



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Jan 12 2016 Rossi Proposal re: Blacklake Village Development
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 01:14 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 01:13 PM -----

From: anne <annebirds@gmail.com>
To: lcompton@co.slo.ca.us, jbrennan@co.slo.ca.us, fmedham@co.slo.ca.us,
vshelby@co.slo.ca.us, bgibson@co.slo.ca.us, cmckee@co.slo.ca.us, ahill@co.slo.ca.us,
hmiller@co.slo.ca.us, darnold@co.slo.ca.us
Date: 01/09/2016 01:12 PM
Subject: Jan 12 2016 Rossi Proposal re: Blacklake Village Development

Dear Supervisors,

My husband and I are residents of Blacklake, in the Legends subassociation. First, I would like to thank you all for your careful consideration of this matter and your expressed concern for its impact on the residents of Blacklake.

I will be brief: We are not opposed to Mr. Rossi's proposal to build a hotel and additional golf course related amenities such as the renovated clubhouse and a golf academy.

However, we are definitely opposed to his proposal to construct time share/rental units on the existing golf course, especially Canyons hole number 5 which is directly across a narrow street from existing homes.

Blacklake has evolved over the last 30 years into a very quiet, safe residential neighborhood comprised almost completely of senior homeowners. We ourselves moved here for the peace and quiet.

Situating short term transient units intended for vacationing (i.e., let's face it, partying) groups

within the existing neighborhoods has great potential to disrupt the character of our community.

Mr. Rossi can accomodate his desire to attract tourists to the golf course with his hotels alone.

If Mr. Rossi changes his proposal to make these units single family homes for purchase, it would be more in keeping with the nature of Blacklake. However, building on the existing golf course is a violation of the Blacklake CC&Rs and also does not comport with the intent of the Specific Plan. Therefore, we request the Board to reject the element of residential units in Mr. Rossi's plan.

Thank you.

Anne and Bing Kunzig

Nipomo, CA



To: Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Blacklake
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 01:17 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 01:16 PM -----

From: Richard Kendall <rckendall@msn.com>
To: "jbrennan@co.slo.ca.us" <jbrennan@co.slo.ca.us>
Date: 01/09/2016 12:19 PM
Subject: Blacklake

Dear Supervisor Compton,
Thank you for your presentation at Blacklake on Thursday. I am new to San Luis Obispo County and Blacklake so all of the information presented was helpful for me to understand the concerns of the citizens of the county overall. But, I will say that I feel the voice of the little guy is being overlooked in the situation with Mr. Rossi's plans. I am not the type to stand up in a public setting and speak so I quietly sit and listen and trust that my representatives will do their job and speak in my behalf. The people I spoke with before the meeting were hopeful that the county would restrain Mr. Rossi in this development, and not give him free reign, as it now seems to be happening. When his first proposal was submitted, many in the community were upset because the project was spread out and affected those in many of our communities. Now that the project is mostly planned in and around the Fairways, the others are silent and have no issues. Of course they don't, it doesn't affect them to any large degree. Can we agree that Mr. Rossi is a business man and his area of expertise is land development? When he first bought the golf course, it was making money, and it is my understanding that he has only been making interest payments on his loan. So, after all this time, the lender wants their principal money back and the golf course is now losing money. The upkeep has been minimal for years and a facelift is certainly in order. But, with all these plans he has proposed, he has neglected to show that his plans will make the golf course successful and I'm not sure that the reduction of course length /number of holes, meets the standards set forth in the CC&Rs (again as I understand it). I come from the engineering field, as a designer, and am well aware of the process of developing a plan for a project, and that things must start as a concept first and become more exacting later. But it is doubtful to me that some of his plans are

well thought out at all. One that was mentioned at the meeting addressed the Tournament House that had no access other than golf carts . Because I walk much of the community every day, I see the poor condition of the parking lot and from there I project ahead to an eighty-four room hotel and twenty cottages at one end . I see that as being pretty unrealistic. Parking lots at hotels usually circle the facility so that one doesn't need to walk very far to/from his car.

One of the fears of most all of us here is that with all this development , the golf course would still fail. Mr. Rossi is unwilling to give any assurance that his project will make the golf course profitable, and I can understand that to some degree . We wonder if he even cares if it is successful. I'm certain that any lender would ask for a business plan before buying into this project and I don't think it is asking too much for this business plan to be shared with those of us who are going to be impacted so greatly . I'm quite sure Mr. Rossi has some financial plans that make this all work out for him.

It is very conceivable that any vacationer could stay in the Blacklake hotel and play his golf game elsewhere. To further that thinking, how reasonable is it to think that with all those rooms available, how many will be playing golf? So, back to the question of keeping our golf course open and with many, much needed improvements and upkeep . We want some support from you and the political system we have . I am by no means well informed and I may have some of my "facts" incorrect, but my heart is sincere and I admit that I need help. Please consider the entirety of this project and not give Mr . Rossi and green light to go ahead with no restraints.

Thank you,
Richard Kendall

Nipomo, CA 93444

PS: I feel that I should also mention that I disagree with a statement you made a couple times. It effectively stated that this community had been originally planned for further development when it was first conceived. I understand just the opposite, that the number of dwellings, at 555, has been reached and it is centered around a championship golf course. Since I am not a golfer, I don't know all the requirements of a championship golf course are, but the logistics of adding new facilities and keeping the golf course up to standards seems to bear this out.



To: Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: [QUAR] January 12, 2016 Hearing re Black Lake
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 01:20 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 01:20 PM -----

From: Nancy Lee <nancylee1313@yahoo.com>
To: Jocelyn Brennan <jbrennan@co.slo.ca.us>
Date: 01/09/2016 11:14 AM
Subject: [QUAR] January 12, 2016 Hearing re Black Lake

Dear Supervisor Compton,

I attended the Town Hall meeting at Black Lake on January 8, 2016. I am not in support of building any houses/rentals/other structures on the Black Lake golf course fairways as proposed by Black Lake Golf Resort ("Rossi plan"). I explained my reasons to you in my letter dated August 3, 2015. However, you stated that the current Rossi plan to include 36 villa rentals complies with the Black Lake Specific Plan. You stated that the SLO County Counsel agrees with Mr. Rossi's attorneys that he can build rental units on the golf course. I do not understand how the County Counsel reached that decision when the Black Lake CC&Rs specifically prohibit the construction of residential or commercial developments on the golf course, as confirmed by the law firm of Loewenthal, Hillshafer & Carter, LLP, counsel for the Black Lake Management Association.

Based on what you said at the Town Hall meeting, it appears that the Board of Supervisors will vote to allow the amendments requested by Rossi to the Black Lake Specific Plan to allow the 36 rental units. If so, the CUP should be granted only if the following conditions are included:

1. The proposed 36 units must be residential homes, not rental units. Rentals attract people who are unconcerned with the adjoining neighborhoods. The resultant noise, trash, increased crime, traffic, and other negative effects of transitory visitors will be extremely detrimental.
2. The location of these 36 units must be where indicated on the current plan and shall not be moved to any other location. Nor shall the number of such units exceed 36.

This consent should be only for 36 residential homes at the locations identified at this time.

3. The condition of the golf course must be restored to first-rate condition within the next six months (or other reasonable amount of time) and Mr. Rossi must keep it in such first-rate condition. The golf course is the number one reason for the existence of Black Lake. Mr. Rossi's plans are purportedly for the purpose of improving the golf course and increasing revenue. But it will attract visitors but ONLY if the golf course is brought back up to its previous high standards. If Mr. Rossi hopes to increase revenue, the golf course must be immediately repaired and upgraded. That will show his good faith to the residents of Black Lake, many of whom doubt that he will ever properly restore the golf course. Mr. Rossi has let the golf course deteriorate to an unacceptable level. It is in such bad condition now that serious golfers avoid it. Similarly, he has let the Avila Beach Golf Resort fall into significant disrepair. We need assurances that he will return the golf course to first-rate condition immediately, preferably with a mandatory start date, and not wait until the hotel is completed several years from now.
4. Mr. Rossi must post a bond or other surety to make sure that #1, #2 and #3 are complied with in a timely manner and that he remains in compliance with these conditions at all times.

Thank you very much.
Nancy Damron



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: [QUAR] January 12, 2016 Hearing re Black Lake
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 01:25 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 01:25 PM -----

From: Nancy Lee <nancylee1313@yahoo.com>
To: Jocelyn Brennan <jbrennan@co.slo.ca.us>
Date: 01/09/2016 11:14 AM
Subject: [QUAR] January 12, 2016 Hearing re Black Lake

Dear Supervisor Compton,

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next six months (or other reasonable amount of time) and Mr. Rossi must keep it in such first-rate condition. The golf course is the number one reason for the existence of Black Lake. Mr. Rossi's plans are purportedly for the purpose of improving the golf course and increasing revenue. But it will attract visitors but ONLY if the golf course is brought back up to its previous high standards. If Mr. Rossi hopes to increase revenue, the golf course must be immediately repaired and upgraded. That will show his good faith to the residents of Black Lake, many of whom doubt that he will ever properly restore the golf course. Mr. Rossi has let the golf course deteriorate to an unacceptable level. It is in such bad condition now that serious golfers avoid it. Similarly, he has let the Avila Beach Golf Resort fall into significant disrepair. We need assurances that he will return the golf course to first-rate condition immediately, preferably with a mandatory start date, and not wait until the hotel is completed several years from now.

4. Mr. Rossi must post a bond or other surety to make sure that #1, #2 and #3 are complied with in a timely manner and that he remains in compliance with these conditions at all times.

Thank you very much.
Nancy Damron



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Follow up on today's meeting at Blacklake
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 01:27 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 01:26 PM -----

From: Hugh Loftus <hloftus_nadbank@verizon.net>
To: j Brennan@co.slo.ca.us
Date: 01/08/2016 05:57 PM
Subject: Follow up on today's meeting at Blacklake

Dear Supervisor Compton:

Once again I thank you for coming into the community to hear our concerns about the proposed Rossi development. I'm sorry I messed up on the time and missed so much of the presentation

and discussion and apologize if I bring up already plowed ground.

I have a number of concerns about the proposed project ranging from content and impact to process and am particularly grateful for your invitation to send this email.

Let us start with the purpose of the Specific Plan (the Plan). Simply put its purpose is to lay out the **County's** (my emphasis) requirements for development and land use in the covered area.

The Plan defines goals, i.e., preservation of open space and of views with focus on the golf course, and it grants implicit authority for specific development and the conditions that will apply to

them, roads, drainage, water, etc. I would suggest that the plan did not "contemplate" future development as asserted, meaning an intent to support it, but simply sets out the criteria which any

such additional development would be required to meet. It also specifies that proposals which are not consistent would require the development and approval of an amended plan.

This proposal

is not consistent with the Plan in a number of particulars:

The Plan allows for changes to the golf course but this proposal does not change the course, it permanently eliminates about 12% of it.

The proposal eliminates most of the views of Blacklake Canyon, a specific goal of the Plan.

It eliminates a significant amount of designated open space, also a specific goal of the plan.

The current plan is the product of the County's negotiation with the various landowners and developer for additional residential build out in Blacklake. The County at that time extracted the various

concessions and commitments that became the elements of the plan. Essentially, the county took away some of the developer's potential value to achieve a public purpose and all parties acted in good faith.

Exactly what public purpose is being met by now giving those development rights to another party?

