

COUNTY OF SAN LUIS OBISPO  
BOB JONES PATHWAY  
(SAN LUIS OBISPO TO ONTARIO ROAD)  
FINAL ENVIRONMENTAL IMPACT REPORT

---

SCH #2010031121

*Prepared for:*

COUNTY OF SAN LUIS OBISPO  
COUNTY GOVERNMENT CENTER  
SAN LUIS OBISPO, CA 93408  
[WWW.SLOCOUNTY.CA.GOV](http://WWW.SLOCOUNTY.CA.GOV)

*Prepared by:*



**JANUARY 2015**



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**JANUARY 2015**



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# **1.0 INTRODUCTION**

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### 1.1 PURPOSE OF THE EIR PROCESS

This Final Environmental Impact Report (FEIR) is an informational document prepared by the San Luis Obispo County (County) to evaluate the potential environmental impacts of the proposed Bob Jones Pathway (San Luis Obispo to Ontario Road) (BJP or project). The primary objectives of the EIR process under the California Environmental Quality Act (CEQA) are to inform decision-makers and the public about a project's potential significant environmental effects, identify possible ways to minimize significant effects, and consider reasonable alternatives to the project. This EIR has been prepared with assistance from the County's planning and environmental consultant, PMC, and reviewed by County staff for completeness and adequacy in accordance with Public Resources Code (PRC) Sections 21000–21177 and the State CEQA Guidelines.

As prescribed by State CEQA Guidelines Sections 15088 and 15132, the lead agency, the San Luis Obispo County General Services Agency, is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR and prepare written responses to those comments. This document, together with the DEIR (incorporated by reference in accordance with State CEQA Guidelines Section 15150), will comprise the Final Environmental Impact Report (FEIR) for this project. Pursuant to CEQA requirements, San Luis Obispo County must certify the FEIR as complete and adequate prior to approval of the project.

This FEIR contains individual responses to each written and verbal comment received during the public review period for the DEIR, as well as a "master response" that addresses recurring comments submitted by more than one person. In accordance with State CEQA Guidelines Section 15088(b), the written responses describe the disposition of significant environmental issues raised. The San Luis Obispo County and its consultants have provided a good faith effort to respond in detail to all significant environmental issues raised by the comments.

### 1.2 FINAL EIR REVISIONS

#### DRAFT EIR

A Notice of Availability was posted on the County's website and distributed to interested parties on August 19, 2013. The DEIR was available for public review and comment between August 20, 2013, and October 21, 2013. A public workshop for the Bob Jones Pathway project was held on August 28, 2013. Comments received during the public workshop and public review period are addressed in this FEIR.

#### REVISED DRAFT EIR

Based on the County's review of the comment letters received, as well as substantial input received at the public meeting on August 28, 2013, the County determined that one or more additional pathway alignments should be examined for viability in the EIR. As such, the County compiled a Revised DEIR (RDEIR) document to address the issues raised through the analysis of an additional alternative pathway alignment. This analysis, referred to as Alternative 6, was presented in a revised Section 3.0 of the EIR.

A Notice of Availability for the RDEIR was published in October 21, 2014, on the County's website and distributed to interested parties on the same date. The RDEIR was available for public review and comment from October 21, 2014, to December 8, 2014. A public meeting presenting was held on November 13, 2014 to present the new alignment and report the findings of the RDEIR.

## **1.0 INTRODUCTION**

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Comments received during the RDEIR review period are addressed in this FEIR.

### **1.3 EIR CERTIFICATION PROCESS AND PROJECT APPROVAL**

In accordance with the requirements of CEQA and the procedures of the San Luis Obispo County, the Board of Supervisors must certify the FEIR as complete and adequate prior to taking action on the proposed Bob Jones Pathway project. Prior to Board of Supervisors action on the EIR and project, the San Luis Obispo County Parks and Recreation Commission (PRC) will serve as an advisory body and make a recommendation on the EIR and project to the Board of Supervisors.

Once the EIR is certified and all information considered, using its independent judgment, the County can take action to go forward with the proposed pathway, make changes, or select an alternative to the proposed alignment. While the information in the EIR does not control the County's ultimate decision, the San Luis Obispo County must respond to each significant effect and mitigation measure identified in the EIR by making findings supporting its decision.

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## **2.0 RESPONSE TO COMMENTS**

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Below are responses to comments received on the proposed project during the public review process. One master response has been prepared to respond to several comments received during the DEIR process and to address the new alternative, Alternative 6 proposed in the Revised DEIR. Specific comment letters received have been addressed further below in two sections: Section 2.2, Responses to Specific Comment Letters on the DEIR, and Section 2.3, Responses to Specific Comment Letters on the RDEIR.

### 2.1 MASTER RESPONSE

#### MASTER RESPONSE 1: ALTERNATIVE 6 – FARMING OPERATIONS AND CONFLICT AVOIDANCE

The County of San Luis Obispo prepared and distributed a Draft EIR (DEIR) for the proposed project in August 2013. Based on agency and public comment letters received, as well as input received at a public meeting, the County determined that one or more additional pathway alignments should be examined for viability in the EIR. A Revised Draft EIR (RDEIR) was published in October 2014 containing a new alternative to the proposed project, Alternative 6 – Farming Operations and Conflict Avoidance.

The additional alternative (Alternative 6) has been designed to further reduce the significant impacts of the project and to more clearly document potential secondary effects of routing the path along San Luis Obispo Creek and under the Highway 101 Bridge (Bridge No. 49-0014R/L) at San Luis Obispo Creek. Supporting technical analysis, including supplemental biological, cultural resource, and hydrology reports, is included in a series of appendices to the RDEIR.

The objectives of Alternative 6 are to (a) reduce potential conflicts with day-to-day agricultural operations associated with active farming along the alignment; (b) incorporate the highway undercrossing concept instead of the Highway 101 overcrossing; and (c) improve safety by eliminating key at-grade crossings. In Alternative 6, Segment 3 contains two alignment options, both of which have been analyzed in the RDEIR. These options are described as Alternative 6A and 6B. Alternative 6A places the path closer to San Luis Obispo Creek (SLO Creek) for approximately 2,000 feet, while the other (6B) runs parallel to Highway 101.

Alternative 6, if approved by the County, would eliminate the need for the following project mitigations and addresses several community concerns:

- **Aesthetics and Visual Resources:** Due to the proposed undercrossing, Alternative 6 eliminates the need for mitigation measures at the proposed project overcrossing location. Alternative 6 would introduce greater visual sensitivity to users of Highway 101 by placing the pathway near and under the highway. Although the mitigation measures included in the EIR would fully mitigate the original project impact through planting and landscape plans compatible with Caltrans requirements, Alternative 6 is considered more consistent with community values.
- **Agricultural Resources:** Alternative 6 would avoid known and existing agricultural operations, access points, and equipment staging areas.
- **Cultural Resources:** Alternative 6 would avoid an area with recorded cultural resources near the base of Baron Canyon.
- **Transportation and Safety:** Alternative 6 eliminates the at-grade crossings at Higuera Street, and users would not be required to share the road with vehicles along Monte Road.

## 2.0 RESPONSES TO COMMENTS

- **Billboard Removal:** Alternative 6 would eliminate the need for billboard removal as project mitigation.

Alternative 6 would result in slightly greater impacts with respect to changes in hydrology and riparian impacts along SLO Creek. At the new Baron Canyon bridge crossing, surface water elevations of SLO Creek may rise up to 0.5 feet; however, neither the highway nor existing structures would be at risk. Monte Road, which occasionally floods, may experience slightly higher water elevations during severe storm events. Also, within Segments 3 and 4, the alignment would impact approximately a half acre of jurisdictional riparian area. These impacts, however, are outweighed by the environmental benefits of Alternative 6 in the areas of visual resources, geology and soils, reduction in farm conflicts, and avoidance of cultural resources.

As determined from the analysis contained in the RDEIR, Alternative 6 incorporates the environmental benefits of Alternatives 3 and 4 while further reducing impacts associated with farming conflicts. Perhaps most importantly, Alternative 6 also avoids the visual impacts and controversy associated with the Highway 101 overcrossing in Segment 5. Alternative 6 provides the best balance in addressing community concerns, meeting project objectives, and minimizing environmental impacts. As such, Alternative 6 represents the environmentally superior alternative.

An EIR is required to identify feasible mitigation measures or alternatives to address the significant impacts of a project. To that end, Alternative 6 addresses the public and agency concerns raised during the review process, providing an example of how the environmental review process can work effectively to adjust a project to avoid impacts. The responses to comments throughout this Final EIR assume that Alternative 6, as analyzed in the RDEIR, will be the preferred project considered by the County for approval.

### 2.2 RESPONSES TO SPECIFIC COMMENT LETTERS ON THE DEIR

Below are responses to specific comments letters received during the public review process for the proposed project Draft EIR.

**TABLE 1  
DRAFT EIR COMMENTS RECEIVED**

Letter	Name	Commenter	Date Received
<b>State Agencies</b>			
A	California Department of Transportation (Caltrans)	Adam Fukushima	October 18, 2013
B	Native American Heritage Commission (NAHC)	Dave Singleton	September 17, 2013
C	San Luis Obispo County Agricultural Commissioner	Lynda Auchinachie	October 18, 2013
D1	The Land Conservancy of San Luis Obispo County	Kaila Dettman	October 15, 2013
D2	The Land Conservancy of San Luis Obispo County	B. K. Richard	August 28, 2013
E	San Luis Obispo Council of Governments (SLOCOG)	Ronald L. De Carli	October 16, 2013
<b>General Public</b>			
1	Avila Valley Advisory Council (AVAC)	Jim Hartig	October 15, 2013
2	Bruce and Debbie Smith, Avila Barn Owners	Bruce and Debbie Smith	October 12, 2013
3	Dave Bernhardt	Dave Bernhardt	August 28, 2013

## 2.0 RESPONSES TO COMMENTS

Letter	Name	Commenter	Date Received
4	David Book	David Book	August 28, 2013
5	Darell Farrer	Darell Farrer	September 30, 2013
6	George Gibson	George Gibson	October 18, 2013
7	Michael Grantham	Michael Grantham	October 18, 2013
8	Lionel Johnston	Lionel Johnston	August 27, 2013
9	Charlene Korsgaard	Charlene Korsgaard	August 28, 2013
10	Stuart Larsen	Stuart Larsen	October 21, 2013
11	Peter Nelson	Peter Nelson	September 21, 2013
12	Penny Rappa	Penny Rappa	October 18, 2013
13a	John Salisbury	John Salisbury	October 14, 2013
13b	Maridel Kennedy Salisbury	Maridel Kennedy Salisbury	October 14, 2013
14	Myron H. "Skip" Amerine	Myron H "Skip" Amerine	August 28, 2013
15	SLO County Bike Coalition	Dan Rivoire	October 21, 2013
16	Blythe and Robyn Gable	Blythe and Robyn Gable	October 12, 2013
17 (a/b)	Terry N. Taylor	Terry N. Taylor	August 29, 2013
18	William Tickell	William Tickell	October 21, 2013
19	Kevin Martin	Kevin Martin	October 17, 2013

## 2.0 RESPONSES TO COMMENTS

### DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET  
SAN LUIS OBISPO, CA 93401-5415  
PHONE (805) 549-3101  
FAX (805) 549-3329  
TTY 711  
<http://www.dot.ca.gov/dist05/>

Letter A



*Flex your power!  
Be energy efficient!*

October 18, 2013

Ryan Hostetter  
Project Manager  
County of San Luis Obispo  
County Planning & Building Department  
976 Osos Street, Room 300  
San Luis Obispo CA 93408-2040

SCH 2010031121  
05-SLO-101-R022.48

Dear Ms. Hostetter:

#### COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE BOB JONES PATHWAY (SAN LUIS OBISPO TO ONTARIO ROAD)

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the DEIR for this project. Caltrans views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle and pedestrian modes as integral elements of the transportation system. Caltrans is supportive of the Bob Jones Pathway project and has been working with County staff to help identify opportunities and challenges the project may encounter moving forward.

