northern Chumash Tribe yak tityu tityu. Both representatives noted the cultural significance of the Port San Luis/Avila Beach area, and an interconnected Native American village complex extending from Indian Head Point to the Port San Luis Lighthouse. Evidence of this village complex is supported by the archaeological records available for the area”.</i></p>
NCTC-2	<p>Please refer to response to comment NCTC-3 below. As documented in the Phase I surface survey report (Gibson 1996) and as summarized in the EIR, a majority of the site was historically graded and developed in the early 1900’s through current use of the site. The Gibson report and certified Program EIR for the Port San Luis Master Plan provide substantial evidence of the three recorded archaeological sites, and are therefore adequate for use in the tiered EIR for the proposed project.</p>
NCTC-3	<p>The project EIR is tiered off the Program EIR for the Port San Luis Master Plan. Based on the Final EIR, which was certified prior to approval of the Master Plan and Local Coastal Plan Amendment to the San Luis Bay Area Plan, the noted Phase I surface survey was conducted (Gibson 1996) for the project site. As documented in the EIR (Section 4.4-9), the report identified three intact archaeological sites, all of which are located outside of the project grading and development area, and would remain intact and unaffected by the project. No trails or public or private use areas would be located outside of the development footprint, or within identified archaeological sites. The report did not identify any locations within the currently proposed grading and development area that would require further review. Based on the general archaeological sensitivity of the region, implementation of a Monitoring Plan and compliance with identified performance standards is recommended to ensure potential impacts to previously undiscovered subsurface resources are mitigated to less than significant. Monitoring activities would be conducted by a qualified archaeologist and Native American monitor. Based on the substantial evidence documented in the Program EIR for the Port San Luis Master Plan and associated documentation, no changes to the EIR are necessary.</p>
NCTC-4	<p>The Harbor District appreciates the current and continued coordination with the Northern Chumash Tribal Council.</p>

Shawna Scott

From: David Abrecht <daveabrecht@me.com>
Sent: Thursday, November 06, 2014 6:15 PM
To: Shawna Scott
Subject: Port San Luis Harbor Terrace Draft Environmental Impact Report (EIR)

Hello Shawna,

On behalf of the 600+ members of the San Luis Obispo Bicycle Club, thank you for the opportunity to comment on the draft EIR for the Port San Luis Harbor Terrace Development Plan.

SLOBC-1

My comments will be very specific to the contents of Chapter 4, specifically the section on Transportation and Traffic.

SLOBC-2

In our county, Avila Beach is one of the most popular riding destinations for cyclists of all ages and abilities. The Bob Jones Trail is the jewel of our local recreational trail system and is certainly a great way for families with children to bike and walk to Avila from trail heads on Ontario Road and on San Luis Bay Drive. The other access, preferred by road cyclists for a variety of reasons, is via San Luis Bay Drive and Avila Beach Drive.

I understand that your EIR is focused specifically on the actual development, but the nature of the development is going to increase the number of over-sized vehicles into the area via the only accessible roads, Avila Beach Dr. and San Luis Bay Drive. As an aside, my wife and I travel in the 34' motorhome so I am certainly not opposed to the project and the fact that increased RV parking is coming to our county. However, there needs to be consideration for cyclists in the form of improved bike lanes into Avila Beach. As the report correctly mentions, both routes offer only Class 3 bike lanes and there are a number of areas where cyclists have to ride in the traffic lane due to narrow or non-existent shoulders, or to avoid ruts, broken asphalt, parked cars, pedestrians and other hazards. There needs to be a strong cooperative effort by the Harbor District and the County of San Luis Obispo to create legal Class 2 bike lanes from the intersection of Ontario Road and Avila Beach Dr. all the way into Avila Beach. The same applies for the intersection of San Luis Bay Drive and Ontario Road into Avila Beach. These improvements are in the current County Bicycle Transportation Plan (the plan is currently being updated and will be published in 2015) and need to be moved higher in the "pecking order" of all county bike projects as the Terrace project is realized.

SLOBC-3

I appreciate that you mention reducing motor vehicle traffic into Avila Beach by encouraging shuttle transit services and increasing the use of bicycles. The way to increase access by bike is to make sure roadway infrastructure supports safe cycling. Only experienced road riders will use Avila Beach Road if it remains in its current state.

SLOBC-4

Finally, I am well aware that parking in "downtown" Avila Beach is scarce, especially on summer weekends and holidays. If you really want to encourage bike trips from the Terrace development to downtown Avila Beach, work with the County of San Luis Obispo to create "bike parking corrals" on Front and First Streets that can park 10 - 12 bikes in a single vehicle parking space. This removes bikes from sidewalks and pedestrian areas and sends a message that commuting to Avila by bicycle is encouraged and welcomed and helps to avoid vehicle congestion.

SLOBC-5

Thanks again for the opportunity to comment.

Dave Abrecht
Bicycle Advocate
San Luis Obispo Bicycle Club
805.801.9211

9.2.3 Response to Letter from Dave Abrecht

Comment No.	Response
SLOBC-1	Please refer to responses to specific comments below.
SLOBC-2	Thank you for your comment; no changes to the EIR are necessary.
SLOBC-3	The Harbor District has coordinated, and will continue to coordinate, with County Public Works and County Parks regarding current and future projects including the extension of the Bob Jones Bikepath and multi-use Coastal Trail. The project is located within the San Luis Bay road fee area, and the Harbor District will be required to pay County road impact fees pursuant to the existing ordinance. No changes to the EIR are necessary.
SLOBC-4	Please refer to response to comment SLOBC-3 above; no changes to the EIR are necessary.
SLOBC-5	The installation of additional bike parking areas within Avila Beach is outside of the scope of the project; however, the Harbor District will continue to coordinate with the County of San Luis Obispo regarding multi-modal transportation recommendations and needs in the Avila area. No changes to the EIR are necessary.

Avila Valley Advisory Council

San Luis Obispo County, California
P.O. Box 65
Avila Beach, CA 93424 www.avac-avila.org

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Squire Canyon
Kirt Collins
Open (1)

November 10, 2014

Port San Luis Harbor District
c/c Shawna Scott, Senior Planner
SWCA Environmental Consultants

Dear Shawna,

At the Avila Valley Advisory Council meeting on November 10, 2014 the council voted unanimously in support of the attached comments regarding the Harbor Terrace Draft EIR.

AVAC-1



Jim Hartig
AVAC Chairperson

cc: AVAC Land Use Committee, Steve McGrath, Rob Fitzroy, Jim Bergman

DATE: November 10, 2014
 TO: Port San Luis Harbor District
 c/c Shawna Scott, Senior Planner,
 SWCA Environmental Consultants
 Email: sscott@swca.com
 FROM: Jim Hartig, Chair, Avila Valley Advisory Council
 SUBJECT: AVAC COMMENTS ON HARBOR TERRACE DRAFT EIR

GENERAL COMMENTS

- Project details are minimally more defined than in the Master Plan. Project design has largely been deferred to the time of application for construction permits. Exhaustive development standards as mitigations substitute for a defined project. The sketchily defined project precludes both public review and decision authority consideration of definitive plans. Statements that there are no significant impacts cannot be verified. If this EIR is accepted it should be as a program EIR with acknowledgement that additional environmental review is necessary once there is a definitive project. **AVAC-2**
- Unacceptably, the necessary geotechnical investigation for a defined project has not been performed. Without this investigation, actual locations for project components are unknown. **AVAC-3**
- Unacceptably, the transportation- traffic analysis for project and cumulative impacts excludes summer weekends and holidays. This is when project traffic, particularly from RVs, would likely have significant impacts for which mitigations would be necessary. **AVAC-4**

EXECUTIVE SUMMARY, E. PROJECT DESCRIPTION

1. Landscaping

Site areas designated as Area 3 are proposed to have lawn installed. To address reoccurring drought conditions, artificial turf or other alternative surfaces should be evaluated under Biology impacts. **AVAC-5**

PROJECT DESCRIPTION

1.1

Stated is that the Harbor District and State Coastal Conservancy propose the development plan. Probably this should be clarified since 1.4 shows the Harbor District as the sole applicant. **AVAC-6**

2.3 Project Objectives

No statement is included about elimination of RV parking along the ocean side of Avila Beach Drive. However, the traffic analysis (4.11.5, under note 1 of Table 4.11-5, Project Trip Generation) states: "New net RV sites reflects removal of 55 RV spaces from Avila Beach Drive and existing on Harbor Terrace." The number of proposed spaces on Avila Beach Drive to be eliminated, if any, should be stated. Also, if RV parking, but not camping, is intended, this should be stated. **AVAC-7**

2.4 Project Components

- It is necessary to state whether commercial components are intended for the general public in addition to overnight guests. This is essential information for evaluating onsite circulation and parking adequacy. **AVAC-8**
- The specific uses and sizes of commercial buildings and swimming pool facilities are lacking. This information is needed for determination of the number of parking spaces needed if the components are intended for the general public. **AVAC-9**
- There are no architectural elevations. These are needed for aesthetic evaluation. **AVAC-10**

- Maximum stays are stated as 30 days. It should be specified whether this is consecutively or annually. Without specificity, RVs could repeatedly stay for 30 days, leave for a couple of days and return for another 30 days. Turnover should be encouraged for greater public availability.

AVAC-11

3.5 Cumulative Development Scenario

Cumulative development information is incomplete. A complete list for projected development should be included here or appended since this information is essential for the traffic analysis.

AVAC-12

- Because development buildout is projected by the County based on permits, traffic generated by unpermitted temporary events for 3,000 attendees at the golf course is omitted from County data. These events are increasingly held Friday evening through Sunday evening for half the year, during high visitor season.

AVAC-13

- The popular Friday market on the plaza in Avila Beach is held weekly from May to October.
- Colony lots in Avila Beach are being developed and could have multiple dwellings, as could other lots in Avila Beach.

AVAC-14

- Approved Kingfisher Canyon development is ongoing.
- Avila Point's proposed components are known since an EIR for the project is under preparation.
- 50 unbuilt golf course cottage units adjacent to the timeshare are in the San Luis Bay Estates Master Development Plan.

4.1 AESTHETIC RESOURCES

4.1.1 Existing Conditions

RV parking along Avila Beach Drive is not mentioned.

AVAC-15

4.1.4 Impact Assessment and Methodology

Photo simulations show continued RV parking along portions of Avila Beach Drive in proximity of the project site. Is this intended?

AVAC-16

4.1.5 Project Specific Impacts and Mitigations

- Under Introduce a Use within a Scenic View Open to Public View is mentioned that RV camping along the ocean side of Avila Beach Drive would be relocated to the project site. Is all such RV camping proposed to be relocated? Would daytime RV parking on Avila Beach Drive be allowed?

AVAC-17

- Glare from walls of RV windshields needs to be evaluated and mitigated.

