



**Fw: Nipomo Community Park Issue**

Adam Hill, Amy Gilman, Bruce Gibson, Cherie  
Amber Wilson to: Aispuro, Debbie Geaslen, Frank Mecham,  
James Patterson, Paul Teixeira, Vicki Shelby,  
Cc: cr\_board\_clerk Clerk Recorder, Curtis Black

12/13/2012 10:03 AM

From: Vince McCarthy <vincemcc@att.net>  
To: Amber Wilson <awilson@co.slo.ca.us>, Vince McCarthy <vincemcc@att.net>  
Date: 12/13/2012 07:25 AM  
Subject: Nipomo Community Park Issue

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Secretary Mrs Amber Wilson,

I would appreciate it if you could have the attached e-mail read at the Board of Supervisors meeting on the 18th of Dec. with respect to the Nipomo Community park issue. Thank you for your time and consideration in this matter.

Vincent McCarthy



DRAFTS.rtf

Item # 44 Meeting Date: 12-18-12  
Presented by: Vincent McCarthy  
RECEIVED  Prior to meeting  At the Board meeting  
 Posted to web: 12-13-12  
 Day of or after meeting not posted

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Ver #: 5

18 Dec., 2012

Board of Supervisors,

I am writing you about the Nipomo Community Park. I am in full agreement that we need areas for children to play. I don't believe the present Nipomo Community Park plan that is up for adoption is the answer. When the park is fully built out according to your plan the Community will have lost a beautiful park to a bunch of unattractive commercial buildings for a gymnasium, other buildings and asphalt parking places, in place of the beautiful green grasses there now.

I have raised a family here in Nipomo and for the past 45 years and have enjoyed the Park. I know many people have rented spaces in the park for large family gatherings. These people do not want to lose or see the park turned into what the Nipomo Community Park is proposed at this time.

One of the biggest problem is the traffic congestion that will be incurred by the large use of the park. A lot of after school activities will be held from 3:00pm to 6:00pm, at the park and the rush home traffic congestion will cause conflicts at Tefft and Division or at Pomeroy and Juniper. As you already know from being parents the children have a care-less habit of running out in traffic without looking. The words "I'm sorry" doesn't mean much to the parents after a child has been hurt or killed by a tired driver trying to rush home. How do you think the driver would feel?

Yes the children of this Community need a place to play. There is no disagreement about that. About three years ago the NCAC now the SCAC, held meetings to see if it was feasible to use some of the larger drain basins in the area to be converted into Pocket parks. There were about 3 or 4 large drain basins that could be converted into Pocket Parks, like other Communities have done. Also arrangements could be negotiated with the Lucia Mar Unified School District to use school facilities after school hours. Activities are the best way children from becoming bored and getting into gangs, drugs or other trouble. keep them busy is without saying. You also have to look at the children who do not play sports. There are more children who are involved in other activities, and don't play sports than do. There needs to be a balance provided for all.

I urge you to preserve the Rural atmosphere of the park by retaining the Master Plan Alternative B and use other sites around Nipomo, for the reasons I have stated here. It is not only children that use the park. It is used by the Community as a whole, for other activities.

The use of the Pocket parks would alleviate this traffic congestion on Tefft St. and also Pomeroy. It would be easier to get to one of these pocket parks than to fight the traffic congestion at the park's entrances. I know the congestion at the enterance to the park will be like the Tefft St. and Mary Ave daily traffic jams. They will be duplicated at the park at Tefft and Division also Pomeroy seven days a week.

Another problem that was brought out by the Sheriff. That was the drug and gang activity in the park at night. The Sheriff deputy that spoke to the NCAC(now the SCAC) said that there are not enough deputies available to patrol the park. He also suggested that the main buildings should be located on the outskirts of the park, so they are visible at all times. The patrolling deputies do not routinely go into the park to check it out. The Sheriff has said the at this time and in the future they may not have the funds to supply more deputies.

Meganslaw.ca.gov(12/08/12) shows that there are about 22 sex offenders registered within two miles of the park. This is only the

registered ones and not the unregistered ones. A park is a natural hunting ground for pedophiles after innocent unsuspecting children, with little or no police presense in the park, to protect them.