Most of the project alignment is outside of Caltrans right-of-way; therefore, most of the project's scope is not within our purview to analyze. However, a key structural component of the project is the proposed crossing of US 101. While Caltrans is supportive of the project crossing, it must be planned and designed in a way that avoids negative impacts on the State Transportation System. It also must be planned and constructed in accordance with all State design standards to ensure public safety and the long term structural viability of the project.

#### General Comments

- 1) The long-term planning concept for US 101 includes conversion to a six-lane freeway facility. Therefore, any proposed overcrossing of US 101 must be designed to accommodate the width of the long-term planning goal. For example, no structural elements, including but not limited to abutments and pillars, may be placed in a way which would preclude the planning goal of a six-lane facility.

A-1

*"Caltrans improves mobility across California"*

Ms. Ryan Hostetter  
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- 2) Any proposed crossing of US 101, whether overcrossing or undercrossing, must meet all State design standards including all Class I bikeway and Americans with Disabilities Act (ADA) standards. These standards would include any curves or slopes leading up to an over- or undercrossing. Furthermore, no design will be allowed which compromises the structural integrity or reduces the flood capacity of any bridges or other highway facilities. A-2
  
- 3) In addition, for any work proposed on Caltrans right-of-way, the County would need to obtain an encroachment permit and assume all construction, operational and long-term maintenance costs. Relative to the permit, detailed information may need to be submitted as part of the application process including, but not limited to, hydraulic calculations, environmental reports, and biological and resource findings. A-3
  
- 4) The final aesthetic design of a US 101 overcrossing, retaining walls and associated features should be based on the recommendations of a community-based aesthetic design advisory committee in which the County, Caltrans, and local citizens participate. A-4

**Specific Comments**

- 5) *Page 2.1-6 Table 2.1-1*  
This table combines viewer sensitivity with project visibility without an explanation of the math behind it. The analysis of sensitivity and exposure can be important, but the criteria, rationale, etc., needs to be mentioned. In addition, the previous paragraph states that the “visual sensitivity of the overall area was determined to be high.” The table should reconcile that statement with any rating descriptor of less than moderately high. As currently written, the table skews the ratings downward. A-5
  
- 6) *Page 2.1-7 Table 2.1-2*  
This table uses an arbitrary numeral-to-narrative rating (as shown in the note below the table) that is inconsistent with FWHA/Caltrans definitions, and skews the resulting rating definition downward. In addition, the Key Viewing Areas (KVA) should not be combined into one generic descriptor for each segment. Rather, the narrative descriptor should be placed immediately next to each KVA numerical rating in the table. A-6
  
- 7) *Page 2.1.9 Key Viewing Areas*  
Please add “best case scenarios” to the “worst case scenarios” statement. A-7
  
- 8) *Page 2.1-10, Adverse Effect on a Scenic Vista*  
The DEIR uses an incorrect application of the CEQA question. A scenic vista does not have to be “officially designated” in order to be identified and analyzed. Scenic vistas stand on their own merits, and they do exist in the project area. This section, and all A-8

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## 2.0 RESPONSES TO COMMENTS

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related summaries and cross-over sections etc., need to be revised to address this important potential visual effect. A-8

9) *Page 2.1-10 Alternative Concept and Overcrossing Design*

Please add a statement directing the reader to the specific pages of the Visual Impact Assessment (VIA) appendix showing what all of the overcrossing design options look like. A-9

10) *Page 2.1-15 through 2.1-17, Substantially Damage Scenic Resource Within a State Scenic Highway*

The document uses incorrect application of the CEQA question. The “scenic resources” question only applies to Officially Designated State Scenic Highways. This section needs to acknowledge that the question does not apply. All the subsequent analysis and mitigation measures then need to be moved to either the “Scenic Vista” and/or “Visual Character” discussion sections as appropriate. This also applies to other cross-over sections where CEQA scenic resources are referenced. A-10

11) *Page 2.1-17 through 2.1-18, Substantially Degrade the Existing Visual Character or Quality*

This section incorrectly mixes “Visual Character” and “Scenic Vista” discussion. Please regroup discussion areas to appropriate sections. This section also incorrectly bases finding on the “no officially designated scenic vistas” rationale. A-11

12) *Page 2.1-17 Impact 2.1-2 Paragraph 3*

This paragraph skews the analysis by applying the viewer subjectivity rationale to potentially adverse impacts but not to potentially beneficial impacts. This weakens the argument and could appear biased. A-12

13) *Page 2.1-18 Table 2.1-3*

This table uses an arbitrary numeral-to-narrative rating (as shown in the note below the table) that is inconsistent with FWHA/Caltrans definitions. A-13

14) *Page 2.1-18 Table 2.1-3*

Minus signs should be used rather than parenthesis to indicate negative differences. A-14

15) *Page 2.1-36 Overcrossing Improvements*

The analysis uses an arbitrary rationale for its findings. The “less than moderately high” existing visual quality criteria used to modify the Visual Quality Evaluation (VQE) rating is not appropriate, particularly when used to justify a Class III finding. In addition, relying on County Standard mitigation measures to reduce impacts to a level of insignificance is not advised since most of them are too generic and would not necessarily provide benefit. Also, if relying on measures to minimize impacts, that should be called Class II. Also, this finding is inconsistent with community testimony and comments received at scoping meetings. A-15

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Ms. Ryan Hostetter  
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Note: Page 2a of the VIA states that all Highway 101 overcrossing alternatives “would be significant.” A-15

16) *Page 2.1-36 Overcrossing Improvements*  
There is no guarantee that the overcrossing would be painted a neutral gray-green. This section and all other applicable ratings and discussions should include the range of ratings for the various structure options. A-16

17) *Page 2.1.37 MM 2.1-3a*  
This measure may constitute a deferral of mitigation under CEQA. There is no guarantee that the billboard can be removed. The cost of buying future income rights can be very high. Unless this amount has been quantified and the appropriate governing body has agreed to fund it, the measure cannot be counted as mitigation. Perhaps a measure should be added that requires prior to project approval, a billboard buyout contract must be executed between the County and landowner that legally obligates funding. A-17

18) *Page 2.1.38 MM 2.1-3c*  
Caltrans shall approve all textures and patterns within its right-of-way, not just be consulted. A-18

19) *Page 2.1.38 MM 2.1-3d*  
The project should also receive thorough aesthetic review by the planning commission and other appropriate County boards. A-19

If you have any questions or concerns, please feel free to contact me at (805) 549-3131 or adam.fukushima@dot.ca.gov.

Sincerely,



Adam Fukushima, PTP  
Development Review  
Caltrans District 5

*“Caltrans improves mobility across California”*

## 2.0 RESPONSES TO COMMENTS

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### RESPONSE TO LETTER A – CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

#### **Response to Comment A-1**

*Commenter states that the long-term planning concept for US 101 includes a conversion of the facility into a six-lane freeway and requests that any highway overcrossing be designed to accommodate the long-term planning goal.*

The proposed project would not preclude the Highway 101 planning goal. The preferred Alternative 6 eliminates the need for an overcrossing and utilizes the existing creek corridor under the highway. Further, the County intends to work with Caltrans to coordinate future improvements to the proposed undercrossing location and to incorporate those improvements into the pathway plans.

#### **Response to Comment A-2**

*Commenter notes that any proposed crossing of US 101 must meet all state design standards and that no design will be allowed that will compromise the structural integrity or reduce the flood capacity of any Caltrans facilities.*

This comment does not address the adequacy of the EIR. The County will work with Caltrans to ensure that all state design standards are met during the Caltrans permitting process and that no impacts to structural integrity or flood capacity of Caltrans facilities would take place.

#### **Response to Comment A-3**

*Commenter notes that the County will need to obtain an encroachment permit and that all construction, operational, and long-term maintenance costs must be assumed by the County.*

Comment noted. The County will work with Caltrans to obtain an encroachment permit. The County is aware of its financial responsibility for the construction, operation, and maintenance of the Bob Jones Pathway.

#### **Response to Comment A-4**

*Commenter notes that the final aesthetic design of a US 101 overcrossing should be based on the recommendations of a community-based aesthetics advisory committee, which should include Caltrans.*

The County conducted public outreach efforts to elicit input on the aesthetics of a Highway 101 overcrossing, which was fully analyzed in the DEIR. As part of the public comment process, Alternative 6 was designed and proposed in the RDEIR. Alternative 6 eliminates the need for a highway overcrossing, which would eliminate the need for an advisory committee.

#### **Response to Comment A-5**

*Commenter addresses Table 2.1-1 on page 2.1-6 and inquires about the method used to quantify the visual sensitivity of the areas studied. Further, commenter notes that the individual ratings of each segment are inconsistent with the classification of the area as a whole.*

Although the individual ratings of each segment vary from very low for Segment 4 to high for Segment 5, the overall visual sensitivity of the area is considered moderately high based on the

Visual Impact Assessment (VIA). Individual and area ratings are not mutually exclusive, as the aggregate of each rating can equal a moderately high rating overall. Additionally, for a discussion of the criteria for determining area sensitivity, please see Section 5.1 of Technical Appendix T1, Aesthetics, which describes the methodology and thresholds of significance. The findings summarized in Table 2.1-1 are based on a qualitative analysis of the area following Federal Highway Administration-established standards. Additional quantitative factors for visual quality are provided in Table 2.1-2. No changes are needed.