AVAC-18

- Parking of RVs on Avila Beach Drive across from Harbor Terrace would intensify the aesthetic impact of the proposed RVs on the hill. This impact should be discussed. **A designated RV area in the parking lot at the harbor for daytime RV parking should be included as aesthetic mitigation for project RVs.**

AVAC-19

AES/mm-1

The commercial building siting and design should be finalized before project approval rather than before the application for construction permits. **The public should have opportunity to review and comment on, and the decision body opportunity to consider, specific location and design for the commercial building.**

AVAC-20

AES/mm-2

The landscape plan for whatever might be the actual project should be finalized before project approval rather than before application for construction permits. **The public should have opportunity to review and comment on, and the decision body opportunity to consider, definitive landscaping components.**

AES/mm-3

<p>Cross-section plans showing RV space locations set back from terrace edges should be finalized before project approval rather than before application for construction permits. RV siting is a primary aesthetic impact on which the public should have opportunity to review and comment, and the decision body opportunity to consider, prior to development plan approval.</p>	<p>AVAC-20 (continued)</p>
<p><i>AES/mm- 4</i> Measures to achieve consistency with area visual character should be incorporated into the project before project approval rather than before application for construction permits. The public should have opportunity to review and comment and the decision body should vote on a definitive project. Proposed deferred mitigations should be incorporated into the plan before a development permit.</p>	
<p><i>Port Master Plan Final Program EIR measures V-1, V-2 and V-3</i> These are referenced as mitigation measures and should be included in this section or appended.</p>	<p>AVAC-21</p>
<p>4.10 PUBLIC SERVICES, PROTECTION</p>	
<p>4.10.1.2 The Sheriff's response time is stated to be three to five minutes. However, the Sheriff's letter in Appendix A states the current average response time is generally 12 to 49 minutes. This discrepancy needs to be clarified.</p>	<p>AVAC-22</p>
<p><u>4.11 TRANSPORTATION & TRAFFIC</u></p>	
<p><i>4.11.1 Existing Conditions</i> Discussion about the area's emergency access situation, with one way in and out, should be included.</p>	<p>AVAC-23</p>
<p><i>4.11.1.3 Transit Service</i> Trolley capacity and route frequency should be included.</p>	<p>AVAC-24</p>
<p><i>4.11.1.5 Seasonal Traffic</i> The second paragraph cites Tuesday as the busiest traffic weekday during both non-summer and summer/holiday times, whereas the fourth paragraph correctly cites Thursdays and Fridays as busiest for summer/holiday times.</p>	<p>AVAC-25</p>
<p><i>4.11.3 d., Thresholds of Significance</i> "Fail to provide for adequate emergency access" is listed as a criterion for significant impacts. Does this apply to emergency access for both the Avila area and the site?</p>	<p>AVAC-26</p>
<p><i>4.11.5 Project Specific impacts & Mitigation Measures</i> - Traffic impacts are not evaluated for summer and holiday weekends when project traffic, particularly RVs, could have significant impacts. Increasingly, Avila Beach visitors are present on Thursdays and Fridays, in addition to weekends and holidays from mid-May through mid-October. Peak use of Harbor Terrace would coincide with Avila's peak visitor times and must be evaluated and mitigated.</p>	<p>AVAC-27</p>
<p>- Impacts exclude traffic trips from the 73,000 cubic yards of soil that would be exported from the site (pg. ES-15, Site Preparation). This would involve 8,000 trips of large dump trucks for loads hauled out and the return trips. Site preparation truck trips need to be evaluated and mitigated.</p>	<p>AVAC-28</p>
<p>- Impacts do not reflect information included under 4.11.2, pp 8&9, Regulatory Setting, Intercept Parking & Shuttle Service, second and fourth paragraphs: Mentioned is that Avila Beach parking is at or near capacity during summer weekends and holidays and that estimated demand with planned land</p>	<p>AVAC-29</p>

uses exceeds supply by about 200 spaces. **This information is omitted from project impacts and needs to be referenced and evaluated.**

- Changeable message signs to divert RVs from entering Avila Beach when RV parking is absorbed should be discussed as mitigation for addition of project RVs to peak season traffic. These signs should be placed at Avila Beach interchanges on 101 or, if this location is not possible, between off-ramps and Ontario Road on Avila Beach Drive and San Luis Bay Drive. (Note: Under 4.11.2 such signs were recommended to divert traffic to future intercept lots.) **Changeable message signs should be included to mitigate increased RV traffic during peak visitor season.**

- Under Create Unsafe Conditions, pg.4.11-15, first paragraph, is stated: "Detailed site designs should be reviewed once they are available to ensure that pedestrian facilities are continuous and connect to likely destinations to the maximum extent possible." **Site design for pedestrian facilities should be available for public review and comment and for decision body consideration prior to project approval, instead of deferred to construction permits. A signalized pedestrian safety crossing should be installed if any Avila Beach parking is allowed along or across from Harbor Terrace.**

- Mitigation for sight distance visibility hazard to Harbor Terrace pedestrians due to daytime RV parking on Avila Beach Drive is needed. **A designated daytime RV parking area in the harbor parking lot should be provided to mitigate Harbor Terrace hazard to pedestrians crossing Avila Beach Drive.**

- Under Create Unsafe Conditions, pg.4.11-15, is discussion of a left turn lane. The EIR recommends observation of conditions following project operation rather than initial installation. However, traffic calculations are based on a non-summer/holiday weekday and do not consider high season weekend/holiday traffic volumes. **A left turn lane should be evaluated for peak traffic season and a left turn lane included as mitigation.**

AVAC-29
(continued)

AVAC-30

AVAC-31

AVAC-32

AVAC-33

4.11.6 Cumulative Impacts

Cumulative development information is incomplete. A list of projected development upon which analysis is based should either be included here or provided elsewhere in the EIR and referenced here. Also, traffic generation assumptions for the proposed large Avila Point project need to be specified. Because the County bases build out projections on Planning permits, traffic generated by the continually increasing number of unpermitted temporary events for 3,000 attendees at the golf course is omitted from County data. These events are usually held Friday evening through Sunday evening for half the year- during high visitor season. Additionally, the Friday afternoon – evening farmers market on the plaza, permitted by County Parks and Recreation, operates during peak season and absorbs all parking spaces in Avila Beach. **Inclusion of detailed traffic generation information for cumulative development is necessary, as well as analyses for summer-holiday weekend traffic.**

AVAC-34

4.3 BIOLOGICAL RESOURCES

4.3.1 Existing Conditions, Regional Setting

Description presented is not specific to this project's location.

Open Water: Citing the bay bottom and the marine mammals (i.e., sea otters, humpback whales and killer whales) does not relate to this project.

Marine Intertidal: References to the San Luis Obispo Creek east of the project site.

Estuarine: Vegetation between Avila Beach Drive and the lagoon formed by San Luis Creek on the road berm is out of the location of this project.

Riparian: Canopy formed by Wild Cherry Canyon and Harford Creek and San Luis Obispo Creek is named, supporting habitats for special-status species, and is out of the range of this project.

AVAC-35

<p>Sandy Beach: This is not impacted by this project; the birds are migratory. Fisherman's Beach is not noted, with its grunion runs and the trench created from dredging.</p> <p>Coastal Scrub: This is typical of this site. It is stated that the silvery legless lizard and California horned lizard may be present; either they are or are not present.</p> <p>Coast Live Oak Woodland: This site has 21 Coast Live Oaks. It is noted that the California newt is present; however, there is no stream on the property for the newt to survive. The Tidewater goby is not listed.</p> <p>Annual Grassland: This general description does not apply to this project and it is not on this project site.</p> <p>Ruderal (Disturbed): This disturbed habitat is throughout the project area, due to landscaping, construction and other land clearing activities.</p>	<p>AVAC-35 (continued)</p>
<p>4.3.1.2 Project Site Setting</p> <p>4.3.1.3 Environmentally Sensitive Habitat: the last sentence refers to the "project area" rather than the Project Site Setting. The content in this 4.3.1.2 section is general in its description and not specific to the project site.</p> <p>San Luis Creek Estuary: This is not on the site. SRA = Sensitive Resource Area; this should be spelled out the first time it appears in the report. Rainbow trout by the dam is first mentioned here; again, not in the project site, it is .7 miles from the site.</p> <p>Coastal Streams and Riparian Vegetation: These are out of the project site. The two unnamed drainages, one of which is parallel to Diablo Canyon Road, 50 ft. west of the property boundary, actually comes out in a culvert, 6 ft/10 ft. above the ground and is concrete.</p>	<p>AVAC-36</p>
<p>4.3.1.4 Native and Important Vegetation: There are 21 coast live oak trees on the project site. It is not clear what kind of needle grass is present as it is listed three different ways in this report.</p>	<p>AVAC-37</p>
<p>Table 4.3.1 - Special-Status Plant Species Evaluated for Potential Occurrences (chart) lists eighteen species and none were observed on the property. Why is it presented in this document? Is it used as filler?</p>	<p>AVAC-38</p>
<p>Natural Communities of Concern: One specie was listed and it was noted that it is "absent....served within the property boundaries." Why was this listed? It does not apply.</p>	<p>AVAC-39</p>
<p>4.3.1.5 Special-Status Species: "No rare, threatened or endangered plant species were found on the Harbor Terrace site during site surveys conducted for the Harbor Terrace EIR in 1996." If this is what the District is relying on for their evidence, why is it not attached to the document? These finding needs to be documented. Also, noted was "recent surveys conducted ...by Barry Holland documented the presence of the woodrat middens; no other special status plants or wildlife was observed." This is the first time in this report woodrat middens have been noted.</p>	<p>AVAC-40</p>
<p>Special-status Plants: Reference to CNDDDB and CNIS databases is difficult because it is not clear what/where these two databases represent/reside and Appendix D is not included in this report.</p>	<p>AVAC-41</p>
<p>The statement, "...18 special-status plant species and one natural community of concern have the potential to occur in the area (refer to Table 4.3-1)," does not seem appropriate, as none were observed. The use of the word, potential, is misleading. The report suggests that there are "suitable conditions" for: owl's clover, Mesa Horkelia, Jones's layia, and southern curly monardella; these need only to be listed. However, it is stated that "...no special-status plant species were observed onsite. The point is mute.</p>	<p>AVAC-42</p>
<p>Special-status Animal Species: There is no need to have a table of eight species who have "potential to occur in the immediate area" when the suitable habitat conditons are present for only nesting birds</p>	<p>AVAC-43</p>

and San Diego woodrats. Then, it is stated that “No rare, threatened, or endangered wildlife species were observed; however, woodrat middens were documented...” Should they be added to the table?	AVAC-43 (continued)
Nesting and Migratory Birds: They state that California brown pelican or American peregrine falcon may occasionally fly over the site. Is this an issue?	AVAC-44
Table 4.3-2 Special-status Wildlife Species Investigated for Potential Occurrence served during the lists six species not observed. Also, no other nesting birds were observed during the survey (March-August which is the birds active nest season); yet, they surveyed during March, May, and August of 2014 and did not document any observed. San Diego woodrat were observed on the site.	AVAC-45
4.3.1.6 Common Wildlife: These all have potential to be present. Is this supposed to be a complete list from the literature or from a biologist’s observation?	AVAC-46
4.3.2 Regulatory Setting	AVAC-47
4.3.2.1 Federal and State	
4.3.2.2 Local Regulations and Policies	
San Luis Bay Coastal Area Plan: “Development in areas....shall be sited and designed to prevent impacts which would significantly degrade such areas...” Agreed. Oaks replanted.	
Port San Luis Aquatic and Terrestrial Habitats: Marine Environments. “...sustain the biological productivity of coastal waters and maintain healthy populations of all species...” How do we plan to measure this? “Environmentally sensitive habitats of San Luis Creek....shall be protected, preserved and restored....” No restoring because there is no impact.	AVAC-48
Native Vegetation: “New landside development shall require landscaping plans that include only native, drought tolerant plants.” Yes! This site is 60% ruderal/disturbed; why restore it? Introducing valley needlegrass which grows in clumps, rationale?	AVAC-49
Harbor Terrace: #6 “The provision of designated areas for pets so that native habitat areas are avoided. This is a very difficult challenge to ensure; what is the plan?”	AVAC-50
#7 “Grading for approved development....to minimize sedimentation impact on adjacent surface water bodies....shall be scheduled to avoid the rainy season.”	AVAC-51
#9 “...the stream channel shall be restored to provide both flow capacity and natural habitat.” It is paved, culverized under Avila Road with cement.	
Coastal Zone Land Use Ordinance: Development standards for ESHA: #3 “.. restored to?..damaged habitats shall be restored as a condition of development approval.” This site was a Tank Farm; is this what it should be returned to?	
Port Master Plan and Port Master Plan Final Program EIR: Mitigation Measures:	AVAC-52
B-1 - Oak tree removed....recommends 4:1 replacement of oak trees.	
B-3 - Oak tree protective measures....preventing any construction or grading activities from damaging existing oak trees. These two statements are confusing; what is the answer?	
B-5 - Bell’s sage sparrow is listed for the first time. Why is it now listed? It has not been observed.	AVAC-53
B -6 - “Botanical survey shall be conducted to determine the presence and distribution of special status plant species on the Harbor Terrace site prior to project approval.” Where are the survey results? Table 5.6-1 was not available.	AVAC-54
B-9.3 - “Where feasible, damaged habitats shall be restored as a condition of development approval.” What does this mean? This project’s site is predominantly ruderal/disturbed; is this what “damaged habitats” mean? If restoring purple needlegrass, then valley needlegrass maybe present; why replant it?	AVAC-55
B-9.4 “Development shall be consistent with the biological continuance of the habitat.” Does this mean the migratory corridors?	AVAC-56