The developer in the case, Mr. Rossi, is a well known, experienced and, by his own assessment, a successful developer in the County. Therefore we can assume that he knew exactly what he was doing

when he bought in Blacklake and was fully aware of and accepted the terms and conditions attendant thereto, the Plan and the CC&R's. Nobody made him take the risk.

Now consider his stated rationale for the project, returning the golf course to profitability.

Many of us note that generally poor conditions in the industry are probably factor but the biggest problem has

been his complete disregard for management and operations. He has neglected, some would say deliberately, any effort to improve the course or market it. As I mentioned in our discussion, why would he

stop co-marketing it with Avila his other golf property? Fixing his poor business decisions and management is clearly not a legitimate public purpose issue since this was a risk he took when he bought the business.

There is no public purpose met by bailing him out. On the contrary, granting his request could be construed a "gift of public assets" since the County presumably accepted the development rights, which had value,

at the time of the Plan's negotiation on behalf of all the residents of the County. Such a gift, were it determined, would not be allowed in California.

My preference is that this proposal should not be approved at all on its face. However, assuming that won't happen, I hope you require that it be fully analyzed including all public reviews and appropriate actions

by responsible parties, no shortcuts.

I believe that the County as part of its review should require and review a feasibility study related to the inherent viability of the development and its impact on golf course operations.

Again, since the golf course

has been identified as a critical component and allegedly the driver of the plan, considering the reasonableness of the assumptions underlying the proposal and likelihood of success are a legitimate area of concern

for the County. Why go through the pain if it isn't going to work and you could have know it all along. This represents an extreme impact on this community and it is reasonable that the development be seen to do

only what is necessary and reasonable, not as much as possible. Beware this is not just a disguised bailout for Rossi. As mentioned at the clubhouse, he owes in excess of \$6 million on the property, much more

than it is worth, and he and the Rossi Family Trust are guarantors so he can't just declare bankruptcy and walk away. He has been conspicuously silent on these facts but they are a matter of public record and are

clearly the drivers for this effort

From a purely personal perspective, if nothing more can be done I would like to see the Villas at the Oaks just go away. They are crushingly negative to me and my neighbors. Consider; the developer was able to

mitigate the loss of the surrendered development rights when the current Plan was adopted by charging substantial premiums for homes on the Oaks 9 course because of their protected

views, protected by the County extracting the open space easement on the golf course (regardless of the fact the County failed to follow through securing it). These premiums ranged up to 6 figures. Even now it is the views that make these houses worth more than others. That will end. Additionally, these homes were specifically designed to take advantage of the views, and the privacy protection it afforded, by being mostly all glass across the back.

The "Villas at the Oaks" would be positioned, by site and elevation, to look directly into several of these homes, including mine, even as they cut off our views. The cost of regaining some of the lost privacy through

window covering, etc. is significant. While I am not one, some of the current owners were original buyers who paid out in full for these protected views. Were they defrauded?

Personally, when considering buying,

being told that nothing could be built to block my view was a huge factor in the buy decision. Was I defrauded?

Further to "just getting rid of the Villas", the Planning Department's response to the initial proposal was impressively thorough, but it did not specifically address some of the problems associated with this element.

The Plan calls for a minimum 50 foot setback from the crest of Blacklake Canyon. Add to that the appx. 60 foot right of way for a road and 100 feet of lot size, the footprint comes well into what is the fairway

behind my house. There appears no way you could have that much encroachment and still have any part of a golf hole, a promise of Rossi. I accept this is NIMBY but it really is in my backyard. No other part

of the development except possibly the Hotel for those living adjacent to the golf course has as much negative impact. There may be winners and losers but a loss like this shouldn't be imposed on just a few unless

there is a critical need that could not be met through other means. In terms of golf course play it is insignificant.

A couple of random thoughts for your consideration:

Making the Villas sfr's instead of rentals may be preferable(?) but it would be a direct violation of the existing CC&R's requiring a very unlikely approving vote of 75%.

Regardless of people's opinions getting 75%

of anything is tough. And, regardless of the BLMA's stance, anyone can sue to stop a non-compliant project. Expect it.

Any reliance on on street parking to meet the requirements of the various development elements should not be permitted.

The so-called settlement agreement has no standing here and much of the attorney's opinions are moot as the project has mutated. But the approval of the ARC will still be required and the nature of it vis what the

builder wants cannot be assumed

Again, let me thank you for your consideration and I would be happy to discuss any of these matters if desired.

Hugh Loftus

Nipomo



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Rossi /Blacklake Golf Course
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 01:40 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 01:39 PM -----

From: Suebarrett@aol.com
To: fmecham@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us, lcompton@co.slo.ca.us, darnold@co.slo.ca.us, vshelby@co.slo.ca.us, hmillier@co.slo.ca.us, jcaffee@co.slo.ca.us, cmckee@co.slo.ca.us, jbreannan@co.slo.ca.us
Date: 01/08/2016 04:09 PM
Subject: Rossi /Blacklake Golf Course

Dear Sirs and Madam:

We are residents/homeowners of/in Blacklake and have been since 2004. We loved the well kept community and golf course and considered it a wonderful place to live and make an investment.

Currently, Rob Rossi (golf course owner) wants to make changes that we feel could adversely affect our quality of life and home equity. We would like to express that we are not in favor of rental units being built on the golf course as Mr. Rossi is proposing. It would bring in a large amount of transient traffic and in general be a detriment to our peace and quiet and adversely affect our quality of life and home value.

We are asking you to disallow these rental units being built.

Sincerely,

Susan (and M. Robert) Barrett

Nipomo, CA 93444



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: BL Hearing Jan 12, 2016
From: Lynn Compton/BOS/COSLO - Saturday 01/09/2016 02:41 PM
Sent by: Jocelyn Brennan/BOS/COSLO

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 02:40 PM -----

From: "Carters" <Carterstwo@earthlink.net>
To: <lcompton@co.slo.ca.us>, <Rob@rossi-ent.com>
Cc: <sfuhs@co.slo.ca.us>
Date: 01/09/2016 01:42 PM
Subject: BL Hearing Jan 12, 2016

As you know, the BLMA BOD moved to “not oppose” the plan submitted 11-13-15 for a CUP/Maps. As the Maker of the Motion, I can tell you that there were three parts to that motion. The other two parts were (1) to seek changing the villa elements from condotel to conventional ownership and (2) to seek the means to restore and preserve the golf course (GC).

This email address the third part of that motion, restoration/preservation of the GC, which I plan to address on Tuesday , and wanted to therefore be open and give you both a heads up.

By “means to restore & preserve the GC”, my intent was, and is, to recommend to the BoS that as part of authorizing the request to amend the BL Specific Plan, etc., if indeed that action is taken, that the BoS direct Staff to require (1) inclusion of a complete plan of works for GC restoration as a condition of plan approval of development, said plan of works to be made part of the review process and public comment, and (2) that the remainder of the GC be subject to the terms of the Specific Plan that requires an Open Space Easement to the County.

Mr. Rossi wants to “rejuvenate” the GC which would be good for all concerned. He cited this as an objective and provided a list of proposed improvements (attached to a 11-17-15 handout). The purpose of making this a condition is to simply ensure their execution. At the same time, this condition would go a long ways to instill confidence by homeowners that after years of deferred maintenance, with new development comes guaranteed improvements to the GC.

By the same token, the remainder of the GC needs to be preserved and protected as intended by the terms set forth in the Specific Plan, in order that homeowners have confidence going forward that such an easement would inherently provide, specifically that there will be a golf course for the foreseeable future. Mr. Rossi , in that same handout, lists as an objective, the creation of an easement and the one set forth in the Specific Plan is well designed and good to go.

In summary, based on the primary objective of bringing BL back to its glory days, Mr. Rossi has identified both restoration and preservation as part of that objective. BoS direction to impose this objective up front as a formal condition would send a message that with new development, will come security that GC restoration/preservation are part and parcel of that development.

Kit Carter



Fw: vote @ Blacklake 1/9/16

Lynn Compton to: cr_board_clerk Clerk Recorder

01/09/2016 02:42 PM

Sent by: **Jocelyn Brennan**

Cc: Adam Hill, Bruce Gibson, Debbie Arnold, Frank Mecham,
Hannah Miller, Jennifer Caffee, Vicki Shelby, Cherie
McKee

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 02:41 PM -----

From: IRENEER@aol.com
To: lcompton@co.slo.ca.us
Cc: rswalsh@verizon.net
Date: 01/09/2016 12:24 PM
Subject: vote @ Blacklake 1/9/16

Lynne Compton:

We are Fairways owners (plus we own two condos) and have three votes each time on BLMA matters. We wholeheartedly support the current Board and we ask you to vote accordingly.....we are for Residency.

Rick and Irene Erwin

Rick and Irene Erwin



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Water Utilization Calculation for CUP SUB2015-00035
From: Lynn Compton/BOS/COSLO - Saturday 01/09/2016 02:53 PM
Sent by: Jocelyn Brennan/BOS/COSLO

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 02:53 PM -----

From: Bill Petrick <bpetrick@capritechnology.com>
To: Stephanie Fuhs <sfuhs@co.slo.ca.us>
Cc: Lynn Compton <lcompton@co.slo.ca.us>, Jocelyn Brennan <jbrennan@co.slo.ca.us>, Kit Carter <Carterstwo@earthlink.net>
Date: 01/04/2016 03:00 PM
Subject: Water Utilization Calculation for CUP SUB2015-00035

Ms. Fuhs,

Attached is my "peer review" of the water calculation as documented in the CUP SUB2015-00035 (Black Lake Golf Course LLC). My results show a net loss of -55 AFY of groundwater for this project (rather than the +120 AFY in the CUP application). This large difference suggests a more thorough review of that application is needed.

If you have any questions, do not hesitate to contact me,

William Petrick



Fuhs_water_letter.pdf

January 4, 2016

Stephanie Fuhs, Project Manager
SLO County Planning & Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Subject: Black Lake Golf Resort LLC, CUP:SUB2015-00035

Reference: Letter Fuhs to Kirk, Dec. 11, 2015, same subject.

Dear Ms. Fuhs,

The purpose of this letter is to provide an independent “peer review” of the water use for the subject CUP, as noted in item 17 of the “Items Required for Acceptance” section of the reference letter. My results and qualifications are given below and the technical detail information is attached.

RESULTS AND CONCLUSION

The referenced CUP proposes to build 170 hotel and condo units, take out 2 golf holes and claims a “water savings” of 120 AF/Y based on an engineer’s calculation for a different project that uses undocumented assumptions. My independent review using assumptions based on the NMMA Technical Group annual report shows a water use of -55 AF/Y. In my opinion, the “water savings” proposed in the application is illusory and unrealistic.

Given the net loss of groundwater, this project would further exacerbate the impact of what is already a level 3 LOS situation on the Nipomo Mesa. Any claims that this net loss will be offset by the NCS D supplemental water pipeline need to be addressed by the lawyers because NCS D must, first, deliver 2500 AF/Y to meet the Court’s Stipulation agreement. There are no firm plans to deliver more than 2500 AF/Y through the pipeline, so any delivered water now should not be counted as an “offset”.

To add to the uncertainty of the groundwater resource on the Mesa, the ongoing lawsuit by the Northern Cities against NCS D (and the County) is asking for a court order to suspend these types of projects until that 2500 AF/Y is available from the pipeline. Allowing this project to proceed with its net loss of groundwater might expand the County’s involvement in the lawsuit.

