Notice of Preparation

Date:       June 5, 2008

To:         California State Clearinghouse
            1400 Tenth Street
            Sacramento, CA 65814

From:       Ms. Diana Gould-Wells, M.S.
            Planning Manager
            City of Grover Beach
            154 S. 8th Street
            Grover Beach, CA 93433

The City of Grover Beach will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the Grover Beach Land Use Element Update. The project, its location and potential environmental effects are described below. Members of the public and public agencies are invited to provide comments in writing as to the scope and content of the EIR. The City needs to know the views of your agency as to the scope and content of the environmental information which is germane to your agency’s statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by the City when considering your permit or other approval for the project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than July 7, 2008. A public scoping meeting on the EIR will be held on Tuesday, June 24, 2008 at 6:30 p.m. in the Grover Beach City Council Chambers at 154 S. 8th Street.

Please send your response to Ms. Diana Gould-Wells, M.S., Planning Manager, City of Grover Beach, at the address shown below. We respectfully request that each response contain contact and agency information.

1. Project Name: City of Grover Beach Land Use Element Update

2. Project Location:
G Grover Beach is a small town of roughly 13,000 residents situated along the Central Coast of California in southwestern San Luis Obispo County, approximately 90 miles north of Santa Barbara and 150 miles south of Monterey. The regional location of the project area is shown in Figure 1. Highway 1 passes through the city while Highway 101 borders the city on the north. Grover Beach is a small, compact coastal town, covering 2.25 square miles. A report describing the existing conditions of this area is included as Attachment 1.

The Study Area for the purposes of the EIR is shown in Figure 2. This area encompasses the city limits and the sphere of influence (SOI), which are coterminous. The Study Area generally extends from El Camino Real/Highway 101 on the north to The Pike on the south, and from Oak Park Boulevard west to the Pacific Ocean.

3. Lead Agency Contact:
Ms. Diana Gould-Wells, M.S.
Planning Manager
City of Grover Beach
154 S. 8th Street
Grover Beach, CA 93433
Phone: 805-473-4520
dgould-wells@grover.org
4. **Project Sponsor:**
City of Grover Beach
154 S. 8th Street
Grover Beach, CA 93433

5. **Project Description:**
The City of Grover Beach is preparing an update to the Land Use Element of the City's existing General Plan, which was adopted in 1992. The update is expected to be completed in the spring of 2009 and will guide and manage the city's physical development over the next ten to twenty years.

The goal of the Land Use Element Update is to revise the existing Land Use Element to create a policy framework that articulates a vision for the City's long term physical form and development, while preserving and enhancing the quality of life for Grover Beach residents. The Land Use Element Update will involve changes to the land use map and land use designations as well as changes to goals, policies and actions and will include reorganization of the contents of the existing element. The Update will also increase the Land Use Element’s consistency with other City policy documents that have been adopted since 1992, including:

- All General Plan Elements, including the Housing Element currently underway and the Circulation Element updated in 2005
- Local Coastal Plan
- Zoning Ordinance
- Vision Project Final Report
- Redevelopment Plan
- Ramona Specific Plan

The updated Land Use Element will likely include at least one land use designation encouraging mixed commercial and residential uses in specific locations. The Land Use Element will not propose significant changes to existing residential areas. It is anticipated that changes to the land use map, land use designations, and policies will focus on the transitional area between the train station and the Beachfront lodge site as well as segments of S. 13th Street, southern 16th Street and N. 4th Street.
Figure 1: Regional Location
Figure 2: Planning Area
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- ✔ Aesthetics
- ✔ Agriculture Resources
- ✔ Air Quality
- ✔ Biological Resources
- ✔ Cultural Resources
- ✔ Geology/Soils
- ✔ Hazards & Hazardous Materials
- ✔ Hydrology/Water Quality
- ✔ Land Use/Planning
- ✔ Mineral Resources
- ✔ Noise
- ✔ Population/Housing
- ✔ Public Services
- ✔ Recreation
- ✔ Transportation/Traffic
- ✔ Utilities/Service Systems
- ✔ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ✔ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature __________________________________________ Date __________________________
Printed name ________________________________________ Title __________________________
July 15, 2008

Ms. Diana Gould-Wells M.S.
City of Grover Beach
154 S. 8th Street
Grover Beach, CA 93433

Dear Ms. Gould-Wells,

CITY OF GROVER BEACH LAND USE ELEMENT UPDATE, NOTICE OF PREPARATION - SCH # 2008061038

Thank you for submitting the above referenced project for our review. The following comments were generated as a result.

Caltrans acknowledges and applauds the City’s efforts to gather the citizen’s input for the update of the General Plan’s Land Use Element and thus creating the “Consensus Vision” for Grover Beach’s build-out. This visioning will provide a supportable, “policy framework that articulates a vision for the City’s long term physical form and development”.