### **Response to Comment A-6**

*Commenter notes that Table 2.1-2 uses an arbitrary numeral to narrative rating that is inconsistent with FHWA/Caltrans guidelines and that the Key Viewing Areas (KVA) should not be combined into one generic descriptor for each segment.*

As described in Section 6.2 of Technical Appendix T1, Aesthetics:

*Consistent with the FHWA visual assessment methodology, a Visual Quality Evaluation (VQE) was conducted in order to assess the magnitude of the potential visual changes caused by the proposed project. The VQE compares the visual quality of both the existing and proposed conditions. A separate VQE was done from each of the 11 KVAs. A numerical rating between one and seven was assigned for the visual quality of existing conditions from each viewpoint, with one having the lowest value and seven the highest.*

For an in-depth discussion of each segment KVA, please see Section 6.2 of Technical Appendix T1, Aesthetics. A short summary was included in the DEIR section to keep the DEIR at a reasonable length. No changes are needed.

### **Response to Comment A-7**

*Commenter requests that "best case scenarios" be added to the worst case scenario statement on page 2.1.9.*

The phrase "worst-case scenarios" was deleted from the text of the DEIR so as to not confuse readers with a discussion of worst- versus best-case scenarios. The impact analysis studies ways to minimize impacts to visual resources but may not always represent a best- or worst-case scenario. As such, the following change was implemented on page 2.1-9, Section 2.1, Aesthetics. Text in ~~strikeout~~ (e~~b~~e) represents text that was removed from the DEIR.

*While there may be glimpses from other areas along Highway 101 and the frontage roads, these eleven areas were judged to best represent or illustrate the potential impacts of the project, ~~including the worst-case scenarios.~~*

### **Response to Comment A-8**

*Commenter notes that the DEIR uses an incorrect application of the "scenic vista" CEQA definition.*

Although Caltrans identifies scenic vistas as a "viewpoint that provides expansive views of a highly valued landscape," the County of San Luis Obispo does not identify the project area as containing a scenic vista. CEQA Section 15064.7 states that each public agency is encouraged to develop thresholds for the agency to use in the determination of the significance of

## 2.0 RESPONSES TO COMMENTS

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environmental effects. As such and based on County of San Luis Obispo thresholds for scenic vistas, this resource is not located within the project area and no change is needed.

### **Response to Comment A-9**

*Commenter requests that a statement be added to direct readers to specific pages of the Visual Impact Assessment appendix that identify overcrossing options.*

The following change was made on page 2.1-10 in Section 2.1 of the DEIR.

These configurations are shown in Figure 2c of the VIA, which is included in Technical Appendix T1, page 13.

### **Response to Comment A-10**

*Commenter notes that the “scenic resources” question is being incorrectly applied in the document and that the subsequent discussion needs to be moved to either a Scenic Vista or Visual Character section.*

The discussion on page 2.1-15 clearly states that the section of US 101 located within the project area is not a designated State Scenic Highway but that the COSE suggests that this portion of the roadway be designated in the future. Further, as pointed out in Response to Comment A-8, CEQA Section 15064.7 states that each public agency is encouraged to develop thresholds for the agency to use in the determination of the significance of environmental effects. Upon considering the potential for Highway 101 designation as a scenic corridor and the potential project impacts, the County decided to include this discussion and voluntary mitigation measures. Further, County-adopted Highway Corridor Design Standards are applicable to two parcels in Segments 2 and 3, which makes this discussion pertinent to the project. No change is needed.

### **Response to Comment A-11**

*Commenter notes that the section discussing impacts to visual character incorrectly defines “visual character” and “scenic vista.”*

Please see Response to Comment A-8 regarding the definition of scenic vistas. The County defines visual character as a sensitive resource that provides a “sense of place, is valued by residents, and enhances tourism, real estate values, and economic growth.” The DEIR uses these three characteristics to discuss existing visual character and potential project impacts. No changes are needed.

### **Response to Comment A-12**

*Commenter implies that the paragraph skews the discussion due to applying viewer subjectivity rationale only to potentially negative impacts but not to beneficial impacts.*

The following change was made on page 2.1-17 to reflect subjectivity as it could apply to both beneficial and negative impacts.

The proposed bridge and overcrossing structures are the primary features that would most likely result in adverse effects to the visual character of the surrounding area,

understanding that a person's sensitivity to changes in the visual character of the area can be very subjective for both negative and beneficial impacts.

### **Response to Comment A-13**

*Commenter notes that Table 2.1-3 uses a numerical system that is arbitrary and inconsistent with FHWA/Caltrans standards.*

For a technical explanation of the rating system and its applicability to the FHWA/Caltrans standards, please see Appendix T1, Aesthetics, Section 5 Methodology and Thresholds of Significance, and Section 6 Key Viewing Areas, with particular attention to page 19 of the appendix. No changes are needed.

### **Response to Comment A-14**

*Commenter notes that negative values should be denoted with a minus sign.*

Please note that the value in parentheses in Table 2.1-3 denotes the difference between existing and post-project visual quality ratings, and not necessarily negative values. The following change was made to Table 2.1-3 to clarify the symbol:

Notes: 1 – very low; 2 – low; 3 – moderately low; 4 – moderate; 5 – moderately high; 6 – high; 7 – very high

(1) West ramp = 3.33 with a difference of (0.17); values in () represent difference between existing and post-project visual quality ratings

### **Response to Comment A-15**

*Commenter notes that the discussion of overcrossing improvements on page 2.1-36 uses an arbitrary rationale for its findings and that using County standards mitigation measures does not adequately mitigate impacts.*

Please note that under the preferred Alternative 6, the overcrossing of Highway 101 would not be necessary, thereby rendering this issue moot. As such, no further discussion is needed regarding overcrossing improvements and using County standards for mitigation. No changes are needed.

### **Response to Comment A-16**

*Commenter notes that there is no guarantee as to the color of the proposed overcrossing.*

To account for the potential impacts of the proposed overcrossing, the County analyzed Alternative 6 in the RDEIR, which eliminated the need for an overcrossing. No changes are needed.

### **Response to Comment A-17**

*Commenter notes that mitigation measure 2.1-3a may be deferred mitigation since the County cannot guarantee the removal of a billboard.*

## **2.0 RESPONSES TO COMMENTS**

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Alternative 6 analyzed in the RDEIR eliminates the need for a Highway 101 overcrossing and as a result, billboard removal would not be required. As such, Mitigation Measure 2.1-3a would not be needed for Alternative 6 if it is approved by the County. No changes are needed.

### **Response to Comment A-18**

*Commenter notes that Caltrans needs to approve all textures and patterns within its right-of-way.*

This comment does not address the adequacy of the EIR. The County will apply for a Caltrans encroachment permit, and such approvals will be sought at that time. No changes are needed.

### **Response to Comment A-19**

*Commenter notes that the project should undergo aesthetic review by the Planning Commission and other appropriate County boards.*

This comment does not address the adequacy of the EIR. The County will work with all appropriate County and City of San Luis Obispo boards and seek input as needed. No changes are needed.

Letter B

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

1550 Harbor Boulevard  
 West Sacramento, CA 95691  
 (916) 373-3715  
 (916) 373-5471 – FAX  
 e-mail: ds\_nahc@pacbell.net

September 17, 2013

Mr. Ryan Hostetter, Planner

**County of San Luis Obispo**

976 Osos Street, Room 300  
 San Luis Obispo, CA 93408-2040

RE: SCH#2010031121 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the **“Bob Jones Pathway (Bike Path from San Luis Obispo to Ontario Road)”** located in the Avila Beach area; San Luis Obispo County, California

Dear Mr. Hostetter

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3<sup>rd</sup> 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine if a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s). The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native

B-1

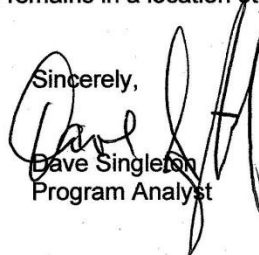
American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Health & Safety Code Section 7050.5 and California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f). Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans. Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

B-1

Sincerely,



Dave Singleton  
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

**Native American Contacts  
San Luis Obispo County  
September 17, 2013**

Beverly Salazar Folkes  
1931 Shadybrook Drive  
Thousand Oaks, CA 91362  
folkes9@msn.com  
805 492-7255  
(805) 558-1154 - cell  
folkes9@msn.com

Chumash  
Tataviam  
Ferrandeño

Judith Bomar Grindstaff  
63161 Argyle Road  
King City, CA 93930  
(831) 385-3759-home

Salinan

Santa Ynez Band of Mission Indians  
Vincent Armenta, Chairperson  
P.O. Box 517  
Santa Ynez, CA 93460  
varmenta@santaynezchumash.  
(805) 688-7997  
(805) 686-9578 Fax

Chumash

San Luis Obispo County Chumash Council  
Chief Mark Steven Vigil  
1030 Ritchie Road  
Grover Beach CA 93433  
(805) 481-2461  
(805) 474-4729 - Fax

Chumash

Barbareno/Ventureno Band of Mission Indians  
Julie Lynn Tumamait-Stennsle, Chair  
365 North Poli Ave  
Ojai, CA 93023  
jtumamait@sbcglobal.net  
(805) 646-6214

Chumash

Peggy Odom  
1339 24th Street  
Oceano, 93445  
(805) 489-5390

Chumash

Lei Lynn Odom  
1339 24th Street  
Oceano, CA 93445  
(805) 489-5390

Chumash

Salinan Tribe of Monterey, San Luis Obispo Counties  
John W. Burch, Traditional Chairperson  
14650 Morro Road  
Atascadero, CA 93422  
salinatribe@aol.com  
805-460-9202  
805 235-2730 Cell  
805-460-9204

Salinan  
Chumash

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SSCH#2010031121; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for the Bob Jones Pathway Project; located in the Avila Beach area; San Luis Obispo County, California.

