

Avila Valley Advisory Council (AVAC)

San Luis Obispo, CA

PO Box 65

Avila Beach, CA 93424

Date 12/12/2022

www.avac-avila.org

1. **Call to Order:** by the chair, Steve Benedict, for regular meeting at 6:00 PM via Zoom
Role call (present): Denise Allen, Mary El Hansen, Mary Matakovich, Jim Hartig, Carol Hayden, Julia Hartzell, Kirt Collins, Ken Thompson, Steve Benedict, Bob Pusanik, John Janowicz, Bill Crewe, Curtis Cole Michael Clayton.
Quorum was established.
2. **Approval of Minutes:**
 - Motion was made and seconded to approve minutes of the November 14, 2022. Motion carried.
3. **Chair's Comments:**
 - No comments.
4. **Public Comment:**
 - No written or oral public comment.
5. **Treasurer's Report: Denise Allen reports:**
 - Balance of Checking Account: \$ 1621.27
 - Expenses: \$ 14.99 for Zoom and \$ 270.19 for a three-year web domain fee
6. **County and Local Agency Reports:**
 - A. **Sheriff: Sgt. Abbas reports**
 - 84 calls for service, 29 in Avila Beach proper. Cave Landing had 5 calls for service.
 - Ken Thompson voiced concern as to the monthly stats not adding up to printed report. Sgt. Abbas noted that many calls for service are not from Avila Beach proper. This will be followed in subsequent reports.
 - B. **Highway Patrol: Lieutenant Jason Grimm reports:**
 - 2 collisions involving four vehicles occurred in November. No injuries, all vehicles were able to be driven away.
 - C. **Cal Fire: Battalion Chief Paul Lee reports:**
 - 40 calls for service, 18 medically related.
 - Two kids rescued from Cal Poly pier after kayak flipped by a wave. The kids had no life jackets and no injuries reported. Delivered to Harford Pier.

- Stranded person below Cave Landing near the Chevron property. Worked with Port Authority and person brought back to Harford Pier safely.
- Control burns are postponed due to recent rains. Stack burns will proceed in the next few weeks.
- Reminder to keep your indoor tree green and use LED lights instead of candles.

D. Planning: Nicole Ellis/Susan Strachan reports:

The following projects have been updated:

- **N-SUB2022-00034** (New Item 1 on the Active/In Process list) Project Planner is Blake Maule for a “Proposed subdivision of an existing 35-acre parcel into three parcels of varying sizes (Parcel 1: 4.75 acres, Parcel 2: 5.68 acres, Parcel 3: 24.94 acres), using existing access from Squire Canyon Road. The site is characterized by a level to steeply sloping topography and open space areas to the north and south. Parcel 2 is improved with an approximately 2,576 square foot single family residence served by an on-site well and septic system. Parcels 1 and 3 will need individual septic but have access to the 4 on-site wells.” Location: 35 Squire Canyon Rd (APN: 076-271-058). Status Updates include: “Application received 9/01/22. Referrals distributed 11/20/22. Information Hold / Correction letter sent 11/18/22. Response to comments pending from applicant.”

- Denise Allen voiced concerns pertaining to the 35 Squire Canyon project for water issues and past community concerns. Kirt Collins’ committee will be evaluation this project and convey concerns to Project Planner Blake Maule.

- **N-SUB2022-00037** (New Item 2 on the Active/In Process list) Project Planner is Shelby Fredrick for a “Proposed Lot Line Adjustment COAL22-0036 to adjust the lot lines between two parcels of approximately 7.7 and 6.1 acres each. The adjustment is to create a feasible build area for a single-family residential structure on lot 1. The adjustment will result in two parcels of approximately 8 and 5.7 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Suburban land use category” Location: 41 Squire Canyon Rd (APNs: 076-271-030 & 076- 271-031). Status Updates include: “Application received 9/28/22. Referrals distributed 10/19/22. Information Hold / Correction letter sent 10/28/22. Response to comments pending from applicant. Application may be converted to Minor Lot Line Adjustment. AVAC comments received by Planning 11/15/22 (approval recommended).”

