

Avila Valley Advisory Council (AVAC)

San Luis Obispo, CA

PO Box 65

Avila Beach, CA 93424

Date 1/08/2024

www.avac-avila.org

1. **Call to Order:** by the chair, Steve Benedict, for regular meeting at 18:02 hrs., via Zoom.
Roll call (present): Denise Allen, Mary El Hansen, Mary Matakovich, Jim Hartig, Lisa Newton, Carol Hayden, Julia Hartzell, Kirt Collins, Ken Thompson, Steve Benedict, Curtis Cole, John Janowicz, Bob Pusanik (alt), Michael Clayton, Allegra Shea, Mandi George, Bradley Escobar, Sherri Robesky.
Quorum was established.
2. **Approval of Minutes:**
 - A motion was made by Jim Hartig and seconded by Carol Hayden to approve minutes of the December 11, 2023 AVAC meeting as presented. The motion carried.
3. **Chair's Comments:**
 - Welcome Percy Jones from SLBE.
 - Thanks to Curtis Cole for service to AVAC.
 - Steve Benedict introduced the new slate of officers: Motion by Ken Thompson, asking the council members to accept this slate by acclamation was made. Seconded by Carol Hayden. Motion carried unanimously.
 - Denise Allen Chair
 - Jim Hartig vice chair
 - Steve Benedict treasurer
 - Michael Clayton secretary.
4. **Public Comment:**
 - No written reports.
 - Oral Comments: **Kristen McKiernan reports:**
 - In relation to Project DRC2021-00015 at Avila Valley Barn, we, as concerned and supportive neighbors, are keenly interested in understanding the details of the revised proposal. We are particularly interested in the specific changes, updated graphics, and any new studies conducted. Our aim is to contribute constructively to the neighborhood's well-being, and therefore, we would appreciate the opportunity to review and provide input on these revisions before they are resubmitted to the county.

Working collaboratively in this manner could be beneficial for all parties involved. It may help streamline the process for the county, potentially saving time and avoiding unnecessary application fees and delays for the owner and agent. Our experience has shown that when all stakeholders have access to information early in the process, it leads to more effective and mutually beneficial outcomes.

Therefore, we respectfully request that the Avila Valley Advisory Council (AVAC) arrange a meeting involving the project owner and agent, the Avila Valley neighbors, the County planning

department, public works and any other interested parties. This meeting would allow for a thorough review of the revised project and enable us to offer valuable input, which could be considered by both the County and the project applicants before any resubmission.

Additionally, we would like to discuss how the new roundabout at the Avila/101/Shell Beach Road intersection, which is anticipated to take two years to complete starting this year, has been factored into the revised proposal. This project is likely to impact traffic on Avila Beach Drive, Ontario Road, and San Luis Bay Drive, and understanding these implications is crucial for us. I was told earlier today that cumulative impacts/effects would will not be considered as this project will not be subject to an EIR. This is very concerning and I think it is important for AVAC and the community to know that. This was unknown to me and is important information as the cumulative impacts such as the roundabout, existing events such as concerts at the golf course, summer crowds and the Ontario Road project will undoubtedly affect the Avila Valley neighborhood environment when coupled with another event venue such as the Avila Valley Barn's proposed project.

I understand that a community meeting prior to resubmission is not a requirement of the applicant owner and agent or county but it is my hope that the benefits of this request and discussion with AVAC are considered.

We appreciate the county and AVAC's consideration of this request and look forward to a productive collaboration that benefits our community.

- Kristina Spearman supports Krister McKierman's position.

5. Treasurer's Report: Denise Allen reports:

- Balance of Checking Account: \$ 1,345.73
- Expenses: \$ 15.99 for Zoom.

6. County and Local Agency Reports:

A. Sheriff: Commander Stuart MacDonald reports:

- 88 calls for service, 33 in Avila Beach proper as compared to 82/34 last year.
 - 7 disturbance calls, 2 suspicious activities, 2 burglarizes, 7 enforcement stops, 3 thefts, 10 preventive patrol activities, 3 vandalisms.
 - 1 notable incident on 12/28/2023 at Sycamore Springs of collision, DUI, and arrest.
- Question: Ciala Zarate reported a run down stop sign.