B-10.1 - "Protection of kelp beds, offshore rocks, reefs and intertidal areas. Development shall be sited and designed to mitigate impacts..." Is this an expectation to be met?	AVAC-57
B-10.2 - "Siting of shoreline structures." This does not apply to this project.	AVAC-58
B-10.3 - "Coastal access. Coastal access shall be monitored and regulated to minimize impacts on marine resources..." Will this occur during the pre-construction phase and during the construction phase?	AVAC-59
Table 4.3-4. Detailed Temporary and Permanent Impacts Based on Use Areas: Looks like there are three habitations: ruderal/disturbed, ornamental trees and Coastal scrub with significant exposure. Valley needlegrass grasslands is listed; however, there are three other listings in the report of needlegrass. Is this title all inclusive?	AVAC-60
Effects on Special-Status Species and Habitat Construction-Related Impacts: "Removal of ornamental treesEucalyptus would have an adverse effect on nesting birds;" eucalyptus has not been mention before in this document. There are other ornamental trees (i.e., pepper, Monterey pines, Italian cypress); will these be also removed? What is left for the nesting birds?	AVAC-61
BIO Impact 1: Mitigation Measures BIO/mm-1 - It states that "Prior to initiation of grading activities, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of special-species." This is redundant; nothing has been found. Why do it again?	AVAC-62
BIO/mm-2 and BIO/mm-3 - "Grading and construction resulting in ground disturbance should be limited to the typical dry season (April 15 to October 15)." then, stated..."If feasible, all work shall be avoided during the nesting bird season (approximately February 1 through August 15)" These two statements result in August 15 to October 15 as the time to comply; one month to do the work is not realistic."	AVAC-63
BIO/mm-4 and -5- "All existing oak trees shall remain on-site." "All oak trees identified to remain shall not be removed. These two statements are not clearly defined and need explanation.	AVAC-64
Long-term Impacts: With the statement that there is permanent loss of .08 acres of valley needlegrass grassland (not documented) and .79 acre of coastal scrub (not documented) through a landscape plan, the question is: what about the ruderal/disturbed, which appears from Table 4.3-4 to dominate the property? A statement is made that "The proposed development provides an opportunity for additional education regarding sensitive habitats and species..." raises the question as to the purpose of this report.	AVAC-65
BIO Impact 2: Mitigation Measures BIO/mm-7 - "Prior to issuance of grading permits....their designee shall submit a final landscape plan incorporating the following elements and standards...replacement of valley needlegrass grassland...replacement of coastal scrub within the property boundaries. " Why are they removing native plants?	AVAC-66
4.3.6 Cumulative Impacts "The cumulative impact scenario includes build-out under the Port Master Plan."...Mitigation identified in the Port Master Plan Final Program EIR and additional project-specific measures would mitigate all identified impacts to less than significant." This reviewer has no way of assessing whether this statement is true, as it appears to be an overwhelming project which impacts an area which has not been developed. Implementation of the Avila Tank Farm Project is stated to have an impact on this project. This statement is not substantiated in this document.	AVAC-67

4.4 CULTURAL RESOURCES

4.4.1 Existing conditions: This report was generated by using Results of Phase One Archaeological Surface Survey of the Harbor Terrace Project (Gibson 1996). This survey was done 18 years ago; a more current survey should be done before the plan for the development is presented for approval, as procedures have changed in two decades and needs to be applied to this site. Also, why is this Phase One report a "confidential" document held on file at the Harbor District offices? Explain.

AVAC-68

4.4.1.1 Pre-History: It is definitely established that the Native Americans occupied this area for more than 15,000 years with Avila Beach being a large site.

AVAC-69

4.4.1.2 Modern History: Discusses the surrounding area but not this specific site.

AVAC-70

4.4.1.3 Site Specific Setting

Archaeological Resources: It is noted that that "... the Harbor Terrace site indicates the existence of 12 recorded archaeological sites. Of this total, three sites were recorded near or within the Harbor Terrace site boundaries." Later, it is stated that "None of the documented sites are located within the areas proposed for grading, development, or public access." How can this statement be made when the plans for the development continue to morph based upon input received? No map of the site with these three areas identified is presented; so, this is difficult to understand the aforementioned statement. "These three site would fall within the following definitions of important and significant archaeological resources." Why hasn't there been an extensive survey of this area before establishing this project? The surface survey of "All three of these prehistoric cultural sites identified during the surface survey of the Harbor Terrace site were largely intact cultural deposits." Are we ignoring the value of preserving a major archaeological setting?

AVAC-71

Historical Resources: This section is very limited with only a reference statement about the Pacific Coast Narrow Gage Railroad (discontinued in 1937) . In addition: Did the Chinese workers have their homes on this site? Did whalers and fishermen reside here? Wasn't this the first Tank Farm and Refinery on this site? These questions and more need to be answered; so, doesn't this call for a professional historian to provide the important historical research of this site.

AVAC-72

Paleontological Resources: "...the potential for significant paleontological discovery is high in native soils." There is no response to why or why not further exploration is possible and/or required.

AVAC-73

4.4.2 Regulatory Setting

AVAC-74

4.4.2.1 State Regulations: Just because this site is not listed in or determine to be eligible for listing on the California Register of Historical Resources, it "...does not preclude a lead agency from determining that the resource may be an historical resource." Has this been discussed by the Commission/Lead Agency and if so, what was the outcome of the discussion? If it has not been discussed, why not?

Also, "Achieving CEQA compliance with regard to treatment of impacts to significant cultural resources requires that a mitigation plan be developed for the resources." What is stated in the Mitigation Plan is that there will be monitoring, cultural awareness training for crews and a qualified archaeologist and Native American to monitor the initial stage earth-disturbing activities. The concern is that the site has not been evaluated to identify the cultural and

AVAC-75

<p>historical resources, which are present. To say, monitoring is the mitigation plan does not make sense. Explain.</p>	<p>AVAC-75 (continued)</p>
<p>"Preservation in place is the preferred manner of mitigating impacts to archeological resources." This is not presented in the Mitigation Plan. Why not?</p>	<p>AVAC-76</p>
<p>4.4.2.2 Local Regulations and Policies Coastal Zone Land Use Ordinance</p>	<p>AVAC-77</p>
<p>Section 23.07.104 - Archaeologically Sensitive Areas: The document lists how areas are defined as archaeologically sensitive. It does not draw a conclusion that this site is defined as archaeologically sensitive. Since it is specified in this section, are we to believe that this site is archaeologically sensitive?</p>	
<p>"A preliminary site survey shall be required before a land use or construction permit for development in an archaeologically sensitive area." Since the survey completed is 18 yrs. old, wouldn't it be necessary to conduct a current survey and develop a mitigation plan which will protect the resources? And wouldn't the results of the survey be shared with the developers before they submit their proposals?</p>	<p>AVAC-78</p>
<p>Who is the Environmental Coordinator who will approve the mitigation plan and does this person have responsibility to share the decision which is considered in the evaluation of the development request by the Review Authority?</p>	<p>AVAC-79</p>
<p>It states that "The County will provide pertinent project information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan." Does the Mitigation Plan presented on 4.4-9 and 4.4-10 represent the feedback from the Native American tribe(s) and if so, what were their comments and if not, why aren't their comments incorporated into the Mitigation Plan?</p>	<p>AVAC-80</p>
<p><u>San Luis Bay Coastal Area Plan</u> Harbor Terrace: d. "...Archaeological field surveys shall be conducted prior to construction activities." What are the archaeological field surveys conducted?</p>	<p>AVAC-81</p>
<p>What are "cultural/archaeological preservation activities that have been coordinated and approved by the State Historic Preservation Officer and representatives of the appropriate Chumash tribe?</p>	<p>AVAC-82</p>
<p>4.4.4 Impact Assessment and Methodology It states "When a project will impact an archaeological site, the lead agency must first determine whether the site is an historical resource." Has this been determined? When?</p>	<p>AVAC-83</p>
<p>4.4.5 Project Specific Impacts and Mitigation Measures Disturb Archaeological Resources: How can the statement be made that "Proposed grading and construction activities would not result in the disturbance of any known archaeological resources."? Explain.</p>	<p>AVAC-84</p>
<p>"This impact would be minimized by project location and the design...these sites are not located within the property line of the project site." This is unclear as the document has lead the reader to believe that this project is on a cultural/archaeological/historical/paleontological site. Present a clear map as to the sensitive areas impacted relative to this project site. This area was the largest gathering of Native Americans on the Coast, not to mention the others groups that followed. More data is needed to determine the extent of this sensitive site.</p>	<p>AVAC-85</p>

CUL Impact 1

Mitigation Measures

CUL/mm-1 Submitting a Monitoring Plan, with the intent to monitor all initial earth-disturbing activities is a premature, as a first mitigation step.

Without the benefit of a comprehensive, current archeological survey, an historian's report on the historical resources and a geological survey to determine the paleontological resources, how can a project development plan be accepted to proceed with the initial earth-disturbing activities?

These resources are important and significant. What is the mitigation plan to preserve them? Does mitigation result in preservation of these resources? There is no discussion in this Mitigation Plan of preservation strategies.

Residual Impacts

"Based on the design of the proposed project, significant archaeological sites would be avoided."

What is a "significant archaeological site"? Aren't all archaeological sites significant?

Disturb Historic Resources

The conclusion that there is no impact as there are no historic resources or structure has been made without an historian's historical resources report. The conclusion made in this report is strictly based on a Pacific Coast Narrow Gage Railroad statement. Isn't there more to this site's history than the railroad.

Disturb Paleontological Resources

"Due to the sensitivity of the underlying geologic formations, there is a potential for significant paleontological discovery. Grading activities have the potential to destroy significant resources, resulting in a potentially significant impact." WOW! Isn't there a need for extensive surveys and reporting prior to any development/planning and especially, grading activities. These surveys and report need to be available to the lead agency and project developers to ensure that they are not developing in an area that is not significant for resources (cultural, historical, archaeological and paleontological). From the review of this report, the scope of resource locations is vast and has not been defined. Define these locations.

AVAC-86

AVAC-87

AVAC-88

AVAC-89

AVAC-90

CUL Impact 2

Residual Impact

How can this conclusion, "...potential impacts would be mitigated to less than significant," when throughout the report it is stated that there is potential for significant paleontological discovery?

AVAC-91

4.4.6 Cumulative Impacts

Consistently, it is stated that "...documented significant resources would be avoided." This is an unclear assumption, as no data has been present, no current surveys, nor reports that delineate specifically what is avoided and the assumption that these resources will not be disturbed is not clear. How can this statement be made without a clear understanding of this site's resources. Please specify.

AVAC-92

4.5 GEOLOGY & SOILS

4.5.3 GEOLOGIC HAZARDS

4.5.1.4 Seismic Setting

General Comment:

The proposed development site is impacted by at five active earthquake faults. Of particular concern are the newly discovered Shoreline Fault and the little known San Luis Bay Fault which crosses the project site.

AVAC-93

CONCLUSIONARY COMMENTS

In just these few sections of Chapter 4.5 of the draft EIR concerning the earthwork and seismic impacts, it is apparent that the entire 20-acres proposed for mass grading on the 32-acre site will require extensive work to determine the areas and depths of major cuts and fills that may overlay previous cuts and fills at greater depths. There is little information available to know where these conditions exist.

To further compound these grading concerns, there are seven geologic hazards listed that will also control the design of the proposed improvements to avoid, remove, and replace poor soil areas, or provide setbacks from seismic faults. Again, these fault zones have yet to be located accurately on the site.

The existing conditions are so difficult with so little information available that without the needed geotechnical preliminary exploratory investigations (borings and lab testing), much of the proposed development area may have to be redesigned and new mitigation measures prepared once the final geotechnical report has been prepared at a later time.

Page 4.5-7: 4.5.1.4 Seismic Setting

"The Port San Luis Harbor District is located in a seismically active region of California where strong ground motion has occurred in the past and is likely to occur again."

"Active faults that may impact the project site include the Los Osos Fault, the San Andreas Fault, and the Hosgri Fault."

The newly discovered Shoreline Fault also lies in close proximity to the site; however, its activity level has not yet been determined."

NOTE: Recent studies by PG&E for the adjacent nuclear power plant have been concluded and the information developed should be included in this draft EIR.

AVAC-94

“The San Luis Bay Fault, a potentially active fault that is part of the San Luis Ridge Fault System, is believed to cross the site and may result in impacts.”

AVAC-95

“The Los Osos Fault lies approximately 7 miles north of the site. The Los Osos Fault is capable of generating a maximum moment earthquake of magnitude 6.8.”

“The most seismically active fault in California is the San Andreas Fault, which lies about 45 miles to the east... and is generally considered to be the most likely source for strong motion in San Luis Obispo County.”

Page 4.5-8: “The Hosgri Fault consists of a series of faults off of the San Luis Obispo County coast. The fault is considered active by the USGS. At its closest point the Hosgri Fault lies approximately six miles to the west of the site.”