I also feel very strongly that any control of any part of the Nipomo Community park should not be turned over to any Non-profit or For-profit group of any kind. Also these groups should not manage any buildings or property that is now or in the future, part of the Nipomo Community Park property. It is the responsibility of the SLO Parks dept., with the help of the Community to run and manage this park. After all the Nipomo Community park still belongs to the people of Nipomo doesn't it?

As I am a member of the South County Advisory Council (SCAC), I am not representing them in any way with these comments. I am speaking out as a private citizen who has lived in this Community for 45 years raised a family and can see the dangers in the adoption of this Park plan.

I know this is a 20 year plan, but the way it is been presented now makes me wonder how long before you start putting this Park plan in to reality. How much will it cost to develop this plan and how is it going to be paid for? The people in this state are being taxed enough. Even a "Temporary" tax would be too much.

Again I ask you to reconsider the Master Park Plan Alternative B, for the sake of the entire Community. Thank you.

Sincerely, yours  
Vincent McCarthy



**Fw: Nipomo Park**

Board of Supervisors to: Adam Hill, Amy Gilman, Bruce Gibson,  
Cherie Aispuro, Debbie Geaslen, Frank Mecham, James Patterson, Paul  
Sent by: Amber Wilson  
Cc: cr\_board\_clerk Clerk Recorder, Curtis Black  
12/13/2012 02:33 PM

----- Forwarded by Amber Wilson/BOS/COSLO on 12/13/2012 02:33 PM -----

From: "micah6-8" <micah6-8@att.net>  
To: <boardofsups@co.slo.ca.us>  
Date: 12/13/2012 02:25 PM  
Subject: Nipomo Park

Dear Board of San Luis Obispo Supervisors,

I am a mother of five, a 4-H horse project leader in the Husna Valley club and a resident of Nipomo. I am sure you have had a earful about the development of Nipomo Park open area. I am writing this letter on behalf of the children in our community who use the trails regularly. I along with many other parents and horse leaders ride with our children in the park weekly. We are opposed to the loss of this community treasure. We feel the children will benefit much more from the natural open space than the development planned. The county is slowly loosing all of the natural open spaces for children to "play in" My husband and I moved with our five up here, from Santa Barbara, about 11 years ago. Being born and raised in Santa Barbara we saw all the open space disappear and we did not want our children growing up missing the richness of rural life. Experiences in childhood shape who we become. Beauty of the natural environment speaks to the deepest part of our children and is important to preserve. Not every child will ride their horse in the park and not every child will play on the ballfields. By filling up the open space you are not recognizing a large community of children that use the trails and open area. There are many other places in Nipomo that the development would not be affecting the destruction of the precious open space and could be utilized better by the community's children. There is a long list of other reasons to not develop the Nipomo open area, impact is so vast from wild life, noise, traffic, to property values decreasing and much more, but please consider who the rec center and fields are to benefit, **the children**. Please consider the horse kids too and leave the trails as they are for them and do not approve the development of Nipomo Park.

Thank you for taking time to read and consider this letter on behalf of the hundreds of 4-H kids in our county and a concerned mother of five

Item # 44 Meeting Date: 12.18.12  
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Sincerely,  
Jeannie Hardesty  
805-931-0588

Everybody needs beauty as well as bread. Places to play in and pray in, where nature may heal and give strength to body and soul alike. This

natural beauty hunger is made manifest... in our parks. Nature's sublime wonderlands, the admiration and joy to the world). - John Muir



**Fw: letter in response to Nov 6 staff report to BOS re Nipomo Park**

Adam Hill, Amy Gilman, Bruce Gibson,  
Board of Supervisors to: Cherie Aispuro, Debbie Geaslen, Frank Mecham, James Patterson, Paul 12/13/2012 03:58 PM

Sent by: Amber Wilson  
Cc: cr\_board\_clerk Clerk Recorder, Curtis Black

----- Forwarded by Amber Wilson/BOS/COSLO on 12/13/2012 03:57 PM -----

From: HARRY Walls <harrywalls@sbcglobal.net>  
To: boardofsups@co.slo.ca.us, ekavanaugh@co.slo.ca.us  
Date: 12/13/2012 03:36 PM  
Subject: letter in response to Nov 6 staff report to BOS re Nipomo Park

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Please see attached. Thank You Jackie Walls