B. Highway Patrol: Capt. Greg Klingenberg reports:

- 3 calls for service: 2 vehicle, non-injury collision, 1 vehicle hitting parked vehicle, 1 collision/DUI mentioned above by Sheriff Coyes at Sycamore Springs.

C. Cal Fire: Battalion Chief Paul Lee reports:

- 53 calls for service 28 were medically related.
- High tides and large surf were of concern.
- Polar Bear rescue of one man.
- \$320,000 on the line for fire prevention for spring time.
- Light House Burn very successful, 230 acres involved with good results and one day involved.

D. Planning: Nicole Ellis/Susan Strachan reports:

- **For the Avila Valley Barn project** the project agent has indicated that if AVAC would like for the agent and owner to attend a future AVAC meeting to answer questions after the County Planning Division has accepted the project for processing, that they would be amendable to attend at that time.
- **For the Avila Beach Resort project** the project agent has indicated that if AVAC would like for the agent and owner to attend a future AVAC meeting to answer questions after the Project Description with the Low-Cost Visitor Accommodations package is completed, that they would be amendable to attend at that time.

The following projects have been updated:

AVILA COMMITTEE PROJECT UPDATES

- AMEND2023-00006 Parish (item 1 on the Active/In Process list)- revised Project Updates to reflect “Project is scheduled for the February 16, 2024, Planning Department Hearing.”
- C-SUB2022-00005 Colony Lots Development (Zimmerman) (item 2 on the Active/In Process list)- revised Project Updates to reflect “The appeal hearing has been coordinated with the appellant and applicant/agent parties and is scheduled for the February 27, 2024 Board of Supervisors hearing date.”
- C-SUB2022-00006 Colony Lots Development (Gambriel) (item 3 on the Active/In Process list)- revised Project Updates to reflect “The appeal hearing has been coordinated with the appellant and applicant/agent parties and is scheduled for the February 27, 2024 Board of Supervisors hearing date.”
- C-DRC2021-00028 Avila Schoolhouse (item 4 on the Active/In Process list)- January 2024 update:
 - o Authorized Agent and contact information has been changed from Mike Hodge to Shawn Ridenhour with Arris Studio Architects.
 - o The project description has also been updated to: A request by Shear Edge Development Avila, LLC for a Development Plan / Coastal Development Permit (C-DRC2021-00028) to authorize a conversion and addition to a non-residential structure (Avila Schoolhouse) into an 8-unit (and manager’s unit), approximately 6,000 square foot, two-story with basement level Bed and Breakfast Facility and for the restoration of the historic structure to meet the Secretary of Interior Standards. The project includes an outdoor patio, site grading including on-site parking and circulation, removal of four trees, right-of-way and infrastructure improvements and appurtenances. The project includes a request for exceptions to Special Use Standards of CZLUO Section 23.08.012.b. to authorize 1) the non-residential structure (Avila Schoolhouse) to be converted to a Bed and Breakfast Facility pursuant to CZLUO Section 23.08.261, 2) to request a manager’s unit in place of a family in permanent residence, 3) to request expansion of the existing building by more than 15% to accommodate the basement floor addition. The project includes a waiver request for adjustments to parking standards per CZLUO Section 23.04.162.h. (compact parking concessions and reduced on-site parking).
 - o Project status updates include the following: Applicant has been coordinating with the

County Public Works Department on right-of-way improvements (sidewalks, cross walks, driveway approaches, retaining walls, undergrounding of select utility poles, etc.). The applicant's Historic consultant (Applied Earthworks) has completed their "Rehabilitation Report" Revised Design Review for the Avila Schoolhouse in December 2023). The Rehabilitation Report and most current right-of-way and on-site plans which were submitted on December 4, 2023 are being re-reviewed by the Planning Division. Once accepted as complete, the County will begin its Environmental Review (preparation of a Mitigated Negative Declaration). A hearing date is anticipated to be approximately 6 months out.

DIABLO CANYON POWER PLANT COMMITTEE PROJECT UPDATES

- DRC2021-00092 (item 8 on the Active/In Process list)- revised Project Updates to reflect: "...can be found at: www.slocounty.ca.gov/DCPPDecom . It is anticipated that the Final EIR will be issued in mid-2024. A Planning Commission Final EIR study session and hearings will be held after the Final EIR is released."