The major components of the Consensus Vision include many contemporary land use planning tenets that Caltrans seeks to promote with local jurisdictions. Vision components such as, placing an emphasis on promoting mixed-use development, providing affordable housing - including live/work housing, and the preservation of agricultural acreage, are all examples of these tenets.

To the extent that the Land Use Element Update promotes the generation of additional traffic, Caltrans requests that the Update include a traffic study to quantify and characterize the impacts of those the additional trip’s effects on State highway Facilities. To the extent that it will impact State highway facilities, we ask that our Guidelines be used to study those effects. For a complete copy of the Caltrans, Guide for the Preparation of Traffic Impact Studies, please utilize the following internet site: http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf.

"Caltrans improves mobility across California"
Sincerely:

James Kilmer
District 5
Development Review

"Caltrans improves mobility across California"
July 8, 2008

VIA FACSIMILE (805) 473-4520
Diana Gould
City of Grover Beach
154 S. 8th Street
Grover Beach, CA 93433

Subject: City of Grover Beach Land Use Element Update Notice of Preparation (San Luis Obispo County) SCH# 2008061038

Dear Ms. Gould:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation (NOP) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The purpose of the City of Grover Beach (City) Land Use Element Update project is to revise the existing Land Use Element. The agricultural areas southwest corner of the City (known as the "strawberry field") and northeast of the intersection of Farrell Avenue and 16th Street have been classified as Farmland of Statewide Importance and Local Potential, respectively. Therefore, the Division recommends that the NOP address the following items to provide a comprehensive discussion of potential impacts of the project on agricultural land and activities.

Agricultural Setting of the Project

- Location and extent of Farmland of Statewide Importance and other types of farmland in and adjacent to the project area.
- Current and past agricultural use of the project area. Please include data on the types of crops grown, and crop yields and farm gate sales values.
Ms. Diana Gould
July 8, 2008
Page 2 of 5

To help describe the full agricultural resource value of the soils on the site, the Department recommends the use of economic multipliers to assess the total contribution of the site’s potential or actual agricultural production to the local, regional and state economies. Two sources of economic multipliers can be found at the University of California Cooperative Extension Service and the United States Department of Agriculture (USDA).

**Project Impacts on Agricultural Land**

- Type, amount, and location of farmland conversion resulting directly and indirectly from project implementation and growth inducement, respectively.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely projects in the future.

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division’s website at:

[http://www.conservation.ca.gov/DLRP/qh_lesa.htm](http://www.conservation.ca.gov/DLRP/qh_lesa.htm)

**Mitigation Measures**

The loss of agricultural land represents a permanent reduction in the State’s agricultural land resources. As such, the Department recommends the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, the Department recommends that this ratio of conservation easements to lost agricultural land be increased. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with California Environmental Quality Act (CEQA) Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.
Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence the search for replacement lands should be conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project, including:

- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below. General information about agricultural conservation easements, the Williamson Act, and provisions noted above is available on the Department's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

http://www.conservation.ca.gov/dlrp/index.htm

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Williamson Act Lands

Under California Code of Regulations Section 15206(b)(3), a project is deemed to be of statewide, regional or area-wide significance if it will result in cancellation of a Williamson Act contract for a parcel of 100 or more acres. If lands under Williamson Act contracts and/or in agricultural preserves exist in the project area, the Department recommends that the following information be discussed and/or provided in the any subsequent CEQA document:

- A map detailing the location of agricultural preserves and contracted land within each preserve. The document should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
• A discussion of Williamson Act contracts that may be terminated in order to implement the project. The document should discuss the probable impacts on nearby properties resulting from the termination of adjacent Williamson Act contracts. For example, a termination of a Williamson Act contract may have a growth-inducing impact. In other words, a termination may not only lift a barrier to development, but also result in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development.

• As a general rule, land can only be withdrawn from a Williamson Act contract through the nine-year non-renewal process. Immediate termination via cancellation is reserved for "extraordinary circumstances" (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Under Government Code Section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the document. Finally, a notice of the hearing to approve the tentative cancellation and a copy of the landowner's petition must be mailed to the Director of the Department ten working days prior to the hearing. (The notice should be mailed to Bridgett Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)

• Under Government Code Section 51243, if a city annexes land under a Williamson Act contract, the city must succeed to all rights, duties, and powers of the county under the contract. However, under Section 51243.5, a city may exercise its option not to succeed to the contract if certain conditions are met. LAFCO must notify the Department within 10 days of a city's proposal to annex land under a contract (Government Code Section 56753.5). Additionally, LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless certain conditions are met (see Government Code Sections 51296.3, 56426, 56426.5, 56749 and 56856.5).

• If portions of the planning area are under Williamson Act contracts (and will continue to be under contract after project implementation) the document should discuss the proposed uses for those lands. Uses of contracted land must meet compatibility standards identified in Government Code Sections 51238 - 51238.3. Otherwise, contract termination (see paragraph above) must occur prior to the initiation of the land use.