GENERAL QUALIFICATIONS AND EXPERIENCE

I have a Bachelor’s Degree from MIT, a Master’s Degree in Engineering from Stanford, and an MBA from Santa Clara University. I am a registered Professional Engineer (#1465) in California and I ran my own business (Capri Technology Inc.) for over 30 years, specializing in computer software and systems for nuclear power plants. I have written research reports for public research agencies (EPRI), dealt with federal regulatory agencies and developed and installed computer software that meets stringent federal and state requirements. As a consultant, I also provide independent reviews and assessments on

third-party reports and projects. I am an “expert” on the software development process, especially Independent Verification and Validation (IV&V) according to IEEE software standards.

WATER-RELATED QUALIFICATIONS AND EXPERIENCE

I have been interested in and involved with Nipomo Mesa water issues since 2008 when the Final Judgment was approved in the Santa Maria Groundwater Litigation (Lead Case No. 1-97-CV-770214). As the representative of a stipulating party (BLMA), I attended all of the NMMA technical group meetings for the first 2 years and have read all the annual reports. I have also attended WRAC meetings and provided input to our District 4 representative on agenda topics of interest to the Nipomo Mesa.

I have made numerous public presentations regarding the state and health of the Santa Maria Valley water basin based on the information in the annual reports presented to the Court. These presentations were to provide the voting public with information needed to evaluate the (then) proposed pipeline from Santa Maria to NCSD.

I welcome questions and further discussion with other peer reviewers on this application. It is in the best interests of all the property owners on the Nipomo Mesa to have a defensible estimate of water use and sources for this proposed project.

Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,

William Petrick
Professional Engineer License # 1465

Nipomo CA 93444
8
bpetrick@capritechnology.com

cc: Kit Carter (email only)
Supervisor Lynn Compton (email only at <jbrennan@co.slo.ca.us>)
Jocelyn Brennan <jbrennan@co.slo.ca.us> (email only)

Attachment: Independent Water Use Calculations for CUP:SUB2015-00035

Independent Water Use Calculations for CUP SUB2015-00035

The section of the Conditional Use Permit (CUP) application, SUB2015-00035, addressing the water use for the subject project is based on numbers and assumptions from the NCSD intent-to-serve (ITS) application, dated 8/19/2014. The ITS application was for a very different project and it did not include any justification for many of its assumptions.

The purpose of this calculation is to document the basis for the assumptions used in the ITS and apply them to the actual project being proposed. The results are very different from those stated in the CUP.

In my opinion, the "best" source of reference data for water issues on the Nipomo Mesa are the NMMA Technical Group (TG) annual reports, submitted each year to the Court. In the following analysis, references to the section in the latest annual report (2014) are provided where applicable.

Blacklake Golf Course Area

The golf course area is identified Table 3-5 of the NMMA report (see below). I assume the 451RS Zoned Parcels covering 172 acres is the Blacklake Golf Course because the Unit Production (AF/acre) is 2.6 (the same value as used in the ITS calculation). Furthermore, in the CUP application, the golf course is described as 27-holes covering approximately 200 acres, so these are consistent. For the rest of this calculation, I will use the NMMA value of 172 acres for the golf course area. **[ASSUMPTION #1]**.

Table 3-5. Calendar Year 2014 Estimated Groundwater Production for Other Land Uses

Land Use Type	Water Use Area (acres)	Unit Production (AF/acre)	Production (AFY)
Golf Course ²	471	3.8	1,805
451RS Zoned Parcels ¹	172	2.6	452
616 RR Zoned Parcels ¹	243	2.6	637
Total	886		2,894

Note:

1. Unit production values from NCSD 2007, Water and Sewer Master Plan Update
2. Woodlands Golf Course groundwater production is included in Table 3-3 and therefore not included here.

The CUP application shows a water savings because two holes will be abandoned/taken out and not watered. Without any topographical maps or area measurements, the value of 20 acres seems too high. If 2 holes (out of 27) are to be abandoned, then that is $2/27 \times 172 = 12.7$ acres (not 20). Thus, any water savings in the ITS and CUP applications due to reduced turf area should be based on 12.7 acres, not 20 acres. [ASSUMPTION #2]

Blacklake Golf Course Water Production

The CUP application lists the groundwater production due to the Blacklake golf course as approximately 400 AF/yr from wells and 50 AF/yr from reclaimed wastewater. This agrees with the 172 acres using 2.6 AF/yr (=447 AF/Y total) in Table 3-5.

So, where does the 2.6 AF/yr come from? This is an assumption (without reference) used in both the NMMA report and the CUP application. I am personally familiar with the deterioration of the Blacklake golf course over the past 10 years, so I am certain there is much less water being used than previously. Unfortunately there are no measuring devices on the golf course wells, so I used a different indirect method to verify the 2.6/yr unit production assumption.

The Blacklake golf course uses the recycled water from the Blacklake wastewater plant to water 7 of the 27 holes (~25% of the total area = 45 acres). The NMMA report shows that the effluent from the wastewater plant is approximately 43 AF/yr (Table 3-7 of the NMMA report) and the application claims 50 AF/yr. I believe the 50 is the influent value in Table 3-7, not the effluent, since the source of the data (NCS D) should be the same. Using 43 AF/Y to cover 45 acres of the golf course results in a Unit Production of 0.95 /acre.

[ASSUMPTION #3]. This is 36% of the 2.6 value used in the NMMA report. I believe this is a more correct number because those 7 holes are greener than the other parts of the course, so, if anything, that value is still too high.

Using a value of 0.95, brings the total water use at Blacklake golf course to $172 \times 0.95 = 163$ AF/YR (instead of 447 AF/Y).

Groundwater Recharge from the Blacklake Golf Course

There are three possible recharge sources on the golf course: well irrigation, wastewater irrigation, and rainfall. I assume that any water that hits the turf area on the golf course follows the same path to recharge the aquifer (after it passes the vadose zone). Here is where the NMMA report and the CUP application are confusing and possibly inconsistent.

The total land area of the NMMA (sic) is approximately 21,000 acres (section 2.1.1). Table 3-2 provides a breakdown of the land use that shows urban, ag, and native use. If I assume the area covered by urban housing (less the golf courses and urban rural) does not contribute to the recharge because the water runs off these surfaces, then the total area which receives rainfall is $21,147 - 10460 + 599 + 4829 = 16115$ acres.

The total rainfall for the 2014-year was approximately 10" or 0.83 ft. (section 5.1). This resulted in approximately 323 AF of recharge for 2014 (section 5.1). Therefore, there is some type of hydrologic factor (transmissivity, storativity, or what?) that applies to rainfall recharge, i.e.

$$\text{Recharge} = \text{acres} \times \text{rainfall (ft/yr)} \times \text{factor}$$

so, using the NMMA numbers
Factor = $323 / (16115 \times 0.83) = 0.02$

This “factor” implies that only 2% of any water hitting the ground ever makes it to the aquifer recharge.

The NMMA report offers another way to check this estimate. The return flow from outdoor use (section 5.7) assumes 44% of outdoor use is returned as recharge. Outdoor use, here, includes the golf courses, yet the statement above that one in section 5.7 suggests that residential outdoor use does not contribute to recharge (only rainfall does). These two statements in the NMMA report seem (to me) to be in conflict.

The intent-to-serve letter uses 80% as the recharge value for wastewater sprayed on the golf course, however, it provides no explanation of where this number comes from and there seems to be no reference in the NMMA report for a value this high.

If the correct number for recharge is 2%, then the effect of aquifer recharge due to irrigation on the golf course is too small to consider (just as the NMMA stated in section 5.7 for residential outdoor use). **[ASSUMPTION #4]**

New Development Water Use

The proposed development is a resort with large rooms and the expectation that families and groups would stay there. However, the water use values used in the ITS calculations are based on other facilities with no explanation of how they may apply to the current proposal. For example, the water use in a hotel/resort is dependent on the occupancy rate for the facility and the number of occupants in each room. The ITS application gives total yearly water use without any information on how many days the rooms were actually occupied. Values of 0.10 and 0.15 AF/Y/unit seem way too low and are not consistent with the State conservation target of 0.15 AF/capita/yr. (per capita NOT per unit).

The NCSD GM produces a monthly report on the water production (see NCSD website/board meetings/board packets/section F). Using the NCSD data for the current year, which includes significant water conservation, the projected water use for the 4335 connections is approximately 76% of the previous year (2310 AF) = 1755 AF. Therefore, the water use/connection is $1755/4335 = 0.4$ AF/connection. **[ASSUMPTION #5]**. This number agrees well with the State conservation target of 0.15 AF/capita/yr. considering there are approximately 12,000 customers associated with the 4335 connections. The per capita use = $0.4 \text{ AF/connection} / 2.77 \text{ customers/connection} = 0.14$.

Revised Water Utilization Calculation

Sections of the ITS application are copied below and annotated to describe the revised water utilization calculation. Wherever there is a reference to an assumption (discussed above), that assumption is identified along with the revised numbers.

Existing Resort – Turf, Landscape and Domestic Water Uses

Existing Resort - Turf, Landscape and Domestic Water Uses	
Source	Annual Consumption AFY
Wells (400 to 500 AF Annually)	400 Approximate, varies year to year
NCS D Treated Waste Water Currently Utilized	50
NCS D Domestic Water (Metered)	8.5
Total	458.5

Using ASSUMPTIONS #1&3: The “Wells” value should be 163 AF/Y instead of (400+50 = 450). The total should be 171.5 AF/Y (instead of 458.5).

Proposed Water Savings Due to Resort Modifications (Changes in Turf)

Proposed Water Savings Due to Resort Modifications (Changes in Turf)			
Modification	AC and AFY	Rate ft/yr or %	AFY
Reduced Turf Area (AC)	23	2.6	59.8
Improved Irrigation System (AFY)	458.5	0.05	22.9
Conversion of Turf to Vines/Orchards (AC)	15	1	15.0
Increase in Pond Area (AC)	1.5	1.87	-2.8
Total			94.9

Using ASSUMPTION #1&2&3: The reduced turf area uses the same assumption for water use on the golf course as the previous section (0.95 AF/Y vs. 2.6 AF/Y and 12.7 acres vs. 23), resulting in a total of 12 AFY vs. 59.8 AFY for reduced turf area.

NOTE: The remaining three entries in the table have no technical basis in the ITS or CUP. They are unsubstantiated numbers and should be ignored. Therefore the only contribution to the “Total Water Savings Due to Resort Modifications” is the reduced turf area, resulting in a savings of 12 AFY vs. 94.9 AFY.

Proposed New Development Water Usage Imported from NCS D

Proposed New Development Water Usage Imported from NCS D			
Unit Type	Unit Quantity	Rate ft/yr	AFY
Golf Bungalows (Single Family)	93	0.15	14.0
Hotel Suites and Facilities	130	0.1	13.0
Retirement Village	52	0.1	5.2
Total			32.2

Using ASSUMPTION #5: The per unit use for the hotel and condos should be closer to the conservation target and historical NCS D customer use rather than the unknown data presented in the ITS. A value of 0.4 AF/Y vs. 0.10 or 0.15 is assumed here. The resulting water use for the 170 rooms is 68 AFY vs. 32.2 AFY.