LAND USE COMMITTEE PROJECT UPDATES

- DRC2021-00015 Avila Valley Barn (item 9 on the Active/In Process list) January 2024 update: Please be advised that the applicant has not formally resubmitted application materials at this time. However, County Planning staff has asked the agent for an informal project update which can be provided to AVAC at this time. The applicant and owner are preparing a revised and reduced application responding to pre-hearing public comments received in response to the proposed project, including an amended noise study. The applicant and owner have also been coordinating with the County on necessary materials to sufficiently respond to public comment letters which include the following items:

- o The agent anticipates resubmitting materials to the County within the month of January 2024 which will include an updated project description along with the updated noise study report and supplemental materials for re-review by the County and which will be accessible to interested parties on PermitSLO (attachments tab). The revised project and materials will also be re-referred to the Land Use Committee and AVAC for re-review and new updated comments. Once the revised materials are accepted as complete for processing by the County, then the County will re-initiate its Environmental Review. A hearing date has not been selected at this time.

- The owner is interested in changing the amount of outdoor gatherings from the initial request for 144 outdoor gatherings annually (12 per month) and up to 200 guests per outdoor gathering; to instead a reduced number of outdoor activities onsite # annually with # being larger gatherings (numbers to be provided with formal resubmittal of revised project description) with no more than 200 persons.

- The owner has updated the noise study (completed over the holidays) which identifies a new optional area for entertainment in a lower field, below the existing lawn/animal pens (further back from neighbors). The new noise study recommends operating limitations for each outdoor gathering area. The noise study now also includes the single-family residential neighbors (sensitive receptors) and updated exhibits/noise readings. The ambient noise levels did

not increase over 5db (which is the commonly accepted threshold of significance for increases in ambient noise)

The project agent has indicated that if AVAC would like for the agent and owner to attend a future AVAC meeting to answer questions after the County Planning Division has accepted the project for processing, that they would be amendable to attend at that time.

- DRC2019-00235 McCarthy (item 10 on the Active/In Process list)- revised Project Updates to reflect “January 2024 Update: On December 22, 2023 the Coastal Commission provided the County and project agent with their formal referral review comments on the McCarthy project. On January 2, 2024 the agent resubmitted application materials and a transmittal letter responding to the County's 4/18/23 information hold letter and referral responses received to-date. Materials are currently under review by the Planning Division to determine whether the application can be accepted as complete for processing and whether the County can begin its Environmental Review of the project.”

SAN LUIS BAY ESTATES COMMITTEE PROJECT UPDATES

- DRC2018-00067 Avila Beach Resort (item 13 on the Active/In Process list)- revised Project Updates to reflect “

Prior update included the following which remains accurate (overall status remains the same- see current progress in schedule below): The development of the Environmental Impact Report (EIR) is in the earlier phases of development (project description and EIR section development). A lot of progress is being made weekly there are a lot of parts still left to the process and there remains many opportunities for public input. One of the benefits of the project is the “event program” requirement that will provide solid guidelines/conditions for special events held at the resort property. There are no upcoming hearing(s) scheduled at this time. This project’s progress and application materials can be reviewed through the County’s PermitSLO portal DRC2018-00067 (sloplanning.org)

- January 2024 Update: The Project Description is being refined to account for a Low-Cost Visitor Accommodations Package in which the applicant, agent and County Planning staff have been engaged with Coastal Commission for their review and consent on the overall proposal, range and variety of low-cost accommodations and rates.

- o The applicant, agent and County met with Coastal Commission staff over Winter break of 2023. Once the concept Low-Cost Visitor Accommodations Package is established with Coastal Commission staff then the materials will be presented to the community.

- The County has also remained engaged with local consulting Tribes in which a Testing Plan has been prepared by Applied Earthworks (November 2023) with the purpose of considering the impacts of the Project on historical resources. Due to the archaeological and tribal sensitivity within ABR, Applied Earthworks was retained by the applicant to conduct an archaeological testing program to document the depth of fill within the Project area; classify the types of cultural deposits, if present; and assess potential impacts from the Project on archaeological resources. Results from the testing program will be incorporated by the County into the Draft EIR and help determine potential mitigation measures, if applicable, and project alternatives. The County, applicant, agent and Tribes are developing a Testing Schedule so that testing efforts may commence. Testing activities may include shovel test pits, auger boring and backhoe trenching.