- **DRC2021-00126 and AMEND2022-00002-** Avila Beach Resort 6-unit lodge project and the amendment to the San Luis Bay Estates Master Development Plan along with the corresponding appeal APPL2022-00004 (was on the Active/In Process list and has been relocated to #23 on the APPROVED/DENIED/WITHDRAWN PROJECTS list)- Updated Project Updates to reflect “The BOS actions were considered by the Coastal Commission and no appeal requests were received. Therefore, AMEND2022-00002 and DRC2021- 000126 are adopted and approved.” • **DRC2021-00118** (item 10 on the Active/In Process list)- revised Planner Contact Information from prior County Planner Cassidy McSurdy to Supervisor, Cheryl Ku.

- **DRC2018-00067** (item 18 on the Active/In Process list)- revised Project Updates to reflect “Notice of Preparation of an EIR posted December 2, 2022. 30-day review period to provide comments regarding the scope and content of the EIR begins Friday, December 2, 2022, and ends Tuesday, January 3, 2023. The CEQA scoping meeting will be held in person on Thursday, December 15, 2022, at 10:00 AM through noon. The meeting will be held at the Avila Beach Community Center located at 191 San Miguel Street, Avila Beach, CA. The County and EIR Consultant (SWCA) will provide a power point presentation which will include introductions, project overview and EIR process as well as a public comment period. The County will have a sign-in sheet, scoping meeting agendas, and comment cards printed and available at the Scoping Meeting.” Related Attachments: 1. Avila Beach Resort Notice of Preparation of an Environmental Impact Report (EIR) 2. Notice of Avila Beach Resort EIR Scoping Meeting- December 15, 2022, at the Avila Beach Community Center 10:00 am to 12:00 pm (noon)

- **DRC2019-00161 / APPL2021-00014** Port San Luis Harbor District Seatrains Storage along with the corresponding applicant’s appeal (was on the Active/In Process list and has been relocated to #24 on the APPROVED/DENIED/WITHDRAWN PROJECTS list)- Updated Project Updates to reflect “Applicant appeal request was scheduled for the September 28, 2021, Board of Supervisors meeting. The appeal request was formally withdrawn on September 21, 2021, and therefore, the Planning Commission’s denial of the project stands.”

E. Public Works: John Waddell reports:

- No report

F. County Parks: Nick Franco / Shaun Cooper reports:

- Nick Franco presented pictures of replacement benches and tables being considered. Manufacturing costs and timeline could be problematic. Mary Matakovich voiced skateboarding damage as a concern.
- “In memory of”- dedicated benches are not allowed, however “donor recognition” signage would be acceptable.

G. Port San Luis: Mary Matakovich reports for absent Suzy Watkins-Harbor Director:

- Mary Matakovich reports that all projects are proceeding well.

H. County Supervisor: Supervisor Dawn Ortiz-Legg reports:

- **Wheelchair access:** Near Civic Center and San Miguel Street. Going out to bid and construction to be completed by end of Q1 of 2023
- **Parking Studies:** Many suggestions offered and will consider solutions in 2023.
- **Vegetation cleanup:** Working with Public Works for long lasting solutions.
- **Offshore Wind Auctions:** 5 leases between North and Central Coasts offered for \$757.1 million. 3 leases in the Central Coast, 2 leases in the Humboldt Region.
 - Will need port infrastructure feasibility study. Where is it physically possible? Does not support biological, cultural or social aspects.

- Funding coming from PG&E settlement, not San Luis Obispo County.
- Lessors owe SLO County no fees but may offer assistance for community. Yet to be worked up.
 - Lessors not subject to onshore costs.
- **Updating fire codes; begun desalination continue feasibility study with Santa Barbara County; SLO County continuing campaign with homeless division.**
- **New board composition in January.**
- **Scoping meeting Wednesday.**

- **The Avila Community Plan Update & Clarifications:**
 - The Avila Community Plan Draft released April 2021 did not meet community expectations due to poor layout and quality of content. The plan, compiled by a consultancy, was rejected by community and local businesses.
 - Planning staff regrouped, and since has been making steady and consistent progress meeting regularly with the AVAC subcommittee to review and update the planning area standards and land use components of the Community Plan.
 - A Second draft scheduled for release by March of 2023.
 - Draft will be followed by an Environmental Impact Report and hearings before the Planning Commission, Board of Supervisors, and Coastal Commission.