Resulting Additional Waste Water Recharge from New Development

Resulting Additional Waste Water Recharge from New Development			
Unit Type	Water Usage AFY	Recharge Rate %	AFY
Golf Bungalows (Single Family)	13.95	80%	11.2
Hotel Suites & Facilities	13	80%	10.4
Retirement Village	5.2	80%	4.2
Total			25.7

Using ASSUMPTION #4: The recharge rate of 80% cannot be justified. A value of 44% or 2% can be derived or inferred from the NMMA report. Adjusting for the increased water use of 68 AFY (see previous table) and using the 2% recharge rate, then the recharge is 1.4 AFY (negligible).

Projected Water Savings from the CUP

Projected Water Savings	
Item	AFY
Resort Modifications (Reduction in Turf)	94.9
Waste Water Recharge From New Developer	25.7
Total Project "Savings"	120.6

Projected Water Savings – This Analysis

The NET projected water savings must include the NCSD served water (which the CUP table does not). The new totals for the actual CUP application, based on the previously documented assumptions are:

Item	AFY
Resort Modifications	12
Waste Water Recharge from New Development	1
Water Imported from NCSD for New Development	-68
TOTAL PROJECT SAVINGS	-55



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: [QUAR] Comments to Supervisors regarding Rossi/Black Lake Project
From: Jocelyn Brennan/BOS/COSLO - Saturday 01/09/2016 05:10 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 05:09 PM -----

From: Donna Fredericks <dmafedericks@verizon.net>
To: lcompton@co.slo.ca.us, fmedham@co.slo.ca.us, jbrennan@co.slo.ca.us, bgibson@co.slo.ca.us, shill@co.slo.ca.us, darnold@co.slo.ca.us
Date: 01/09/2016 05:02 PM
Subject: [QUAR] Comments to Supervisors regarding Rossi/Black Lake Project

Ladies and Gentlemen:

It became apparent at the town hall meeting with Supervisor Compton on Friday, that the Rossi proposal for changes to Black Lake Village is all but approved, in some form or other. It should be noted that while the Black Lake Management Association voted not to oppose the Rossi project, homeowners were told that was done to avoid litigation they had been threatened with. It never went to a vote of the residents, and there is certainly opposition to the project by many, either in part or in full. There are, of course, some who support it fully, as they are afraid that the golf course will deteriorate further, if that's even possible, if Rossi does not get his project approved.

With that in mind, I urge you to put restrictions and requirements on the Rossi project that he can't walk away from. He has never given any real assurance that the golf course will be restored, and has taken no action in that direction since he purchased the property. In fact, he has stated publicly, on many occasions, that "there are no guarantees." Many homeowners are convinced that once he gets his way and gets his money from the sale of the hotel and/or homes, he will simply walk away and leave us holding the bag.

There are many other concerns that were expressed to Supervisor Compton, and it is my understanding that those concerns will be discussed with the entire Board of Supervisors before a decision is made.

Thank you all for your consideration in this matter.

Donna M. Ast Fredericks

Nipomo, CA 93444

‘ ‘

‘ ‘



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Bcc:
Subject: Fw: Blacklake development
From: Lynn Compton/BOS/COSLO - Saturday 01/09/2016 05:12 PM
Sent by: Jocelyn Brennan/BOS/COSLO

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/09/2016 05:12 PM -----

From: James Gorman <jameskaren3@verizon.net>
To: "lcompton@co.slo.ca.us" <lcompton@co.slo.ca.us>
Date: 01/09/2016 04:46 PM
Subject: Blacklake development

Lynn,

I was at the meeting Friday at Blacklake. I can go for either rentals or purchased units. My preference would be purchased units.

On the Railroad measure, if the decision is to allow the rail extension I would like us to press for access through Phillips property in Nepomo to the beach.

As I read the documents we can require the refinery give the people access to the beach. Right now we have to travel to Pismo to get access.

Thanks,

Jim & Karen Gorman

Blacklake



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO,
Cc:
Bcc:
Subject: FW: BlackLake Development Proposal
From: Jocelyn Brennan/BOS/COSLO - Sunday 01/10/2016 05:23 PM

~ Jocelyn Brennan
Legislative Assistant
District Four
San Luis Obispo County Supervisor Lynn Compton
(805) 781-4337

Sent with Good (www.good.com)

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/10/2016 05:23:03 PM-----

----- Original Message -----

From : tom hill <tomhill922@gmail.com>
To : lcompton@co.slo.ca.us, fmedham@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us, darnold@co.slo.ca.us, jbrennan@co.slo.ca.us, vshelby@co.slo.ca.us, cmckee@co.slo.ca.us, hmiller@co.slo.ca.us
Cc : Richard Walsh <rswalsh@verizon.net>
Sent on : 01/10 01:34:26 PM PST
Subject : BlackLake Development Proposal

As 11 year residents of the BlackLake Community, we would like to voice our support for the BlackLake development plan proposed by Rob Rossi.

- Rob has worked in good faith with the BlackLake community to find a plan that is satisfactory to BlackLake homeowners
- Rob has committed to a much needed injection of capital to restore the golf course and amenities to a first class resort
- Rob is a property owner and investor within BlackLake and has a right to enhance his investment, within County statutes, as he sees fit
- Rob should be the best judge as to whether the additional villas are developed as investor owned rental properties (managed by the hotel) or single family residences,
- based on the optimum economic viability of the various plans.
- The development will provide an economic stimulus to the South County area benefiting local businesses and creating jobs

Regards

Tom Hill
Linda A. Walker-Hill

Nipomo, Ca



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Rossi project support
From: Jocelyn Brennan/BOS/COSLO - Sunday 01/10/2016 07:06 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/10/2016 07:06 PM -----

From: Bob McGill <bob.mcgill2@verizon.net>
To: Jocelyn Brennan <jbrennan@co.slo.ca.us>
Date: 01/10/2016 07:00 PM
Subject: Fwd: Rossi project support

Sent from my iPad

Begin forwarded message:

From: bdmca <bdmca@sbcglobal.net>
Date: January 10, 2016 at 4:47:41 PM PST
To: lcompton <lcompton@co.slo.ca.us>
Cc: "bob.mcgill2@verizon.net" <bob.mcgill2@verizon.net>, Bill Morrow <morrowwg8@aol.com>, Dan Hall <sailsho@charter.net>, Kit Carter <carterstwo@earthlink.net>
Subject: Rossi project support

Supervisor,

I tacked onto Bill Morrow's e-mail for your easy reference while you hopefully pass our thoughts on to the board on Jan. 12th.

I too am a member of the Ad Hoc committee and a past BLMA board member. I am also the First VP of the Gold Coast Seniors Golf Club at Blacklake. In addition I am Co-Chair (with the manager of Blacklake) of the Golf Liason Committee who's charter is to maintain HOA's interest in and concerns of the golf course operations.

I too am in support of the Rossi project to enhance our community and the golf course. Here's why; as you have no doubt heard our golf course is in very poor condition. Some

of the water features are dry, the irrigation system is outdated and needs repairs almost daily. The maintenance equipment is old and requires repairs constantly. Some greens are

in need of fungus treatment and fairways are plagued with bare spots and acorns. Cart

paths have many broken pieces of concrete. Sand traps need refurbishing as do some tee boxes.

All these problems are constantly discussed in our GLC meetings with management. We are thus very aware of the losing financial condition of the golf course. As such I feel we are

fortunate to have Mr. Rossi willing to invest the \$2-3 million necessary to refurbish our course to championship condition even at the expense of having only 18

Championship holes and

a 6 hole executive course. Without his planned refurbishment there is little doubt that the 27 holes will ultimately close leaving us to look at weeds in the non-existent fairways.

Certainly our home values will plunge. Sacrifice by the homeowners now, will enable the Rossi plan to succeed and that will be a win for the community in the longer term. This is why

I believe from my activities, the overwhelming majority of the community is in favor of the Rossi plan. I hope the Board of Supervisors appreciates our wishes to keep a golf course

community a going concern and allows the project to go forward with a beautiful hotel, villas and new permanent neighbors.

Thank you in advance for your support.

Bradley Miller

Blacklake

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

From: Bill Morrow <morrowwg8@aol.com>

Date: 01/10/2016 10:48 AM (GMT-08:00)

To: lcompton@co.slo.ca.us

Cc: sailsho@charter.net, bdmca@sbcglobal.net, carterstwo@earthlink.net, morrowwg8@aol.com, bob.mcgill2@verizon.net

Subject: Rossi project support

Lynn,

Please pass this along to the supervisors as they prepare for their review of the Rossi Project on January 12th.

Having been involved on this project as a member of the Rossi Ad Hoc committee, and as past BLMA President, a Local HOA President, and 18 year resident of the Blacklake Community I wish to show my support to the Rossi project.

I feel strongly that this project receive the support of the Board in order to see the Blacklake Community have the best chance to survive over the foreseeable future.

The core to this community is the Golf Course. It draws visitors from all across the country and Canada. It is our best opportunity to see our home values increase,

our neighborhoods maintain a strong infrastructure.

To not allow the plan to gain momentum, will sentence our community to a lesser quality of life.

There is no alternative plan for the Golf Course, there is no alternative plan for community improvement.

I encourage your and the BOS vote to move this plan along,

Respectfully,

Bill Morrow
BLMA Past President



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Tuesday Agenda, Black Lake item
From: Jocelyn Brennan/BOS/COSLO - Sunday 01/10/2016 07:07 PM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337clerk

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/10/2016 07:07 PM -----

From: Robert Christian <rczoo@charter.net>
To: jbreannan@co.slo.ca.us
Date: 01/10/2016 04:59 PM
Subject: Tuesday Agenda, Black Lake item

Lynn Compton, Fourth District Supervisor,
San Luis Obispo County

Dear Supervisor Compton,

My wife and I live in the Fairways section of Blacklake. We have been here since July, after 24+ years in Atascadero. We both attended the meeting this past Friday and appreciate all the time and effort that you obviously put in representing this area of the county. The meeting was very informative about what's going on in the whole county and particularly here in Nipomo.

We came away having a much better understanding of what is being purposed for the additions at Blacklake, particularly what the options are based on past land use adoptions. We would like to encourage you to follow the support of the elected Council of Home Owners who would like to see the new housing areas become permanent homes rather than rentals, involved with a new hotel.

We walk nearly every day along Blacklake Canyon Drive and can only imagine how much more traffic would be funneled onto that connecting road. As it is, many of the drivers do not abide by the posted limits and they are mainly people who know the road and drive it every day, not renters here for a few days. Also, there are at least five golf cart crossings along the same thoroughfare.

Thanks for your consideration of this request.
Bob & Lolita Christian

Nipomo, CA 93444

To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc: Jocelyn Brennan/BOS/COSLO@Wings,
Bcc:
Subject: Fw: Posted correspondence on county web site vis Rossi proposal
From: Stephanie Fuhs/Planning/COSLO - Monday 01/11/2016 07:51 AM

Hi,
Correspondence for Item 18 for tomorrow's meeting.

Hi Jocelyn,
The only correspondence I have from Mr. Loftus was from our director's assistant, so I don't have the original. I'm assuming you would have forwarded it to the clerk as well?

Stephanie Fuhs
Planner
County of San Luis Obispo
805.781.5721 (office)
805.781.1242 (fax)
email: sfuhs@co.slo.ca.us
website: sloplanning.org
----- Forwarded by Stephanie Fuhs/Planning/COSLO on 01/11/2016 07:49 AM -----

From: Hugh Loftus <hloftus_nadbank@verizon.net>
To: sfuhs@co.slo.ca.us
Date: 01/10/2016 09:57 AM
Subject: Posted correspondence on county web site vis Rossi proposal

Dear Stephanie: Please note that the second page of my letter as posted is illegible. Also, if you have not already received a copy, the additional email on this matter was sent to Supervisor Compton, perhaps it too is postable.