## 2.0 RESPONSES TO COMMENTS

### Native American Contacts San Luis Obispo County September 17, 2013

Santa Ynez Tribal Elders Council  
Adelina Alva-Padilla, Chair Woman  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
elders@santaynezchumash.org  
(805) 688-8446  
(805) 693-1768 FAX

Salinan Nation Cultural Preservation Association  
Robert Duckworth, Environmental Coordinator  
4777 Driver Rd. Salinan  
Valley Springs CA 95252  
**dirobduck@thegrid.net**  
831-578-1852

Randy Guzman - Folkes  
6471 Cornell Circle Chumash  
Moorpark , CA 93021 Fernandefio  
**ndnRandy@yahoo.com** Tataviam  
(805) 905-1675 - cell Shoshone Paiute  
Yaqui

Coastal Band of the Chumash Nation  
Michael Cordero, Chairperson  
P.O. Box 4464 Chumash  
Santa Barbara CA 93140  
CbcnTRIBALCHAIR@gmail.com

Xolon Salinan Tribe  
Johnny R Eddy Jr, Chairperson  
3179 Garrity Way #734 Salinan  
Richmond , CA 94806  
831-210-9771

yak tityu tityu - Northern Chumash Tribe  
Mona Olivas Tucker, Chairwoman  
660 Camino Del Rey Chumash  
Arroyo Grande CA 93420  
(805) 489-1052 Home  
(805) 748-2121 Cell  
olivas.mona@gmail.com

Salinan Nation Cultural Preservation Association  
Doug Alger, Cultural Resources Coordinator  
PO Box 56 Salinan  
Lockwood , CA 93932  
fabbq2000@earthlink.net

Matthew Darian Goldman  
495 Mentone Chumash  
Grover Beach CA 93433  
805-748-6913

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**Native American Contacts  
San Luis Obispo County  
September 17, 2013**

Santa Ynez Band of Mission Indians  
Tribal Admin/Counsel Sam Cohen  
P.O. Box 517 Chumash  
Santa Ynez , CA 93460  
Info@santaynezchumash.org  
(805) 688-7997  
(805) 686-9578 Fax

Frank Arredondo  
PO Box 161 Chumash  
Santa Barbara CA 93102  
ksen\_sku\_mu@yahoo.com

Salinan Nation Cultural Preservation Association  
Gregg Castro, Administrator  
5225 Roeder Road Salinan  
San Jose , CA 95111  
glcastro@pacbell.net  
(408) 219-2754

Santa Ynez Tribal Elders Council  
Freddie Romero, Cultural Preservation Constnt  
P.O. Box 365 Chumash  
Santa Ynez , CA 93460  
805-688-7997, Ext 37  
freddyromero1959@yahoo.com

Salinan-Chumash Nation  
Xielolixii  
3901 Q Street, Suite 31B Salinan  
Bakersfield , CA 93301 Chumash  
408-966-8807 - cell

Barbareno/Ventureno Band of Mission Indians  
Kathleen Pappo  
2762 Vista Mesa Drive Chumash  
Rancho Pales Verdes CA 90275  
310-831-5295

Northern Chumash Tribal Council  
Fred Collins, Spokesperson  
67 South Street Chumash  
San Luis Obispo CA 93401  
fcollins@northernchumash.org  
(805) 801-0347 (Cell)

Barbareno/Ventureno Band of Mission Indians  
Raudel Joe Banuelos, Jr.  
331 Mira Flores Court Chumash  
Camarillo , CA 93012  
805-987-5314

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## 2.0 RESPONSES TO COMMENTS

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### Native American Contacts San Luis Obispo County September 17, 2013

Coastal Band of the Chumash Nation  
Janet Darlene Garcia  
P.O. Box 4464 Chumash  
Santa Barbara CA 93140  
805-689-9528

Coastal Band of the Chumash Nation  
Crystal Baker  
P.O. Box 723 Chumash  
Atascadero , CA 93423  
805-466-8406

**This list is current only as of the date of this document.**

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SSCH#2010031121; CEQA Notice of Completion; draft Environmental Impact Report (DEIR); for the Bob Jones Pathway Project; located in the Avila Beach area; San Luis Obispo County, California.

RESPONSE TO LETTER B – NATIVE AMERICAN HERITAGE COMMISSION (NAHC)

**Response to Comment B-1**

*Commenter provides general information regarding the jurisdiction of the NAHC and summarizes its recommendations for complying with those CEQA provisions that apply to archaeological resources. Commenter provides a list of appropriate Native American contacts for consultation concerning the project site. Commenter further outlines the recommended mitigation plan for areas of known cultural sensitivity and for the accidental discovery of unknown archeological resources.*

Commenter is referred to DEIR pages 2.4-1 through -16 for a discussion of the project's potential impacts to archeological resources. The DEIR acknowledges the potential for unknown archeological resources to be discovered during ground-disturbing activities. The DEIR provides mitigation measures consistent with the recommended mitigation plan outlined in this comment; these measures can be found in Section 2.4, Cultural Resources. The project would also comply with existing state regulations regarding the accidental discovery of human remains identified by the commenter. Because the project does not include a General Plan or Specific Plan amendment, no tribal consultation for the project is required under SB 18. Nonetheless, the project would be sensitive to archeological and historical resources.

Letter C

**Pamela Lapham**

---

**Subject:** FW: prohibition of pesticides (which includes herbicides) - Bob Jones Comment

From: Lynda Auchinachie/AgComm/COSLO  
To: Ellen Carroll/Planning/COSLO@Wings  
Cc: Ryan Hostetter/Planning/COSLO@Wings  
Date: 10/18/2013 04:58 PM  
Subject: prohibition of pesticides (which includes herbicides)

Hi Ellen,

There is a mitigation measure that keeps showing up in DEIRs that is aimed at regulating/prohibiting the use of herbicides (herbicides are considered a pesticide). I just noticed it again in the Bob Jones Pathway MM 2.3-1f.

As discussed before and identified by county counsel, such regulation/prohibition is in direct conflict with CA Food and Agriculture Code 11501.1(a) because the CA Department of Pesticide Regulation occupies the whole field of regulation regarding the use of pesticides/herbicides and this authority cannot be preempted through a local action. Prohibiting or regulating the use of herbicides through the County's land use process would be considered preemptive and unenforceable.

C-1

Could you please remind your staff because I may not always catch it in the bio sections. Let me know if you have questions.

Thanks,  
Lynda

Ryan...do you want me to make a formal comment for bj or will you take care of this issue?

[Scanned @co.slo.ca.us]

### RESPONSE TO LETTER C – SAN LUIS OBISPO COUNTY AGRICULTURE COMMISSIONER

#### **Response to Comment C-1**

*Commenter states that California Food and Agriculture Code Section 11501.1(a) grants all authority on the regulation of pesticides and herbicides to the California Department of Pesticide Regulations and this authority cannot be preempted through a local action. Therefore, DEIR mitigation measure MM 2.3-1f, which prohibits the use of herbicides as the primary method to control invasive and exotic plants in the project area, would be preemptive and unenforceable.*

The comment refers to mitigation measure MM 2.3-1f, which states that the use of herbicides is prohibited as the primary method to control invasive, exotic plants. To clarify, this measure is not intended to regulate the use of herbicides in areas of active agriculture. The measure, as presented on page 2.3-31 of the DEIR, is modified as follows:

- The use of herbicides is prohibited as the primary method to control invasive, exotic plants along the pathway, except in areas of managed agriculture, where use of pesticides (including herbicides) is regulated by the California Food and Agriculture Code.



P.O. Box 12206 • SLO, CA 93406 • (805) 544-9096 • FAX (805) 544-5122  
VISIT US ONLINE AT: WWW.LCSLO.ORG

Letter D1

October 15, 2013

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

RE: Bob Jones Pathway Draft Environmental Impact Report

Dear Ms. Hostetter,

The Land Conservancy of San Luis Obispo County (The Land Conservancy) appreciates the opportunity to comment on the Bob Jones Pathway Environmental Impact Report (EIR). The Land Conservancy has been involved in the creation of the Bob Jones Pathway from the beginning. Bob Jones was our Board President in the late 1980's and the Pathway is a great way to honor his legacy of protecting San Luis Obispo Creek for the benefit of us all.

The Land Conservancy continues to direct significant resources towards supporting the project, including owning and managing large segments of the future Pathway and partnering to create the Octagon Barn Center staging area. We look forward to the day when families can start at the Octagon Barn and walk or bike their way to the ocean at Avila Beach, experiencing the vibrancy of family farms and the wonders of San Luis Obispo Creek along the way.

After careful review of the document by our Board of Trustees, Staff, and Committees, we would like to offer the following comments:

1. The EIR is a thorough and accurate document overall. We did not see any significant omissions or incorrect statements that warrant further delay of the process, and we feel that the proposed project was well-studied. **Therefore, we recommend certification of the EIR and advancement of the Bob Jones Pathway project.**
2. **We strongly recommend that Alternative 3 be designated as the preferred route for the Pathway.** We recognize that this could negatively impact the agriculture land on the east side of South Higuera Street. While we strive to promote and support agriculture, we feel that reducing the number of crossings on Higuera in that segment will be much safer for families with small children and all other Pathway users. Alternative 3 will also reduce impacts to the San Luis Obispo Creek riparian corridor. We agree that Alternative 3 is the environmentally superior alternative as stated on Page 3.0-22.
3. Related to Item 2, we feel that a stoplight or other type of traffic control should be included at the intersection of the Pathway and South Higuera St. at the Octagon Barn Center to slow

D1-1

D1-2

D1-3

traffic and **provide a safe interim crossing for Pathway users prior to completion of the Buckley Road extension** (unless the extension and Pathway are built simultaneously.)

D1-3

4. The Land Conservancy has the following comments and questions related to technical aspects of the EIR:

a. On Page 2.3-5, 2.3-29, and elsewhere throughout the document, it is stated that there are no documented occurrences of California red-legged frog in the riparian areas of the subject stretches of San Luis Obispo Creek. The Land Conservancy has performed surveys conducted by qualified biologists and has confirmed the presence of adult individuals in the riparian area of San Luis Obispo Creek at the downstream end of the BSA. **We recommend that the EIR be amended to reference the confirmed presence of California red-legged frog.**

D1-4

b. On page 2.3-12 the document refers to juvenile steelhead being observed in the BSA. The Land Conservancy, the California Conservation Corps, and the CA Department of Fish and Wildlife have observed adult steelhead on numerous occasions throughout the BSA in San Luis Obispo Creek. Some of these have been documented in formal snorkel and/or electro fishing surveys. **We recommend that the EIR be amended to reference the confirmed presence of adult steelhead in addition to juvenile individuals. We also recommend that the applicable mitigation measures be implemented to the maximum extent practicable to reduce negative impacts to steelhead along Lower San Luis Obispo Creek.**

D1-5

c. On Sheet 3 of Appendix A.3, and as described on Page 1.0-21, Number 1, the document identifies a staging area at the Filipponi Ecological Preserve. The Filipponi Ecological Preserve has been used as a mitigation site for various projects. **We recommend that the County confirm the boundaries of projects that were completed several years ago on the Preserve.** The staging area should be constructed to avoid impact to those projects.

