

# CHAPTER 1. INTRODUCTION

Dana Reserve, LLC and NKT Development, LLC, collectively referred to as the project applicant, are requesting the adoption of the Dana Reserve Specific Plan (DRSP; EIR Appendix A) by the County of San Luis Obispo (County). The proposed project includes a request for a Specific Plan, Conditional Use Permit (CUP) (for Oak Tree Removal and Grading/Impervious Surfaces), Vesting Tentative Tract Map (VTTM) 3159, and Development Agreement to allow for the phased development of a master planned community known as the Dana Reserve (project). The full project description is provided in Chapter 2, *Project Description*.

The County, as the Lead Agency, has determined, based on the preliminary analysis of the Initial Study (EIR Appendix B), that an Environmental Impact Report (EIR) is the appropriate environmental document for the project pursuant to the California Environmental Quality Act (CEQA). The County prepared this EIR with assistance from their environmental planning consultant, SWCA Environmental Consultants (SWCA).

Following circulation of the Draft EIR (June 16 to August 1, 2022), the County worked with the project applicant to incorporate several project modifications to try and minimize impacts and address concerns raised by reviewing agencies, organizations, and the public. These changes are described in Chapter 10 of this Final EIR. The applicant has prepared a revised Dana Reserve Specific Plan (the 2023 Specific Plan) to reflect these changes. Chapter 10 identifies each of the proposed changes and documents that the revised project would not result in any new or more severe environmental impacts and would not require recirculation of the EIR. The 2023 Specific Plan has been included as Appendix A.

## 1.1 PURPOSE OF THE EIR

Several of the proposed project's actions are discretionary actions requiring approval by the County's Board of Supervisors; therefore, the project is subject to the requirements of CEQA (Public Resources Code [PRC] Section 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.). State CEQA Guidelines Section 15151 provides the following standards for EIR adequacy:

An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

The DRSP EIR will analyze the project's significant impacts on the environment, identify necessary mitigation and/or avoidance measures, and identify alternatives to the proposed project that avoid or reduce these impacts. This EIR is intended to serve as an informational document for the County, other responsible agencies, and the general public in their consideration and evaluation of the environmental consequences associated with implementation of the proposed project. Under the CEQA process, an EIR must serve as a full disclosure document that enables the lead and responsible agencies to fully evaluate potential environmental impacts and the consequences of their decision on a proposed project. This EIR has been written to comply with the requirements of CEQA for the analysis of the proposed project, as well as the development and evaluation of alternatives to the proposed project. The County Planning Commission and Board of Supervisors will consider the information in the EIR, including the public

comments and staff responses to those comments, during the public hearing process. The final decision will be made by the Board of Supervisors, which may approve, conditionally approve, or deny the project.

An EIR also discloses growth-inducing impacts, impacts found not to be significant, and significant cumulative impacts of past, present, and reasonably foreseeable future projects. CEQA requires an EIR to reflect the independent judgment of the lead agency with respect to impacts, disclose the level of significance of the impacts both with and without mitigation, and describe mitigation measures proposed to reduce the impacts. An EIR is circulated to responsible agencies, trustee agencies with resources affected by the project, and interested agencies and individuals. The review process gives both agencies and individuals an opportunity to share knowledge and expertise, discuss agency analyses, check for accuracy, detect omissions, discover public concerns, and solicit mitigation measures and alternatives capable of avoiding or reducing the significant effects of the project while still attaining most of the basic objectives of the project. Comments are most helpful when they suggest better ways to avoid or mitigate significant environmental impacts (e.g., through additional alternatives or mitigation measures).

## **1.2 SCOPING AND NOTICE OF PREPARATION PROCESS**

In compliance with State CEQA Guidelines Section 15082, as amended, an Initial Study and Notice of Preparation (IS/NOP) was circulated on June 24, 2021 (see EIR Appendix B), to various agencies, organizations, and interested persons throughout the region. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the IS/NOP review period was July 25, 2021. Following the close of the 30-day comment period on the IS/NOP, a review of comment letters was conducted to identify any key issues that may require additional technical studies or background research.

Pursuant to State CEQA Guidelines Section 15082(c)(1), for projects of statewide, regional, or areawide significance, the lead agency is required to conduct at least one scoping meeting. The scoping meeting is for jurisdictional agencies and interested persons or groups to provide comments regarding, but not limited to, the range of actions, alternatives, mitigation measures, and environmental effects to be analyzed. The County hosted a scoping meeting on July 19, 2021, via a Zoom webinar.

## **1.3 EIR CONTENTS**

The scope of the EIR includes issues identified by the lead agency during the preparation of the IS/NOP for the proposed project, as well as environmental issues raised by agencies and the general public in response to the IS/NOP and at the scoping meeting. The EIR is divided into the following major sections:

**Executive Summary.** Provides a brief summary of the project background, description, impacts and mitigation measures, and alternatives.