Harry and Jackie  
Walls



NPC Kavanaugh lter re BOS mtg Nov 6 2012.docx

Item # 44 Meeting Date: 12.18.12  
Presented by: Harry & Jackie Walls  
**RECEIVED**  Prior to meeting  At the Board meeting  
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November 15, 2012

Elizabeth Kavanaugh, Planner III  
General Services Agency-County Parks  
1087 Santa Rosa Street  
San Luis Obispo, California 93408

Re: November 6, 2012 BOS meeting, Nipomo Park staff report

Dear Ms Kavanaugh;

I am writing you regarding your staff report and oral presentation at the Nov 6, 2012 Board of Supervisors Meeting agenda item #17, the Nipomo Park EIR and Master Plan. I believe there to be omissions, misleading statements and errors.

#### **Nipomo Park Master Plan History**

In your "Discussion" section under "History of Nipomo Community Park Master Plan Process" you have incorrect and misleading statements. You state that 3,000 surveys were sent out for community input. While that is true it is misleading as to how much input was actually given. Only 573 surveys were used in the data computations. Further you failed to point out of those respondents more than 60% supported an increase in walking/jogging/bicycling trails and restrooms. 97% supported maintaining or increasing group picnic areas and 90% supported the wilderness area remaining the same or increasing. 85% wanted equestrian trails to remain the same or increase. Only 320 people wanted a community center. <http://www.slo.countyparks.com/information/NipomoParkMPSurveyFinal.pdf>). There have been more letters and signed petitions than that opposing the recreation center and massive development in the park. You omitted the May 2004 work shops where no consensus was reached regarding the concept plans or location of recreational elements. You cited the July 12, 2004 County Parks and NCAC public meeting and erroneously stated the NCAC recommended the county move forward with the more intense Concept Plan. That again is misleading and inconsistent with the content of the Final EIR (Final EIR Chapter 2, page 2-6 and 2-7 section 2.1.4 Public Workshops and Scoping Meetings) which states, "The NCAC recommended that the County move forward *with environmental review on the more intense Concept Plan, based on the fact that it is easier to take items out of a Master Plan than put them in later. NCAC also requested that the County review a second alternative that moved some of the larger components (such as a community center) to West Tefft Street versus the park interior. The NCAC requested that the County return to the community for additional input upon completion of the environmental document.*" You insinuated the NCAC gave permission to accept the master plan when they actually only recommended an environmental review on the intense

concept with conditions of an additional more rural plan and the ability for future review by the public. The County agreed. It should also be noted that the more intense Concept Plan of 2004 was substantially different from the one on which the EIR was prepared. (See 7/8/04 "Comparison of Recreation Facilities (Schemes 1.2.and 3)" County hand out) Note comparison below:

**Current Master Plan in EIR**

747 total parking spaces  
36,000 sq foot recreation center  
53,200 sq ft tennis cts  
4,050 sq ft Preschool  
24.80 acres lost open space

**2004 Plan NCAC approved for EIR**

740 parking spaces  
9000 sq ft gym & meeting rm  
40,804 sq ft tennis courts  
no preschool  
27.5 acres lost open space

The two lesser developed schemes 2 and 3 only lost 18.47 acres and 8.09 acres respectively. The current Master Plan loses 271/2 acres of open space, Master Plan Alternate A loses 27 acres and Master Plan Alternate B loses 12 acres. Those are substantial increases. When did the master Plan grow and morph into its current expanded and unapproved size? The community center has quadrupled in size. Where is the mention of the 65 letters to the County and the 511 petition signatures opposing the development? A 300 page spiral bound document entitled, "Community Input on the Nipomo Park Master Plan" was hand delivered to your department 2 weeks prior to the November 6, 2012 meeting. Why was it not included in the record, included in the oral presentation, and considered in the recommendation?

**Alternate Park Options**

In your discussion of the Master Plan, you mention only 2 alternatives; Alternative A and B. There is another alternative in the EIR, the No Project Alternative (Final EIR, chap 5 pg 5-3 section 5.3.1 No Project Alternative). This is a very popular alternative (refer to the 300 page document, section Community votes on the Master Plan") You only refer to this alternative in the alternative analysis section.