Dear Supervisor Compton:

Once again I thank you for coming into the community to hear our concerns about the proposed Rossi development. I'm sorry that I messed up the time and missed so much of the presentation and discussion and apologize if I bring up already plowed ground. I have a number of concerns about the proposed project ranging from content and impact to process and am particularly grateful for your invitation to send this email.

Let us start with the purpose of the Specific Plan (the Plan). Simply put its purpose is to lay out the County's (my emphasis) requirements for development and land use in the covered area. The Plan defines goals, i.e., preservation of open space and of views with focus on the golf course, and it grants implicit authority for specific development and the conditions that will apply to them, roads, drainage, water, etc. I would suggest that the plan did not "contemplate" future development as asserted, meaning an intent to support it, but simply sets out the criteria which any such additional development would be required to meet. It also specifies that proposals which are not consistent would require the development and approval of an amended plan. This proposal is not consistent with the Plan in a number of particulars: The Plan allows for changes to the golf course but this proposal does not change the course, it permanently eliminates about 12% of it. The proposal eliminates most of the views of Blacklake Canyon, a specific goal of the Plan. It eliminates a significant amount of designated open space, also a specific goal of the plan. The current plan is the product of the County's negotiation with the various landowners and developer for additional residential build out

in Blacklake. The County at that time extracted the various concession and commitments that became the elements of the plan. Essentially, the county took away some of the developer's potential value to achieve a public purpose and all parties acted in good faith. Exactly what public purpose is being met by now giving those development rights to another party?

The developer in the case, Mr. Rossi, is a well known, experienced and, by his own assessment, a successful developer in the County. Therefore we can assume that he knew exactly what he was doing when he bought in Blacklake and was fully aware of and accepted the terms and conditions attendant thereto, the Plan and the CC&R's. Nobody made him take the risk. Now consider his stated rationale for the project, returning the golf course to profitability. Many of us note that generally poor conditions in the industry are probably factor but the biggest problem has been his complete disregard for management and operations. He has neglected, some would say deliberately, any effort to improve the course or market it. As I mentioned why would he stop co-marketing it with Avila his other property? Fixing his poor business decisions and management is clearly not a legitimate public purpose issue since this was a risk he took when he bought the business. There is no public purpose met by bailing him out. On the contrary, granting his request could be construed a "gift of public assets" since the County presumably accepted the development rights, which had value, at the time of the Plan's negotiation on behalf of all the residents of the County. Such a gift would not be allowed in California.

My preference is that this proposal should not be approved on its face. However, assuming that won't happen, I hope you require that it be fully analyzed including all public reviews and appropriate actions by responsible parties, no shortcuts.

I believe that the County as part of its review should require and review a feasibility study related to the inherent viability of the development and its impact on golf course operations. Again, since the golf course has been identified as a critical component and allegedly the driver of the plan, considering the reasonableness of the assumptions underlying the proposal and likelihood of success are a legitimate area of concern for the

County. Why go through the pain if it isn't going to work and you could have know it all along. This represents an extreme impact on this community

and it is reasonable that the development be seen to do only what is necessary not as much as possible. Beware this is not just a disguised bailout

for Rossi. As mentioned at the clubhouse, he owes in excess of \$6 million on the property, much more than it is worth, and he and the Rossi Family Trust

are guarantors so he can't just declare bankruptcy and walk away. He has been conspicuously silent on these facts but they are a matter of public record

and are clearly the drivers for this effort

From a purely personal perspective, if nothing more can be done I would like to see the Villas at the Oaks just go away. They are crushingly negative to

me and my neighbors. Consider; the developer was able to mitigate the loss of the surrendered development rights when the current Plan was adopted by charging substantial premiums for homes on the Oaks 9 course because of their protected views, protected by the County extracting the open space easement

on the golf course (regardless of the fact the County failed to follow through securing it). These premiums ranged up to 6 figures. Even now it is the

views that make these houses worth more than others. That will end.

Additionally, these homes were specifically designed to take advantage of the views,

and the privacy protection it afforded, by being mostly all glass across the back. The "Villas at the Oaks" would be positioned, by site and

elevation,
to look directly several of these homes, including mine, even as they cut off our views. The cost of regaining some of the lost privacy through window covering, etc. is significant. While I am not one, some of the current owners were original buyers who paid out in full for these protected views. Were they defrauded?
Personally, when considering buying, being told that nothing could be built to block my view was a huge factor in the buy decision. Was I defrauded? Further to "just getting rid of the Villas", the Planning Department's response to the initial proposal was impressively thorough, but it did not specifically address some of the problems associated with this element. The Plan calls for a minimum 50 foot setback from the crest of Blacklake Canyon. Add to that the appx. 60 foot right of way for a road and 100 feet of lot size, the footprint comes well into what is the fairway behind my house. There appears no way you could have that much encroachment and still have any part of a golf hole, a promise of Rossi. I accept this is NIMBY but it really is in my backyard. No other part of the development except possibly the Hotel for those living adjacent to the golf course has as much impact.

Now a couple of random thoughts for your consideration:
Making the Villas sfr's instead of rentals may be preferable to but it would be a direct violation of the CC&R's requiring a very unlikely approving vote of 75%.
Regardless of people's opinions getting 75% of anything is tough. And, regardless of the BLMA's stance, anyone can sue to stop a non-compliant project. Expect it.

Any reliance on on street parking to meet the requirements of the various development elements should not be permitted.

The so-called settlement agreement has no standing here and much of the attorney's opinions are moot as the project has mutated. But the approval of the ARC will still be required and the nature of it vis what the builder wants cannot be assumed

Again, let me thank you for your consideration and I would be happy to discuss any of these matters if desired.

Hugh Loftus

Nipomo

[To:](#) cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
[Cc:](#)
[Bcc:](#)
[Subject:](#) Fw: Solution to Blacklake Golf Course Development Proposal LRP 2014-00016
[From:](#) Stephanie Fuhs/Planning/COSLO - Monday 01/11/2016 07:52 AM

More correspondence for Item 18 for tomorrow's meeting.

Stephanie Fuhs
Planner

County of San Luis Obispo
805.781.5721 (office)
805.781.1242 (fax)
email: sfuhs@co.slo.ca.us
website: sloplanning.org

----- Forwarded by Stephanie Fuhs/Planning/COSLO on 01/11/2016 07:51 AM -----

[From:](#) tom worby <tom-worby@yahoo.com>
[To:](#) "lcompton@co.slo.ca.us" <lcompton@co.slo.ca.us>, "sfuhs@co.slo.ca.us" <sfuhs@co.slo.ca.us>
[Date:](#) 01/11/2016 07:48 AM
[Subject:](#) Solution to Blacklake Golf Course Development Proposal LRP 2014-00016

Ref: Request by Black Lake Golf Resort, LLC to process a Specific Plan, General Plan and Land Use Ordinance Amendment (LRP2014-00016)

Dear Chair Compton and Supervisors,

The plan to develop the Black Lake Golf Course property is now on a dual track, with this Specific Plan request and a CUP (SUB2015-00035) which builds short term rentals on the Golf Course.

After the March 24 Supervisor meeting, the applicant made modifications to his plan reducing the scope, eliminating the expensive proposal to build in the Blacklake community sewage system dispersal fields and by not building within the homeowner view areas. These plan improvements are embodied in the CUP proposal.

The CUP proposal dodges the requirement of homeowner CCR changes but creates a new homeowner objection: extensive building of units with a large transient population.

This is unfortunate because the CUP plan otherwise covers many of the homeowner objections from the LRP2014-00016 development version.

I took a survey of Blacklake residents comparing the CUP development plan vs a similar proposal with a 55+ (age) single family home development instead of the all transient rentals.

The results were 70% preferred single family homes to the all transients plan of the CUP.

So while the CUP plan may be able to move forward without homeowner approval, there is homeowner support for a modification where single family homes replace the transient rentals plan.

I suggest that the Board of Supervisors deny this Specific Plan change request and ask the applicant to provide a new request based on his CUP plan with the units built on the course being changed to single family homes. This could be our best compromise at this time.

Regards,
Tom Worby & Linda Worby

Nipomo, CA 93444

To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: BL Hearing Jan 12, 2016
From: Stephanie Fuhs/Planning/COSLO - Monday 01/11/2016 07:53 AM

More correspondence for Item 18 for tomorrow's meeting.

Stephanie Fuhs
Planner

County of San Luis Obispo
805.781.5721 (office)
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----- Forwarded by Stephanie Fuhs/Planning/COSLO on 01/11/2016 07:53 AM -----

From: "Carters" <Carterstwo@earthlink.net>
To: <lcompton@co.slo.ca.us>, <Rob@rossi-ent.com>
Cc: <sfuhs@co.slo.ca.us>
Date: 01/09/2016 01:42 PM
Subject: BL Hearing Jan 12, 2016

As you know, the BLMA BOD moved to “not oppose” the plan submitted 11-13-15 for a CUP/Maps. As the Maker of the Motion, I can tell you that there were three parts to that motion. The other two parts were (1) to seek changing the villa elements from condotel to conventional ownership and (2) to seek the means to restore and preserve the golf course (GC).

This email address the third part of that motion, restoration/preservation of the GC, which I plan to address on Tuesday , and wanted to therefore be open and give you both a heads up.

By “means to restore & preserve the GC”, my intent was, and is, to recommend to the BoS that as part of authorizing the request to amend the BL Specific Plan, etc., if indeed that action is taken, that the BoS direct Staff to require (1) inclusion of a complete plan of works for GC restoration as a condition of plan approval of development, said plan of works to be made part of the review process and public comment, and (2) that the remainder of the GC be subject to the terms of the Specific Plan that requires an Open Space Easement to the County.

Mr. Rossi wants to “rejuvenate” the GC which would be good for all concerned. He cited this as an objective and provided a list of proposed improvements (attached to a 11-17-15 handout). The purpose of making this a condition is to simply ensure their execution. At the same time, this condition would go a long ways to instill confidence by homeowners that after years of deferred maintenance, with new development comes guaranteed improvements to the GC.

By the same token, the remainder of the GC needs to be preserved and protected as intended by the terms set forth in the Specific Plan, in order that homeowners have confidence going forward that such an easement would inherently provide, specifically that there will be a golf course for the foreseeable future. Mr. Rossi , in that same handout, lists as an objective, the creation of an easement and the one set forth in the Specific Plan is well designed and good to go.

In summary, based on the primary objective of bringing BL back to its glory days, Mr. Rossi has identified both restoration and preservation as part of that objective. BoS direction to impose this objective up front as a formal condition would send a message that with new development, will

come security that GC restoration/preservation are part and parcel of that development.

Kit Carter

To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Agenda Item for Tuesday's BOS Meeting
From: Stephanie Fuhs/Planning/COSLO - Monday 01/11/2016 07:54 AM

More correspondence for Item 18 for tomorrow's meeting. I think that is it from my inbox so far.

