



December 23, 2019

Transmitted via email: sscott@slocity.org

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City of San Luis Obispo, Community Development
919 Palm Street
San Luis Obispo, CA 93401

**RE: Applicant's Responses to Froom Ranch Specific Plan Project
Draft Environmental Impact Report Dated November 2019**

Dear Shawna,

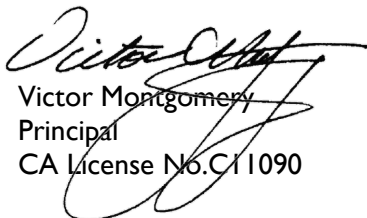
This letter and the attachments containing comments and questions comprise the applicant's comprehensive response to the Draft Environmental Impact Report (DEIR) prepared by Wood Environment and Infrastructure Solutions, Inc. (Wood) dated November 2019 for the Froom Ranch Specific Plan Project (FRSP). This response also includes comments and questions regarding the FRSP DEIR Section 3.13: Transportation that was prepared by TJKM under contract directly with the City of San Luis Obispo and integrated into the DEIR document by Wood.

We have used a standardized template as a format to organize our questions and comments. The comments and questions are grouped together by EIR sections and issue areas consistent with the order of topics included in the DEIR Table of Contents. Individual comments under specific EIR sections and issue areas are then further identified by page number, figure/table number, and/or section heading from the DEIR document to assist reviewers to locate the source of comments.

Thank you for the opportunity to comment. Please don't hesitate to contact us if you have questions about these comments.

Sincerely,

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FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 0.0 EXECUTIVE SUMMARY		
<i>Comment #</i>	<i>Page # / Section / Figure Reference</i>	<i>Comment</i>
Issue Area – 0.0 Executive Summary		
1	Page ES-2, Project overview – “inactive red rock quarry”	The quarry is not inactive. It remains in active use for a variety of uses related to construction activities and materials.
2	Page ES-4, Aesthetics and Visual Resources – State Scenic Highway	No State designated Scenic Highway views are affected by the project. US 101 is not State designated in this reach of Highway 101.
3	Page ES-147, Alternative #3, increased emergency access	It is unclear how with this Alternative “increased emergency access” would be achieved? Froom Creek would remain a substantial barrier to firefighting equipment accessing the Irish Hills in this area.
4	Page ES-149, Table ES-2, Alt #3, Population and Housing.	It is unclear how Alt #3 is “less” as it does not provide senior housing - an identified need in the City Housing Element.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 1.0 INTRODUCTION		
<i>Comment #</i>	<i>Page # / Section / Figure Reference</i>	<i>Comment</i>
Issue Area – 1.0 Introduction		
1	1.1 Overview, page 1-1, 2 nd paragraph description of 2014 LUE SP Area uses “small scale commercial uses”	The LUE description of SP Area #3 (LUE page 1-89) does <i>not</i> describe commercial uses as “small-scale commercial uses”. The LUE allows up to 300,000 sf of commercial. This would not be small-scale.
2	1.1 Overview, page 1-2, top of page, characterization of quarry as “inactive”	The quarry is not “inactive”.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS – 2.0 PROJECT DESCRIPTION		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 2.0 Project Description		
1	Page 2-1, Introduction paragraph	<p>This paragraph indicates that according to the City General Plan development above the 150 ft elevation is “prohibited”. This is not consistent with the language of the 2014 LUE. The actual language of the LUE is as follows:</p> <p><i>H. The Irish Hills area should secure permanent open space with no building sites above the 150-foot elevation, in conjunction with any subdivision or development of the lower areas. (See also Section 8, Special Focus Areas.)</i></p>
2	Page 2-7, Description of surrounding uses.	Although many of the surrounding uses are single story, there are several buildings in the nearby vicinity that approach 35-40 feet in height including Costco, Home Depot and others. The new hotel on Calle Joaquin under construction will be 45 feet tall.
3	Page 2-10, mid-page, quarry characterized as “inactive”	The quarry is not inactive.
4	Section 2.3, page 2-11, Project objectives	The applicant submitted project objectives to the City on 9-07-2017. Objective 10 as re-written in the DEIR concerns the applicant as it commits the applicant to “exceed” the requirements of Title 24 and CEC (Part 6) in effect at the time. It does not establish an amount by which these standards must be exceeded. As written, it is an open-ended commitment and depending on the amount of exceedance required may be infeasible.
5	Section 2.4.1, page 2-17, proposed land use, top of the page – “59.0 acres of dedicated open space”	The wording of this comment is awkward as it implies a fee dedication of open space that has not been offered to the City – it would be more clear if it said “dedicated for use as open space” or delete the word “dedicated”
6	Section 2.4-1, page 2-21, Figure 2-6.	The applicant has previously commented, and City/Wood concurred that the 150 ft elevation line on this drawing should be deleted. The 150 ft elevation is a ground elevation on the Irish Hills to determine the extent of the development area; it is not a height limit for development below the 150 ft ground elevation.
7	Section 2.4.1.3, page 2-23	See comment #5 above.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 2.0 PROJECT DESCRIPTION		
8	Section 2.4.2.2, page 2-25	See comment #4 above.
9.	Section 2.4.2.3, page 2-27 and 28, footnote 1	The project proposes that the restored historic buildings be placed in the Public Park. As such the buildings would be maintained by the City as part of the Public Park.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS – 3.1 AESTHETICS AND VISUAL RESOURCES		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – Section 3.1 Aesthetics and Visual Resources		
1	Section 3.1.1.2, page 3.1-3, vicinity description – top of page	This paragraph describes Mountainbrook Church as a single-story building; however, it does not specify that the building is 35 feet tall. This section fails to mention the nearby KSBY facility.
2	Section 3.1.1.4, page 3.1-8, bullets 1 and 2 on this page	These bullets fail to mention that roughly parallel to the trail (KVA #4) and approximately 400-600 ft away are the following features: Costco loading docks, Costco fuel station, and Home Depot loading docks. The features are clearly visible and audible from the trail.
3	Section 3.1.1.4, local roadways, page 3.1-9	This section discusses the lengths of breaks in vegetation and views afforded by the breaks in the vegetation however the duration of these views is not quantified. A break of 250 ft along LOVR would afford the following viewing time for drivers along LOVR – the view would last approximately 2 seconds assuming the driver diverted attending from driving.
4	Section 3.1.1.4, local roadways, page 3.1-9	The view from the LOVR bridge for 300 ft would last approximately 2.2 seconds.
5.	Table 3.1.1, page 3.1-24, Vis-1	Vis-1 describes changing of views from a “State Scenic Highway”. US 101 is not a designated State Scenic Highway. What State Scenic Highway is being referred to?
6.	Table 3.1.1, page 3.1-24, Vis-2	KVA #4 is not shown as part of the City COSE Figure #11 Scenic Roadways and Vistas Mapping. Also see comment #2 above.
7.	Section 3.1.3.3, Impacts and Mitigation Measures, page 3.1-27, KVA #2	In the bottom Vis Sim what is the building in the center of the vis sim opposite the roundabout?
8.	Mitigation Measures, Page 3.1-31, MM Vis-1, requirements and timing	Having landscape planting and irrigation “in place” prior to issuance of building permits is not practicable or desirable as they may be damaged by construction. Timing should be prior to occupancy of each phase.
9.	Vis-2 Discussion, page 3.1-34. Bottom of the page description of 3 story buildings	This discussion fails to note that none of the proposed buildings would exceed the height of the existing Mountainbrook Church building, as specified in FRSP Table 2-2, Footnote 5.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.1 AESTHETICS AND VISUAL RESOURCES		
10.	Vis-2 Discussion, page 3.1-35. Top of page. Buildings above the 150 ft elevation.	The 150 ft elevation is not a building height limitation. It is a ground elevation topographical reference to limit the extent of development area.
11.	Vis-2 Discussion, page 3.1-36, Trail views discussion	The description overstates the quality of the view depicted in KVA#4 see comment #2 above.
12.	Vis-2, Discussion, page 3.1.-37	Mountainbrook Church is identified as the only development above the 150 ft elevation in this vicinity. KSBY studios are in the vicinity and located above the 150 ft elevation.
13.	Vis-2, page 3.1-37, KVA 5, picture and Vis Sim	The vis sim appears to have the proposed buildings in the center of the upper terrace placed too high. The applicant stipulated in the FRSP that no building on the upper terrace will exceed the height of the existing Mountainbrook Church (elevation 238).
14	Vis-2, page 3.1-38, KVA 5 discussion – “Recreationalists currently expect scenic views of high-quality natural habitats”	Is there any quantitative evidence regarding trails in San Luis Obispo to support this statement? This sounds like opinion or speculation. As noted at the recent Planning Commission hearing of the DEIR there is disagreement about this statement. The applicant and at least 2 members of the Planning Commission disagree that this is a significant and unavoidable impact.
15.	Vis-3, page 3.1-39, Cumulative Impacts, bottom of the page – last line	This line says the project would “obstruct scenic views of open spaces from the City and Irish Hills Natural Reserve”. This is not correct and is inconsistent with the DEIR analysis that does not show any “obstruction”. Obstruction is defined as blockage.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS – 3.2 AGRICULTURAL RESOURCES		
<i>Comment #</i>	<i>Page # / Section / Figure Reference</i>	<i>Comment</i>
Issue Area – 3.2 Agricultural Resources		
1	Table 3.2-2, page 3.2-5	Do the acreages in the Project Site account for deductions for items such as creeks, protected plant species, etc. that would not be farmable.