**Areas of Controversy**

In the "Areas of Controversy" you stated that the community has concerns about preserving open space but there was stronger input for additional recreational opportunities. I take issue with that on two levels. One, I have attended 99% of the local, community, and county meetings and workshops over the past 9 years, and I have been on 2 of the 3 NCAC Park sub committees. With the exception of one community meeting and the latest Park commission meeting which was held with very short notice, the audience has been overwhelmingly in favor of a more rural park. NONE of them were opposed to additional recreation in Nipomo, only the destruction of the park to get it. Secondly, there is extensive documentation of the community's desires to maintain their rural park. My 300 page spiral bound hand out given to the Board of Supervisor and your department chronicles the letters and emails submitted by community members, 4 local non profits, and the South County Advisory Council opposed to this massive development. It provides 511 signatures on a petition against the development in the rural section and tallies community votes on the Master Plan that overwhelmingly favor

Alternate Plan B or the No Project Plan. At the Board of Supervisors meeting 14 more letters were submitted for the record, 14 people spoke against it and the whole room stood in opposition to the Master Plan. The previous and current Sherriff's Office Commanders have spoken against the Recreation Center being placed in the middle of the park for safety reasons. How can you not acknowledge these people? Supervisors Katcho attempted to broker a land swap with developers and the County to build a recreation center outside the park. Why is that not mentioned?

### **Missing Attachments**

Under attachments, my 300 page spiral bound document was not listed. It and the additional 14 letters submitted at the November 6, 2012 BOS meeting needs to be added to the Attachments list as an exhibit for the upcoming Dec 18,202 BOS meeting.

### **Park Element Standards**

In your oral presentation you addressed comments received on the Master Plan. Regarding Open Space and trails you cite the Parks and Recreation Element goal of achieving a minimum of 3 acres of parkland per 1,000 population. With our population at 16,700 that translates into a need for 50 acres of parkland and a need for 60 acres in 20 years. The Parks and Recreation Element standards (pages 17-18) states "local standards will eventually determine specific needs" and," In many communities in the county, land for parks and recreation is at a premium and needs to be acquired or otherwise set aside in a timely fashion before development and rising property values make those acquisitions cost prohibitive. The community needs to make every effort to acquire, develop and improve parkland wherever appropriate if it is to keep up with community needs and smart growth" Nipomo currently has the Nipomo Park with passive and active recreation covering approximately 137 acres, the Jim Miller Park with approximately 1 acre, the Jack Reddy Park with 30 acres, the 11 acre park parcel in Trilogy, and the joint use fields and swimming pool at the Nipomo High School of over 10 acres. We more than meet the minimum acreage standards for our current population. The County needs to look at compliance to the Park Element by purchasing and banking new parkland to accommodate our future growth.

### **Oak Loss**

Regarding the Oak tree loss, you stated most of the woodland loss would be from the Osage road widening. While that is true there is still substantial Oak loss from the road alignment at the Pomeroy entrance that would also encroach on one of the horse trail entrances. Trees near the Ranger residence where the recreation center and additional parking are to be developed would also be lost. Additionally on the ridge where the ball fields are slated to go, there are numerous oak seedlings that with the development will never be allowed to mature. The true picture has been minimized.

### **Alternate Locations**

Regarding alternate locations for recreation you state many of the proposed facilities for the park are not suitable for the smaller neighborhood parks. The Jim Miller Park is at least an acre

with ample room for a skateboard park. It would be an ideal location because it is within walking distance from the High School, on a main thoroughfare for easy surveillance by law enforcement, and only 2 blocks away from the Sherriff's substation. The Jack Reddy Park has plans for a multi use open playing field of over 1 acre. That along with all the school fields that were added to the community since the Master Plan was initiated should adequately fill the need for fields. The Dana Adobe plans include facilities for classrooms and community rooms. Our new golf communities all have community and or banquet rooms as well. Trilogy has a 12 1/2 acre park parcel that could easily accommodate the 2-acre recreation center and parking lot. It is centrally located to all residents of Nipomo and in a safe open area. The new Willow extension makes it easily accessible to all residents of the Nipomo area. There is a 4.8 acre buffer zone at Nipomo High School that is available for ball fields and was in fact designated for that purpose in the original plans. With parking and restrooms already in place it is a perfect location for fields. With a joint use agreement between LMUSD and the County it would be cost effective.