Stephanie Fuhs
Planner

County of San Luis Obispo

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website: sloplanning.org

----- Forwarded by Stephanie Fuhs/Planning/COSLO on 01/11/2016 07:54 AM -----

From: Bill Petrick <bpetrick@capritechnology.com>
To: Stephanie Fuhs <sfuhs@co.slo.ca.us>
Cc: Jocelyn Brennan <jbrennan@co.slo.ca.us>
Date: 01/09/2016 12:22 PM
Subject: Agenda Item for Tuesday's BOS Meeting

Hi Stephanie,

Thank you for coming to the Blacklake meeting yesterday. It helps to see the real people involved.

I was just looking at the SLO website with the agenda items for the Tuesday meeting and noticed my letter Jan. 4 was not posted.

It would really help if the supes have the opportunity to read it before I give my 3 minute talk. I did notice that items from Rossi, dated Jan 8, were posted and some of the other items were garbled.

Is there a contact person for the agenda items? Attached is my letter in case there is still time for the supervisors to read it.

Regards,
Bill Petrick



Fuhs_water_letter.pdf

January 4, 2016

Stephanie Fuhs, Project Manager
SLO County Planning & Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

Subject: Black Lake Golf Resort LLC, CUP:SUB2015-00035

Reference: Letter Fuhs to Kirk, Dec. 11, 2015, same subject.

Dear Ms. Fuhs,

The purpose of this letter is to provide an independent “peer review” of the water use for the subject CUP, as noted in item 17 of the “Items Required for Acceptance” section of the reference letter. My results and qualifications are given below and the technical detail information is attached.

RESULTS AND CONCLUSION

The referenced CUP proposes to build 170 hotel and condo units, take out 2 golf holes and claims a “water savings” of 120 AF/Y based on an engineer’s calculation for a different project that uses undocumented assumptions. My independent review using assumptions based on the NMMA Technical Group annual report shows a water use of -55 AF/Y. In my opinion, the “water savings” proposed in the application is illusory and unrealistic.

Given the net loss of groundwater, this project would further exacerbate the impact of what is already a level 3 LOS situation on the Nipomo Mesa. Any claims that this net loss will be offset by the NCS D supplemental water pipeline need to be addressed by the lawyers because NCS D must, first, deliver 2500 AF/Y to meet the Court’s Stipulation agreement. There are no firm plans to deliver more than 2500 AF/Y through the pipeline, so any delivered water now should not be counted as an “offset”.

To add to the uncertainty of the groundwater resource on the Mesa, the ongoing lawsuit by the Northern Cities against NCS D (and the County) is asking for a court order to suspend these types of projects until that 2500 AF/Y is available from the pipeline. Allowing this project to proceed with its net loss of groundwater might expand the County’s involvement in the lawsuit.

GENERAL QUALIFICATIONS AND EXPERIENCE

I have a Bachelor’s Degree from MIT, a Master’s Degree in Engineering from Stanford, and an MBA from Santa Clara University. I am a registered Professional Engineer (#1465) in California and I ran my own business (Capri Technology Inc.) for over 30 years, specializing in computer software and systems for nuclear power plants. I have written research reports for public research agencies (EPRI), dealt with federal regulatory agencies and developed and installed computer software that meets stringent federal and state requirements. As a consultant, I also provide independent reviews and assessments on

third-party reports and projects. I am an “expert” on the software development process, especially Independent Verification and Validation (IV&V) according to IEEE software standards.

WATER-RELATED QUALIFICATIONS AND EXPERIENCE

I have been interested in and involved with Nipomo Mesa water issues since 2008 when the Final Judgment was approved in the Santa Maria Groundwater Litigation (Lead Case No. 1-97-CV-770214). As the representative of a stipulating party (BLMA), I attended all of the NMMA technical group meetings for the first 2 years and have read all the annual reports. I have also attended WRAC meetings and provided input to our District 4 representative on agenda topics of interest to the Nipomo Mesa.

I have made numerous public presentations regarding the state and health of the Santa Maria Valley water basin based on the information in the annual reports presented to the Court. These presentations were to provide the voting public with information needed to evaluate the (then) proposed pipeline from Santa Maria to NCS D.

I welcome questions and further discussion with other peer reviewers on this application. It is in the best interests of all the property owners on the Nipomo Mesa to have a defensible estimate of water use and sources for this proposed project.

Please do not hesitate to contact me if you have any questions or require further information.

Sincerely,

William Petrick
Professional Engineer License # 1465

e
Nipomo CA 93444

bpetrick@capritechnology.com

cc: Kit Carter (email only)
Supervisor Lynn Compton (email only at <jbrennan@co.slo.ca.us>)
Jocelyn Brennan <jbrennan@co.slo.ca.us> (email only)

Attachment: Independent Water Use Calculations for CUP:SUB2015-00035

Independent Water Use Calculations for CUP SUB2015-00035

The section of the Conditional Use Permit (CUP) application, SUB2015-00035, addressing the water use for the subject project is based on numbers and assumptions from the NCS D intent-to-serve (ITS) application, dated 8/19/2014. The ITS application was for a very different project and it did not include any justification for many of its assumptions.

The purpose of this calculation is to document the basis for the assumptions used in the ITS and apply them to the actual project being proposed. The results are very different from those stated in the CUP.

In my opinion, the "best" source of reference data for water issues on the Nipomo Mesa are the NMMA Technical Group (TG) annual reports, submitted each year to the Court. In the following analysis, references to the section in the latest annual report (2014) are provided where applicable.

Blacklake Golf Course Area

The golf course area is identified Table 3-5 of the NMMA report (see below). I assume the 451RS Zoned Parcels covering 172 acres is the Blacklake Golf Course because the Unit Production (AF/acre) is 2.6 (the same value as used in the ITS calculation). Furthermore, in the CUP application, the golf course is described as 27-holes covering approximately 200 acres, so these are consistent. For the rest of this calculation, I will use the NMMA value of 172 acres for the golf course area. **[ASSUMPTION #1]**.

Table 3-5. Calendar Year 2014 Estimated Groundwater Production for Other Land Uses

Land Use Type	Water Use Area (acres)	Unit Production (AF/acre)	Production (AFY)
Golf Course ²	471	3.8	1,805
451RS Zoned Parcels ¹	172	2.6	452
616 RR Zoned Parcels ¹	243	2.6	637
Total	886		2,894

Note:

1. Unit production values from NCS D 2007, Water and Sewer Master Plan Update
2. Woodlands Golf Course groundwater production is included in Table 3-3 and therefore not included here.

The CUP application shows a water savings because two holes will be abandoned/taken out and not watered. Without any topographical maps or area measurements, the value of 20 acres seems too high. If 2 holes (out of 27) are to be abandoned, then that is $2/27 \times 172 = 12.7$ acres (not 20). Thus, any water savings in the ITS and CUP applications due to reduced turf area should be based on 12.7 acres, not 20 acres. [ASSUMPTION #2]

Blacklake Golf Course Water Production

The CUP application lists the groundwater production due to the Blacklake golf course as approximately 400 AF/yr from wells and 50 AF/yr from reclaimed wastewater. This agrees with the 172 acres using 2.6 AF/yr (=447 AF/Y total) in Table 3-5.

So, where does the 2.6 AF/yr come from? This is an assumption (without reference) used in both the NMMA report and the CUP application. I am personally familiar with the deterioration of the Blacklake golf course over the past 10 years, so I am certain there is much less water being used than previously. Unfortunately there are no measuring devices on the golf course wells, so I used a different indirect method to verify the 2.6/yr unit production assumption.

The Blacklake golf course uses the recycled water from the Blacklake wastewater plant to water 7 of the 27 holes (~25% of the total area = 45 acres). The NMMA report shows that the effluent from the wastewater plant is approximately 43 AF/yr (Table 3-7 of the NMMA report) and the application claims 50 AF/yr. I believe the 50 is the influent value in Table 3-7, not the effluent, since the source of the data (NCS D) should be the same. Using 43 AF/Y to cover 45 acres of the golf course results in a Unit Production of 0.95 /acre.

[ASSUMPTION #3]. This is 36% of the 2.6 value used in the NMMA report. I believe this is a more correct number because those 7 holes are greener than the other parts of the course, so, if anything, that value is still too high.

Using a value of 0.95, brings the total water use at Blacklake golf course to $172 \times 0.95 = 163$ AF/YR (instead of 447 AF/Y).

Groundwater Recharge from the Blacklake Golf Course

There are three possible recharge sources on the golf course: well irrigation, wastewater irrigation, and rainfall. I assume that any water that hits the turf area on the golf course follows the same path to recharge the aquifer (after it passes the vadose zone). Here is where the NMMA report and the CUP application are confusing and possibly inconsistent.

The total land area of the NMMA (sic) is approximately 21,000 acres (section 2.1.1). Table 3-2 provides a breakdown of the land use that shows urban, ag, and native use. If I assume the area covered by urban housing (less the golf courses and urban rural) does not contribute to the recharge because the water runs off these surfaces, then the total area which receives rainfall is $21,147 - 10460 + 599 + 4829 = 16115$ acres.

The total rainfall for the 2014-year was approximately 10" or 0.83 ft. (section 5.1). This resulted in approximately 323 AF of recharge for 2014 (section 5.1). Therefore, there is some type of hydrologic factor (transmissivity, storativity, or what?) that applies to rainfall recharge, i.e.

$$\text{Recharge} = \text{acres} \times \text{rainfall (ft/yr)} \times \text{factor}$$

so, using the NMMA numbers
Factor = $323 / (16115 \times 0.83) = 0.02$

This “factor” implies that only 2% of any water hitting the ground ever makes it to the aquifer recharge.

The NMMA report offers another way to check this estimate. The return flow from outdoor use (section 5.7) assumes 44% of outdoor use is returned as recharge. Outdoor use, here, includes the golf courses, yet the statement above that one in section 5.7 suggests that residential outdoor use does not contribute to recharge (only rainfall does). These two statements in the NMMA report seem (to me) to be in conflict.

The intent-to-serve letter uses 80% as the recharge value for wastewater sprayed on the golf course, however, it provides no explanation of where this number comes from and there seems to be no reference in the NMMA report for a value this high.

If the correct number for recharge is 2%, then the effect of aquifer recharge due to irrigation on the golf course is too small to consider (just as the NMMA stated in section 5.7 for residential outdoor use). **[ASSUMPTION #4]**

New Development Water Use

The proposed development is a resort with large rooms and the expectation that families and groups would stay there. However, the water use values used in the ITS calculations are based on other facilities with no explanation of how they may apply to the current proposal. For example, the water use in a hotel/resort is dependent on the occupancy rate for the facility and the number of occupants in each room. The ITS application gives total yearly water use without any information on how many days the rooms were actually occupied. Values of 0.10 and 0.15 AF/Y/unit seem way too low and are not consistent with the State conservation target of 0.15 AF/capita/yr. (per capita NOT per unit).

The NCSD GM produces a monthly report on the water production (see NCSD website/board meetings/board packets/section F). Using the NCSD data for the current year, which includes significant water conservation, the projected water use for the 4335 connections is approximately 76% of the previous year (2310 AF) = 1755 AF. Therefore, the water use/connection is $1755/4335 = 0.4$ AF/connection. **[ASSUMPTION #5]**. This number agrees well with the State conservation target of 0.15 AF/capita/yr. considering there are approximately 12,000 customers associated with the 4335 connections. The per capita use = $0.4 \text{ AF/connection} / 2.77 \text{ customers/connection} = 0.14$.

Revised Water Utilization Calculation

Sections of the ITS application are copied below and annotated to describe the revised water utilization calculation. Wherever there is a reference to an assumption (discussed above), that assumption is identified along with the revised numbers.