D1-6

d. The project will likely disturb intact riparian areas that The Land Conservancy has worked hard to protect and restore. We ask that the following measures be integrated into the EIR and future planning documents that are contemplated in the EIR.

i. The *Arundo donax* (giant reed) described on page 2.3-8 and elsewhere in the document has been removed since the surveys were conducted by SWCA in 2006. **We request that if *Arundo donax* sprouts or new stands are found during or following construction that The Land Conservancy is notified of the location and the contractor properly removes the plant if it is within the project area.** This should specifically be integrated into mitigation measures MM 2.31a and MM 2.3-4b and the future Habitat Mitigation and Monitoring Plan since disturbance may increase the risk of *Arundo* re-growth, germination and/or infestation.

D1-7

ii. The crossing over San Luis Obispo Creek at San Luis Bay Drive will impact a section of the riparian area that has been restored with grant funds by our

D1-8

organization. As currently shown in the simulations in Figure 2.1-3b, the crossing appears to impact more area than is necessary in the riparian zone. **We recommend that the bridge alignment be designed in a way that reduces the proposed footprint within the riparian zone.**

D1-8

- e. We recognize that the proposed route along Monte Road and our Lower San Luis Obispo Creek Floodplain Preserve will remove a small amount of farmland from production, and this is studied in the EIR. We have concerns that the current alignment in Segments 3 and 4 will also have negative impacts on the agricultural operations of the farmers that lease our property. **We feel that mitigation measures MM 2.2-3a through MM 2.2-3c should be implemented to the maximum extent practicable, and that the farmers and landowners be directly involved in the development of the Farmland Conflict Reduction Plan.** We encourage the County to consider design elements and alignment modifications that minimize impacts to equipment ingress and egress, and that the Pathway allow for operations to continue unimpeded.

D1-9

- 5. We recommend that the County continue conversations with Caltrans and other agencies regarding Alternative 4 and that an undercrossing as part of a possible Caltrans-implemented retrofit to the Highway 101 bridge remain as a viable alternative. That said please do not delay the project indefinitely on the chance that Caltrans may retrofit the bridge in the future. We do have concerns related to the increased maintenance costs and the impacts to wildlife habitat, geology and soils, and hydrology associated with an undercrossing constructed in the floodway of San Luis Obispo Creek. We also have concerns about the visual impact of the proposed overcrossing. **We feel that the EIR accurately portrays the overpass/undercrossing alternatives and their relative impacts.**

D1-10

Our organization is committed to connecting the people of our community to the land that sustains us. We are also committed to caring for San Luis Obispo Creek and the local farmers that support our economy and way of life. In general, we believe that the EIR adequately addresses the potential impacts of this project and balances the needs of all stakeholders through its mitigation measures. **On behalf of The Land Conservancy Board of Trustees, I encourage the San Luis Obispo County Board of Supervisors to certify the EIR and move forward to the next stage of this project.** Thank you for your consideration. Feel free to contact me for additional information or documentation.

Sincerely,



Kaila Dettman  
Executive Director

### RESPONSE TO LETTER D1 – THE LAND CONSERVANCY OF SAN LUIS OBISPO COUNTY

#### **Response to Comment D1-1**

*Commenter states that the DEIR adequately analyzes the proposed project and recommends its certification and advancement of the project.*

Comment noted.

#### **Response to Comment D1-2**

*Commenter supports the DEIR finding that Alternative 3 is the environmentally superior alternative and recommends that the County designate Alternative 3 as the preferred route for the proposed pathway. Commenter acknowledges that Alternative 3 would impact agricultural land east of South Higuera Street but would provide safer conditions for those utilizing the pathway and would reduce impacts to the San Luis Obispo Creek riparian corridor.*

Comment noted. No change is needed.

#### **Response to Comment D1-3**

*Commenter suggests that a stoplight or other type of traffic control be installed where the proposed pathway would intersect South Higuera Street at the Octagon Barn Center to slow traffic and ensure public safety until the Buckley Road extension is completed.*

Comment noted. Please see Master Response 1 for a description of Alternative 6, which eliminates the need for crossings at South Higuera Street. The project was designed to meet all safety standards as discussed on pages 2.6-10 through -15 of the DEIR. The County acknowledges that the City's portion of the pathway may connect to the Octagon Barn Center via a crossing of South Higuera Street. This crossing is not part of the County project. The crossing is the responsibility of the City of San Luis Obispo and the County will work with the City of San Luis Obispo Public Works Department to ensure that any at-grade crossing is appropriately located and designed to safety standards.

#### **Response to Comment D1-4**

*Commenter states that surveys for California red-legged frog conducted by the Land Conservancy have confirmed the presence of adult individuals of the species in the riparian area of San Luis Obispo Creek at the downstream end of the BSA. Commenter requests that the DEIR be revised to reference the confirmed presence of this species.*

As part of the updated RDEIR, a new Biological Resources Assessment (BRA) was compiled and updated to include California red-legged frog and potential project impacts on the species and its habitat. Please see page 14 of Appendix B of the RDEIR. Further, mitigation measures proposed in the DEIR and the revised BRA assume the species' presence and would apply to the project.

#### **Response to Comment D1-5**

*Commenter states that adult steelhead have been observed within the BSA by multiple parties and requests that the DEIR be revised to reference the confirmed presence of adults of this species.*

## 2.0 RESPONSES TO COMMENTS

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As part of the updated RDEIR, a new Biological Resources Assessment (BRA) was compiled. Similar to the DEIR, it acknowledges the presence of steelhead in the project area. The BRA also notes that steelhead were observed at the Alternative 6 proposed bridge location. The BRA and the DEIR mitigation measures would serve to protect both juvenile and adult steelhead populations and habitat in the project area. As such, no change is needed.

### **Response to Comment D1-6**

*Commenter states that the Filipponi Ecological Preserve, which is identified as a staging area for the proposed project, has been used as a mitigation site for various other projects. Commenter recommends that the boundaries of those projects be confirmed and that the staging area be constructed to avoid impacts to those projects.*

The DEIR project description and plans identify a temporary construction staging area adjacent to the proposed pathway and South Higuera Street, located on City of San Luis Obispo land within the Filipponi Reserve. The same area is identified as a temporary construction easement. The revised BRA includes the temporary construction easement in the study area, and all mitigation measures would apply to that area. The temporary construction area would be returned to its original condition, thus minimizing potential impacts to the area. No change is needed.

### **Response to Comment D1-7**

*Commenter states that the proposed project is likely to disturb riparian areas that have been restored by the Land Conservancy and requests that should giant reed (*Arundo donax*) be discovered during or following construction, it be removed and the Land Conservancy be notified.*

The potential for the proposed project to introduce invasive and/or exotic species within the project area is discussed in Impact 2.3-6 on page 2.3-40 of the DEIR, and it includes vegetation management and invasive species mitigation measures. As such, the revised BRA includes Mitigation Measures Bio-10, Bio-19, Bio-21, Bio-37, and Bio-38.

Additionally, the following text has been added to mitigation measure MM 2.3-4b (DEIR pages S-46 and 2.3-37) as follows:

**MM 2.3-4b** During construction, the biological monitor(s) will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible. When practicable, invasive exotic plants on the project site (such as *Arundo donax*) will be removed and properly disposed.

### **Response to Comment D1-8**

*Commenter states that the proposed project will disturb a riparian area adjacent to the proposed crossing over San Luis Obispo Creek at San Luis Bay Drive, which has been restored by the Land Conservancy. Commenter requests that the bridge alignment be designed to reduce its footprint within the riparian zone.*

See Master Response 1. The bridge crossing in question would not be required under preferred Alternative 6.

**Response to Comment D1-9**

*Commenter states that the proposed pathway route would remove a small area of farmland from production and could have negative impacts on agricultural operations. Commenter supports implementation of mitigation measures MM 2.2-3a through MM 2.2-3c to the maximum extent practicable. Commenter recommends that farmers and landowners be directly involved in the development of the Farmland Conflict Reduction Plan and that the County consider design and alignment modifications to minimize impacts to farm operations.*

See Master Response 1. Alternative 6 eliminates major impacts to agricultural operations. No change is needed.

**Response to Comment D1-10**

*Commenter recommends that the County continue to pursue an undercrossing of Highway 101 in conjunction with a Caltrans retrofit of the bridge (Alternative 4) but not delay the project indefinitely. Commenter states that the EIR accurately portrays the overpass/undercrossing alternatives and related impacts.*

See Master Response 1. Alternative 6 provides a viable option to cross under Highway 101. No change is needed.

Letter D2



Draft EIR Comment Form  
Proposed Bob Jones Bike Path San Luis Obispo to  
Ontario Road Project

Date: 8/28/13  
Name\*: B.K. Richard  
Affiliation (if any)\*: Land Conservancy  
Address\*: 130 Anacapa  
City, State, Zip Code\*: SLO, CA. 93105  
Telephone Number\*: 805.801.7578  
Email\*: bk@bishoppaekgroup.net

Comment: It's not clear whether the alternatives have been completely covered by the EIR studies. I.e. if an alternative is selected, would additional studies be triggered before the process can conclude with certification?

D2-1

I think it would be an interesting challenge to local civil engineers (Cal Poly, professionals) to come up with a creative proposal(s) about putting the path under 101. Is there a concept which didn't impact abutments? A "floating" concept? A structure suspended under the bridge? A bridge suspended from pilons which are outside the impact zone of the 101 bridge completely?

D2-2

\*Please print. Your name, address, and comments become public information and may be released to interested parties if requested.  
The parking lot at Ontario is busy. Is there

D2-3

Please either deposit this sheet at the sign-in table before you leave today, or fold, stamp, and mail. Insert additional sheets if needed. Comments must be received by October 21, 2013. Comments may also be faxed to (805) 788-2413 or emailed to rhostetter@co.slo.ca.us.

An estimate for the use of this lot & the lot at the Barn?  
Is the currently proposed plan adequate?

### RESPONSE TO LETTER D2 – LAND CONSERVANCY

#### **Response to Comment D2-1**

*Commenter asks if the project alternatives have been fully evaluated in the DEIR or, should an alternative be selected, whether further analysis would be required prior to certification.*

Please see Master Response 1. The RDEIR provided an additional alternative with all supporting studies. In accordance with CEQA Guidelines Section 15126.6(d), the DEIR provides “sufficient information about each project alternative to allow meaningful evaluation, analysis, and comparison with the proposed project”; however, the significant effects of the alternatives are discussed in less detail than those of the project as proposed. As stated on DEIR page 1.0-2, should any phase or segment of the pathway be changed or modified from the existing project description, subsequent supplemental environmental review may be required and may tier from the DEIR.