• An agricultural preserve is a zone authorized by the Williamson Act and established by the local government to designate qualified land to be placed under the Williamson Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Under Government Code Section 51230, "An agricultural preserve may contain land other than agricultural land, but the use of any land
within the preserve and not under contract shall within two years of the effective date of any contract on land within the preserve be restricted by zoning, including appropriate minimum parcel sizes that are at a minimum consistent with this chapter, in such a way as not to be incompatible with the agricultural use of the land.” Therefore, the document should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

Thank you for giving us the opportunity to comment on this NOP. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Elliott Lum, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0669.

Sincerely,

Brian Leahy
Assistant Director

cc: State Clearinghouse
May 6, 2008

Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Re: Sacred Lands File Search Request for the Proposed City of Grover Beach Land Use Element Update

To Whom It May Concern:

The City of Grover Beach is preparing a Land Use Element Update for the City. The City recognizes that Native American cultural places are essential elements of tribal culture, traditions, heritage and identity and need to be appropriately considered in the preparation of the plan.

This letter is to request a search of the Sacred Lands File of the Native American Heritage Commission’s to determine the potential presence of cultural places within the area of the proposed Land Use Element Update.

The Plan area is located entirely within the City of Grover Beach.

We appreciate your expeditious reply to this request and thank you for your assistance.

Sincerely,

Diana Gould-Wells
Planning Manager
May 29, 2008

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365
Santa Ynez, CA 93460

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mrs. Alva-Padilla:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

This letter is to notify you of the opportunity to conduct consultations with the City for the purpose of identifying and preserving or mitigating impacts to cultural places on land affected by the General Plan. This invitation to consultation is provided in compliance with SB18. You were identified by the Native American Heritage Commission as a representative of a tribe with traditional lands or cultural places within the Planning Area for the Land Use Element Update.

The Land Use Element of the General Plan serves as a blueprint for development within the City. This Plan provides a comprehensive, long term strategy for the physical development of Grover Beach, while preserving and enhancing the quality of life for City residents.

As part of the Land Use Element Update process, a Background Report has been prepared that includes information on cultural resources and other resources in the City. A city-wide record search was conducted which revealed archeological sites identified by the San Luis Obispo Archeological Society. Locations have been kept confidential per requirements of the State Historic Preservation Office and the California Historical Resources Information System.

If your tribe is interested, you must request consultation with the City within 90 days from the date of receipt of this notice. Please contact me by telephone at (805) 473-4520 or email at dgould-wells@grover.org.

Thank you for your assistance with this request

Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street • Grover Beach, California 93443 • FAX (805) 489-9657 • www.grover.org
May 29, 2008

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
P.O. Box 517
Santa Ynez, CA 93460

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mr. Cohen:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Thank you for your assistance with this request

Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street ♦ Grover Beach, California 93433 ♦ FAX (805) 489-9657 ♦ www.grover.org
May 29, 2008

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach, CA 93433

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mr. Vigil:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Thank you for your assistance with this request.

Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street • Grover Beach, California 93433 • FAX (805) 489-9657 • www.grover.org
May 29, 2008

Matthew Darian Goldman
660 Camino Del Rey
Arroyo Grande, CA 93420

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mr. Goldman:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Thank you for your assistance with this request.

Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street ☞ Grover Beach, California 93433 ☞ FAX (805) 489-9657 ☞ www.grover.org
May 29, 2008

Lei Lynn Odom
1339 24th Street
Oceano, CA 93445

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mrs. Odom:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Thank you for your assistance with this request.

Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street ♦ Grover Beach, California 93443 ♦ FAX (805) 489-9657 ♦ www.grover.org
May 29, 2008

Mona Olivas Tucker
660 Camino Del Rey
Arroyo Grande, CA 93420

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mrs. Tucker:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street • Grover Beach, California 93433 • FAX (805) 489-9657 • www.grover.org
May 29, 2008

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez, CA 93460

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mr. Armenta:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture, Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Thank you for your assistance with this request

Sincerely,

Diana Gould-Wells
Planning Manager

154 South Eighth Street • Grover Beach, California 93433 • FAX (805) 489-9657 • www.grover.org
May 29, 2008

Northern Ynez Band of Mission Indians
Fred Collins, Spokesperson
1177 Marsh Street, Suite 110
San Luis Obispo, CA 93401

Re: Invitation for Tribal Consultation on the City of Grover Beach Land Use Element

Dear Mr. Collins:

The City of Grover Beach is updating the Land Use Element of its General Plan. Design, Community & Environment (DC&E) is assisting the City with this update. The City and DC&E recognize that Native American cultural places are essential elements of tribal culture. Traditions, heritage and identity need to be appropriately considered in the General Plan Update process.

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Thank you for your assistance with this request.

Sincerely,

[Signature]

Diana Gould-Wells
Planning Manager

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