Existing Resort – Turf, Landscape and Domestic Water Uses

Existing Resort - Turf, Landscape and Domestic Water Uses	
Source	Annual Consumption AFY
Wells (400 to 500 AF Annually)	400 Approximate, varies year to year
NCS D Treated Waste Water Currently Utilized	50
NCS D Domestic Water (Metered)	8.5
Total	458.5

Using ASSUMPTIONS #1&3: The “Wells” value should be 163 AF/Y instead of (400+50 = 450). The total should be 171.5 AF/Y (instead of 458.5).

Proposed Water Savings Due to Resort Modifications (Changes in Turf)

Proposed Water Savings Due to Resort Modifications (Changes in Turf)			
Modification	AC and AFY	Rate ft/yr or %	AFY
Reduced Turf Area (AC)	23	2.6	59.8
Improved Irrigation System (AFY)	458.5	0.05	22.9
Conversion of Turf to Vines/Orchards (AC)	15	1	15.0
Increase in Pond Area (AC)	1.5	1.87	-2.8
Total			94.9

Using ASSUMPTION #1&2&3: The reduced turf area uses the same assumption for water use on the golf course as the previous section (0.95 AF/Y vs. 2.6 AF/Y and 12.7 acres vs. 23), resulting in a total of 12 AFY vs. 59.8 AFY for reduced turf area.

NOTE: The remaining three entries in the table have no technical basis in the ITS or CUP. They are unsubstantiated numbers and should be ignored. Therefore the only contribution to the “Total Water Savings Due to Resort Modifications” is the reduced turf area, resulting in a savings of 12 AFY vs. 94.9 AFY.

Proposed New Development Water Usage Imported from NCS D

Proposed New Development Water Usage Imported from NCS D			
Unit Type	Unit Quantity	Rate ft/yr	AFY
Golf Bungalows (Single Family)	93	0.15	14.0
Hotel Suites and Facilities	130	0.1	13.0
Retirement Village	52	0.1	5.2
Total			32.2

Using ASSUMPTION #5: The per unit use for the hotel and condos should be closer to the conservation target and historical NCS D customer use rather than the unknown data presented in the ITS. A value of 0.4 AF/Y vs. 0.10 or 0.15 is assumed here. The resulting water use for the 170 rooms is 68 AFY vs. 32.2 AFY.

Resulting Additional Waste Water Recharge from New Development

Resulting Additional Waste Water Recharge from New Development			
Unit Type	Water Usage AFY	Recharge Rate %	AFY
Golf Bungalows (Single Family)	13.95	80%	11.2
Hotel Suites & Facilities	13	80%	10.4
Retirement Village	5.2	80%	4.2
Total			25.7

Using ASSUMPTION #4: The recharge rate of 80% cannot be justified. A value of 44% or 2% can be derived or inferred from the NMMA report. Adjusting for the increased water use of 68 AFY (see previous table) and using the 2% recharge rate, then the recharge is 1.4 AFY (negligible).

Projected Water Savings from the CUP

Projected Water Savings	
Item	AFY
Resort Modifications (Reduction in Turf)	94.9
Waste Water Recharge From New Developer	25.7
Total Project "Savings"	120.6

Projected Water Savings – This Analysis

The NET projected water savings must include the NCSD served water (which the CUP table does not). The new totals for the actual CUP application, based on the previously documented assumptions are:

Item	AFY
Resort Modifications	12
Waste Water Recharge from New Development	1
Water Imported from NCSD for New Development	-68
TOTAL PROJECT SAVINGS	-55



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Follow up on Blacklake meeting
From: Lynn Compton/BOS/COSLO - Monday 01/11/2016 08:44 AM
Sent by: Jocelyn Brennan/BOS/COSLO

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:44 AM -----

From: Hugh Loftus <hloftus_nadbank@verizon.net>
To: lcompton@co.slo.ca.us
Date: 01/09/2016 05:33 PM
Subject: Follow up on Blacklake meeting

Dear Supervisor Compton:

Once again I thank you for coming into the community to hear our concerns about the proposed Rossi development. I'm sorry that I messed up the time and missed so much of the presentation and discussion and apologize if I bring up already plowed ground. I have a number of concerns about the proposed project ranging from content and impact to process and am particularly grateful for your invitation to send this email.

Let us start with the purpose of the Specific Plan (the Plan). Simply put its purpose is to lay out the County's (my emphasis) requirements for development and land use in the covered area. The Plan defines goals, i.e., preservation of open space and of views with focus on the golf course, and it grants implicit authority for specific development and the conditions that will apply to them, roads, drainage, water, etc. I would suggest that the plan did not "contemplate" future development as asserted, meaning an intent to support it, but simply sets out the criteria which any such additional development would be required to meet. It also specifies that proposals which are not consistent would require the development

and approval of an amended plan. This proposal is not consistent with the Plan in a number of particulars:

The Plan allows for changes to the golf course but this proposal does not change the course, it permanently eliminates about 12% of it.

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The current plan is the product of the County's negotiation with the various landowners and developer for additional residential build out in Blacklake. The County at that time extracted the various concession and commitments that became the elements of the plan. Essentially, the county took away some of the developer's potential value to achieve a public purpose and

all parties acted in good faith. Exactly what public purpose is being met by now giving those development rights to another party?

The developer in the case, Mr. Rossi, is a well known, experienced and, by his own assessment, a successful developer in the County. Therefore we can assume that he knew exactly what

he was doing when he bought in Blacklake and was fully aware of and accepted the terms and conditions attendant thereto, the Plan and the CC&R's. Nobody made him take the risk.

Now consider his stated rationale for the project, returning the golf course to profitability.

Many of us note that generally poor conditions in the industry are probably factor but the biggest problem has been his complete disregard for management and operations. He has neglected, some would say deliberately, any effort to improve the course or market it. As I mentioned why would he stop co-marketing it with Avila his other property? Fixing his poor business decisions and management is clearly not a legitimate public purpose issue since this was a risk he took when he bought the business. There is no public purpose met by bailing him out. On the contrary, granting his request could be construed a "gift of public assets" since the County presumably accepted the development rights, which had value, at the time of the Plan's negotiation on behalf of all the residents of the County. Such a gift would not be allowed in California.

My preference is that this proposal should not be approved on its face. However, assuming that won't happen, I hope you require that it be fully analyzed including all public reviews and appropriate actions by responsible parties, no shortcuts.

I believe that the County as part of its review should require and review a feasibility study related to the inherent viability of the development and its impact on golf course operations. Again, since the golf course has been identified as a critical component and allegedly the driver of the plan, considering the reasonableness of the assumptions underlying the proposal and likelihood of success are a legitimate area of concern for the County. Why go through the pain if it isn't going to work and you could have know it all along. This represents an extreme impact on this community and it is reasonable that the development be seen to do only what is necessary not as much as possible. Beware this is not just a disguised bailout for Rossi. As mentioned at the clubhouse, he owes in excess of \$6 million on the property, much more than it is worth, and he and the Rossi Family Trust are guarantors so he can't just declare bankruptcy and walk away. He has been conspicuously silent on these facts but they are a matter of public record and are clearly the drivers for this effort

From a purely personal perspective, if nothing more can be done I would like to see the Villas at the Oaks just go away. They are crushingly negative to me and my neighbors. Consider; the developer was able to mitigate the loss of the surrendered development rights when the current Plan was adopted by charging substantial premiums for homes on the Oaks 9 course because of their protected views, protected by the County extracting the open space easement on the golf course (regardless of the fact the County failed to follow through securing it). These premiums ranged up to 6 figures. Even now it is the views that make these houses worth more than others. That will end. Additionally, these homes were specifically designed to take advantage of the views, and the privacy protection it afforded, by being mostly all glass across the back. The "Villas at the Oaks" would be positioned, by site and elevation, to look directly several of these homes, including mine, even as they cut off our views.

The cost of regaining some of the lost privacy through window covering, etc. is significant.

While I am not one, some of the current owners were original buyers who paid out in full for these protected views.

Were they defrauded? Personally, when considering buying, being told that nothing could be built to block my view was a huge factor in the buy decision. Was I defrauded?

Further to “just getting rid of the Villas”, the Planning Department’s response to the initial proposal was impressively thorough, but it did not specifically address some of the problems associated with this element.

The Plan calls for a minimum 50 foot setback from the crest of Blacklake Canyon. Add to that the appx. 60 foot right of way for a road and 100 feet of lot size, the footprint comes well into what is the fairway

behind my house. There appears no way you could have that much encroachment and still have any part of a golf hole, a promise of Rossi. I accept this is NIMBY but it really is in my backyard. No other part

of the development except possibly the Hotel for those living adjacent to the golf course has as much impact.

Now a couple of random thoughts for your consideration:

Making the Villas sfr’s instead of rentals may be preferable to but it would be a direct violation of the CC&R’s requiring a very unlikely approving vote of 75%. Regardless of people's opinions getting 75% of

anything is tough. And, regardless of the BLMA’ s stance, anyone can sue to stop a non-compliant project. Expect it.

Any reliance on on street parking to meet the requirements of the various development elements should not be permitted.

Regardless of what you might have heard, there has been absolutely no effort by anyone to take a survey or straw pole of the community regarding this project. The BLMA Board has specifically rejected

several requests to do so claiming too many people wouldn't respond. So called supporters fear closure of the golf course, a zero risk proposition, and being sued, again, by Rossi.

Probably because he has made the threat.

The so-called settlement agreement has no standing here and much of the attorney’s opinions are moot as the project has mutated. But the approval of the ARC will still be required and the nature of it vis what the

builder wants cannot be assumed

Again, let me thank you for your consideration and I would be happy to discuss any of these matters if desired.

Hugh Loftus

Nipomo

A copy was sent to your aide.



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Vote yes with Board for Rossi Blacklake Plan
From: Jocelyn Brennan/BOS/COSLO - Monday 01/11/2016 08:50 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:48 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:35 AM
Subject: Fw: Vote yes with Board for Rossi Blacklake Plan
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:35 AM -----

From: "Marna Lombardi" <marnalombardi10@gmail.com>
To: <lcompton@co.slo.ca.us>
Date: 01/10/2016 07:37 AM
Subject: Vote yes with Board for Rossi Blacklake Plan

Lynn,

Thank you for coming to Blacklake this past week and sharing the work that you and the Board of Supervisors are doing.

We live in Trilogy but have a condo rental at Blacklake – **we urge you to vote with the current Board at Blacklake – we are for Rob Rossi's plan to expand and we are for the residency.** We believe that it is good for our community and for the golf course.

Thank you,

Marna and Kimball Lombardi
Nipomo, CA 93444

marnalombardi10@gmail.com

Rental unit: 1405 Golf Course Lane, Nipomo, CA 93444

This email has been checked for viruses by Avast antivirus software .
www.avast.com



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: BLMA CUP
From: Jocelyn Brennan/BOS/COSLO - Monday 01/11/2016 08:52 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:52 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:39 AM
Subject: Fw: BLMA CUP
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:38 AM -----

From: Dave Ditzler <dditzler@aol.com>
To: lcompton@co.slo.ca.us
Cc: Dave Ditzler <dditzler@aol.com>
Date: 01/11/2016 12:24 AM
Subject: BLMA CUP

Dear Supervisor Compton,
I was most pleased to see/hear you Friday at Blacklake. You are most energetic. I can hardly wait to see you speak when you do not have a cold. I really appreciate your comprehensive overview and your bringing along all the "players" in the Blacklake Specific Plan and CUP request. Robin and I own three condos in Tourney Hill HOA, A Village In Blacklake, under BLMA.