Page 4.5-9: “The San Luis Bay Fault is part of the San Luis Ridge Fault System... near the community of Avila Beach. The fault is poorly exposed and not well-expressed geomorphically, suggesting a low level of activity.... its designation by the California Division of Mines and Geology is potentially active.”

NOTE: The Geologic Map on Page 4.5-3 shows the San Luis Bay Fault encompassing the project site. This little known fault requires further investigation to determine the mitigation measures.

4.5.3 SEISMIC HAZARDS

4.5.3.1 Faults

Page 4.5-11: 4.5.3.1 Faults “The Harbor Terrace site is crossed by the San Luis Bay Fault. While the precise location of the fault is not known, past studies constrained the fault to an approximately 1200-foot wide zone that encompasses almost the entire campground site.

AVAC-96

Earth Systems Pacific identified an area of highly sheared rock in the west central region of the site. Such a highly sheared rock zone is suggestive of faulting, and may represent a secondary fault extending from the main fault.”

NOTE: This zone underlies a proposed row of RVs and cabins. Clearly, additional borings and trenching are necessary to determine the mitigation measures and redesign the project layout for the draft EIR.

4.5.3.2 Ground Shaking

Page 4.5-12: *"The project site has the potential to experience strong ground shaking from earthquakes..."*

"Ground shaking could also occur in the event of movement along the newly discovered Shoreline Fault or the San Luis Bay Fault."

4.5.3.3 Ground Surface Rupture

Page 4.5-12: *"In the event that the San Luis Bay Fault moved sympathetically in response to strong shaking from a seismic event along another fault, there is a potential for ground rupture to occur."*

4.5.3.4 Liquefaction

Page 4.5-12: *"Consequently, shallow groundwater may be present in some areas of the site. In view of this and the fact that the composition, density, and other properties of the native and fill soils at the site are not known, a potential for liquefaction and associated lateral spreading may exist in some areas of the site."*

NOTE: There are too many unknowns. Preliminary exploratory investigation would resolve these and allow a realistic conceptual site plan to be prepared with appropriate mitigation measures.

4.5.3.5 Seismically-Induced Settlement

Page 4.5-13: *"Undocumented fill underlies much of the project site and may be deeper than the 36-feet encountered in the past borings . Due to the unknown nature of the fill materials, the potential for seismically induced settlement is considered moderate to high unless future analysis of the fill soils indicate otherwise."*

4.5.3.6 Seismically-Induced Landsliding and Slope Stability

Page 4.5-13: *"Eight significant landslides have been identified at, or in the general vicinity of, the site on geologic maps and in previous geologic studies. There are also significant slopes at the site that comprise undocumented fill soils. In view of these conditions, the potentials for seismically-induced land sliding and slope instability are considered high."*

4.5.8 Project Specific Impacts and Mitigation Measures

Exposure to Seismic Hazards

Page 4.5-22: **LANDSLIDES** *"Movement of landslides, including seismically-induced movement, could result in damage to proposed improvements that lie within their boundaries or in their path. Movement of Landslide 1 or Landslide 3 could damage cabins or vehicles and, depending upon the type and severity of the movement, could endanger those occupying these areas"*

AVAC-97

AVAC-98

9.2.4 Response to Letter from Avila Valley Advisory Council

Comment No.	Response
AVAC-1	Please refer to responses to specific comments below.
AVAC-2	The proposed project includes additional specifications in uses, circulation, landscaping, grading, and management of stormwater. The project is similar to the conceptual plan due to planning area standards identified in the San Luis Bay Area Plan. The mitigation measures identified in the Draft and Final EIR include verifiable performance standards to mitigate identified impacts beyond the County's Local Coastal Plan (LCP) documents and the Port Master Plan. No further CEQA documentation would be required, provided the construction plans are consistent with the ultimately approved project, County-issued Coastal Development Permit, and adopted Mitigation Monitoring and Reporting Program. Additional opportunities for public review and comment will occur during the County's review of the CDP and during the Harbor Commission's review and approval of final construction and architectural plans. No changes to the EIR are necessary.
AVAC-3	Further geotechnical review will clarify which mitigation measures would be required, out of the identified mitigation measures presented in the EIR. The location of project components would not change. No changes to the EIR are necessary.
AVAC-4	The traffic analysis was prepared pursuant to the County's LCP and Avila Valley Circulation Study, and based on methodology directed by County Public Works, and assesses if the project would result in a significant impact based on County thresholds of significance. The project would not result in a change in level of service below LOS C. The LOS standard was established by the County in order to focus on the normal demand, which drives road improvement requirements. As noted in the EIR, the maintenance of acceptable levels of service (LOS) for the Avila Valley and Avila Beach area streets is important for balancing future development with the reasonable level and scale of roadway improvements in the community. It can be noted that build-out of the Port Master Plan, including Harbor Terrace, would not reduce level of service during summer/holiday weekend peak hours. No changes to the EIR are necessary.
AVAC-5	Based on the analysis in the Draft EIR, no significant impacts related to the proposed landscape plan were identified; however, the Harbor Commission will consider the recommendation to remove the lawn component from the landscape plan. No changes to the EIR are necessary.
AVAC-6	The following clarification has been added to the Introduction of the EIR: <i>"The Harbor District is the CEQA lead agency and project proponent, and the Conservancy provided the funding for development of the plan and preparation of the EIR and County of San Luis Obispo Coastal Development Permit (CDP) application".</i>
AVAC-7	Final EIR Section 2.4 (Project Description, Project Components) has been clarified as follows: <i>"Approximately 25 RV camping spaces are currently located on Avila Beach Drive. With implementation of the proposed project, these 25 RV camping spaces would not be allowed on Avila Beach Drive. These spaces may remain available for roadside parking, including RVs".</i>

Comment No.	Response
AVAC-8	Proposed uses that would be available to the public include the commercial uses and associated barbeque and viewing areas. The project includes parking for overnight guests, and a 48,000-square foot parking area available for the public, consistent with the San Luis Bay Area Plan, which will be adequate to serve the proposed uses. Onsite circulation was reviewed by County Public Works and CAL FIRE during development of the proposed site plan. No changes to the EIR are necessary.
AVAC-9	As described in Table 2-1 (Project Components and Amenities), the 16,000-square feet would be available for visitor serving/commercial uses. These uses would be available for both overnight guests and the public. Parking areas are identified for both overnight guests and the public. No changes to the EIR are necessary.
AVAC-10	Please refer to EIR Section 4.1.2.2 (Aesthetic Resources, Local Regulations and Policies, County of San Luis Obispo Local Coastal Program, Harbor Terrace), which identifies planning area standards specific to the allowable height and development standards. Additional performance standards are identified in mitigation measure AES/mm-1 and AES/mm-4, based on the aesthetics evaluation documented in EIR Section 4.3 (Aesthetics Resources). Architectural designs will comply with mitigation measure performance standards, and will be reviewed and approved by the Harbor Commission, with input through public comment. No changes to the EIR are necessary.
AVAC-11	As currently proposed, the maximum stay limit is 30 consecutive days. The Harbor Commission may consider application of further restrictions. Final EIR Table 2-1 Project Components and Amenities has been clarified to note (clarification in <i>italics</i>): “The maximum stay limit would be 30 days, <i>with the exception of camp host(s)</i> ”.
AVAC-12	Based on consultation with the County Public Works Department, the cumulative forecasting approach for the traffic analysis included use of the County’s traffic model, which includes build-out of the San Luis Bay Area Plan. The traffic consultant completed the traffic analysis as directed by the County. No changes to the EIR are necessary.
AVAC-13	Please refer to response to AVAC-12 above; the cumulative traffic analysis was prepared using the Avila Traffic Model, as required by County Public Works. Final EIR Table 3-2 Cumulative Projects List has been updated to including ongoing special events.
AVAC-14	Please refer to response to AVAC-12 above; the cumulative traffic analysis was prepared using the Avila Traffic Model, as required by County Public Works. Final EIR Table 3-2 Cumulative Projects List has been updated.
AVAC-15	Please refer to Final EIR Section 4.1.1.1 (Aesthetics Resources, Project Site), which has been clarified as follows (clarification in <i>italics</i>): “RVs are currently allowed to park <i>and camp</i> on the ocean-side of Avila Beach Drive across from the parking area, which blocks views of the ocean as seen from Avila Beach Drive”.
AVAC-16	Photo-simulations show continued RV parking on Avila Beach Drive, because this use will continue to be allowed. RV camping would be discontinued. No changes to the EIR are necessary.

Comment No.	Response
AVAC-17	RV camping on Avila Beach Drive would be discontinued; daytime vehicle and RV parking would be allowed. No changes to the EIR are necessary.
AVAC-18	<p>Please refer to Final EIR Section 4.1.5 (Project Specific Impacts and Mitigation Measures, Create Glare or Night Lighting), which has been clarified by including the following:</p> <p><i>“Glare from RV and vehicle windshields may also occur; however, the duration of the glare would be short-term during the day, and implementation of the proposed landscape plan would provide screening. Therefore, the effect would be less than significant”.</i></p>
AVAC-19	<p>The aesthetics analysis considers potential impacts of the project on the current environmental setting, which includes RV camping and parking on Avila Beach Drive, and RV camping on the project site. The photo-simulations used to assist environmental review include continued allowed daytime RV parking on Avila Beach Drive. At this time, County Public Works does not prohibit RV parking on the roadside. RV parking is, and will continue to be allowed within the Harbor parking lot; therefore, no additional mitigation is required. No changes to the EIR are necessary.</p>
AVAC-20	<p>Please refer to EIR Section 4.1.2.2 (Aesthetic Resources, Local Regulations and Policies, County of San Luis Obispo Local Coastal Program, Harbor Terrace), which identifies planning area standards specific to the allowable height and development and landscaping standards. The site plan identifies specific areas for proposed development, including an identified commercial area and location of the commercial use structures and types of visitor service and commercial uses. Additional performance standards are identified in mitigation measures AES/mm-1 through AES/mm-4, based on the aesthetics evaluation documented in EIR Section 4.3 (Aesthetics Resources). Architectural designs and the landscaping plan will comply with mitigation measure performance standards, and will be reviewed and approved by the Harbor Commission, with input through public comment. All mitigation measures and approved plans would be incorporated into plans prior to the County’s release of grading and construction permits. No changes to the EIR are necessary.</p>
AVAC-21	<p>Applicable mitigation measures identified in the Port Master Plan Program EIR are appended to the EIR (Appendix B) and listed in the Regulatory Setting for each resource topic. For clarity, these measures are now included in full within the mitigation section for each applicable impact.</p>
AVAC-22	<p>The EIR states that “emergency response times to the service area of the Los Osos Sheriff’s Substation depends on a variety of factors which influence emergency and non-emergency calls. The location of the call and its priority (i.e., emergency status) determine the length of time for a law enforcement response. It is the Sheriff’s Department objective to have a patrol car in the vicinity of the Avila Beach area most of the time. If a patrol car is in the vicinity, an emergency response time of 3 to 5 minutes can be expected”. EIR Section 4.10.1.2 (Public Services and Utilities, Police Protection) has been clarified by including the following:</p> <p><i>“The Sheriff’s Department notes an average response times ranging from 12 to 49 minutes upon dispatch from the Los Osos station or north coast areas.”</i></p> <p>This clarification does not change the impact determination identified in the EIR.</p>