- A Water Supply Assessment was originally included in the EIR scope of work as an “optional

task” (to be determined if required). The County has since determined, and the applicant has agreed to the preparation of a Water Supply Assessment for the project, as part of the EIR assessment. Therefore, the Water Supply Assessment is being prepared by the County’s Environmental Consultant (SWCA).

- Traffic Study addendum to account for the new Low-Cost Visitor Accommodations Package is pending until the concept Low-Cost Visitor Accommodations Package is established with Coastal Commission staff.
- Evacuation Plan is currently being finalized in consultation with Cal Fire.
- Visual photo simulation locations have been identified by the County including a viewpoint from the Bob Jones Trail – Visual photo simulation modeling has commenced.
- The overall EIR Timeline/Schedule will be updated and shared once the Traffic Study addendum is received.

The project agent has indicated that if AVAC would like for the agent and owner to attend a future AVAC meeting to answer questions after the Project Description with the Low-Cost Visitor Accommodations package is completed, that they would be amendable to attend at that time.

Susan Strachan for Diablo Canyon:

DIABLO CANYON POWER PLANT COMMITTEE PROJECT UPDATES

- DRC2021-00092 (item 8 on the Active/In Process list)- revised Project Updates to reflect: “...can be found at: www.slocounty.ca.gov/DCPPDecom . It is anticipated that the Final EIR will be issued in mid-2024. A Planning Commission Final EIR study session and hearings will be held after the Final EIR is released.”
- Final EIR 2023 In August this summer.
- Questions:
 - Ken Thompson asks that the EIR be completed soon.

E. Public Works: in absentia John Waddell reports:

- No report.
- Question Denise Allen about flooding in Avila and drainage.

F. County Parks: Tanya Richardson reports:

- Cave Landing project work continues with mid-February completion date.
- Flooding in park with benches moves and clean up underway.
- Sink hole on the Bob Jones Trail filled and re-asphalted.
- Park play ground pirate ship repairs.
- Replacing swings with new swings however delays in purchasing.

G. Port San Luis: Suzy Watkins-Harbor Director reports :

- The Port experienced a quiet year end.
- Catch up on wave damage, piles lost and assessment ongoing.

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

Avila Roundabout Project

- Item # 15 on the Consent Agenda
Request to Approve and Execute and Agreement with Cannon Corporation

Resident Engineer/Construction Management, Material Testing, and Paleontological Services.

Amendment Authorization – Grant authority to Public Works to approve amendments to the agreement

Budget Adjustment Authorization – Increase project funding by \$6.8 million Funding comes from recently approved State Transportation Improvement Program (STIP) funding from the California Transportation Commission (CTC)

- Construction Start: after rain season, May?

First Street Flooding

- Project Overview – previously approved ARPA funding was used for the development of a plan for flood alleviation
- Design expected to be complete by mid-2024
- Next Steps
 - Coordinate with partners at Avila Service District, Port San Luis Harbor District & property owners – to occur in the next few months
 - Final Project
 - Anticipate project would be designed to reduce flood duration, but would not eliminate flooding entirely. Similar to a project complete in 2011 in Cambria on Main St.
 - Supervisors Committee: January 18th, 2024
 - Membership includes:
 - Curtis Cole, Bradley Escobar, Carol Hayden, Shari Robesky, Allegra Shea
 - Office Hours: February 1st
 - Community Center 1:30-3:30pm
 - March TBD

Avila Beach Appeals

- Two Avila Beach projects that were appealed are expected to be heard by the Board of Supervisors in February 27th, 2024
 - The first - Cody Gambril is asking for permission to divide a piece of land in Avila Beach into three smaller lots, and build a house on each one. The sizes of the houses and other areas on the lots are specified. Gambril also wants approval to use all three houses as vacation rentals. The project is in the Residential Multi-Family land use category at 2821 Avila Beach Drive.
 - The second - Rob Zimmerman from Lauklan, LLC is asking for permission to split two vacant lots in Avila Beach into four smaller lots and build four houses for resale. Each new lot will have a single-family home with specific sizes for floor area, garage, and deck. Zimmerman also wants approval to use all four houses as vacation rentals and requests a modification to a location standard. The project is in the Residential Multi-Family land use category at 2845 and 2855 Avila Beach Drive.