#### **Response to Comment D2-2**

*Commenter asks if the County has considered alternative designs for an underpass of Highway 101 that would not impact abutments such as a suspended structure under the bridge.*

Please see Master Response 1.

#### **Response to Comment D2-3**

*Commenter states that the parking lot at the Ontario staging area is heavily used. Commenter asks if estimates of the anticipated demand for parking at this lot and the lot at the Octagon Barn have been made and if the proposed parking plan will be adequate to meet the demand.*

The provision of inadequate parking in and of itself is not considered an environmental impact under CEQA, as such parking capacity is not required to be studied under CEQA. As discussed on DEIR pages 1.0-22 through -27, several voluntary mitigation measures have been incorporated into the proposed project, including a measure requiring the provision of adequate parking at proposed facilities, such that surrounding area streets are not adversely impacted. The project proposes improved and expanded parking, primarily located at the Octagon Barn and the Ontario Road staging area, with lesser (trailhead) parking located at specified locations along the route in order to meet the anticipated parking demand from pathway users.

## 2.0 RESPONSES TO COMMENTS



October 16, 2013  
Ryan Hostetter, Project Manager  
County Planning & Building Dept.  
976 Osos St., Rm. 300  
San Luis Obispo, CA 93408-2040

Letter E

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

RE: Bob Jones Pathway (San Luis Obispo to Ontario Road) -- Draft Environmental Impact Report (DEIR)

Dear Ms. Hostetter,

Thank you for the opportunity to review the Bob Jones DEIR. San Luis Obispo Council of Governments (SLOCOG) is the Regional Transportation Planning Agency and Metropolitan Planning Organization for the county. We have been very supportive of the project from the outset. Currently SLOCOG has programmed \$800,000 in federal transportation funds for construction of the Northern Segment from the Octagon Barn to Clover Ridge Road. The subsequent phases of the project are also included in our 2010 Regional Transportation Plan-Preliminary Sustainable Communities Strategy (RTP-PSCS) as long term projects.

While we are very supportive of the project, we have grave concerns about the timing of the environmental review and the potential loss of funding committed to construction. We understand the County may need more time to do additional studies to address concerns raised by the community and agencies with regard to the overcrossing or undercrossing of US 101. We are very concerned that any additional delay in the EIR will jeopardize the construction funding on the northern segment. We suggest the county consider the following strategy to minimize risk of losing the federal construction funding, complete the EIR, and build a useable trail segment:

E-1

1. Certify the EIR with Alternative 3 which would keep the project on the east side of South Higuera. This alternative addresses safety concerns raised by the presence of mid-block crossings.
2. Certify the EIR with Alternative 5 – Interim Improvements for the segment south of San Luis Bay Drive.
3. Complete the NEPA with these alternatives and move forward with next steps, including design, for Northern segment construction.
4. Work through SLOCOG to seek funding for additional studies to determine the best alternative for the southern segment.

E-2

E-3

E-4

There are phases of the project that will be useful to and enjoyed by the public in advance of the full 4.4 miles being constructed. The SLOCOG funds on the first phase have lapsed before and are in danger of lapsing again.

The Bob Jones Pathway will be enjoyed by many visitors and residents. This project has been important to many members of our community for a very long time and we are anxious to see the DEIR be certified in a timely manner. We urge the County to keep moving forward to ensure the timely use of SLOCOG funds for construction of this important trail.

Sincerely,

Ronald L De Carli

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

### RESPONSE TO LETTER E – SAN LUIS OBISPO COUNCIL OF GOVERNMENTS (SLOCOG)

#### **Response to Comment E-1**

*Commenter expresses support of the proposed project as well as concern about the potential to lose committed construction funding due to delays in the preparation of the EIR.*

Comment noted.

#### **Response to Comment E-2**

*Commenter provides suggested actions to minimize the risk of losing federal construction funding and to complete the project. Specifically, commenter suggests that the County select project Alternative 3 because it addresses safety concerns by eliminating the mid-block crossings of South Higuera Street.*

Comment noted. Commenter is referred to Master Response 1.

#### **Response to Comment E-3**

*Commenter suggests completing the NEPA review for the project.*

Comment noted. The County is completing the NEPA review for the proposal, which is a separate process from CEQA.

#### **Response to Comment E-4**

*Commenter suggests that the County continue to work through SLOCOG to seek funding.*

Comment noted.

Letter 1

<p><b>AVILA VALLEY ADVISORY COUNCIL</b>                  P.O. Box 65                  Avila Beach                  CA 93424                  www.avilavalley.org</p>	<p><b>AVAC</b></p> <p><b><u>Our Mission Statement</u></b></p> <p>The Avila Valley Advisory Council's (AVAC) Mission is to represent the interests of valley residents and enterprises, to monitor and guide development and to promote the general welfare of the community. To these ends, AVAC works to assure that essential public services keep pace with change and promotes the conservation of the natural beauty and resources in the Avila Area.</p>
<p><b>Chair</b>                  Jim Hartig  <b>Vice Chair</b>                  Sherri Danoff  <b>Secretary</b>                  Anne Brown  <b>Treasurer</b>                  Julie Hartzell</p> <p><b><u>Members of Council</u></b></p> <p><b><u>Avila Beach:</u></b>                  Anne Brown                  Lynn Helenius                  Lisa Newton                  John Salisbury(alt)</p> <p><b><u>Avila Valley:</u></b>                  Julie Hartzell                  MaryEl Hansen                  Jan Taylor (alt)</p> <p><b><u>San Luis Bay Estates:</u></b>                  Sherri Danoff                  Saul Goldberg                  Jim Hartig                  Bob Pusanik                  Ken Thompson                  Lynn Walter                  Karla Bittner (alt)                  William Ziegler(alt)</p> <p><b><u>See Canyon:</u></b>                  Denise Allen                  Bill Tickell                  Karen Wickler (alt)</p> <p><b><u>Squire Canyon:</u></b>                  Open (2)</p>	<p>DATE: October 15, 2013                  TO: Ryan Hostetter, Project Manager                  FROM: Avila Valley Advisory Council                  SUBJECT: COMMENTS ON DRAFT EIR, BOB JONES PATHWAY</p> <p>1. <u>Page 1.0-19, Segment 4: San Luis Bay Drive Crossing</u>                  The Project Description does not incorporate reference to the bridge design depicted in view shed simulations. The depicted steel truss bridge design is one of three designs shown on Sheet 6 of Appendix A, titled Conceptual Highway 101 Overcrossing Options. AVAC thinks the EIR should explicitly identify the depicted bridge design as the project bridge or clarify that it is a possible bridge design. <span style="float: right;">1-1</span></p> <p>2. <u>Page 2.1-7, Table 2.1-2 &amp; Page 2.1-18, Table 2.1-3</u>                  Pertaining to the Highway 101 bridge overcrossing, view sheds from Monte Road and Ontario Road should probably be considered in the visual quality evaluations. <span style="float: right;">1-2</span></p> <p>3. <u>Page 2.1-36, MM 2.1-2b</u>                  Mitigation for visual aesthetic impact of the new San Luis Bay Bridge assigns responsibility for design to County General Services. Mitigation should include opportunity for AVAC review and input before the design is finalized. <span style="float: right;">1-3</span></p> <p>4. <u>Page 2.1-36, MM 2.1c</u>                  Landscape mitigation is a plan to be prepared by County General Services for approval by Planning's Environmental Coordinator. Retaining wall designs for the new San Luis Bay Bridge ramps are not addressed. AVAC should be provided opportunity for review and input to the proposed ramp wall and fencing designs before finalized. <span style="float: right;">1-4</span></p> <p>5. <u>Page 2.1-37, MM 2.1-3a</u>                  The preceding paragraph mentions that a billboard on Land Conservancy property is a candidate for removal- if the Conservancy is compensated for lost leasing revenue. However, there is no mention that compensation for lost leasing revenue will occur, or how. Without such information it cannot be assumed that removal of a billboard will be carried out. Therefore it seems to be improper to identify billboard removal as a mitigation. <span style="float: right;">1-5</span></p> <p>At the August 28 public meeting on the EIR the consultant mentioned that no particular billboard has been identified for removal. This should be clarified in the EIR. Too, the EIR should clarify that this mitigation is uncertain since billboards are privately owned.</p> <p>6. <u>Pages 2.6.2 &amp; 2.6-17, Transportation and Circulation, Existing Setting and Cumulative Impacts</u>                  The EIR should address that parking at the Ontario Road staging area often overflows onto both sides of the street for a considerable distance, creating potential hazards to BJ Pathway users when loading and unloading equipment. The proposed project would add Pathway users and exacerbate existing conditions. <span style="float: right;">1-6</span></p> <p>7. <u>Pages 3.0-16 &amp; 3.0-17, Comparative Analysis of Alternative 4</u>                  There is approximately 9-10 foot clearance from soil to bottom of the existing Highway 101 <span style="float: right;">1-7</span></p>

bridge within which the proposed trail width of 10 feet with a 2 foot base material apron on each side could be positioned and have 7.5-8 feet of clearance on each side, including aprons. The EIR should document why this alternative route is treated differently from other BJ Pathway segments in the floodway with similar habitat, geology-soils and hydrology-water quality impacts.

1-7

8. Page 3.0-18, Summary for Alternative 4

Quantification is necessary to support conclusions that the undercrossing Alternative would result in greater maintenance costs than a bridge overcrossing and result in more seasonal closures than would otherwise occur on project and existing segments of the BP pathway.

1-8

9. Page 3.0-19, Summary for Alternative 4

The discussion about including a pathway undercrossing if there are future improvements to the existing Highway 101 bridge over the creek should mention that no bridge improvements are under consideration by Caltrans. The EIR consultant clarified this point at the August 28 public meeting.

1-9

10. Section 2.0, Impact Analysis & Appendix T6, Hydrology

While Hydrology and Water Quality subsections which appear under Alternatives contain conclusionary statements, the EIR contains no Impact section for analysis of hydrology impacts. Also, the appendicized 2009 Hydrology study does not evaluate the Alternative 4 highway undercrossing. These deficiencies should be remedied. Included should be analysis of expected pathway flooding with the proposed Highway 101 bridge compared with the Alternative 4 highway undercrossing.