**Introduction.** Describes the purpose of an EIR, as well as the scope, content, and use of the document.

**Project Description.** Provides the general background of the project, identified project objectives, a detailed description of the project characteristics, and a listing of necessary permits and government approvals.

**Environmental Setting.** Describes the physical setting of the project site and surrounding land uses.

**Environmental Impacts Analysis.** Discusses the environmental setting as it relates to the various issue areas, regulatory setting, thresholds of significance, impact assessment and methodology, project-specific impacts and mitigation measures, cumulative impacts, and secondary impacts. The EIR analyzes the potentially significant impacts to the following resource areas, as identified during the preparation of the IS/NOP:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

Although all issue areas identified above will be discussed in this EIR, not all subsequent thresholds as identified by State CEQA Guidelines Appendix G will be discussed. Individual resource sections will identify the thresholds that will be discussed in each section.

**Alternatives Analysis.** Summarizes the environmental advantages and disadvantages associated with the project and alternatives. As required, the “No Project” alternative is included among the alternatives considered and an “Environmentally Superior Alternative” is identified.

**Other CEQA Considerations.** Identifies growth-inducing impacts and provides a discussion of long-term/short-term productivity and irreversible environmental changes.

**Mitigation Monitoring and Reporting Program.** Contains a matrix of all mitigation measures contained in the EIR, the requirements of the mitigation measures, the applicant’s responsibility and timing for implementation of these measures, the party responsible for verification, the method of verification, and verification timing.

**References and EIR Preparers.** Provides a list of all references used within the EIR and the individuals involved in the preparation of this EIR.

**Response to Comments.** Contains a copy of all written comments (coded for reference) received on the Draft EIR during the public review period and provides the County’s response to each comment received.

**Supplemental Analysis of the 2023 Dana Reserve Specific Plan.** Provides changes that have occurred to the Specific Plan since the Draft EIR was originally circulated. The changes proposed are within the level of development and impact associated with the proposed project and would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, no new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Draft EIR was circulated has been identified.

## 1.4 AGENCY USE OF THE DOCUMENT

Lead agency reviewers and decision makers (i.e., the County Planning Commission and Board of Supervisors) will use the EIR as an informational document to assist in the decision-making process, ultimately resulting in the approval, denial, or conditions of approval to the project. The following jurisdictions may also use this EIR in reviewing and issuing their respective permits and authorizations (as applicable):

- U.S. Fish and Wildlife Service
- California Department of Fish and Wildlife
- San Luis Obispo Local Agency Formation Commission
- Nipomo Community Services District

## 1.5 PROJECT SPONSORS

**Lead Agency:** County of San Luis Obispo  
976 Osos Street, Room 200  
San Luis Obispo, CA 93408  
Airlin Singewald, Planning Manager and Environmental Coordinator  
~~Jennifer Guetschow, Supervising Planner~~

**Project Applicant:** Dana Reserve, LLC / NKT Development, LLC  
648 South Higuera Street, Suite B  
San Luis Obispo, CA 93401  
Nick Tompkins, Project Representative

**Environmental Consultant:** SWCA Environmental Consultants  
1422 Monterey Street, Suite C200  
San Luis Obispo, CA 93401  
Emily Creel, Project Manager

## 1.6 REVIEW OF THE DRAFT EIR

The ~~is~~ Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, interested parties, and all parties requesting a copy of the Draft EIR in accordance with PRC Section 21092(b)(3). The Notice of Completion and Notice of Availability of the Draft EIR were distributed and posted as required by CEQA. During the 45-day public review period, which began on ~~began on June 16, 2022,~~ and closed on August 1, 2022, the EIR and all technical appendices ~~were~~<sup>are</sup> available for review at the following locations:

San Luis Obispo Library  
995 Palm Steet  
San Luis Obispo, CA 93403

County of San Luis Obispo  
<https://www.slocounty.ca.gov/>

On behalf of the lead agency, comments on the Draft EIR ~~were~~shall be addressed ~~submitted~~ to:

County of San Luis Obispo  
Attn: Jennifer Guetschow, Supervising Planner  
976 Osos Street, Room 200  
San Luis Obispo, CA 93408  
[jguetschow@co.slo.ca.us](mailto:jguetschow@co.slo.ca.us)

Written responses to all significant environmental issues raised ~~were~~will be prepared and are included as part of the Final EIR and the administrative record for consideration by decision makers for the project. All changes to the EIR resulting from the responses to comments are marked by a vertical line in the right margin, and added text is underlined and deleted text is ~~striketrough~~.

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