Comment No.	Response
AVAC-23	<p>EIR Section 4.11.1.1 (Transportation and Traffic, Existing Conditions, Roadway Network) has been clarified to incorporate information from EIR Section 4.7.1. (Hazards and Hazardous Materials, Existing Conditions), as follows:</p> <p><i>“Access to the Port is currently limited to Avila Beach Drive. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County Office of Emergency Services (County of San Luis Obispo 2014), and CAL FIRE (CAL FIRE 2002)”.</i></p>
AVAC-24	<p>EIR Section 4.11.1.3 (Transportation and Traffic, Transit Services) has been clarified as follows (additional clarification in <i>italics</i>):</p> <p><i>“The Avila Beach Trolley provides free fixed route service between Pismo Beach and Avila Beach on Friday evenings, and Saturdays, and Sundays during the spring, summer, and fall. There is an existing Trolley stop within the Harford Pier parking lot. Weekend service is provided hourly between 10:00 a.m. and 6:00 p.m. during the summer, and between 10:00 a.m. and 4:00 p.m. in the spring and fall. The Trolley connects to the South County Transit network which serves the Five Cities area with four routes, and completes the full route each hour. The capacity of the Trolley is 29 persons. The San Luis Obispo Regional Transit Authority (RTA) provides regional fixed-route and dial-a-ride services to San Luis Obispo County. Route 10 serves the South County, with a stop in Pismo Beach. Transit bus capacity ranges from 32 to 38 passengers”.</i></p>
AVAC-25	<p>EIR Section 4.11.1.5 (Transportation and Traffic, Seasonal Traffic) has been clarified by removing the noted inconsistent text. The following text remains in the EIR: “Typically, traffic varies during the week with Thursday and Friday being the busiest weekdays and Saturdays being the busiest weekend day. This trait consistently occurs at several locations for both summer and non-summer conditions. While the percentage increase in summer weekend traffic over summer weekday traffic is significant at the major access routes to the beach area, the largest changes occur on streets in the town”.</p>
AVAC-26	<p>The threshold of significance applies to the proposed project. No changes to the EIR are necessary.</p>
AVAC-27	<p>The traffic analysis was prepared pursuant to the County’s LCP and Avila Valley Circulation Study, and based on methodology directed by County Public Works, and assesses if the project would result in a significant impact based on County thresholds of significance. The project would not result in a change in level of service below LOS C, assuming full occupancy. The LOS standard was established by the County in order to focus on the normal demand, which drives road improvement requirements. As noted in the EIR, the maintenance of acceptable levels of service (LOS) for the Avila Valley and Avila Beach area streets is important for balancing future development with the reasonable level and scale of roadway improvements in the community. The EIR recognizes that seasonal and short-term increases in traffic currently occur during special events. The project will mitigate for traffic through payment of traffic fees, which will be applied by the County towards area-wide improvements identified in the Avila Circulation Study. Mitigation is based on peak hour trips, and in this case, assumes full occupancy. No off-site mitigation has been identified by the County. No changes to the EIR are necessary.</p>

Comment No.	Response
AVAC-28	<p>The following clarification has been incorporated into the Final EIR regarding less than significant short-term effects related to construction traffic:</p> <p><i>“Construction of the proposed project would result in the use of local roadways for the transport of equipment and materials to the project site. Due to the short-term nature of the construction period, the effects would be less than significant (Class III), and would therefore not require off-site road improvements. Prior to issuance of grading and construction permits, a Construction Traffic Mitigation Plan would be prepared, and would be implemented during the grading and construction phases. The following measure would be incorporated into the project:</i></p> <p><i>TR/mm-1 Prior to construction, the Harbor District or their designee shall prepare a Construction Traffic Mitigation Plan for review and approval by County Public Works. The Plan shall be implemented during construction, and shall include, but not be limited to, the following elements:</i></p> <ol style="list-style-type: none"> <i>a. Description of construction activities, including equipment lists and project schedule, including estimated start and end dates and working hours;</i> <i>b. Name of on-site construction manager;</i> <i>c. Identification of the work area, truck route(s), and staging areas in relation to cross streets, including all distances and dimensions;</i> <i>d. Traffic control plan, including: all temporary traffic control devices including signs and delineators; use of construction staff to manage or direct traffic; measures to reduce truck and equipment queuing on County streets; and safety measures for vehicles, pedestrians, bicyclists, and construction workers;</i> <i>e. Avoidance of peak traffic hours based on consultation with the County Public Works Department.”</i>
AVAC-29	<p>Based on existing conditions identified in the EIR related to regional parking demands, and the analysis presented in the Port Master Plan Program EIR (EIR Section 4.11.2 Regulatory Setting), and the standards identified in the San Luis Bay Area Plan, the project includes a 48,000-square foot public parking area, and includes removal of RV camping on Avila Beach Drive. These measures were required to address the project’s effect on the demand for parking in the area. Development of additional parking within Avila Beach is not within the scope of the project, and the Harbor District will continue to coordinate with the County regarding regional demands for parking due to the build-out of the Avila Beach area, consistent with the existing Parking Management Plan referenced and summarized in the EIR. No changes to the EIR are necessary.</p>
AVAC-30	<p>The Harbor Commission will consider the commenter’s request for message signs located off-site. No changes to the EIR are necessary.</p>
AVAC-31	<p>As discussed in the project description (EIR Chapter 2), the project includes two crosswalks across Avila Beach Drive. One crosswalk would be located at the Babe Lane entrance, and the second would be located at the second access road east of Diablo Canyon Road. Installation of a signal at the project intersections is not warranted based on the traffic analysis and review by County Public Works. The Harbor Commission may consider additional features associated with the proposed crosswalks, based on consultation and approval by the County Public Works Department. No changes to the EIR are necessary.</p>

Comment No.	Response
AVAC-32	Please refer to mitigation measure TR/mm-3: "For the life of the project, a clear sight triangle of at least 300 feet of stopping sight distance, and 440 feet of intersection sight distance shall be maintained at each access approach to Avila Beach Drive. This shall be achieved through long-term management of vegetation and limitations on parking on Avila Beach Drive". In addition, the Harbor District would continue to coordinate with the County regarding regional road improvements, including the County-proposed bicycle and pedestrian improvements along Avila Beach Drive. No changes to the EIR are necessary.
AVAC-33	As noted in the EIR, construction of a turn lane was evaluated based on full occupancy of the proposed project, and consideration of peak hour trips during a specified time period (second week in May), as required by the County Public Works Department, San Luis Bay Area Plan, and use of the Avila Traffic Model. Use of these existing standards, including the County-adopted traffic model, are required by the County in order to determine the reasonable and appropriate level and extent of road improvements and facilities in the Avila/Port San Luis area. No changes to the EIR are necessary.
AVAC-34	The cumulative impact analysis identified in the EIR was prepared using the County's Avila Traffic Model, as required by the County and adopted San Luis Bay Area Plan and Avila Valley Circulation Study. Use of these existing standards, including the County-adopted traffic model, are required by the County in order to determine the reasonable and appropriate level and extent of road improvements and facilities in the Avila/Port San Luis area under cumulative conditions. In addition, payment of traffic fees based on peak hour trips would be required, and the County would apply these fees to address area-wide improvements identified in the Avila Valley Circulation Study. No changes to the EIR are necessary.
AVAC-35	The existing conditions described in the EIR provide the environmental baseline and context of the project both within the project boundaries, and proximate areas within the Port Master Plan area, including Fisherman's Beach (Sandy Area). The EIR describes special-status species with the potential to occur on the project site based on existing habitat, and notes whether special-status species were observed during biological surveys conducted onsite. Tidewater goby is identified in the description of species present within the San Luis Creek lagoon (refer to EIR Section 4.3.1.1 Biological Resources, Regional Setting, Estuarine). No changes to the EIR are necessary.
AVAC-36	The EIR has been clarified as follows: "The San Luis Coastal Area Plan identifies Environmental Sensitive Habitat Areas (ESHAs) and Sensitive Resource Areas (SRAs) <i>within and proximate to the project site</i> ". The San Luis Creek Estuary and the creek along Diablo Canyon Road are included in the discussion to provide context, and to confirm that the project site is located outside of identified buffers. SRA is spelled out in the first mention, within the first paragraph of section 4.3.1.3 (Environmentally Sensitive Habitat).
AVAC-37	The EIR discussion has been clarified to note that purple needlegrass is identified within the valley needlegrass grassland vegetation classification: "Non-native grassland and valley needle grassland <i>including bunches of purple needlegrass</i> are located on the upper slopes of the project site".

Comment No.	Response
AVAC-38	Table 4.3.1 identifies special-status species that have the potential to occur within the project site based on existing habitat conditions, and provides information for the decision makers and the public. No changes to the EIR are necessary.
AVAC-39	Table 4.3.1 identifies a natural community of concern that has the potential to occur within the project site, and includes the results of seasonal botanical surveys conducted onsite to provide information for the decision makers and the public. No changes to the EIR are necessary.
AVAC-40	The EIR for the project tiers off the Program EIR for the Master Plan. The Program EIR is available for review at the Harbor District office, and the results of the Program EIR analysis are incorporated by reference into the project EIR sections, as applicable. Recent seasonal surveys conducted for the project are documented in the EIR, and the results and findings are summarized in EIR Section 4-3 Biological Resources. A stand-alone report was not prepared. No changes to the EIR are necessary.
AVAC-41	The CNDDDB database is maintained by the California Department of Fish and Wildlife, and is available through Rarefind 5.0. Relevant output from the CNDDDB is presented in Appendix D of the EIR. The CNPS Inventory is maintained by the California Native Plant Society, and is available for review at www.cnps.org . No changes to the EIR are necessary.
AVAC-42	The EIR analysis identifies what species have the potential to occur onsite based on site elevation, soil conditions, and habitat. This information is provided for informational disclosure in the EIR. No changes to the EIR are necessary.
AVAC-43	Based on the transient nature of wildlife, the EIR considers what special-status wildlife species may be present in the area. The analysis also considers the specific habitat conditions on the project sites to further define if special-status species could be present onsite in the future. No woodrats were observed during the surveys; however, middens were observed as documented in the EIR, including within Table 4.3-2 Special-status Wildlife Species Investigated for Potential Occurrence. This information provides substantial evidence for the impact analysis and identification of appropriate mitigation measures. No changes to the EIR are necessary.
AVAC-44	Please refer to BIO Impact 1, which identifies a potentially significant impact to avian species during construction of the project. The identified impact relates to nesting activity, because non-nesting birds would be able to avoid the construction area and forage within adjacent habitats unaffected by the project. Mitigation measure BIO/mm-3 (nesting bird surveys) is required. No changes to the EIR are necessary.
AVAC-45	The EIR analysis identifies what species have the potential to occur onsite based on site elevation, soil conditions, and habitat. This information is provided for informational disclosure in the EIR. No changes to the EIR are necessary.
AVAC-46	The description of common wildlife species identifies both observed species and species known to occur in the area. No changes to the EIR are necessary.
AVAC-47	Thank you for your comment; no changes to the EIR are necessary.

Comment No.	Response
AVAC-48	The regulatory setting is provided as information for the decision makers and the public. Biological productivity of coastal waters is addressed through review of specific projects identified in the Port Master Plan, and the effects of those projects on the marine environment. No changes to the EIR are necessary.
AVAC-49	Restoration is identified in compliance with the San Luis Bay Area Plan. No changes to the EIR are necessary.
AVAC-50	Pets would be allowed within the development areas identified in the project site plan. Compliance with access restrictions for pets would be monitored during operation by the campground manager. No changes to the EIR are necessary.
AVAC-51	Restoration plans include native and drought-tolerant species, consistent with coastal habitats present in the upper slopes of the project site and off-site surrounding areas. No changes to the EIR are necessary.
AVAC-52	The mitigation measures identified in the Port Master Plan Program EIR are carried forward, as applicable to the project. As proposed, the project would avoid removal of existing mature oak trees. No changes to the EIR are necessary.
AVAC-53	The mitigation measures identified in the Port Master Plan Program EIR are carried forward, as applicable to the project. No changes to the EIR are necessary.
AVAC-54	The survey results are presented in the EIR (refer to Table 4.3-1 Special-Status Plant Species Evaluated for Potential Occurrence). No changes to the EIR are necessary.
AVAC-55	Based on the project design, opportunities for restoration of ruderal/disturbed areas are present within the project site. Purple needlegrass is a species included in the valley needlegrass vegetation classification. No changes to the EIR are necessary.
AVAC-56	Biological continuance refers to existing native habitats. No changes to the EIR are necessary.
AVAC-57	The mitigation measures identified in the Port Master Plan Program EIR are carried forward, as applicable to the project. No changes to the EIR are necessary.
AVAC-58	No shoreline structures are proposed; however, this measure is included because crosswalk improvements are proposed, in addition to a potential left turn lane on Avila Beach Drive. No changes to the EIR are necessary.
AVAC-59	Coastal access is monitored by the Harbor District during operation of beaches and coastal-dependent uses within the Port San Luis Master Plan area. No changes to the EIR are necessary.
AVAC-60	Valley needlegrass grasslands is a vegetative habitat type located on the project site. Additional clarification is included in the Final EIR (refer to Final EIR Section 4.3.1.4 Biological Resources Native and Important Vegetation). Please also refer to response to comment CCC-15.