FROOM RANCH DEIR		
PADRE AND ASSOCIATES RESPONSES/COMMENTS – 3.3 AIR QUALITY AND GHG		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.3 Air Quality and Greenhouse Gas Emissions		
1	Page 3.3-33, Mitigation Measure AQ-3	The mitigation measure is written with the presumption that off-site mitigation strategy will be required for construction related equipment emissions; however, Table 3.3-7 indicates that the Project’s mitigated construction emissions would not exceed the APCD’s Tier 2 quarterly threshold for NOx + ROG emissions or DPM emissions. If the Project does not exceed the APCD’s Tier 2 quarterly thresholds, then no mitigation payments would be required. The Construction Activity Management Plan will be submitted in accordance with MM AQ-1 to ensure that this is the case. Please revise MM AQ-3 to indicate that the offsite mitigation strategy may not be required.
2	Page 3.3-46, Impact AQ-2	The residual impact discussion is confusing regarding operational ROG and NOx emissions. The EIR states that the impact would be considered less than significant by the APCD per the APCD’s CEQA Air Quality Handbook if all standard mitigation measures are implemented. However, the EIR then states that the operational emissions reductions by implementing the APCD’s mitigation measures cannot be quantified and the impact is thereby determined to be significant and unavoidable. The EIR should be able to assign emissions reduction factors to the mitigation measures and quantify the mitigation project emissions.
3	Page 3.3-49, Impact AQ-4	The EIR is unclear as to the level of severity for this impact. On page 3.3-49 under the Impact Statement the impact is listed as Less than Significant with Mitigation; however, within the Residual Impact discussion on page 3.3-55 the impact is listed as significant and unavoidable. This discrepancy should be corrected.
4	Page 3.3-55, Impact AQ-4 Residual Impacts	The EIR states that the emissions reductions through implementation of required GHG mitigation cannot be quantified. The EIR doesn’t attempt to quantify these mitigation measures or other city-lead GHG reductions that are already in progress, such as the City’s participation in the Monterey Bay Community Power partnership, or the use of the anaerobic digester for processing organic waste into clean energy. The EIR should be revised to reflect the current GHG emissions reduction programs already in effect that are not included in the default CalEEMod model.
5	Page 3.3-57, Impact AQ-5	The EIR includes vehicle related traffic generation rates that may not reflect the proposed uses on-site. It seems improbable that the VMTs generated by the

FROOM RANCH DEIR PADRE AND ASSOCIATES RESPONSES/COMMENTS – 3.3 AIR QUALITY AND GHG		
		Project would be 28 percent higher than the average for the City’s sphere of influence. The VMT factors used should be reviewed revised as necessary. A reduction in the VMT rates used would also result in reductions of operational emissions for the Project.
6	Page 3.3-54, MMAQ-6	This mitigation measure requires that the Applicant work with the City and APCD to reduce GHG emissions to the maximum extent feasible. It should be noted that the largest source of operational emissions will be vehicles, which are not regulated directly by the City or APCD, but at a state and federal level. The mitigation program will need to acknowledge the limitations in achieving net zero GHG emissions and the Applicant should not be penalized for mobile source emissions that are regulated at the state and federal level.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.3 AIR QUALITY AND GHG		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.3 Air Quality and Greenhouse Gas Emissions		
1	Table 3.3-9, page 3.3-40, Measure #16	It is infeasible for the developer to operate a HUB/Node of the bicycle-share program as he/she may not be a property owner or business operator upon completion of the project implementation.
2	Table 3.3-9, page 3.3-40, Measure #17	Are zero emission shuttle vehicles currently feasible and available?
3	Table 3.3-9, page 3.3-40, Measure #19	Who will operate this service? The development consists of several separately owned and operated components.
4	Table 3.3-9, page 3.3-40, Measure #21	Who will operate this service? The development consists of several separately owned and operated components.
5	Table 3.3-9, page 3.3-40, Measure #23	The FRSP upon implementation will not be a single ownership able to implement this service.
6	Table 3.3-9, page 3.3-40, Measure #25	The FRSP upon implementation will not be a single ownership able to implement this service.
7	Table 3.3-9, page 3.3-40, Measure #29	The FRSP upon implementation will not be a single ownership able to implement this service.
8	Table 3.3-9, page 3.3-40, Measure #37	Due to the mix of uses the applicant doesn't believe this is feasible.
9	Residual Impact discussion, page 3.3-46, Discussion of residual impacts	This lack of quantifiable information regarding potential mitigation measures puts the discussion into the realm of speculation regarding achieving actual reductions. Many of the suggested measures are not feasibly achievable. See comment #1 - #8 above.
10	Page 3.3-53, MM AQ-5	The mitigation measure as written does not appear to be feasible to achieve. For example, the health care facility will require backup power and current battery technology does not appear to have the capacity to operate the facility for the potential needed duration. It is unclear why these measures would be included on the subdivision map as the map does not include construction of solar facilities or buildings?
11	Page 3.3-54, MM AQ-6, 4 th bullet	How would car sharing opportunities be provided within the Madonna portion of the project? These may be units sold to the public without an HOA.
12	Page 3.3-54, MM AQ-6, 5 th bullet	This appears to be a "blank check" mitigation approach with no quantified mitigation cost or feasibility determination. Who determines what is feasible?

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.3 AIR QUALITY AND GHG		
13	Page 3.3-55, MM AQ-6, Requirements and timing	Why would these mitigation measures be included on the VTM? They are not appropriate on a subdivision map. Who determines what is feasible?
14	Page 3.3-55, Residual Impacts	This discussion lacks specificity and/or quantification and appears to engage in speculation regarding the effectiveness of the required mitigation measures and finally appears to conclude it cannot be solved so it must be significant and unavoidable. “continued potential for exceedance” is not an appropriate threshold for determination of significance.
15	Pages 3.3-56 and 57, Population projection consistency with the Clean Air Plan	In item #1 on page 3.3-56 the text states “The increase of approximately 1,231 persons by the project is within the population projections under the Clean Air Plan”. However, on page 3.3-57 in the item #2 discussion the states “The population growth from the project would exceed the Clean Air Plan projections.” These statements conflict.
16	Page 3.3-56, item #1 discussion	The discussion indicates the project is inconsistent with the LUE as it contains more than 350 dwelling units. However, the discussion does not state that the proposed commercial use is far less than the maximum allowed use of 350,000 sf (100,000 proposed). In the context of air quality, the reduction of commercial space is significant.
17	Page 3.3-56, item #1 discussion	The discussion states “The LUE objectives are intended to ensure that the project site is developed primarily with a compact mixed-use project”. The project complies with this objective.
18	Page 3.3-57, item #2 discussion of VMT	At face value the VMT discussion and conclusions seem at odds with the heavy weighting of the project population toward seniors and the provision of shuttle services for seniors at Villaggio. The VMT calculations mischaracterize the commercial use as a “regional shopping center” even though it is only approximately 30,000 sf.
19	Page 3.3-58, Trans control measures, top of page	The discussion states “during early phases of Project development transit services may not be fully in place”. This is incorrect. The Phase 2 construction includes the frontage improvements along LOVR including provision of a bus stop for public transit. This stop is on an already existing public transit route.
20	Page 3.3-58, middle of the page	The discussion states “The anticipated population growth and increase in vehicle trips is potentially inconsistent with the Clean Air Plan”. This conflicts with the conclusion on page 3.3-56 that the project is within the population projections.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.3 AIR QUALITY AND GHG		
21	Page 3.3-58 bottom of page and 59 top of page	States project population exceeds population projections of CAP. See item #15 above.