1-10

Considering that the proposed pathway extension is routed within a floodplain, as is the existing pathway, it is necessary to evaluate whether flooding will impact public use of the pathway differently with either the bridge overcrossing or an undercrossing. Knowing whether the pathway will be used more days with the overcrossing than an undercrossing is essential information. It is also essential to know the difference in maintenance requirements for the proposed bridge versus an undercrossing. The T6 Hydrologic Study does not support the conclusion of the EIR in regards to the preferred route and undercrossing.

  
Jim Hartig, AVAC Chairperson

## 2.0 RESPONSES TO COMMENTS

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### RESPONSE TO LETTER 1 – AVILA VALLEY ADVISORY COUNCIL (AVAC)

#### **Response to Comment 1-1**

*Commenter states that the DEIR project description should identify the bridge design depicted in the visual simulations as either the proposed bridge design or one of three design options as shown in DEIR Appendix A.*

See Master Response 1. The bridge described on page 1.0-19 of the DEIR is one of the smaller creek crossings, not the larger crossing structure over Highway 101. This bridge detail is shown on Sheet 4. The RDEIR provides an analysis of Alternative 6 (Farming Operations and Conflict Avoidance), which proposes an undercrossing of Highway 101, thereby eliminating the need for a new bridge. Alternative 6 has been identified as the environmentally superior alternative.

#### **Response to Comment 1-2**

*Commenter states that viewsheds from Monte Road and Ontario Road should be considered in the evaluation of the proposed Highway 101 bridge overcrossing.*

See Master Response 1 and Response to Comment 1-1.

#### **Response to Comment 1-3**

*Commenter requests that mitigation measure MM 2.1-2b be revised to allow opportunity for AVAC to review and provide input on the design of the new San Luis Bay Drive Bridge.*

Conceptual bridge design, including the design of the creek crossing at San Luis Bay Drive, is illustrated in DEIR Appendix A. The measure is intended to minimize the visual impact of the structure. The County of San Luis Obispo will take into consideration all comments received during the public review process. It should be noted that the bridge would not longer be necessary if Alternative 6 (see RDEIR) is approved. .

#### **Response to Comment 1-4**

*Commenter requests that mitigation measure MM 2.1-2c be revised to allow opportunity for AVAC to review and provide input on the proposed bridge ramps, walls, and fencing designs.*

Please see Response to Comment 1-3 above. At this time, the conceptual bridge plans at the San Luis Bay Drive crossing do not include retaining walls (see Appendix A). Further, the bridge would not be necessary if Alternative 6 (Master Response 1) is approved.

#### **Response to Comment 1-5**

*Commenter states that the DEIR fails to discuss whether and how the Land Conservancy would be compensated for lost leasing revenue should a billboard be removed from its land as part of project mitigation.*

Please see Master Response 1.

### **Response to Comment 1-6**

*Commenter states that the DEIR should describe that under existing conditions, parking at the Ontario Road staging area often overflows onto both sides of the street for a considerable distance, potentially creating a hazard and that the project would exacerbate these conditions.*

Comment noted. With new parking facilities associated with the Octagon Barn trailhead, the existing Ontario Road staging area will no longer serve as the pathway's northern terminus. As such, the County anticipates user parking to shift to the Octagon Barn Center. The project also includes several "voluntary measures" that are incorporated into the project. As stated on page 1.0-27, facilities are required to provide adequate parking to limit impacts on surrounding streets.

### **Response to Comment 1-7**

*Commenter describes the existing conditions of the location of the Highway 101 undercrossing proposed under Alternative 4 and requests an explanation as to why the alternative route is treated differently from other pathway segments in the floodway.*

See Master Response 1 and the RDEIR. The Alternatives section has been updated and replaced in its entirety in the RDEIR.

### **Response to Comment 1-8**

*Commenter states that the DEIR should provide evidence for the assertion that a highway undercrossing would result in greater maintenance costs than an overcrossing as well as more closures than other pathway segments.*

As discussed on RDEIR page 3.0-38, the proposed undercrossing is located within the active floodplain of SLO Creek and will require closures during periods of creek high flow as well as additional maintenance work to clear the path of debris and sediment. However, as further discussed in this section of the RDEIR, operational and maintenance issues are not an environmental impact under CEQA. DEIR Appendix T6 and RDEIR Appendix C provide detailed hydraulic studies for the project, including the proposed undercrossing. Furthermore, commenter is referred to Master Response 1. The RDEIR identified Alternative 6 as the environmentally superior alternative, which includes the undercrossing of Highway 101 in Segment 5.

### **Response to Comment 1-9**

*Commenter states that the DEIR should identify that no Highway 101 bridge improvements are under consideration by Caltrans.*

Comment noted. Please see Master Response 1. The RDEIR and Alternative 6 include an updated Alternatives section. The County has determined that the pathway project could proceed regardless of future Caltrans improvement plans for the existing bridge structure. The RDEIR (page 3.0-19) acknowledges that Caltrans is not currently planning any improvement at the subject bridge.

## 2.0 RESPONSES TO COMMENTS

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### Response to Comment 1-10

*Commenter states that the DEIR does not contain an impact section for analysis of hydrology impacts and the appendicized hydraulic study does not evaluate the highway undercrossing proposed by Alternative 4. Commenter further states that DEIR Section 3.0, Alternatives, contains conclusory statements regarding hydrology and water quality.*

See Master Response 1. An analysis of the project's potential impacts related to hydrology and water quality is provided on pages S-16 through S-17 of the DEIR. The hydraulic study prepared for the proposed project (see DEIR Technical Appendix T6) does not evaluate a bridge undercrossing, as an undercrossing was not proposed as part of the project. The RDEIR provides an updated hydraulic study addressing Alternative 6, which proposes an undercrossing in Segment 5. According to the hydraulic study (see RDEIR Appendix C), available channel hydraulic information for the proposed location of the undercrossing was reviewed and discussed with a Caltrans hydraulic engineer and it was determined that no new hydraulic analysis was considered to be necessary.

CEQA Guidelines Section 15126.6(d) states that the discussion of environmental effects of alternatives may be in less detail than the discussion of the impacts of the project as proposed. Furthermore, the commenter is referred to RDEIR pages 3.0-37 and -38, which provide a more detailed analysis of the potential impacts of a highway undercrossing related to hydrology and water quality based on a revised hydraulic study.

Letter 2

October 12, 2013

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

Subject: Bob Jones Pathway (San Luis Obispo to Ontario Road)  
Comments on Draft EIR

Dear Ms. Hostetter,

We own the Avila Valley Barn business, and as part of our business we farm orchards along Monte Road, and a vegetable on the south side of San Luis Bay Drive near Monte Road.

We are supportive of a city-to-sea bike trail, but we feel strongly that the Draft Environmental Impact Report (DEIR) failed to identify many impacts to our agriculture operations that need to be addressed.

One way to address the impacts is to consider the Farm Friendly alternate route proposed by SLO Creek Farms. The Farm Friendly alignment resolves the agricultural impacts and we feel that the DEIR should consider it.

Our farming operations are closely linked with those on the SLO Creek Farms. We share common irrigation systems access roads, and public road frontage. The selected bike route affects both properties and operations in similar ways, and the attached documents review the DEIR along the entire Monte Road area as a whole. The land that we farm is owned by the Land Conservancy.

The DEIR proposed route has the following Impacts that were not identified or sufficiently addressed in the DEIR. These issues are also shown on the attached exhibits and annotated photo, which show additional detail to be considered.

**Agricultural Entrances**

1. Agricultural entrances to public roads were not identified. There are seven existing driveway entrances in the Monte Road area that the DEIR proposed bike lane would cross, and only one is shown (south of San Luis Bay Drive). The DEIR is deficient without addressing these accesses, and must specifically resolve operational conflicts and safety concerns.
2. Driveway entrances take room. Turning movements need to be considered, off street pull out areas need to be considered, fencing and gates need to be integrated into the solution. The room for the entrances needs to be shown, and this will result in additional lost agricultural land that must be considered as impacted area and mitigated.

2-1

3. As proposed – the bike lane must cross the agricultural entrances. The DEIR must consider the impacts to agricultural operation and public safety, identify the necessary configuration and develop associated mitigation measures. Operational issues include fencing, truck and agricultural vehicle movements, appropriate surfacing and surface maintenance. Each entrance will need to be treated as a road crossing with appropriate stop controls on the bike lane.

2-1

### Isolated Agricultural Areas

1. The DEIR proposed bike lane isolates existing agriculture use areas from the primary farm fields. In order to continue utilizing the isolated area, new agricultural crossings need to be identified on the DEIR, and all the crossing conflicts addressed.
2. In some areas, the separation means that instead of one agricultural road, two will be needed, and this is added lost use of farm land that needs to be identified as an impact, and mitigated

2-2

### Functionally Impacted Areas

1. The DEIR proposed bike lane eliminates several areas of functional importance to the farming operations. These include areas used for employee parking, vehicle turning, loading and unloading, equipment storage, and irrigation.
2. The DEIR needs to identify the loss of these areas and show how and where they will be replaced. The lost areas of functionality need to be included in the area of agricultural impact and mitigated.

2-3

### Eliminated Agricultural Roads

1. In three locations, the proposed bike lane eliminates existing agricultural roads, by replacing them with bike lane. The DEIR needs to specifically identify this as an impact, how where the replacement agricultural road will be located in a way that the farm can function properly.
2. The three locations are:
  - a. Photo ID 4, North of Monte Road. The loss of this Agricultural road means that farm areas will be isolated, that the Baron Canyon Ranch emergency access will be eliminated, and the vehicle turnaround areas will be eliminated.
  - b. Photo ID 6, South end of DEIR proposed Class 3 bike route. The loss of this Agricultural Entrance and road means that access is lost to the existing agricultural bridge over San Luis Obispo Creek. This bridge is the only access from within Land Conservancy property from the Monte Road farm fields on the west side of the creek.
  - c. Photo ID 17 and 18, south of San Luis Bay Drive. The loss of this agricultural road affects several other properties that rely on it for access.
3. The DEIR needs to identify these lost agricultural roads as impacts, and propose physical solutions as mitigations in order to preserve the functional use of the property.

2-4

**Fencing**

1. Fencing around the farm fields must be tall deer resistant fencing. The DEIR needs to recognize this, clearly indicate where deer fencing will be located, and resolve issues created at the interface between the bike lane and the agricultural roads and entrances.

2-5

**Offsite issues**

The issues noted below are not on our property, but they relate to the impact of Monte Road section of the bike lane as a functional unit. These are included in more detail on the photo identification.