Comment No.	Response
AVAC-61	Please refer to EIR Section 4.3.1.4 (Biological Resources, Native and Important Vegetation), which describes the ornamental trees and vegetation near Babe Lane including pepper trees, Monterey pines, blue gum eucalyptus, and Italian cypress. As described in the project description, preparation of the project site for development may include removal of grasses, shrubs, and non-native tree species within the development footprint (refer to EIR Section 2.4.2 Project Description, Site Preparation). Bio Impact 1 discussion (Effects on Special-Status Species and Habitat) identifies removal of “ornamental and Eucalyptus”, which includes pepper, pine, eucalyptus, and Italian cypress trees. Mature oak trees and native oak woodland onsite would remain. In the long term, the landscape plan includes trees, which would provide habitat and foraging opportunities for birds. No changes to the EIR are necessary.
AVAC-62	Due to the transient nature of terrestrial animals and birds, a pre-construction survey is required to ensure that no special-status animal species are present onsite prior to grading and construction activities. No changes to the EIR are necessary.
AVAC-63	Please note that mitigation measures BIO/mm-3 includes a provision if the nesting bird season cannot feasibly be avoided, a ground and tree-nesting bird survey is required, and buffer zones would be established if an active nest is present. No changes to the EIR are necessary.
AVAC-64	No mature oak trees are proposed for removal. These measures are in place for the construction manager to ensure no oak trees are removed during site preparation, grading, and construction activities. No changes to the EIR are necessary.
AVAC-65	The loss of vegetative habitats was determined through onsite mapping, and overlaying the proposed development over the vegetative habitat map. Amounts were quantified using Geographic Information System (GIS). The proposed landscape plan includes native species complimentary to the native habitats within the previously-undisturbed portions of the property. As noted by the commenter, ruderal/disturbed vegetation dominates the project site. The purpose of the EIR section is to describe the existing conditions (baseline environmental setting), identify potential physical impacts on the environment as a result of the proposed project based on adopted thresholds of significance, and present measures to feasibly avoid or reduce environmental effects during both construction and operation. No changes to the EIR are necessary.
AVAC-66	Based on the design of the proposed project, limited removal of native plants would occur. No changes to the EIR are necessary.
AVAC-67	The Port San Luis Master Plan Program EIR identifies potential impacts and mitigation measures, and the Harbor Commission adopted findings stating that these impacts would be mitigated to less than significant. The requirement of the cumulative impacts analysis is to consider the incremental impact of the project when added to other, closely related past, present, or reasonably foreseeable probable future projects, such as the Avila Tank Farm project. The intent of the analysis is not to identify how another project may affect the proposed project, but rather, the cumulative effects to identified resources such as native habitats, special-status species, and nesting birds. No changes to the EIR are necessary.

Comment No.	Response
AVAC-68	<p>The project EIR is tiered off the Program EIR for the Port San Luis Master Plan. Based on the Final EIR, which was certified prior to approval of the Master Plan and Local Coastal Plan Amendment to the San Luis Bay Area Plan, the noted Phase I surface survey was conducted (Gibson 1996) for the project site. As documented in the EIR (Section 4.4-9), the report identified three intact archaeological sites, all of which are located outside of the project grading and development area, and would remain intact and unaffected by the project. No trails or public or private use areas would be located outside of the development footprint, or within identified archaeological sites. The report did not identify any locations within the currently proposed grading and development area that would require further review. The report is confidential because release of information regarding the specific location of archaeological sites may result in damage to the resource, such as looting. Based on the substantial evidence documented in the Program EIR for the Port San Luis Master Plan and associated documentation, no changes to the EIR are necessary.</p>
AVAC-69	<p>Please refer to Final EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting, Archaeological Resources), which has been expanded as follows:</p> <p><i>“Native American coordination was conducted during preparation of the EIR. Responding parties included representatives from the Northern Chumash Tribal Council and the Northern Chumash Tribe yak tityu tityu. Both representatives noted the cultural significance of the Port San Luis/Avila Beach area, and an interconnected Native American village complex extending from Indian Head Point to the Port San Luis Lighthouse. Evidence of this village complex is supported by the archaeological records available for the area”.</i></p> <p>Please refer to EIR Section 2.2.1 (Project Description, History of Harbor Terrace), which includes additional information regarding the modern history of the project site.</p>
AVAC-70	<p>The EIR analyzes the project as proposed. Based on the proposed grading and development footprint, the noted archaeological sites would be avoided. No changes to the EIR are necessary.</p>
AVAC-71	<p>Please refer to response to AVAC-68 above. The development footprint is located in areas previously disturbed by development of the oil tank farm and modern uses as a trailer park, RV campsites, marine storage, and Harbor District facilities. The area’s topography, soils, and vegetation were substantially altered by past development and use. The proposed project does not include development within the upper elevations of the project site; these areas would retain their natural context. No changes to the EIR are necessary.</p>
AVAC-72	<p>The project site does not retain evidence of historic built environments, such as structures, building foundations, or other features of historical significance. Therefore, further evaluation of the site is not required. No changes to the EIR are necessary.</p>
AVAC-73	<p>As noted in EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting), the native soils and underlying geologic units with the potential for paleontological discovery are located beneath colluvium, landslide debris, and fill soil. These native soils are not currently accessible without major grading. It is anticipated that proposed grading activities would expose native soils, and would allow for the paleontological monitor to identify and document any discovered resources (refer to mitigation measure CULT/mm-5). No changes to the EIR are necessary.</p>

Comment No.	Response
AVAC-74	The project site does not contain any historic structures or features; therefore, there are no historic resources present for further evaluation or inclusion on the California Register of Historical Resources list. No changes to the EIR are necessary.
AVAC-75	Please refer to response to AVAC-68 above. The site has been surveyed and evaluated, as documented in EIR Section 4-4 Cultural Resources. Based on the general archaeological sensitivity of the region, implementation of a Monitoring Plan and compliance with identified performance standards is recommended to ensure potential impacts to previously undiscovered subsurface resources are mitigated to less than significant. Monitoring activities would be conducted by a qualified archaeologist and Native American monitor. No changes to the EIR are necessary.
AVAC-76	The documented archaeological sites would be preserved by the proposed project. In the event undiscovered subsurface resources are encountered during grading activities and archaeological monitoring, the archaeologist and Native American monitor would evaluate the resource and identify the appropriate methods to mitigate potential effects, as outlined in the approved Monitoring Plan. Appropriate methods may include preservation of the resources. No changes to the EIR are necessary.
AVAC-77	The project site is within the Archaeologically Sensitive (AS) combining designation overlay, which indicates that archaeological resources are present in the area. The sensitivity is supported by the presence of archaeological sites in the immediate area, and as documented in the EIR. No changes to the EIR are necessary.
AVAC-78	Please refer to response to AVAC-68 above. Documented archaeological sites would be avoided by the project, and no further evaluation or mitigation is required to protect these resources. The developer's plans would be consistent with the approved project, and would not include grading or construction outside of the identified grading and development footprint; therefore, all future plans would avoid documented archaeological sites. Preparation and implementation of the Monitoring Plan is identified to provide additional protection for undiscovered subsurface resources. The Monitoring Plan would be approved by the County, and provided to the developer. No changes to the EIR are necessary.
AVAC-79	The Environmental Coordinator is an employee of the San Luis Obispo County Planning and Building Department, and the County reviewed the Draft EIR and identified mitigation measures. The County "review authority" will consist of the Planning Commission; a decision making body that will consider the proposed Coastal Development Permit and identified mitigation measures, findings, and conditions of approval. Regarding Coastal Zone Land Use Ordinance Section 23.07.104c, in this case, no significant archaeological sites would be affected by the proposed project, and no further evaluation or mitigation is necessary for these sites. No changes to the EIR are necessary.
AVAC-80	The archaeological report and Draft EIR were provided to interested Native American tribal representatives, and their comments are included in this Final EIR. A mitigation plan is not required for the documented archaeological sites, because these sites would be avoided by the proposed project. No changes to the EIR are necessary.

Comment No.	Response
AVAC-81	An archaeological survey was conducted for the project site, and the results are incorporated by reference into the EIR. The proposed site plan would avoid documented resources. No changes to the EIR are necessary.
AVAC-82	The Draft EIR was submitted to SHPO for review; no comments were received. The Draft EIR was provided to interested Native American tribal representatives, and meetings and site visits were conducted as requested. No changes to the EIR are necessary.
AVAC-83	Yes; based on the archaeological survey conducted on the project site and adjacent properties, significant archaeological resources are present proximate to the proposed project. The results of the survey are presented in the Program EIR for the Port San Luis Master Plan and are incorporated by reference into the project EIR. No changes to the EIR are necessary.
AVAC-84	The archaeological survey documents and maps archaeological sites proximate to the proposed project. No archaeological or historic resources were observed within the area proposed for grading and development. No changes to the EIR are necessary.
AVAC-85	As documented in the EIR, the project site is located in a culturally sensitive area, based on the known presence of significant cultural resources. Based on this sensitivity, appropriate surveys were conducted to identify the specific location of archaeological resources (there is no built environment to evaluate for historic resources). Paleontological sensitivity is identified based on the potential for a geologic formation within an area to produce intact fossils. The locations of documented resources are not shown on a map in order to prevent disturbance and looting of these sites. The project would be located within areas previously disturbed and developed by past uses, and would avoid these known sites; therefore, further evaluation is not warranted. No changes to the EIR are necessary.
AVAC-86	The CEQA Guidelines recommend avoidance as the first strategy to protect significant cultural resources; as proposed the project would avoid documented resources. Any future development plans would also avoid documented resources, because these sites are located outside of the project limits. No built environment historic resources are present onsite; therefore there are no historic resources present to evaluate. Pursuant to CEQA Statute 21083.2, a lead agency may make provisions for archaeological sites accidentally discovered during construction. Based on the general archaeological sensitivity of the region, implementation of a Monitoring Plan and compliance with identified performance standards is recommended to ensure potential impacts to previously undiscovered subsurface resources are mitigated to less than significant. Monitoring activities would be conducted by a qualified archaeologist and Native American monitor. Evaluation of potential impacts, and mitigation recommendations, are based on substantial evidence documented in the EIR, including a survey of the project site and avoidance of documented and mapped resources. No changes to the EIR are necessary.
AVAC-87	As proposed, the project would avoid documented archaeological sites; therefore, the project would preserve these sites and no further mitigation for these sites is warranted. No changes to the EIR are necessary.

Comment No.	Response
AVAC-88	<p>Pursuant to CEQA Statute 21083.2(g), a significant or “unique” archaeological resource is an artifact, object, or site that meets the following criteria:</p> <ol style="list-style-type: none"> (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information. (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type. (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person. <p>Based on this definition, the archaeological sites described in the EIR are considered “unique” and impacts to these sites would be considered a significant impact. As proposed, the project avoids these sites. No changes to the EIR are necessary.</p>
AVAC-89	<p>Based on review of the project site, there are no built environment resources to be evaluated further. Therefore, there are no historic resources that would be affected by the project. No changes to the EIR are necessary.</p>
AVAC-90	<p>As noted in EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting), the native soils and underlying geologic units with the potential for paleontological discovery are located beneath colluvium, landslide debris, and fill soil. These native soils are not currently accessible without major grading. It is anticipated that proposed grading activities would expose native soils, and would allow for the paleontological monitor to identify and document any discovered resources (refer to mitigation measure CULT/mm-5). Documentation regarding archaeological resources is summarized in the EIR, and the project would avoid documented sites. More detailed information and maps related to the archaeological resources is confidential in order to protect the integrity of these resources. No changes to the EIR are necessary.</p>
AVAC-91	<p>Due to the potential for significant paleontological discovery in native soils underlying existing colluvium and fill material, mitigation measure CULT/mm-5 is identified, which requires preparation and implementation of a paleontological monitoring plan. Implementation of this plan would allow for onsite inspection of underlying native soils, and appropriate analysis and management of discovered resources. Therefore, potential impacts would be mitigated to less than significant. No changes to the EIR are necessary.</p>
AVAC-92	<p>Please refer to EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting), which describes the archaeological sites located proximate to the project site. Based on review of the archaeological report for the project site, including maps documenting the location of these sites, the project’s grading and development footprint is not located within these documented sites. Maps showing the location of these sites are not included in the EIR, and are not available for public review, in order to protect the integrity of these sites. No changes to the EIR are necessary.</p>
AVAC-93	<p>The geologic hazard analysis was provided by Earth Systems Pacific, who has experience with this site. The analysis presents substantial evidence regarding potential geologic and soils impacts based on past study of the project site, and includes a full range of mitigation options and verifiable performance standards, as required by CEQA. Any modifications to the project, as approved by the Harbor Commission and County of San Luis Obispo through consideration of the Coastal Development Permit, would be</p>

Comment No.	Response
	substantially consistent with the approved project and would comply with adopted mitigation measures. If changes to the project or its circumstances occurs following certification of the EIR, the lead agency is required to review the changes compared to the proposed project and determine if those changes warrant an addendum or subsequent or supplemental CEQA document. No changes to the EIR are necessary.
AVAC-94	Earth Systems Pacific conducted a review (September 19, 2014) of the Central Coast California Seismic Imaging Project Study (PG&E September 2014). Based on their review, there was no information that affected Earth Systems Pacific's conclusions and recommendations regarding the proposed project, and there was no new findings regarding the San Luis Bay Fault. No changes to the EIR are necessary.
AVAC-95	Please refer to mitigation measures GEO/mm-3 and GEO/mm-4, which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.
AVAC-96	Please refer to mitigation measures GEO/mm-3 and GEO/mm-4, which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.
AVAC-97	Please refer to mitigation measures GEO/mm-3, GEO/mm-4, and GEO/mm-5, which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.
AVAC-98	Please refer to mitigation measures GEO/mm-1, GEO/mm-2, GEO/mm-3, GEO/mm-4, GEO/mm-5, GEO/mm-8, and GEO/mm-9 which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.