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.4 Biological Resources		
1	Page 3.4-6 Figure 3.4-1 Wetland Mitigation Requirements for the Irish Hills Plaza (IHP) Basin	Wood estimates 2.0 acres of wetlands in the IHP Basin. This is a conservative estimate and is likely larger than what truly exists. Additional language should be provided in the impacts and mitigation section to require (allow) the applicant to delineate the extent of the basin wetland habitat prior to issuance of grading permit. Basin wetlands are in a constructed feature with artificial hydrology and should be separated in the impact discussion from naturally occurring wetlands onsite. A more appropriate mitigation ratio for basin wetlands should be 1:1 (for each acre impacted the same amount would be created) rather than 3:1 ratio prescribed for wetlands. Wetlands in the IHP Basin would be replaced in the proposed offsite basin with the caveat that periodic maintenance is presumed to occur, which will remove accumulated sediment and any vegetation, consistent with the current basin requirements.,
2	Page 3.4.16 3.4.1.5 Biological Resources – Special Status Species Table 3.4-2 - Special-Status Plants with High Potential to Occur in the Project Site	Brewer’s spineflower has an incorrect scientific name in the table.
3	Page 3.4.17 3.4.1.5 Biological Resources – Special Status Species Table 3.4-2 - Special-Status Plants with High Potential to Occur in the Project Site	Mouse gray Dudleya was observed onsite. The EIR consultant has it as high potential and in other areas of the text it is listed as moderate to high potential to be present onsite. The species was observed onsite and is shown on Figure 7 - the Special Status Plant Occurrences Map of the BRI.
4	Page 3.4-24 3.4.1.5 Biological Resources - Special Status Species	Top of page 3.4-24 states that “much of Froom Creek is mapped as critical habitat for CRLF”. This is incorrect. No USFWS designated critical habitat for California Red Legged Frog (CRLF) is onsite or in the immediate project area.

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
	Special-Status Reptile and Amphibian Species	Refer to Figure 8 in BRI for the extent of current CRLF critical habitat in five-mile radius. Previous discussion of critical habitat on page 3.4-14 correctly states that CRLF critical habitat is located 2.1 miles to the north of site.
5	Coastal and Valley Freshwater Marsh (Wetland), Page 3.4.10	In relation to the CRLF analysis, no reference to invasive plants and the predators (i.e., crayfish) observed in onsite aquatic habitat along Calle Joaquin were identified in the DEIR analysis (refer to CRLF Site Assessment). The amount of crayfish in the aquatic habitat along Calle Joaquin greatly reduces the quality of the onsite wetland/aquatic habitat, and while CRLF could co-occur, it is less likely. EIR consultant states that the ponded water provides high quality habitat for several plant and animal species, but does not discuss the extensive occurrences of reed fescue (a non-native plant shown on Figure 4 of the BRI as Introduced Perennial Grassland) that is taking over the wetland area nor does it discuss the implications of high density occurrence of crayfish and their adverse impacts to native amphibians.
6	Page 3.4-38 Impact – BIO 1: Project implementation would impact sensitive riparian, wetland, and native grassland habitats identified as sensitive natural communities under state and City policy.	Impact BIO-1 should not be listed as significant and unavoidable. Fuel modification impacts are overstated as much of the fuel modification around both Villaggio and the Madonna project areas would occur in grassland habitat. Fuel modification buffers in grasslands around site development can be mowed or grazed on a seasonal basis.
7	Page 3.4-60 Residual Impacts: The Project would also result in the direct loss of serpentine bunchgrass grasslands corresponding to the <i>Nassella pulchra</i> Herbaceous Alliance through Project development or through removal of vegetation as a result of implementation of	Wetland and riparian habitat restoration have been proven to mitigate impacts to these types of habitats on other projects. The applicant will be able to mitigate impacts to wetlands and riparian habitat, especially in the new creek alignment and other locations that can be proposed onsite. Any impacts to serpentine bunchgrass grassland can be mitigated onsite. Existing annual grassland areas can be enhanced and restored through seeding and planting of native grasses and temporarily disturbed areas can be re-vegetated with a native seed mix composed of a mix of grasses and

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
	<p>defensible space requirements. The difficulty in successfully establishing or even restoring a serpentine bunchgrass grassland community is well documented. As such, successful compensatory replacement and restoration of the <i>Nassella Pulchra</i> Herbaceous Alliance of equal or greater quality than that which exists onsite is considered unlikely, resulting in the inability to successfully mitigate associated impacts. Therefore, impacts to these sensitive natural communities from Project implementation would be <i>significant and unavoidable</i>.</p>	<p>forbs. The annual grassland areas dominated by non-native species such as Italian ryegrass can be enhanced by seasonally timed grazing and/or mowing followed by seeding and planting of native species such as purple needlegrass to promote a more native dominated grassland. The impact analysis and subsequent mitigation should provide some flexibility for the applicant to implement a monitoring program and have adaptive management strategies that can be used to reduce impacts to serpentine bunchgrass grassland to a less than significant level with mitigation applied.</p>
8	<p>Page 3.4-38 3.4 Biological Resources Impact – BIO 1: Project implementation would impact sensitive riparian, wetland, and native grassland habitats identified as sensitive natural communities under state and City policy.</p> <p>Page 3.4-73 Impact – BIO 3: Project implementation would have a substantial adverse impact on state and federally protected wetlands (Significant and Unavoidable).</p>	<p>The Irish Hills detention basin should not be identified as a wetland habitat and the Calle Joaquin wetland is not proposed to be impacted. The new Froom Creek channel in the lower part of the site will be closer to groundwater, and will include wetland vegetation in the channel bottom, and riparian trees and shrubs on the banks and top of bank areas will be able to tap into this groundwater and become established similar to other riparian and wetland areas in the area. Plants such as black walnut, cottonwood, sycamore, and willows will be able to be planted and irrigated, and successfully establish throughout the realigned creek area similar to other locations in this general area (i.e., the separated wetland on the east side of Calle Joaquin has extensive wetland and riparian habitat). The Damon-Garcia Sports Complex project is an example of where a realigned creek channel was successfully restored with wetland and riparian habitat.</p>

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
9	Page 3.4-40 Sensitive Riparian Habitat	<p>EIR states that creek realignment “may mitigate some of the losses” but concludes that the establishment and long-term survival of riparian habitat in the realigned Froom Creek “may be challenging”. This conclusion is predicated on the existing channel’s lack of wetland and riparian habitat. The applicant team believe this analysis should not use the existing creek channel condition as a reference for the creation of riparian and wetland habitat in the new channel. Realignment of the creek channel will more closely follow the historic alignment and will benefit from closer proximity to the underground riverbed and subterranean flow of water. The new channel in the lower elevation part of the site compared to the existing channel perched at the toe of the hill will be closer to groundwater and provide deep rooted riparian trees and shrubs the ability to tap into this groundwater and persist over time without artificial irrigation.</p> <p>The project will establish wetland and riparian habitat in the new creek channel, and will ultimately relocate these habitats onsite rather than eliminate them. It’s a re-positioning so to speak. Other water quality protection measures such as preparation and implementation of BMPs associated with the SWPPP will prevent contamination of the drainage features and associated aquatic resources. Construction setbacks from the creek channels will also help prevent impacts.</p> <p>It is also important to note that extensive cover of a non-native species, reed fescue, is overtaking the Calle Joaquin wetlands, and this species would be removed and the entire area enhanced as part of the applicant’s restoration program, and this should also help reduce project related impacts to sensitive wetland/riparian habitat to less than significant with the incorporation of mitigation.</p>