#### **Lil Bit Preschool is Illegal, in Suspended Status and out of Compliance with Use Permit**

You dismiss the illegality of Little Bits Preschool on the basis that it is used primarily for public recreation and enjoyment. That is not true. The public does not have access to the grounds on which Little Bits is built. The property, which is County owned, is for pre-school access only. It is a business that according to their 2010 990 tax form earned \$162,834. The "use permit" contract with the county states (pg 3 of 14) "All utilities to the premises shall be extended at the sole cost and expense of Permittee. Said utilities shall include, but not be limited to, water, sewer, electricity, natural gas, and telephone". Requests were made to the County in 2006 and 2012 to show proof of payment. There is none. The Nipomo Recreation Association is in violation of their contract for failure to pay any utilities since 2004. Further their nonprofit status has been suspended and they are not in good standing with the Franchise Tax Board. This is the second time they have had difficulty with their taxes. When the preschool first opened, they were operating without a license. This organization obviously requires monitoring for legal compliance. Why do we continue to do business with them? Why do they have rent free use of the park? The Senior Center of Nipomo pays all their utilities which averages about \$690/month. The Nipomo Little League and Nipomo Cowboys Football Leagues each pay \$1640.51 for 6 months use of the playing fields. These three nonprofits are recreational only and do not generate income yet they pay their way. Why is the Little Bits Preschool gifted rent and utility free County land when they make \$162,834 a year? According to the Second District Appellate Court in San Vincente Nursery School v. Los Angeles County (1956) 147 Cal.App.2d 79 Little Bits Preschool is in the park illegally.

#### **Response to Supervisor Teixeira's Suggestions**

I'd like to take this time to also comment on suggestions Paul Teixeira made at the November 6 meeting. He suggested the stately Oak trees that would be lost in the Osage Rd. widening project could possibly be saved by putting in a divided road. While that would save a couple of larger individual Oaks the total number of Oaks lost would increase. Plus that would cut even further into the park and horse trails that run parallel to Osage. That is not a workable plan. He also suggested a Sherriff's substation in the park as a solution to help the patrolmen monitor

the recreation center. Locating the substation in the park does not increase the staff available to patrol the park. A substation is not in the EIR so the impacts have not been addressed. Also that would just be one more extension of the urbanizing footprint this Master Plan proposes. We don't need one more structure in the park. Mr. Teixeira stated our previous Supervisor, Katcho, ask him to sit on a committee with County Parks to solve elicit activities in the park. He said Katcho asked the Recreation Association as a community group to move into the park, establish Little Bits Preschool, and eventually build the recreation center to combat all that activity. Katcho, in fact, held a meeting with members of the community, Nipomo Recreation Board members, 2 developers and Mr. Teixeira in an attempt to broker a land swap so the recreation center could be built outside the park. Katcho was well aware of the community's feeling about the recreation center in the park and actively attempted to locate alternate sites.

### **Horse Trails**

You stated in the Master Plan the horse trails will more than double. That is inaccurate. In the Final EIR (Executive Summary, ES-6 Table ES-1) shows a loss of 84,276 sf of dirt trails. The increase of 127,323 sf is a combination of trails and pathways paved and unpaved. This counts the new paths within the developed park that interconnect the sports elements and the new paved multi-use trails that parallel the horse trails; these are not horse trails. The park currently has a horse trail that outlines the whole rural section with multiple other trails crisscrossing throughout the open space. The dirt overflow parking area serves as a staging area. The Master Plan drawing (pg ES-7 Figure ES-3) shows a formalized multi-purpose perimeter trail that basically duplicates what already exists for horses but with a smaller circumference due to the road widening and alignments and the development. Some of the trails do not have the dotted lines that the legend uses to indicate horse trails. So it is unclear if they are indeed for horses. The trail that runs between the multi-use fields and the homes on Tejas appears to be only a multi-use trail (not for horses) and it dead ends at the parks interior road. There is no safe outlet for horses and therefore becomes a useless horse trail. The master plan shrinks the size of the already existing trail and only formalizes it by adding the multi use trail parallel to it. The new trail will run next to roads with traffic, active ball fields, the recreation center, and the parking lot instead of traversing through peaceful grasslands and oak woodlands as it does now. With the changes in the Master plan there is no trail gain. It should be noted, in 2001 the South County Advisory Board subcommittee on Trails counted the number of horses in Nipomo. There were 2000 west of Highway 101 and 750 east of Highway 101. Nipomo's 2001 population, According to the Nipomo California Profile and Resource Guide, was 10,520 with approximately 2,386 families. With a horse count of 2,750 that averages 1.1 horses per household. That total has since increased.