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San Luis Obispo COASTKEEPER®

November 12, 2014

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Subject: Port San Luis Harbor Terrace Development Plan DEIR

Dear Ms. Scott and Honorable Commissioners,

Thank you for the opportunity to comment on the DEIR for the Port San Luis Harbor Terrace Development Plan. The San Luis Obispo Coastkeeper, a program of Environment in the Public Interest, is organized for the purpose of ensuring that public officials charged with responsibilities for water quality, watershed protection, land use planning, and environmental protection comply fully with sound planning principles and with all environmental laws of the State.

CK-1

After review of the Project presented in the DEIR, SLO Coastkeeper supports the Consultants proposed "Reduced Project Alternative" as the preferred project.

In addition, SLO Coastkeeper has observed the storm water filtration in and around the Harbor District parking lot and boat yard on several occasions. We have been impressed with the system installed and urge the use of a similar storm water catchment/filtering system to protect the bay waters from runoff leaving the Harbor Terrace Development.

CK-2

Sincerely,

Gordon R. Hensley
San Luis Obispo Coastkeeper



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9.2.5 Response to Letter from San Luis Obispo Coastkeeper

Comment No.	Response
CK-1	Thank you for your comment; no changes to the EIR are necessary.
CK-2	Please refer to the conceptual drainage plan shown in EIR Figure 2-6. The drainage plan includes the use of drainage swales, bio-treatment structures, stormdrains, and culverts to manage runoff. No changes to the EIR are necessary.

Shawna Scott

From: Santa Lucia Chapter of the Sierra Club <sierraclub8@gmail.com>
Sent: Thursday, November 13, 2014 3:15 PM
To: Shawna Scott
Subject: Sierra Club comment on Harbor Terrace DEIR



**SIERRA
CLUB**
FOUNDED 1892

Santa Lucia Chapter
P.O. Box 15755
San Luis Obispo, CA 93406
(805) 543-8717

Nov. 13, 2014

RE: Port San Luis Harbor Terrace Development Plan EIR

Dear Ms. Scott,

We commend the District and the Conservancy on bringing forward a plan that goes a long way toward achieving the goal of providing a range of coastal related and visitor serving uses, enhance the public's enjoyment of Harbor Terrace.

SC-1

We are concerned, however, to see 126 rv/hotel/motel units planned and only 56 car/tent and walk-in campsites. This ratio should be essentially reversed in order to conform to the intent of the LCP and its stipulation prioritizing campsites as low- and moderate-cost overnight accommodations.

SC-2

The hotel/motel units also appear to be situated at the highest portion of the terrace. We suggest locating campsites here and relocating yurts, cabins, bungalows, etc. to the lower elevations to minimize visual intrusion

SC-3

Overall, the Reduced Project Alternative is preferable – relocating the harbor use areas and reducing the number of hotel/motel units to 20, with all units located in areas designated as disturbed habitat, avoiding impacts to coastal scrub and valley needlegrass. While the slight reduction in existing RV spaces this alternative entails “may potentially conflict with Coastal Policies intended to increase public accessibility to the coastline,” coastal management has always been a balance between public access and the protection of coastal resources. The Reduced Project Alternative offers the best balance.

SC-4

Thank you for this opportunity to comment,

Andrew Christie, Director
Santa Lucia Chapter of the Sierra Club
P.O. Box 15755
San Luis Obispo, CA 93406
(805) 543-8717

9.2.6 Response to Letter from Sierra Club

Comment No.	Response
SC-1	Thank you for your comment; no changes to the EIR are necessary.
SC-2	Please refer to EIR Section 2.2.2.2 (Project Description, San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub-Area), which identifies the prescribed use ratios for the project site: “A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every 1.5 unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three RV campsites”. As proposed, the project meets these ratio requirements. No changes to the EIR are necessary.
SC-3	Pursuant to the San Luis Bay Area Plan, walk-in/bike-in camping is proposed near the existing access road (Babe Lane). Yurts, cabins, and bungalows are located in previously disturbed portions of the project site, and mitigation is identified in EIR Section 4-1 to address potential visual resource impacts. The commenter’s suggestion regarding the locations of these facilities will be considered by the Harbor Commission. No changes to the EIR are necessary.
SC-4	Thank you for your comment; no changes to the EIR are necessary.



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Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey St., Suite C200
San Luis Obispo CA 93401

Nov. 13, 2014

Re: Port San Luis Harbor Terrace Development Plan Draft Environmental Impact Report

Dear Ms. Scott:

The San Luis Obispo County Bicycle Coalition appreciates the opportunity to comment on the Port San Luis Harbor Terrace Development Plan Draft Environmental Impact Report (Draft EIR). Our mission is to improve quality of life throughout the Central Coast through bicycle advocacy, education and inspiration. With 800 members countywide, our efforts are motivated directly by the wants and needs of residents who believe active transportation, recreation and safe streets are essential to local well-being.

SLOCBC-1

Avila Beach and Port San Luis have long been popular destinations for area recreational cyclists. As Avila Beach has transitioned from a local beach hangout to a resort destination, vehicle traffic has significantly increased. Improvements to our roadways to accommodate bicyclists have lagged, making what used to be a pleasant pedal with little traffic from San Luis Obispo or Pismo Beach to Avila and Port San Luis much more dangerous.

Additional vehicular traffic requires more and better bicycle and pedestrian facilities. The popularity of the Bob Jones Trail from Ontario Road to Avila Beach underscores the demand for safe, convenient and pleasant bicycle routes. Our comments will address the need to upgrade the roadways and the Bob Jones Trail to better accommodate and reduce risks to bicyclists and pedestrians, and opportunities to increase both recreational and commuting bicyclists.

As the Draft EIR notes, Avila Beach and Port San Luis are accessed from US 101, San Luis Bay Drive and Avila Beach Drive. The 101 interchanges with San Luis Bay Drive and Avila Beach Drive pose serious safety risks to bicyclists and pedestrians and are not adequately addressed in the Draft EIR.

The San Luis Obispo Council of Government's (SLOCOG) Draft US 101 Corridor Mobility Master Plan suggests either a signal or roundabout to address the offset southbound off-ramps that intersect with Shell Beach Road, resulting in unpredictable traffic patterns that are particularly challenging for cyclists and pedestrians.

SLOCBC-2

The 101/San Luis Bay Drive/Ontario intersection also poses safety risks to bicyclists and pedestrians. Crossing San Luis Bay Drive on Ontario or turning left from San Luis Bay Drive

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to Ontario are extremely risky during peak commute times and during the tourist season because of the heavy volume of vehicular traffic.

SLOCBC-2
(continued)

The following issues also need to be adequately addressed to encourage more commuter and recreational bicyclists to cycle to and in the vicinity of Avila Beach and Port San Luis:

- Avila Beach Drive and Shell Beach Road have inconsistent shoulder widths and need to be brought up to class 2 bike lane standards.
- Sections of the Bob Jones Trail from the Ontario Road Trailhead to Avila Beach need to be upgraded to a 12-foot-wide paved trail with two-foot shoulders, and clear courtesy rules need to be established and enforced. Existing stretches of the trail are only eight feet wide, too narrow to safely accommodate commuters and recreational bicyclists. The narrow trail and lack of courtesy rules result in conflicts with other users, especially groups of pedestrians spread across the trail and unleashed dogs. Completion of the proposed extension of the Bob Jones Trail from the Ontario Road Trailhead to the Octagon Barn is many years away. The Bob Jones Pathway Revised Draft Environmental Impact Report Alternatives Section released for public comment by San Luis Obispo County on Oct. 20, 2014, proposes a 12-foot-wide paved trail with two-foot shoulders.
- Bicyclists riding to Avila Beach and Port San Luis from San Luis Obispo will be using Higuera Street and Ontario Road. The stretch of Higuera Street from the San Luis Obispo city limits to Ontario Road, and Ontario Road have inconsistent shoulder widths and need to be brought up to class 2 bike lane standards.
- The bridge over San Luis Creek on San Luis Bay Drive east of See Canyon Road needs to be widened and sidewalks added to both sides.
- Left and right turn lanes are needed on Avila Beach Drive at the Avila Valley Barn, which is a bottleneck during the tourist and holiday seasons.
- All employers, from Pacific Gas & Electric Co.'s Diablo Canyon, resorts – including Harbor Terrace, and Bellevue-Santa Fe Charter School to small businesses, must work with SLOCOG to develop and implement traffic reduction plans. The number of employees driving alone to Avila Beach and Port San Luis must be significantly reduced by switching to multimodal transportation options. The focus should be on moving people, not motor vehicles.
- The stretch of road between Avila Beach and Port San Luis is already dangerous for bicyclists and pedestrians. The “pop outs” from the mammoth recreational vehicles parked along the beach often extend into the roadway right of way, forcing bicyclists to weave in and out of the auto traffic lanes. Pedestrians, including children, and disabled individuals are forced to maneuver between parked cars and the roadway. These individuals often are carrying kayaks, surfboards, boogie boards, ice chests and beach supplies, exacerbating the risk. The Draft EIR needs to address the risk and possible mitigations, including installation of protected bike lanes and a separate walking path.
- How will the project encourage visitors to the proposed Harbor Terrace to leave their vehicles parked during their visit to bicycle, walk or use transit options within the project site and to Port San Luis and Avila Beach? Will the project offer rental bicycles and sell transit passes?

SLOCBC-3

SLOCBC-4

SLOCBC-5

SLOCBC-6

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- The Draft EIR says pedestrian volumes crossing Avila Beach Drive should be monitored to determine the need, if any, of enhanced crossing treatments such as in-pavement flashers. It should not take a fatality or serious injury to prompt enhanced crossing treatments – they should be installed before the project is open for business.
- Same comment on left turn lanes. The Draft EIR says monitoring of traffic levels at the project driveways during operation of the project, and further consultation with the County Department of Public Works would be implemented to make a determination of the need for left turn lanes based on field observed conditions after project occupancy. Again, it should not take a fatality or serious injury, including bicyclists and pedestrians hit by impatient motorists trying to swerve around left turning vehicles, to prompt left turn lanes. They should be installed before the project is open for business.
- The Port San Luis Harbor District, upon installing new curbs on the stretch of Avila Beach Drive between the Port and Avila Beach, simply spread decomposed granite, road base or some other such substrate across the top of the bluff edge and then placed the curb edge on top of that loose base. This area between the edge of the bluff and the curb is where pedestrians are supposed to walk. But the area is not compacted nor prepared for pedestrians in any way. It is loose, uneven, rutted and slippery along the bluff edge. This loose curb base construction method has degraded an already relatively unsafe pedestrian area along the bluff edge. It's inconsistent, slippery and unstable nature is a further hazard to pedestrians who must constantly steady themselves so as to not slip off the edge of the road and fall down the bluff edge. Pedestrians' only other option in place of this unsafe bluff top route is to walk immediately in the roadway along with cyclists traveling in a supposed class 3 condition and also with the automobile traffic (traveling at the posted speed limit of 40 mph). So in effect pedestrians have no safe means of travel through the corridor whatsoever.

SLOCBC-7

SLOCBC-8

SLOCBC-9

We ask that the Harbor District focus on a multimodal transportation system to Avila Beach and Port San Luis that safely and conveniently moves people, and offer our assistance to help make this transition.