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
10	<p>Page 3.4-38 3.4 Biological Resources Impact – BIO 1: Project implementation would impact sensitive riparian, wetland, and native grassland habitats identified as sensitive natural communities under state and City policy.</p>	<p>EIR consultant identified concerns with potential erosion of the realigned creek channel, and sedimentation and indirect impacts to the Calle Joaquin wetlands and downstream resources. This seems speculative that “large volumes of sediment input could compromise riparian and wetland habitat in Froom Creek and SLO Creek downstream, as well as Calle Joaquin wetlands”. As the applicant has proposed, the construction of the new channel will occur in a phased approach. The new channel would be constructed, and then seeded/planted and irrigated for about a year prior to removing the old channel. The goal will be to get the vegetation established and growing in the new channel prior to opening the connection and allowing water to flow. Cobble will be collected from the existing bed of the channel that will be filled, and applied throughout the bed of the realigned channel, especially in the upper reach where flows have the potential to be more erosive. The channel would segue into a more earthen clay bed down low closer to Calle Joaquin. It is also likely that native cobble and boulders removed from the existing channel will be a part of the berm proposed to separate the low flow channel from Calle Joaquin wetlands.</p>
11	<p>Page 3.4-38 Impact BIO-1: Project implementation would impact sensitive riparian, wetland, and native grassland habitats identified as sensitive natural communities under state and City policy (Significant and Unavoidable).</p>	<p>Lengthening and widening the creek would help slow flows and allow suspended sediment and materials to be deposited in the upper realigned reach of the channel. The new channel would use existing cobbles and boulders to create a similar bed that protect the banks during high flow events.</p>
12	<p>Impact BIO-1: Page 3.4-39 Project implementation would impact sensitive riparian, wetland,</p>	<p>Regarding potential impacts to sensitive habitats from fuel modification, maximum flexibility should be provided to the applicant to implement appropriate fuel modification methods as new information is learned. Seasonally-timed grazing and mowing in grasslands and selective thinning and limbing in other tree/shrub habitats should be allowed, and the DEIR findings of less than significant with incorporation of mitigation should be</p>

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
	and native grassland habitats identified as sensitive natural communities under state and City policy (Significant and Unavoidable).	made. Mitigation could include additional replanting of native species outside fuel modification zones or habitat enhancement in other areas of the site away from development. The fuel modification program should not be all clearing of fuels, but selective thinning and some irrigated landscaping could also be used effectively to ensure fuel modification requirements are met.
13	Page 3.4-43.	LOVR ditch does not provide a regular source of inflow to Calle Joaquin wetlands, but rather a seasonal source. During drought years, very little water may enter the Calle Joaquin wetlands through this ditch, and it is still able to persist from groundwater.
14	Page 3.4-41 Impact BIO-1 3.4-44 <i>Sensitive Wetland Habitat</i>	EIR consultant states “Ensuring long-term maintenance of restored Froom Creek riparian habitat must be considered speculative, and as such cannot be considered feasible long-term mitigation due to the potential for scour and denudation within the Froom Creek corridor”. The applicant’s team believes this is not correct. The proposed design will address concerns with creek bank erosion over time as was done with the Damon-Garcia Sports Fields creek realignment and restoration.
15	Page 3.4-44	Statements in the DEIR that development would encroach within 20 feet of onsite drainages appears incorrect. Drainage setbacks would follow City policy and all Chorro Creek bog thistle occurrences would be buffered by a minimum of 50 feet from any development.
16	Page 3.4-50 MM-BIO-2	The mitigation requirement should be clarified that daily monitoring by the qualified biologist would occur during initial site disturbance and for any work within areas of sensitive habitats including the drainage features, realigned Froom Creek, etc. Once the upland portions of the site have been graded, monitoring by the qualified biologist would not be required on a daily basis, and the biologist would conduct weekly, as-needed, or periodic spot checks consistent with the agreed upon monitoring frequency defined in the BMMP, which will be approved by the City.
17	Page 3.4-55 MM-BIO-5	Requires all temporary and permanent impacts to sensitive habitats be identified and detailed in the BMMP. The following mitigation ratios are identified: temporary impacts at a 1:1 ratio; permanent impacts to riparian

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY	
	<p>and grassland habitats at a 2:1 ratio; and permanent impacts to wetlands at a 3:1 ratio (unless agencies require a higher ratio).</p> <p>The applicant is concerned with the analysis of the potential indirect impacts to the Calle Joaquin wetlands from the Froom Creek realignment. The EIR states that a 2:1 ratio for potential indirect impacts to Calle Joaquin wetlands be implemented before it is even known if the Calle Joaquin wetland area will be adversely impacted by the creek realignment. This is highly speculative that any adverse impact to the Calle Joaquin wetlands will even occur, and one of the goals of the realignment project is to connect creek hydrology with the wetland zone. The wetland mitigation requirement equates to at least 10.24 acres of wetlands be created, and it is unlikely that this could be done onsite. The applicant requests that creating over 10 acres of wetlands for potential impacts to the Calle Joaquin wetlands be removed and a monitoring requirement be developed to determine if indirect impacts to the Calle Joaquin wetland occur from channel realignment. If they do, then a reasonable approach (as part of the adaptive management strategy) would be developed by the applicant in concert with the city and appropriate regulatory agencies to solve the problem.</p> <p>Mitigation for indirect impacts to the Calle Joaquin wetlands could include use of biotechnical erosion control measures, additional plantings in the creek corridor or wetland areas, and ultimately offsite habitat creation or enhancement if onsite restoration was deemed infeasible. It is important to note that this part of the site will be a very large and wide natural area capable of handling seasonal flows and providing space to create and enhance wetland and riparian habitat. By requiring over 10 acres of wetlands be created for potential indirect impacts, it will trigger additional work likely at an offsite location, which could result in type conversion of grassland or another habitat type that could be of equal or higher value to wildlife.</p>

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
		Irrigation should be required in the first 3 years of plant establishment. Based on experience, irrigation would be gradually reduced between years 2 and 3.
18	Page 3.4-56 MM-BIO-6	<p>For ease of public review, it seems that this measure could be woven into BIO-1 to minimize additional measures that are somewhat duplicative. Inconsistencies with the monitoring period were also noted, and this measure identifies 7 years of monitoring. As stated above, the mitigation monitoring requirement should be a minimum of 5 years and extended on an annual basis until the final success criteria defined in the HMMP are met.</p> <p>This mitigation measure states habitat restoration areas shall be maintained weekly for the first three years, and then quarterly thereafter. The applicant believes this is too intensive to have required weekly maintenance for three years, especially for a natural area. It is agreed that maintenance will be intensive the first two years, and should occur weekly during the first year, but the maintenance effort should be directed by the qualified biologist based on the monitoring program to be defined in the HMMP. The qualified biologist can monitor the site on a weekly basis during the first year, and direct maintenance crews accordingly to remove non-native species, care for seeded/planted vegetation, and remove accumulated trash/debris. The monitoring frequency could then be reduced to monthly for years 2 and 3 and the project biologist can direct maintenance crews as appropriate based on the monitoring observations. The qualified biologist would direct maintenance activities throughout the 5-year monitoring program, and work with the City’s Natural Resources Manager as-needed to transition into the long-term monitoring requirements.</p>
19	Page 3.4-60 Impact BIO-2: Special Status Species (plants and wildlife)	The tone of this analysis is excessive with statements like “mobile species like birds would be forced out of the area and then would compete with other species for resources”. The project area is in a region with extensive open space areas, and it is likely that any birds or mobile species that are using the site will be able to continue using open space areas onsite and in the general area post development.