1. Additional agricultural entrance conflicts, and no replacement identified
2. The DEIR proposed route directly conflict with existing facilities.
3. The bike lane cross section is inaccurately drawn and the bike lane cannot fit as shown due to topography, conflicts, and engineering standards.
4. The DEIR proposed route unnecessarily includes a section of Class 3 Bike Route on Monte Road.

2-6

**Farm Friendly Alignment (FFA)**

The problems above all stem from the location of the DEIR proposed alignment – it is located along the Farm frontage. This farm frontage is a high-use area. It is where the site is accessed, employees park, trucks and tractors turn around, produce is packed and loaded, equipment stored, and public customers enter, park and gather. The DEIR is not acceptable unless it identifies the specific impacts to these farm functions and offers mitigation.

Attached to this letter is the Farm Friendly Alignment proposed by SLO Creek Farms for the bike lane which is largely absent of the issues described above. The Farm Friendly Alignment (FFA) has the following features:

1. The FFA follows the outside perimeter of the farm fields, on the far side of the public road access. Because of this, there are no agricultural crossings, and no isolated agricultural areas,
2. There are very few facility conflicts – resolved with irrigation and fence relocations.
3. The topography is generally flat, so the land is not taken up with fill slopes.
4. The FFA results in more of the bike lane being located along the creek.
5. The FFA replaces Class 3 bike route on Monte Road, with Class 1 bike lane along the creek.

2-7

The Farm Friendly Alignment clearly has less impacts to agriculture, and we believe it to be the environmentally superior alternative. The DEIR should to consider this alignment as a solution the problems noted in this letter, and we are in support of the bike lane in the FFA location.

**Summary**

We are supportive of the Bob Jones Bike Trail, and want to see it succeed for the community. We feel that is unnecessary for this success to come with all the impacts to our farming

## 2.0 RESPONSES TO COMMENTS

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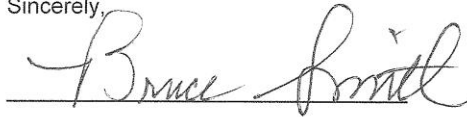
operations. We ask that the issues we identified all be resolved in the present alignment, or that the FFA alignment be implemented.

The following exhibits are attached as a part of this comment letter:

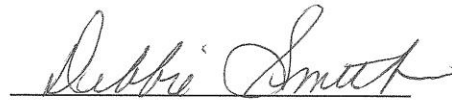
- Exhibit A: DEIR Alignment
- Exhibit B: Annotated photos of the DEIR Alignment
- Exhibit C: Farm Friendly Alignment
- Exhibit D: Farm Friendly Alignment shown on the project plans

Thank you for your consideration on this, and we look forward to our future communications.

Sincerely,



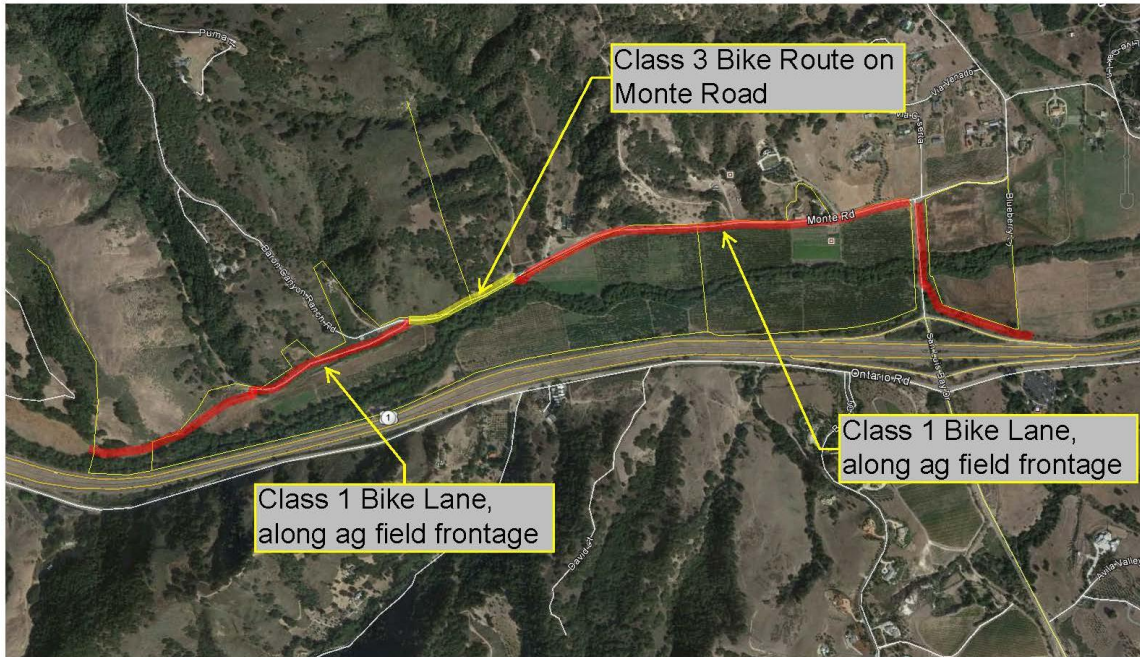
Bruce Smith (Owner Avila Valley Barn)



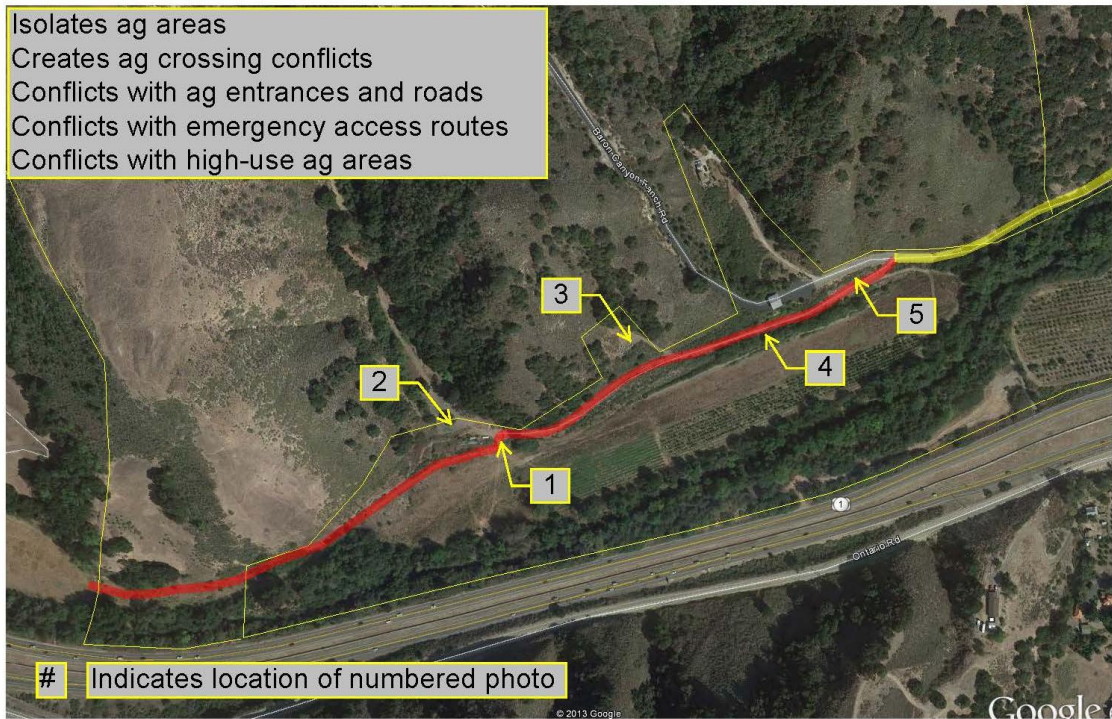
Debbie Smith (Owner Avila Valley Barn)

Exhibit A  
DEIR Alignment

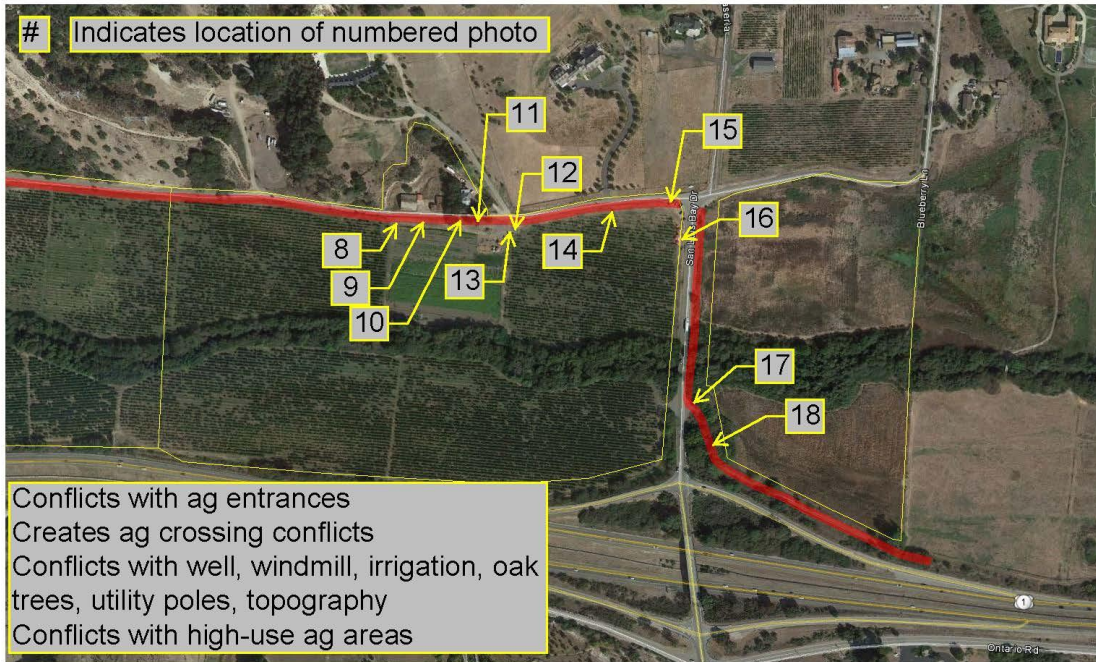
**2.0 RESPONSES TO COMMENTS**



**Bob Jones Trail - Monte Road Area  
DEIR Proposed Alignment**



**Bob Jones Trail - Monte Road Area  
DEIR Proposed Alignment**



**Bob Jones Trail - Monte Road Area  
DEIR Proposed Alignment**

Exhibit B  
Annotated photos of the DEIR Alignment