- **Moratorium in Avila:**
 - There is not sufficient evidence for a moratorium to be initiated and subsequently held up in a court of law.
 - For a moratorium to stop development, until the Avila Community Plan is adopted, to be legally defensible, the County would basically need to show that the current policy and zoning, which it has operated under for years, creates a current and immediate threat to public health, safety or welfare.
 - This would be inconsistent to the findings for approval that the County has made on the many lands use permits which have come before it for Avila.
 - Current projects in Avila are conditioned to address immediate risk.

- **Secondary Evacuation Route:**
 - The Diablo Canyon north access route is a **“secondary route”** not a road and designated to be used in an emergency should other routes be blocked.
 - The north access route has the necessary qualities to evacuate residents and visitors in Avila.
 - **The County Office of Emergency Services** is work with **PG&E** on a **Memorandum of Understanding** to memorialize. The MOU will formalize and finalize once and for all this important route.
 - Further study can be included in the Avila Community Plan EIR on route(s) and number of hours each area will take to evacuate, depending on the disaster.
 - The DC North Access Road will connect with Los Osos and will serve for any declared emergency.

- San Luis Bay Creek water is safe and is constantly tested.

7. **Old Business: Julia Hartzell reports:**

- Committee presents slate Nominating of 2023 officers. Current officers will continue in 2023. Up for vote at January AVAC meeting.

8. **New Business:**

- No report.

9. **Community Liaisons:**

Avila Beach Civic Association: Mary Matakovich reports:

- Christmas Doggie Parade, Cupid Paws, was canceled due to rain. Rescheduled for February 4, 2023, with registration at 10:00 AM and the parade begins at 11:00 AM Matakovich reports:
- The Avila Beach Committee is grateful to the Planning Department for adjusting their feedback deadline to ensure the committee has the most recent projects (2) to make it's recommendations to the Council.

Avila Beach Foundation: Rick Cohen reports:

- The Foundation has two items to report this month. First, thanks PG&E and Eric Daniels for its recent grant of \$10,000 in support of our work in the community. These funds will go towards Avila Beach beautification projects such as the seasonal sand and debris clean-up program, maintenance and restoration of Avila Beach public art installations, and removal of graffiti from public structures.
- Next, the Foundation's Avila History Event is now scheduled for March 30, 2023, at the Community Center. Local historian Pete Kelley will present a slide show and narrative depicting Avila in the early days. The event is free for Avila residents, and seats are limited to the first 80 people to register.

PG&E / Diablo Canyon: Eric Daniels reports:

- Email reminder of the DCDEP webinar taking place Wednesday, December 14th at 6:00 PM.
- Outage of unit 2 successfully completed. Reactors performing at 100% capacity.
- Civic Nuclear Credit Funding Program Diablo has been certified to participate and will receive 1.1-billion-dollars.
- Eligibility criteria is prerequisite to continue operations at Diablo.
- Finalized contract agreement the with California Department of Water Resources a 1.4-billion-dollar loan for plant operations.
- Kirt Collins mentions underground power line. See Canyon and squire Canyon have heavy tree populations. Program is 10,000 miles over 10 years. Letter from

AVAC was requested to prioritize where these underground lines should be placed. Priority will be weighted to high fire risk areas.

10. AVAC Committees:

- a. **Land Use:** Carol Hayden reports:
 - No report.
 - Open position. Needs chairperson.

- b. **Diablo Canyon:** Ken Thompson reports:
 - Just a reminder about the ZOOM Webinar this Wednesday, Dec 14 @ 6PM to provide the local residents about the current status of continuing operations at the Power Plant. Refer to the included information from the Diablo Canyon Decommissioning Engagement Panel.

- c. **Port:** Mary Matakovich reports:
 - No report.

- d. **Avila Beach:** Mary Matakovich reports:
 - No projects to report.

- e. **San Luis Bay Estates:** Curtis Cole excused:
 - No report.
 - Please show up for scoping hearing Wednesday evening.
 - Approval of letter with comments for scoping meeting.

- f. **Avila Valley:** Julia Hartzell reports:
 - No report.

- g. **See Canyon:** Denise Allen reports:
 - No report.

- h. **Squire Canyon:** Kirt Collins reports:
 - No report.

- i. **Ad Hoc APU (Avila Plan update):** Jim Hartig reports:
 - No report.

11. Next Meeting Date:

- January 09, 2023

12. Adjourn:

- 7:11 PM