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
		<p>Mouse gray Dudleya is incorrectly identified as having moderate to high potential to occur onsite. It was observed onsite, and the locations are shown on Figure 7 – Special Status Plant Occurrences Map in the BRI.</p> <p>EIR consultant states CRLF are potentially present and project related impacts are significant compared to steelhead which are less than significant. The Site Assessment for CRLF determined that this species is unlikely to occur onsite based on the lack of suitable aquatic habitat of sufficient depth and presence of aquatic predators such as crayfish occupying the Calle Joaquin wetland areas. While several individual CRLFs were observed at the City’s wastewater pond on the east side of Highway 101 over 10 years ago, the large highway along with LOVR form significant barriers for movement of amphibians that may be within San Luis Obispo Creek on a seasonal basis. Further, the individuals observed on the Waddell Ranch further up in the mountains southwest of the site are in an area with permanent aquatic habitat, including a large pond and springs. Focused surveys of the site have not observed CRLF onsite, and therefore it is unlikely that the species would occur onsite and be adversely affected by construction of the project.</p>
20	Page 3.4-68 MM-BIO-10	Chorro Creek bog thistle management. The applicant has proposed to avoid this species and all project activities and development be buffered by at least 50 feet. Pre-construction surveys will be conducted to ensure the species is avoided and buffered by development and individuals not impacted as part of the project.
21	Page 3.4-73 Impact BIO-3: Impacts to state and federal wetlands	The EIR impact calculations are difficult to follow in some areas, and the applicant believes their estimate of 5.27 acres of impacted wetlands are over-stated. Further, human induced or constructed wetlands in the IHP Basin should not be afforded the same mitigation ration of 3:1 required for naturally occurring wetlands that will be regulated under the Clean Water

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
		<p>Act. Basin wetlands are formed from artificial hydrology, and should be replaced at a 1:1 ratio.</p> <p>The applicant is very concerned with the 2:1 mitigation ratio for potential indirect impacts to Calle Joaquin wetlands that <u>MAY</u> occur from the Froom Creek realignment. This is speculative that impacts to the Calle Joaquin wetland would occur from the project, and the mitigation requirement is excessive for an impact that may not occur. Mitigation in the form of 10.24 acres of wetland creation for a potential impact should not be required. A more appropriate and realistic mitigation measure would be to develop specific criteria as part of the monitoring program in the HMMP, and quantitative and qualitative data could be collected to determine if impacts to Calle Joaquin wetlands occur from creek realignment. If impacts such as sedimentation or channel migration are observed that are actually adversely impacting the wetland habitat, then adaptive management strategies could be in place to remedy these impacts before they become significant.</p> <p>The EIR consultant appears to have included “other waters” (i.e. the existing Froom Creek channel), which is an intermittent streambed (non-wetland) in the wetland impact calculations. The area of the existing Froom Creek channel should not be mitigated at a 3:1, but at a 1:1 ratio since it is a non-wetland drainage feature, and the realignment is more of a temporary impact. The goal for the project is to have all wetland, riparian and creek channel impacts mitigated adequately onsite.</p>
22	Page 3.4-77 Impact BIO-4: Wildlife movement and corridors	<p>The EIR consultant determined that the confluence of Froom Creek with Drainages 1, 2, and 3 is valuable for wildlife movement and is recommending the removal of development in this area. The analysis should be further detailed to support this concept and the required development setback. Extensive open space areas exist in the region and ample room will persist for wildlife movement in the area even with development in this location. Water supplies are present further up on the upper terrace at springs along the property boundary with the Irish Hills Natural Preserve as well as on</p>

FROOM RANCH DEIR KMA RESPONSES/COMMENTS – 3.4 BIOLOGY		
		neighboring properties to the south and west. In addition, given development along Calle Joaquin (hotels, the Mountainbrook Church, and KSBY) and Highway 101, which is a significant barrier to wildlife movement, it is not clear given the discussion and analysis in the DEIR whether a significant impact to wildlife movement would occur in this portion of the site.
23	Pages 3.4-47 through 3.4-87	Monitoring periods referenced throughout the mitigation section are not consistent. In one location, the DEIR states 7 years of monitoring will be required, then in another 5 years with the potential to extend another 2 years if the success criteria have not been met. The EIR should be consistent that mitigation monitoring should be a minimum of 5 years and will extend on an annual basis as needed until the final success criteria defined in the HMMP and approved by the permitting agencies have been met.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS – 3.5 CULTURAL AND TRIBAL RESOURCES		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.5 Cultural and Tribal Resources		
1.	Page 3.5-38, Impact CR-3, bottom full paragraph	Project Historic Architect disagrees.
2.	Page 3.5-39, Middle Paragraph regarding degradation of the integrity of potential District	Project Historic Architect disagrees and provided the City with an example of a project eligible to be a District even though buildings were relocated, reconstructed and some buildings were eliminated. Sam Maloof Complex located in Alta Loma, CA.
3.	Page 3.5-40, MM CR-9, Requirements and Timing	Neither the Historic Architect nor the applicant can guarantee publication of an article in a scientific journal. All they can assure is submittal to a journal.
4.	Page 3.5-42 and 43, MM CR-13, Requirements and Timing	Requiring Design Guidelines for a new building prior to approval of entitlements and issuance of Phase 1 grading permits is premature. The commercial portion of the project is potentially several years later.
5.	Page 3.5-44, Residual Impact	Historic Architect and applicant disagree that impacts are significant and unavoidable. See comment #2 above.
6.	Page 3.5-45, Cumulative Impacts	See comments #2 and #5 above.

FROOM RANCH DEIR GEOSOLUTIONS RESPONSES/COMMENTS – 3.6 GEOLOGY AND SOILS		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.6 Geology and Soils		
1	Page 3.6-22, second paragraph” although the site is transected by a fault line, the site is not located within an Earthquake Fault Zone and is not subject to a moderate or high threat of ground surface rupture.” The Preliminary Engineering Geology Investigation states on page 3 “The potential for ground rupture at the Site during ground shaking is considered moderate...”.
2	Page 3.6, second paragraph,	“Construction of the Project site would involve large amounts of grading, earthmoving, and the import of engineered fill foundation in the lower-elevation...”. This statement is awkwardly written with the words “engineered fill foundation”. Maybe say, “and the import of fill for use as engineered fill for foundations in the...”. This sentence is repeated in the same paragraph in the final sentence with two statements: “In combination with the use of <u>engineered fill foundation</u> in the lower-elevation area of the Project site, <u>uniform foundations</u> ...”. The use of the term “uniform foundations” has no meaning.
3	Page 3.6-26, second paragraph	“To prevent groundwater from entering into and potentially damaging the Project, the Preliminary Engineering Geology Investigation recommends...”. The Preliminary Engineering Geology Investigation did not recommend the upper 36 inches of the development area should consist of a select import. This was the project Soils Engineering Report.

FROOM RANCH DEIR		
VILLAGGIO RESPONSES/COMMENTS – 3.7 HAZARDS AND WILDFIRE		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.7 Hazards and Wildfire		
1	Page 3.7-27	<p>This section relates to Emergency Evacuation procedures and effects. In specific, it quotes: “it may be difficult for the healthcare center to guide ‘panicked’ individuals to fire meeting points and shelter-in-place locations as detailed within the Draft FRSP Program”. Life Plan communities are mandated by State Regulations to have a well-planned and practiced Disaster Plan with Emergency Evacuation procedures. This Plan requires the community to conduct drills on each shift every quarter on an annual basis. The Plan must also be reviewed and updated annually. Both staff and residents are made fully aware of the importance of this regulation and participation in the drills is mandatory. The Plan also includes policies for sheltering-in-place and temporary shelter off-site. These regulations can be referenced in Health Safety Code 1569.695 and Title 22 Section 87212.</p>

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS – 3.8 HYDROLOGY AND WATER QUALITY		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.8 Hydrology and Water Quality		
1	Pg. 3.8-10	Last sentence of the Peak Flows and Overtopping... paragraph references Appendix J as the hydrology appendix. The correct reference is Appendix H. This reference occurs in multiple locations throughout Section 3.8
2	Pg. 3.8-19	“Special Floodplain Management Zone Regulations” (SFMZ). This section implies that the project is in a special floodplain management zone as identified in the City of SLO Drainage Design Manual (DDM). The project is NOT located in a SFMZ.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS – 3.9 LAND USE AND PLANNING		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.9 Land Use and Planning		
1	Table 3.9-4, page 3.9-18, 1.8.5 Building Design and Siting discussion	The discussion states the development on the upper terrace area would be “highly visible from public roads”. This conclusion is not correct and is not supported by the aesthetics and visual analysis section of the DEIR.
2	Table 3.9-4, page 3.9-23, 6.4.1 Hillside Policies Discussion	See comment #1 above. This discussion of views from public roads is not supported by the visual analysis section of the DEIR.
3	Table 3.9-4, page 3.9-244, 9.2.1	See comments #1 and #2 above.
4	Impact LU-1, page 3.9-60, 1 st paragraph, Views of Upper Terrace	See comments #1, 2 above.
5	Page 3.9-60, Aesthetics	The conclusions regarding significant physical environmental impacts to aesthetic resources to recreationalist are not supported by any quantifiable measure or explicitly stated policy. They appear to be opinion of the DEIR preparer not a fact based and supported conclusion.
6	Page 3.9-61, Historic Resources	The applicants retained expert Historic Architect (Robert Chattel) disagrees with the conclusion that impacts are significant and unavoidable.
7	Page 3.9-62, Emergency Access and Wildfire	See applicants’ prior comments on the Hazards Chapter.