### **Those Who Support Preservation of the Rural Section of Nipomo Park**

Nipomo Park Conservancy Board and Members  
Keep Nipomo Rural Board and Members  
The Native Garden Board and Members  
Save the Mesa Board and Members  
Ride Nipomo Equestrian Alliance Board and Members

Backcountry Horsemen of California Board and Members  
San Ynez Pony Club Board and Members  
The Horse Connection Center Board and Members  
SLO Horse News Board and Members  
The South County Advisory Board  
Brass Oaks Driving Club Board and Members  
522 residents on a petition submitted to the County  
65 letters submitted to the County  
2004 County survey of 573 residents: 60% wanted more walking/jogging/hiking trails  
90% wanted wilderness to stay the same or increase  
85% wanted horse trails to remain the same or increase  
58% opposed paved bike trails

I appreciate you taking my comments into consideration in preparing your Park Report for the December 18, 2012 Board of Supervisors meeting.

Respectfully submitted,

Jacqueline Walls  
Nipomo

Cc: SLO County Board of Supervisors



**Fw: Nipomo Community Park**

Adam Hill, Amy Gilman, Bruce Gibson,  
Board of Supervisors to: Cherie Aispuro, Debbie Geaslen, Frank 12/13/2012 04:52 PM  
Mecham, James Patterson, Paul  
Sent by: Amber Wilson  
Cc: cr\_board\_clerk Clerk Recorder, Curtis Black

----- Forwarded by Amber Wilson/BOS/COSLO on 12/13/2012 04:52 PM -----

From: John & Kathy Jason <johnnkathy@sbcglobal.net>  
To: boardofsups@co.slo.ca.us  
Date: 12/13/2012 04:49 PM  
Subject: Fw: Nipomo Community Park

----- Forwarded Message -----

**From:** John & Kathy Jason <johnnkathy@sbcglobal.net>  
**To:** boardofsups@co.slo.ca.us; ekavanaugh@co.slo.ca.us  
**Cc:** harrywalls@sbcglobal.net  
**Sent:** Thu, December 13, 2012 3:40:27 PM  
**Subject:** Nipomo Community Park

Dear Honorable Supervisors,

My name is Kathy Jason, my husband and I moved to Nipomo 1 1/2 years ago, from Orange County, CA. We bought the house on the corner of Camino Caballo and Osage, across the street from the Cesar Chavez Garden, because it was undeveloped and we liked the fact that we could watch the wildlife and the equestrian riders from our house.

We oppose the development in the Nipomo Community Park for many reasons.

**Nipomo has a water problem.**

We've been told that Nipomo has only one water source, an aquifer which also supplies other cities, is in danger of saltwater intrusion. We need ways to conserve water, not build parks that will use more water. The schools are a part of this community; please, work with the school district and use their fields and facilities for sporting events.

**Developing the park would destroy the habitat for the local wildlife.**

On a daily basis, we watch red shouldered hawks, kestrels, woodpeckers, turkey vultures, blue jays, rabbits, and quail, to name a few. We can hear the great horned owls and coyotes. If the coyotes and birds of prey lose their habitat, the ground squirrel, rabbit, gopher and rodent populations will become a bigger problem. We are constantly setting traps for ground squirrels that we see running across Osage from the park into our yard.

**The purposed lighting at night will destroy the night skies for star gazers.**

It would mean the end to seeing meteor showers and constellations.

**Increase the hours of the Nipomo Library, instead of adding on.**

What good is a larger library if it's not open.

**The increased noise and increased traffic will destroy the peace and serenity of Nipomo.**

I believe Ms Kavanaugh said that the proposed plans are based on 500 out of 3200 surveys that were

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Presented by: Kathy & John Jason  
 Prior to meeting  At the Board meeting  
CEIVED  Posted to web: 12.13.12

mailed out, that is only 15% respondents.  
Please consider keeping the park as it is, but continue to maintain the existing structures.

**Building in the park will destroy Nipomo's rural charm.**

Sincerely,  
Kathy and John Jason  
905 Camino Caballo  
929-5307