Mental Health Services Act (MSHA) Update

- MHSA Background: The Mental Health Services Act (MHSA) was enacted in 2005, funded by a 1% tax on those with incomes above \$1,000,000, and divided into components including Community Services and Supports (CSS), Prevention and Early

Intervention (PEI), Innovation (INN), Workforce Education and Training (WET), and Capital Facilities and Technology Needs (CFTN).

- Financial Overview: The FY 2023-24 Behavioral Health Adopted Budget is \$30.85 million, with funding sources including Medi-Cal, Federal & State Grants, and MHSA Trust Funds.
- Results and Impact: Positive outcomes in reducing homelessness, hospital days, and jail days are reported, with specific achievements in CSS, PEI, INN, and WET programs.
- Community Collaboration: Collaboration with county departments and agencies; positive community impacts demonstrated through program outcomes.

Redistricting Study Session:

- January 16th, 6pm, Katcho Achadjian Government Center, 1055 Monterey St.
- A citizens redistricting commission to establish future map based on the 2030 census
- Review of other counties and the state process for the 2020 redistricting commission
- More information will be posted to the County website tomorrow
- This effort removes elected supervisors to drawing the county map

Miscellaneous:

- Supervisors Committee: January 18th, 2024
- Membership includes:
 - Curtis Cole, Bradley Escobar, Carol Hayden, Shari Robesky, Allegra Shea
- Office Hours: February 1st
- Community Center 1:30-3:30pm
- March TBD

7. Old Business:

- New slate of officers elected: Motion by Ken Thompson, seconded by Carol Hayden. Motion carried.
 - Denise Allen Chair
 - Jim Hartig vice-chair
 - Steve Benedict treasurer
 - Michael Clayton secretary

8. New Business:

- No report.

9. Community Liaisons:

- **Avila Beach Civic Association: Mary Matakovich reports:**
 - No report.
- **Avila Beach Foundation: Rick Rowe reports:**
 - No Report.
- **PG&E / Diablo Canyon:**
 - **Tom Jones written responses to Ken Thompson's inquiries:**
 - **Q1)** With the 3.2 Earthquake on Dec 27th, did the Reactors continue to operate and were there any issues or concerns ?
 - **A:** The earthquake had no impact on the safe operations of DCPD and both units remain at 100% power. Safety is our highest responsibility at PG&E and Diablo Canyon Power Plant. That's why seismic, tsunami and flooding safety remain at the forefront in the design of the facility. In the event of an earthquake, we have very conservative

procedures in place, and we perform a walk down of the facility. Our highly-skilled and trained operators in the control room constantly monitor the facility's systems and components for any irregularities.

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- ○ **Q2)** There is a Seismic Assessment Update required by SB846. What are the PG&E Plans to perform that update ?
- **A:** The seismic assessment is going through its final peer review process and will be complete in Q1, 2024 and then submitted to the California Department of Water Resources.
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- ○ **Q3)** Has 1R24 Refueling & Maintenance been completed ? Were all of the Planned Maintenance Activities completed or were some rescheduled for later ?
- **A:** Yes, the refueling outage was complete and all major milestones were completed. Some inspections span two refueling outages and will be completed in the next Unit 12 refueling outage in Q2, 2024 or the subsequent unit 1 refueling outage. Certain inspections are one-time activities associated with license renewal and the results will be submitted to the NRC as part of the license renewal process. The other inspections are routine, and the NRC also has access to those results.
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10. AVAC Committees:

a. Land Use:

- No report:

b. Diablo Canyon: Ken Thompson reports:

- The Diablo Canyon Independent Safety Committee will have their Public Meetings on Feb.21 & 22 with presentations by PG&E Executives and Top Management/ When their agenda is available, Ken will forward to the Council Members.

c. Port: Mary Matakovich reports:

- No report.

d. Avila Beach: Mary Matakovich reports:

- No report.

e. San Luis Bay Estates: Curtis Cole reports:

- No report.

f. Avila Valley: Julia Hartzell reports:

- Appreciate Avila Beach report.

g. See Canyon: Denise Allen reports:

- No report.

h. Squire Canyon: Kirt Collins reports:

- No report

11. Next Meeting Date:

- February 5, 2024 at 6:00 pm.

12. Adjourn:

- 7:26 PM.