8	Page 3.9-63, Residual Impacts	Applicant disagrees that Impacts are Significant and Unavoidable. See comments on Hazards and Aesthetics.
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FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.10 NOISE		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.10 Noise		
1	MM-NO-4, page 3.10-34,35,36, Noise from existing commercial uses	The DEIR appears to present this topic as an environmental impact of the project. However, it appears to be an impact of the existing environment on the project.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.11 POPULATION AND HOUSING		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.11 Population and Housing		
1	Impact PH-1, page 3.11-20, 3 rd paragraph 3, bottom of the page	The DEIR overstates the likely population of the Villaggio portion of the project by using an occupancy factor of 2 persons per unit. The applicant provided the City data regarding expected occupancy in March 2018 indicating it would be 1.4 persons per unit occupancy consistent with industry experience and data.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.12 PUBLIC SERVICES AND RECREATION		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.12 Public Services and Recreation		
1	Pages 3.12-15 to 29, Impact PS-1, population projection	The population projection significantly overstates the probable population of the Villaggio component of the project. Villaggio actual population numbers for independent living units are expected to range from 1.6 for the initial occupancy period of 1-7 years and then decrease to 1.4 persons per unit for the long-term operation of the independent living units.

2	Page 3.12-12, 21 and 22, Villaggio description, 2 nd paragraph calculation of Park Land Requirements	Villaggio actual population numbers for independent living units are expected to range from 1.4 to 1.6 persons per unit for the independent living units. Based upon this data the Park land calculations and requirements are significantly overstated. We concur that Assisted Living, memory care and other beds will not meet the threshold for assessment of park land dedication of in lieu fees for at least 2 reasons 1. The use of public recreation facilities by these residents will not meet the threshold of “Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated” and 2. Villaggio provides a generous suite of recreation facilities on site specifically targeted for use by these residents that have physical limitations.
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FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.13 Transportation		
1	General Comment – Timing of Transportation Mitigations	<p>The transportation section of the DEIR indicates that many of the mitigations occur prior to recordation of the final vesting map. This is logistically infeasible since the final large lot parcel map must record for the project to move forward and create the legal lots associated with the development areas.</p> <p>The transportation section indicates that many of the mitigations occur prior to recordation of the final vesting map. These mitigations should be re – written to indicate requirements prior to re - subdivision of the Madonna Froom Ranch residential parcel.</p> <p>All transportation mitigations should be tied to occupancy or building permit issuance.</p> <p>Mitigations should be identified clearly for “fair share”, TIF or implementation so that the applicant can clearly identify what is being constructed by the project.</p>
2	Page 3.13-74 MM TRANS-1 Ongoing Requirements throughout the Duration of Construction	<p>Revise CTMP requirements, second bullet; "Heavy haul construction vehicles... shall not pass..."</p> <p>Revise text to; Heavy haul construction vehicle routing shall, whenever possible, be minimized and routed away from occupied buildings.</p>
3	Page 3.13-82 MM TRANS-2 Design and construct the extension of the westbound left-turn pocket at the LOVR/U.S. 101 southbound ramps intersection to provide a storage length of 320 feet, and design and construct the extension of the southbound right-turn pocket at the LOVR/U.S. 101	<p>San Luis Ranch (SLR) mitigation (100%)</p> <p>Eliminate from FRSP requirements.</p>

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
	southbound ramps intersection to provide a storage length of 140 feet.	
4	Page 3.13-82 MM TRANS-3 Design and install measures to restrict left turns at the South Higuera Street/Vachell Lane intersection, extend Buckley Road from Vachell Lane to South Higuera Street, and install a traffic signal at Buckley Road/South Higuera Street intersection.	This is an Avila Ranch (AR) mitigation. FRSP should be fair share only.
5	Page 3.13-83 MM TRANS-4 Design and install the restriping of the westbound approach of the South Higuera Street/Suburban Road intersection to extend the left- and right-turn pocket storage to 250 feet.	This is an Avila Ranch (AR) mitigation. This should be eliminated from FRSP requirements.
6	Page 3.13-84 MM TRANS-5 Extend the westbound bike lane on Tank Farm Road approaching the South Higuera Street/Tank Farm Road intersection to the intersection and install a bike box to facilitate bicycle left-turn movements.	This is an Avila Ranch (AR) mitigation. This should be eliminated from FRSP requirements.
7	Page 3.13-84 MM TRANS-6 Design and install a second southbound left turn lane at the South Higuera Street/Tank Farm Road intersection. The Project Applicant shall also pay fair share costs for construction of the Prado Road Overpass/ Interchange project.	S Higuera MM is Avila Ranch mitigation. FRSP fair share on overpass.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
8	<p>Page 3.13-85 MM TRANS-7 Design and install a second northbound left turn lane at the South Higuera Street/Prado Road intersection, which requires the replacement of the Prado Road Bridge just west of South Higuera.</p>	<p>This is San Luis Ranch mitigation (100%). This should be eliminated from FRSP requirements.</p>
9	<p>Page 3.13-85 MM TRANS-8 Install Class IV bikeways (protected bike lanes) along LOVR to provide a physical buffer between the sidewalk and vehicular traffic lanes. Improvement extents shall occur in the northbound direction between Laguna Lane and Diablo Drive, and in the southbound direction between Diablo Drive and Madonna Road.</p>	<p>There is no nexus for the project; project adds 0.6 bike, 1.5 ped trip. Fair share okay.</p>
10	<p>Page 3.13-86 MM TRANS-9 Design and install ADA-compliant curb, gutter and sidewalk along the west side of LOVR to complete the sidewalk connection between the Irish Hills Plaza and Calle Joaquin. The Project Applicant shall also design and install Class IV bikeways (protected bike lanes) along LOVR to provide a physical buffer between the sidewalk and vehicular traffic lanes in the northbound and southbound directions between Madonna Road and South Higuera Street</p>	<p>Caltrans coordination is unclear, improvements are outside Caltrans right of way.</p>
11	<p>Page 3.13-87</p>	<p>This is San Luis Ranch mitigation; under construction.</p>