SLOCBC-10

Best Regards,

Dan Rivoire
Executive Director
San Luis Obispo County Bicycle Coalition

9.2.7 Response to Letter from San Luis Obispo County Bicycle Coalition

Comment No.	Response
SLOCBC-1	Development of off-site pedestrian and bicycle facilities, aside from proposed crosswalks, is within the jurisdiction of the County, and is addressed under planning efforts for the Bob Jones Bikepath extension and multi-use Coastal Trail. The EIR recognizes current planning efforts related to regional improvements proposed by the County, and the Harbor District would contribute fair share fees as required by the County (which are applied towards regional improvements and address the project's impact on regional road and highway infrastructure), and would continue to coordinate with the County regarding future development of regional pedestrian and bicycle facilities. The Harbor Commission will consider the commenter's concerns and recommendations regarding regional improvements. No changes to the EIR are necessary.
SLOCBC-2	The Harbor District has coordinated, and will continue to coordinate, with County Public Works and County Parks regarding potential transportation and circulation-related impacts and current and future projects including the extension of the Bob Jones Bikepath and multi-use Coastal Trail. The project is located within the San Luis Bay road fee area, and the Harbor District will be required to pay County road impact fees pursuant to the existing ordinance. Based on review by the County of San Luis Obispo, no off-site road improvements are identified or required to mitigate potential impacts. Therefore, no changes to the EIR are necessary.
SLOCBC-3	As noted above (SLOCBC-1 and SLOCBC-2), the Harbor District will contribute fair share fees, which would be applied by the County Public Works Department towards road improvements in the area. No changes to the EIR are necessary.
SLOCBC-4	The proposed project includes facilities accessible, and intended for, bicyclists. The project site is also accessible by transit and trolley facilities. No changes to the EIR are necessary.
SLOCBC-5	Please note that implementation of the project includes removal of RV campsites on Avila Beach Drive. The Harbor District has coordinated, and will continue to coordinate with County Public Works and County Parks regarding improvements to Avila Beach Drive and the development of the Bob Jones Bikepath and multi-use Coastal Trail. Development of additional bikepaths and walkways outside of the project footprint have not been identified as a requirement by the County, and the Harbor District will contribute fair share fees to County Public Works for implementation of regional transportation improvements identified in the Avila Valley Circulation Study. No changes to the EIR are necessary.
SLOCBC-6	Operation of the proposed project would include provision of information to overnight guests and the public, which is currently available online on the Harbor District's website. No changes to the EIR are necessary.
SLOCBC-7	The proposed project currently includes the establishment of crosswalks at each of the two proposed project access roads. The Harbor District will coordinate with County Public Works regarding any additional features, as the roadway is within the County's jurisdiction.

Comment No.	Response
SLOCBC-8	Based on the location of the project, and traffic analysis conducted during the EIR analysis, a majority of vehicles entering the project site will be approaching from the east, and will make right turns into one of the proposed access driveways. Therefore, it is appropriate to monitor traffic patterns during operation to determine if a left turn lane is warranted in this location. No changes to the EIR are necessary.
SLOCBC-9	Please refer to response to comment SLOCBC-5 regarding offsite regional improvements. No changes to the EIR are necessary.
SLOCBC-10	Please refer to responses to comments above; no changes to the EIR are necessary.

9.3 PUBLIC COMMENTS

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

Respondent	Code	Contact Information	Page
Eric Meyer Email dated: November 7, 2014	EM	P.O. Box 16160 San Luis Obispo, CA 93406 Email: frenchbicycles@gmail.com	9-90
Carolyn Moffatt Letter dated: [undated]	CM	1096 Noyes Road Arroyo Grande, CA 93420 Email: floydorcarolyn@hotmail.com	9-93

Shawna Scott

From: Eric Meyer <frenchbicycles@gmail.com>
Sent: Friday, November 07, 2014 4:43 PM
To: Shawna Scott
Subject: Harbor Terrace EIR comments

To Shawna Scott,
RE: Port San Luis Harbor Terrace EIR
Nov. 7, 2014

The majority of the users of the proposed Harbor Terrace facility will arrive via RV. These RV's arrive onsite and then require a certain amount of set up (leveling jacks, awning poles, sewage and power hookups, extension of side pop outs, etc.) Once the RV's are set up as campsites... they tend to remain in place for the duration of the user's visit. The users of the RV's then tend to make the majority of their trips to and from the campsite as a pedestrian or via bicycle.

EM-1

I do not see where the increase in easterly or westerly pedestrian, handicapped or bicycle trips has been taken into consideration by this EIR.

Avila Beach Drive between the project and Avila Beach is classified as a class 3 bike trail. However there is currently no appropriate facility for pedestrians or for disabled visitors to travel in either a westerly or easterly direction along Avila Beach Drive from the project area. As such pedestrians and disabled people in route to Avila Beach are now forced to travel between the parked cars along the unimproved edge of road... or between the parked cars and the travel lanes in the same location as the class three bike lane. The parked cars often include RV's... and these same RV's often extend their side pop outs from the parking area into the travel lane... or into the area between the parked cars and the edge of the road.

EM-2

The Port is already at risk for creating the current situation with their existing campsite and parking arrangements along Avila Beach drive... and for encouraging and indeed promoting their facility as a tourist destination... and an attractive beach... without providing a safe route for pedestrians and handicapped people to effectively negotiate their way to the amenities advertised from the current campsites without walking in the auto/bike travel lanes.

The project exacerbates an already unsafe condition whereby the pedestrian, coming from the existing camping facilities, in route to Avila Beach or in route to Old Port Beach and often carrying kayaks, surfboards, boogie boards, coolers etc., is forced to walk within the 40MPH automobile travel lane next to cars and directly in the path of bicyclists and automobiles. Same goes for any handicapped users of the Project... they are traveling in an unsafe condition from their campsite... to any other destination accessed via Avila Beach Drive.

Because there is currently no official place for the pedestrian or the ADA user... that user is currently forced into using the class three bicycle facility and this then creates an additional unsafe condition for the class three bike lane user... who should have some expectation of his authority to use the right of way... but who much currently give way that authority and negotiate around the pedestrians, the doorways of people entering and exiting automobiles, the handicapped people, and the pop outs of the RV's while simultaneously considering the cars traveling within the same lane at 40 MPH. To sign such a route as a class three bike route... given all the obstacles that the design creates... gives an artificial sense of safety to the cyclists and thus creates an unsafe condition whereby the Port could be named liable in the event of an interaction where a pedestrian, having been

given no other option but to walk in the travel lane, then causes a cyclist to swerve into traffic and be hit by an automobile.

EM-2
(continued)

For this reason this stretch of roadway between Avila and Port San Luis is currently an unsafe place to walk or ride your bicycle. For the Port to continue to add additional pedestrians, bicycles, and handicapped people to this already unsafe condition demands mitigation.

In addition... there is no adequate ada crossing over San Luis Obispo Creek just west of First St. in Avila. The pedestrian and or handicapped individual must compete for space with cars and cyclists within the travel lanes in order to cross the bridge. There is absolutely no way for two handicapped individuals in wheelchairs to pass one another without one of them being forced to cross the traffic lanes... or swerve into the auto traffic lanes.

EM-3

During peak hour times... the ADA user and indeed even the pedestrian is placed in a dramatically inferior position to the automobile because of this situation.

When you add together the volumes of peak hour traffic created by Diablo Canyon Power Plant employees, the lack of pedestrian or ada connectivity, the fact that the pedestrians and handicapped individuals are effectively forced to walk in the bike/car lanes, and then add in the 40 MPH auto speed limit... we currently have a VERY unsafe roadway condition which... with the addition of the new pedestrian, bicycle and handicapped trips created by the project will create an even more dangerous situation.

If Harbor Terrace is to increase the visitor serving commercial nature of the location... it needs to mitigate the dangers to pedestrians, handicapped individuals and bicyclists who, by the very nature of the location must traverse an already unsafe corridor in order to reach the nearest attractive amenities such as a grocery store, post office, bike rental location, kayak rental facility or restaurant.

EM-4

When you view this project under the lens of a multi modal level of service analysis... the pedestrian, the ADA user, and the bicyclist, are forced into dramatically lower levels of service than the automobile user... and this is an unmitigated danger to the multi modal users of the corridor. The project fails to consider any of this.

Any proposed mitigation should provide safe legal separated routes of travel between the Harbor Terrace project, the Port itself, and Avila Beach, for each mode.

--

Eric Meyer
P.O. Box 16160
San Luis Obispo, CA 93406

9.3.1 Response to Letter from Eric Meyer

Comment No.	Response
EM-1	The EIR recognizes current planning efforts related to regional improvements proposed by the County to improve multi-modal transportation in the area, such as an extension to the Bob Jones Bikepath and multi-use Coastal Trail and continued use of transit and the Avila Trolley. The Harbor District would contribute fair share fees as required by the County, and would continue to coordinate with the County regarding future development of regional pedestrian and bicycle facilities. No changes to the EIR are necessary.
EM-2	Please note that the implementation of the proposed project includes the removal of RV camping on Avila Beach Drive. Please refer to response to comment EM-1. The Harbor Commission will consider the commenter's concerns and recommendations regarding regional improvements.
EM-3	Please refer to response to comment EM-1. No changes to the EIR are necessary.
EM-4	The proposed project includes the removal of RV camping on Avila Beach Drive, and the installation of a crosswalk across Avila Beach Drive at each of the two proposed access roads. The Harbor District will contribute fair share fees to the County Public Works Department for application towards regional roadway and accessibility improvements. Development of additional off-site improvements has not been identified as a required improvement by the County Public Works Department. No changes to the EIR are necessary.

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street
San Luis Obispo, Ca 93401

Re: Comments
Harbor Terrace Development Plan
Environmental Impact Report

Port San Luis has systematically moved toward the Harbor Terrace Project. The certified amendment was remarkably specific, the conceptual project is consistent with the LCP Amendment and both project proposals are consistent with the conceptual project. The EIR for the development plan for Port San Luis Harbor Terrace consistently follows and appropriately elaborates upon the EIR for the PSLMP and LCP Amendment.

CM-1

There are two areas that might benefit from comment as the specific planning and permitting go forward.

Members of the Commission have indicated the desire to capture and reuse storm water runoff. There is nothing for this and there should be. Item 10 Harbor Terrace planning Criteria b.8 appears to allow for structural facilities to retain storm water runoff (cisterns as at the Lighthouse). Water from roadways and parking lots on each terrace level can be filtered through oil/water separators (as in the boatyard) to remove contaminants before flowing into cisterns. It would be held for reuse such as fire protection, any landscape needs and possibly toilets. Overflow then would be directed into vegetative berms without carbons etc. from the roadways and parking facilities, thus protecting landscaping in the berms from toxic buildup, insuring critical water quality in the bay and avoiding the risk of contamination of dredge materials in the sport launch that might effect permitting.

CM-2

The second area of comment regards the Landscape Preliminary Plant Species List:

CM-3

While California sycamore are very beautiful, in recent years they have been so infected with anthracnose they have difficulty surviving in landscape. The London Plane Tree might be a better choice;

Any Acacia is extremely allergenic and perhaps not a good choice in public areas;

There are three good Arbutus including the beautiful Madrone;

CM-3
(continued)

Why Deodor cedar, native to the Himalayas, as opposed to the coastal redwood?

Carpenteria Californica is native at 4,000' elevation in the Sierras. Will it tolerate salt air?

Some additional species that would be appropriate are:

Catalina Ironwood would be beautiful and interesting:

Atriplex offers varieties from 12" ground cover to 10' screen. Brewer Saltbush is very fire resistant, drought tolerant and thrives in salt air and soil.;

Armeria maritime, while not native is very useful and pretty in coastal environments:

Australian natives such as Leptospermum levigatum and Melaleuca lucadendron and nesophila and Grevillea noelii would thrive, add interest and be very pretty.

Thank you for the opportunity to review this EIR for the District's Harbor Terrace Project. I enjoyed it.

CM-4

Carolyn Moffatt
1096 Noyes Rd Arroyo Grande 93420
E floydorcarolyn@hotmail.com

9.3.2 Response to Letter from Carolyn Moffatt

Comment No.	Response
CM-1	Please refer to responses to specific comments below.
CM-2	Please refer to the conceptual drainage plan shown in EIR Figure 2-6. The drainage plan includes the use of drainage swales, bio-treatment structures, stormdrains, and culverts to manage runoff. Any temporary storage of stormwater and re-use within the project site would be implemented consistent with existing stormwater regulations and mitigation recommended to avoid over-saturation of onsite soils (refer to EIR Section 4-8 Hydrology and Water Quality). No changes to the EIR are necessary.
CM-3	The commenter's recommendations regarding the Landscape Preliminary Plant List will be considered by the Harbor Commission upon review of the Landscape Plan. No changes to the EIR are necessary.
CM-4	Thank you for your comment; no changes to the EIR are necessary.

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