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
	MM TRANS-10 Design and install a Class I Multi-Use Path parallel to Madonna Road between Oceanaire Drive and the U.S. 101 southbound ramps intersection.	MM, delete language "design and install".
12	Page 3.13-87 MM TRANS-11 The Project is responsible for incorporating traffic calming measures (e.g., speed humps, bulb-outs, chicanes, etc.) into the design of Local Road "A" prior to development of Villaggio's Lower Area.	Implementation should run parallel with occupancy.
13	Page 3.13-95 MM TRANS-12 The Project Applicant shall coordinate and fund any costs required to optimize the traffic signal timing at the County intersection of LOVR/Foothill Boulevard to reduce queues for the southbound left-turn movement.	There is no nexus, project adds 6 trips.
14	Page 3.13-95 MM TRANS-13 Project Applicant shall fund any costs required to implement Lead Pedestrian Intervals for each pedestrian crossing phase at the LOVR/Madonna Road intersection.	Project adds approx. 1 pedestrian trip.
15	Page 3.13-95 MM TRANS-14 Pay fair share costs for construction of the Prado Road Overpass/Interchange project and northbound U.S. 101 ramps through participation in the Citywide Transportation Impact Fee program.	Fair share thru TIF program okay.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
16	Page 3.13-96 MM TRANS-15 Fund any costs required to implement Lead Pedestrian Intervals for each pedestrian crossing phase at the South Higuera Street/Tank Farm Road intersection.	No nexus for project. FRSP should only be required to provide pro - rated fair share per project occupancy.
17	Page 3.13-96 MM TRANS-16 Design and install improvements to extend the northbound right-turn pocket storage at the South Higuera Street/Tank Farm Road intersection to 230 feet.	There is no nexus for project; this should be eliminated from FRSP requirements.
18	Page 3.13-97 MM TRANS-17 Design and install restriping modifications at the South Higuera Street/Prado Road intersection to accommodate a second southbound left-turn lane and second eastbound through lane	There is no nexus for the project (0 trips); this should be eliminated from FRSP requirements.
19	Page 3.13-98 MM TRANS-18 Fund any costs required to optimize traffic signal timings at three intersections along LOVR between Calle Joaquin and the U.S. 101 northbound ramps to improve traffic coordination and operations along this roadway segment.	There is no nexus for the project - approximately 27 of 31,000 trips; eliminate from FRSP requirements.
20	Page 3.13-98 MM TRANS-19 Design and install restriping modifications at the LOVR/Madonna Road intersection to increase turn pocket storage to 365 feet and	This is San Luis Ranch mitigation (100%); should be eliminated from FRSP requirements.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
	optimize signal timings to improve operations and reduce queuing at the SB left-turn lane.	
21	Page 3.13-99 MM TRANS-20 Modify the traffic signal at the Madonna Road/Dalidio Drive intersection to provide EB right-turn overlap phase concurrent with NB left-turn phase.	This is San Luis Ranch mitigation (100%); should be eliminated from FRSP requirements.
22	Page 3.13-104 MM TRANS-21 Include a landscaped median along LOVR from the terminus of the existing median at northern Project frontage to Calle Joaquin.	Project frontage improvement to be shown in final FRSP.
23	Page 3.13-105 MM TRANS-22 The Project shall include an emergency access point from Villaggio’s Lower Area to the Irish Hills Natural Reserve to provide access to the existing dirt road network to fight fires in Irish Hills, specifically to Neil Havlik Way which connects to the four utility power line structures at the top of the ridgeline. This access point may be gated to ensure site security in consultation with SLOFD.	DEIR should indicate EVA’s at TJMAXX location, Auto Park Way, and a third access point from Villaggio to LOVR, per meeting with City staff and Fire Marshal – Rodger Maggio, December 17 th , 2019.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
26	<p>Page 3.13-105 MM TRANS-23</p> <p>The Project shall integrate access to the Project site perimeters for defending the Project site development. Specifically, these measures should address access to the wildland area immediately abutting the western boundary of Villaggio’s Lower Area. This measure shall include access from the proposed Local Road “C” to the Irish Hills, which may include use of space between proposed buildings for firefighting vehicle access, ramps up proposed retaining walls, and similar vehicle infrastructure to maintain access to the base of the Irish Hills.</p>	<p>DEIR should indicate Fire Department access from Villaggio lower area is to occur at the intersection of ‘C’ Street access to the Villaggio villas. Access from Froom Ranch development area will occur at a location near the northwest corner, per meeting with City staff and Fire Marshal – Rodger Maggio, December 17th, 2019.</p>
27	<p>Page 3.13-107 MM TRANS-24</p> <p>Modifications to preliminary concept designs to address ped and bike circulation safety issues.</p>	<p>Improvements appear to be construction document level. FRSP updates may be impractical.</p>
28	<p>Page 3.13-113 MM TRANS-25</p> <p>the Project Applicant shall pay its fair share fees to fund modifications to the northbound approach at the LOVR/Foothill Boulevard intersection to provide one left-turn, two through, and one right-turn lane, or similar operational improvements to the satisfaction of the County Public Works Director.</p>	<p>There is no nexus for this mitigation; requires plans and estimate for implementation. This should be eliminated from FRSP requirements.</p>
29	<p>Page 3.13-114 MM TRANS-26</p> <p>pay its fair share fees to fund striping</p>	<p>There is no nexus for this mitigation; requires plans and estimate for implementation. This should be eliminated from FRSP requirements.</p>

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
	modifications to extend the northbound left-turn pocket at the LOVR/Royal Way intersection to 150 feet, and to optimize the traffic signal timings along the LOVR corridor between Descanso Street and South Higuera Street.	
30	Page 3.13-114 MM TRANS-27 The Project Applicant shall pay its fair share fees to fund the implementation of Lead Pedestrian Intervals for each pedestrian crossing phase at the LOVR/Calle Joaquin intersection.	Fair share at occupancy.
31	Page 3.13-114 MM TRANS-28 The Project Applicant shall pay its fair share fees to fund the extension of the southbound left-turn pocket storage at the South Higuera Street/Tank Farm Road intersection to 300 feet.	There no nexus; eliminate from FRSP requirements.
32	Page 3.13-115 MM TRANS-29 The Project Applicant shall pay its fair share fee to the City to fund the extension of the westbound right-turn pocket storage at the Madonna Road/Oceanaire Drive intersection to 200 feet.	There is no nexus; eliminate from FRSP requirements mts. (0 trips)
32	Page 3.13-115 MM TRANS-30 Coordinate and fund the City to modify the traffic signal phasing and timing plans at the Madonna Road/Dalidio Drive intersection to	This should be a San Luis Ranch mitigation (100%); eliminate from FRSP requirements.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS – 3.13 TRANSPORTATION	
	provide an eastbound right-turn overlap phase concurrent with the northbound left-turn phase.

FROOM RANCH DEIR		
CENTRAL COAST TRANSPORTATION CONSULTING RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.13 Transportation		
1	Page 3.13-68/Vehicle Miles Traveled/ Table 3.13-31	<p>The Transportation, Energy, and Air Quality sections of the EIR contain inconsistent VMT estimates derived from different sources. The Transportation section relies on the City’s Travel Demand Model (TDM) to estimate the project’s VMT but appears to include both residential and non-residential uses. This is inconsistent with OPR guidance and overstates the VMT per household calculation, which should only include the VMT generated by residential uses.</p> <p>In addition, the SOI and Regional VMT estimates in Table 3.1-102 of the Appendix J TIS reference a 2016 Central Coast Transportation Consulting report, apparently the Avila Ranch TIS. This study used a sketch planning tool to estimate VMT, not the City Travel Demand Model. OPR guidance and industry standard practice require use of the same tool to estimate project VMT as well as Citywide and Regional VMT to enable an ‘apples to apples’ comparison.</p> <p>Finally, calculations developed using the City TDM should describe what adjustments were made to reflect the likely demographics and travel patterns of project residents. The TDM does not include any land uses directly analogous to senior housing and typical multi-family housing (the closest land use in the TDM) generates more trips than senior housing. The VMT estimate is used directly in the Air Quality and Utilities and Energy Conservation sections of the EIR and should be corrected to more accurately reflect the project, including features like proximity to travel, mix of uses, provision of shuttles, and bicycle/pedestrian infrastructure that will all reduce VMT.</p>
2	Page 3.3-57/Impact AQ-5	The percentage increase in VMT cited under heading 2) relies on the City TDM and should be corrected consistent with Comment #1. The operational impacts will likely be reduced upon recalculation.
3	Page 3.14-41/Operational Vehicle Fuel Consumption/Table 3.14-13	Similar to Comment #1, the Utilities and Energy Conservation section mixes VMT calculation methodologies resulting in unreasonable results. The section notes that <i>“operation of the Project is anticipated to result in the generation of an additional 46,894 daily VMT, or approximately 5.5 percent of the City’s estimated 851,939</i>

FROOM RANCH DEIR CENTRAL COAST TRANSPORTATION CONSULTING RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
		<i>daily VMT in 2014 and 0.5 percent of the City’s estimated 8,016,501 daily VMT for the year 2035.”</i> The project estimate is obtained from the City Travel Demand Model; the 2014 City estimate is obtained from the Caltrans Highway Performance Monitoring System as reported in the City Circulation Element Background Report; and the year 2035 estimate is calculated using the SLOCOG Travel Demand Model. The nearly tenfold growth shown from 2014 to 2035-clearly incorrect and far in excess of anticipated land use growth- illustrates the problem with using different methods for the same metric. The calculations should be revised to use a consistent VMT calculation approach overall years and scenarios.
4	Page 3.13-71/Summary of Project Impacts/ Table 3.13-32	Impact TRANS-3 refers to the Near-Term scenario. This scenario includes thousands of new residential units and hundreds of thousands of square feet of commercial development spread among 38 projects in the City. This impact should be considered a cumulative impact, not a project level impact, and the timing and responsibility for implementation of mitigation measures should be revised accordingly. Like the cumulative impacts, the project should be able to make a fair share contribution to all the measures listed in this table and should not be solely responsible for implementation.
5	Page 3.13-82/MM TRANS-2	This mitigation measure applies the City’s queuing threshold to a Caltrans facility. Caltrans does not have a queuing threshold and relies on LOS to identify impacts. There are no LOS impacts at this intersection.
6	Page 3.13-82/MM TRANS-3	The impact to S Higuera Street/Vachell Lane could also be mitigated by installation of a center refuge lane to allow two-stage left turns. In addition, the left turn prohibition could be implemented with a connection to Suburban Road which would not require the Buckley Road extension. The measure should be revised to reflect these alternative mitigation measures and not prescribe the Buckley Road extension, only the direct measures at Vachell Lane.
7	Page 3.13-84/MM TRANS-6	The project adds less than ½ of a vehicle length to the southbound left 95 th percentile queue and does not add any traffic to this movement. This is an insignificant impact. Installing a second southbound left turn lane is in the City’s Impact Fee program and the project’s impact fees would contribute to this improvement.

FROOM RANCH DEIR		
CENTRAL COAST TRANSPORTATION CONSULTING RESPONSES/COMMENTS – 3.13 TRANSPORTATION		
8	Page 3.13-85/MM TRANS-7	The project adds less than one vehicle length to the northbound left 95 th percentile queue and does not add any traffic to this movement. This is an insignificant impact. Installing a second northbound left turn lane is in the City’s Impact Fee program and the project’s impact fees would contribute to this improvement. This improvement is also contingent on the widening of the bridge west of the intersection to provide two receiving lanes.
9	3.13-85/MM TRANS-8	The project increases the pedestrian LOS score by less than 0.02 by increasing vehicle volumes by less than two percent, which is insignificant and would be unnoticeable to pedestrians as it is below the typical day-to-day variations in traffic along the corridor. Alternative physical buffers such as street trees planted as a buffer instead of Class IV bike lanes should be added as they would also improve the minor degradation in pedestrian LOS score.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS - 3.14 UTILITIES AND ENERGY CONSERVATION		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 3.14 Utilities and Energy Conservation		
1	Table 3.14.10, page 3.14-39, footnote 1	This analysis is overly conservative in its estimate of Solid Waste production for Assisted Living at Villaggio. Villaggio is not a hospital and as such assigning a production rate for a hospital that is 3x what is discussed for a nursing/retirement home is overly conservative and excessive.
2	Page 3.14-41, Operational Vehicle Fuel Consumption	The VMT calculation appears to be exaggerated or the subject of an error in calculation. It appears unreasonable that a project with a significant population comprised of senior citizens with available shuttle service to off-site locations, limited commercial development and limited typical residential units would generate higher VMT than existing City residents, County residents or State residents. The appendix VMT calculations or traffic calculations appear to have an error in the trip generation rates, land use assumptions (regional shopping center?) and or identification of destinations.
3	Table 3.14-13, Page 3.14-42, Daily VMT per Capita	The VMT rates do not seem correct. It makes no sense that FRSP VMT rates will be over 2x the existing City Daily VMT rate when the demographic composition of the project population, availability of on-site services for Villaggio residents, availability of adjacent commercial services to project residents and other factors are considered.
4	Table 3.14-14, Page 3.14-42	See comments 2 and 3 above.
5	Page 3.14-44, MM AQ-3 thru MM AQ - 6	Based upon comments 2 and 3 above MM AQ-3 through MM AQ- 6 should be re-examined.

FROOM RANCH DEIR		
RRM RESPONSES/COMMENTS - 4.0 OTHER CEQA ISSUES		
Comment #	Page # / Section / Figure Reference	Comment
Issue Area – 4.0 Other CEQA Issues		
1	Page 4-1, Irreversible Environmental Impacts	The discussion discusses the “automobile-oriented nature of the project”. This comment does not seem appropriate in the context of the City LUCE, LUCE EIR, FRSP project description and proposed project components. It is a mixed-use project on a designated City development site. Development of the FRSP site is consistent with the 2014 LUCE that identifies it as an expansion area for the City. The Utilities and Energy section of the DEIR on page 3.14-43 indicates “The projects estimated per capita electricity and natural gas demands would be below City, Regional and statewide demands”. The applicant has pointed out that there may be errors in the VMT calculations as they seem suspect for reasons pointed out in the applicant’s comments on Utilities and Energy section.
2	Page 4-3, paragraph 2	The DEIR could further acknowledge that a significant portion of the Villaggio resident population are likely to come from the City and County of San Luis Obispo. Current deposit list of 600 people is about 45-50% composed of City residents. Those residents when they move to Villaggio will vacate and make available their existing housing in the City thus adding to the housing inventory.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS - 5.0 ALTERNATIVES		
<i>Comment #</i>	<i>Page # / Section / Figure Reference</i>	<i>Comment</i>
Issue Area – 5.0 Alternatives		
1	Figure 5-2, page 5-26	Delete the 150 ft elevation lines as they improperly imply a height limit rather than a development area limitation.
2	Page 5-18, item 3)	<p>The applicant disagrees with the analysis of the 3rd emergency access to Calle Joaquin. Calle Joaquin is unsuitable as an emergency access for the following reasons:</p> <p>A.) It is subject to inundation during high flow storm events.</p> <p>B.) Calle Joaquin is a cul-de-sac street having only one way out (toward LOVR). Provision of a second access along LOVR is a better, more useable option for the 3rd emergency access</p> <p>C.) Design of the access at this location may force encroachment into an existing County Open Space Easement area and construction of a retaining wall in the vicinity of the creek.</p> <p>D) require construction of a bridge at the confluence of drainage 1, 2, 3 and Froom Creek.</p> <p>See comment # 23 above in Section 3.13 RRM comments.</p>
3	Page 5-23, Madonna Froom Ranch Development	<p>The applicant has several concerns with the proposed location of the Trailhead Park shown on Alt #1. The concerns are:</p> <ul style="list-style-type: none"> • Placement of the Public Park at Quarry area seems at odds with the goal of spending the money to restore and celebrating the Historic Resources – it hides the buildings and the Public Park versus placing them in a prominent position near the entry to the development. • Adaptive re-use - placing the buildings at the end of the cul de sac may make them more difficult for adaptive re-use. • Emergency Access -putting park at the end on the cul de sac has significant constraints for emergency access to them. • Safety - Placing the buildings at the end of the cul de sac will make the park less safe.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS - 5.0 ALTERNATIVES		
		<ul style="list-style-type: none"> • Fire safety - Restored buildings will have wood shingle roof – a fire issue adjacent to wildlands in comparison the new buildings with fire resistive construction. • Housing vs Park - Placing housing occupied 16hr/day adjacent to Home Depot seems like a poor choice compared to the benefits of the park and historic buildings being front and center and the housing shielded from the commercial use.
4	Table 5-4, page 5-28, Emergency access at drainage basin	See comment #2 above. See also comment # 23 above in Section 3.13 RRM comments.
5	Page 5-30, Emergency access at drainage basin	See comment #2 above. See also comment # 23 above in Section 3.13 RRM comments.
6.	Page 5-31, item 3., emergency access	See comment #2 above. See also comment # 23 above in Section 3.13 RRM comments.
7.	Page 5-33, Table 5-5	See prior comments regarding Villaggio population estimates being too high.
8.	Page 5-35, Table 5-7	There are no State scenic Highways in the vicinity of the project. U.S. 101 may be eligible however it is not designated (Vis -1 and Vis -2).
9	Page 5-37, Table 5-7, CR-3	No individually eligible buildings are proposed for removal. Per Chattel Report pages 34-35, December 14, 2017 Final Draft Report.
10	Page 5-38, Table 5-7, Haz - 1	Emergency response is not impaired. See comments on Section 3.7.
11	Page 5-55, GHG Discussion	See prior comments regarding GHG calculations.
12	Page 5-60, MM Bio-Alt 1	See comment #2 above. See also comment # 23 above in Section 3.13 RRM comments.
13	Page 5-67, Impact CR-3, Loss of contributors	See prior comments on Section 3.5.
14	Page 5-70, Hazards, middle paragraph	See comment #2 above. See also comment # 23 above in Section 3.13 RRM comments.
15	Page 5-75, MM BIO-4	See prior comments regarding lack of quantifiable rationale for buffer distances.
16	Page 5-75, Bottom paragraph, Loss of contributors	See comments on Section 3.5.
17	Page 5-87, Table 5-13, Health Care Units Waste Generation rates	Hospital classification is not correct for the proposed use. The classification should be the Nursing/Retirement Home classification for the proposed Health Care Units.

FROOM RANCH DEIR RRM RESPONSES/COMMENTS - 5.0 ALTERNATIVES		
		There are no surgery suites proposed as part of the Health Care Units and no invasive procedures are performed in the Health Center.
18	Page 5-90, Figure 5-4	See Comment #2 above regarding emergency access at basin location. See also comment # 23 above in Section 3.13 RRM comments.