I ask that you and The Board of Supervisors Favorably consider the CUP request as that would be the best decision for BLMA. I have been in Real Estate (licensed in CA and WA) for decades, worked on the Coronado SFR and Business Zoning updates, just stepped down as the chair of the ARC in my Washington State HOA (Port Ludlow) and have served on many HOA, County, City and RE Committees. Making the Planned units SFR and Having them fall under the BLMA Umbrella would serve the community and the County's best interests and meet Mr. Rossi's needs as well.

I have seen it both ways and hope/pray you and the BOS will allow the CUP. Again, I am most impressed by your heroic presentation (in light of your voice and health) and hope to see you about. Thank you for your time and attention in this matter.
Dave Ditzler

Nipomo

Sent from my iPad



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Support for Rossi Plan at Blacklake
From: Jocelyn Brennan/BOS/COSLO - Monday 01/11/2016 08:54 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:53 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:39 AM
Subject: Fw: Support for Rossi Plan at Blacklake
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:39 AM -----

From: wcrookes@charter.net
To: lcompton@co.slo.ca.us
Date: 01/11/2016 05:52 AM
Subject: Support for Rossi Plan at Blacklake

Dear supervisor Compton, I am writing you in support of the Rob Rossi plan to improve the Blacklake community with his new development plan. I believe he has acted in good faith to the current homeowners by acquiescing to many of their (our) concerns. I certainly hope you and the other supervisors will support him in this plan.

regards
Wally Crookes
Blacklake homeowner



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Rossi Plan at Black Lake
From: Jocelyn Brennan/BOS/COSLO - Monday 01/11/2016 08:55 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:55 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:40 AM
Subject: Fw: Rossi Plan at Black Lake
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:40 AM -----

From: elizabeth williams <lizandrchw@yahoo.com>
To: "lcompton@co.slo.ca.us" <lcompton@co.slo.ca.us>, "jbrennan@ca.slo.ca.us" <jbrennan@ca.slo.ca.us>, "fmecham@co.slo.ca.us" <fmecham@co.slo.ca.us>, "bgibson@co.slo.ca.us" <bgibson@co.slo.ca.us>, "vshelby@co.slo.ca.us" <vshelby@co.slo.ca.us>, "cmckee@co.slo.ca.us" <cmckee@co.slo.ca.us>, "ahill@co.slo.ca.us" <ahill@co.slo.ca.us>, "hmill@co.slo.ca.us" <hmill@co.slo.ca.us>, "darnold@co.slo.ca.us" <darnold@co.slo.ca.us>
Date: 01/11/2016 08:36 AM
Subject: Rossi Plan at Black Lake

To Our Honorable County Supervisors:
My husband and I have been residents in Black Lake Village for 16 very happy years!
It is a wonderful community with many wonderful people residing here. We realize the need for Mr. Rossi to make a profit on his investment in this golf course. We, also, want to see our area thrive and be enhanced. We do not object to a hotel(s), but opening up our neighborhoods to vacation rentals would mean a constant influx of people intermingled in a quiet area. I would mean many people here

for the short term with no interest in retaining this quality of life. To us, this would be an invasive element. We would much prefer more single family homes than vacation rentals. When people buy into Black Lake they buy in because they value the quality of life here and would have an interest in maintaining it.

Please consider these thoughts when you make your final decision.

Liz and Richard Williams



Fw: 4 the Rossi project

Jocelyn Brennan to: cr_board_clerk Clerk Recorder
Cc: Adam Hill, Bruce Gibson, Debbie Arnold, Frank Mecham,
Hannah Miller, Jennifer Caffee, Vicki Shelby, Cherie McKee

01/11/2016 08:56 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:55 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:40 AM
Subject: Fw: 4 the Rossi project
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:40 AM -----

From: David Weitzel <davidweitzel1@gmail.com>
To: Lynn Compton <lcompton@co.slo.ca.us>
Date: 01/11/2016 08:36 AM
Subject: 4 the Rossi project

I plan to attend the meeting and speak in favor of the Rossi project.

If people are opposing, My guess is they do not understand, A vote against is for the rental plan. No one I know wants that.

Have a fun day.

dave



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Black lake Development
From: Jocelyn Brennan/BOS/COSLO - Monday 01/11/2016 08:56 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:56 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:41 AM
Subject: Fw: Black lake Development
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:41 AM -----

From: Rachael Hazen <rhazen@webtv.net>
To: lcompton@co.slo.ca.us
Date: 01/11/2016 08:36 AM
Subject: Black lake Development

Dear Supervisor: I am not in favor of having a hotel or "hospitality business" venture in the middle of my quiet residential neighborhood. Nor am I in favor of all the new traffic, trucks and heavy machinery, noise, air pollution, dust that comes from construction in the middle of my quiet, relatively clean neighborhood. I don't know anyone who wants to buy a house near a hotel so they can watch or hear the traffic and transient population go in and out. We also have a continuing water problem- not going away because it's raining now. We live in a desert climate. Also, we have had our water rates raised and must conserve. We won't save water by bringing more people in. Are we supposed to subsidize Rossi's investment by paying for and saving enough water for his development venture? I am not going to reap any benefit from this-and neither is anyone else living in Blacklake. It's a money maker for Rossi. We also will need the supplemental water in order to achieve Rossi's "zero sum" or "positive" water usage - making no sense as we didn't have access to that water until Nov. and it is termed "supplemental" because it is extra.

In summary, I can't see that this is of any benefit to our community of residents. I understand the bank is the reason Rossi has to try to make more money. If Rossi overextended himself to acquire this investment, it his problem and neither I nor anyone should have to bail him out due to his poor business choices. He's never had to bail me out.

Thank you, Rachael Hazen
Sent from my iPhone



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc:
Bcc:
Subject: Fw: Jan 12 2016 Rossi Proposal re: Blacklake Village Development
From: Jocelyn Brennan/BOS/COSLO - Monday 01/11/2016 08:57 AM

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:57 AM -----

From: Lynn Compton/BOS/COSLO
To: Jocelyn Brennan/BOS/COSLO@Wings
Date: 01/11/2016 08:42 AM
Subject: Fw: Jan 12 2016 Rossi Proposal re: Blacklake Village Development
Sent by: Jocelyn Brennan

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 08:41 AM -----

From: anne <annebirds@gmail.com>
To: lcompton@co.slo.ca.us, jbreannan@co.slo.ca.us, fmedham@co.slo.ca.us, vshelby@co.slo.ca.us, bgibson@co.slo.ca.us, cmckee@co.slo.ca.us, ahill@co.slo.ca.us, hmiller@co.slo.ca.us, darnold@co.slo.ca.us
Date: 01/09/2016 01:12 PM
Subject: Jan 12 2016 Rossi Proposal re: Blacklake Village Development

Dear Supervisors,

My husband and I are residents of Blacklake, in the Legends subassociation. First, I would like to thank you all for your careful consideration of this matter and your expressed concern for its impact on the residents of Blacklake.

I will be brief: We are not opposed to Mr. Rossi's proposal to build a hotel and additional golf course related amenities such as the renovated clubhouse and a golf academy.

However, we are definitely opposed to his proposal to construct time share/rental units on the existing golf course, especially Canyons hole number 5 which is directly across a narrow street from existing homes.

Blacklake has evolved over the last 30 years into a very quiet, safe residential neighborhood comprised almost completely of senior homeowners. We ourselves moved here for the peace and quiet. Situating short

term transient units intended for vacationing (i.e., let's face it, partying) groups within the existing neighborhoods has great potential to disrupt the character of our community. Mr. Rossi can accommodate his desire to attract tourists to the golf course with his hotels alone.

If Mr. Rossi changes his proposal to make these units single family homes for purchase, it would be more in keeping with the nature of Blacklake. However, building on the existing golf course is a violation of the Blacklake CC&Rs and also does not comport with the intent of the Specific Plan. Therefore, we request the Board to reject the element of residential units in Mr. Rossi's plan.

Thank you.

Anne and Bing Kunzig

Nipomo, CA



Fw: Town Hall Meeting

Lynn Compton to: cr_board_clerk Clerk Recorder

01/11/2016 09:29 AM

Sent by: **Jocelyn Brennan**

Cc: Adam Hill, Bruce Gibson, Debbie Arnold, Frank Mecham,
Hannah Miller, Jennifer Caffee, Vicki Shelby, Cherie
McKee

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 09:29 AM -----

From: "Richard Walsh" <rswalsh@verizon.net>
To: "Lynn Compton" <lcompton@co.slo.ca.us>
Date: 01/11/2016 08:57 AM
Subject: Fw: Town Hall Meeting

From: [Sandy Vaughan](#)

Sent: Saturday, January 09, 2016 11:59 PM

To: rswalsh@verizon.net

Subject: RE: Town Hall Meeting

I definitely stand with the idea of single family homes.

Sandra Vaughan Legends at Blacklake



Fw: Rossi Development

Lynn Compton to: cr_board_clerk Clerk Recorder

01/11/2016 09:30 AM

Sent by: **Jocelyn Brennan**

Cc: Adam Hill, Bruce Gibson, Debbie Arnold, Frank Mecham,
Hannah Miller, Jennifer Caffee, Vicki Shelby, Cherie
McKee

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 09:30 AM -----

From: "Richard Walsh" <rswalsh@verizon.net>
To: "Lynn Compton" <lcompton@co.slo.ca.us>
Date: 01/11/2016 09:11 AM
Subject: Rossi Development

I support the Rossi development and would like to see homes rather than rentals .

Richard Walsh (Legends at Blacklake)



Letter from Black Lake management association

Jocelyn Brennan to: cr_board_clerk Clerk Recorder

01/11/2016 10:51 AM

Cc: Adam Hill, Bruce Gibson, Debbie Arnold, Frank Mecham,
Hannah Miller, Jennifer Caffee, Vicki Shelby, Cherie McKee

1 attachment



Board of Supervisors letter.docx

Sincerely,
Jocelyn Brennan
Legislative Assistant to Supervisor Lynn Compton
San Luis Obispo County, District 4
(805) 781-4337
(800) 834-4636 x 4337

BLACK LAKE MANAGEMENT ASSOCIATION

January 11, 2016

Board of Supervisors
San Luis Obispo County

Re: Blake Lake Golf Resort, LLC proposed development

Dear Board of Supervisors:

I am the elected president of the Black Lake Management Association, the Master Homeowners Association established to administer and manage the Black Lake Community. I send this letter relative to Rob Rossi's proposed development of portions of the existing golf course property within Black Lake on behalf of the Board of Directors of the Black Lake Management Association.

After numerous discussions with Mr. Rossi and his team regarding proposed uses and designs which would be compatible with and acceptable to the Board of BLMA and its membership, the Board of Directors has recently formally determined that it would not object to the current proposal submitted to the County and would not insist upon a vote of the membership of the Association to approve an amendment to the Declaration of Covenants, Conditions and Restrictions as a condition of support for the project.

This determination of the Board was based on multiple considerations, including but not limited to the fact that the Board believes that the proposed modifications and additions proposed to the golf course property will improve and revitalize the golf course facility that is an integral to the community and it will do so without fundamentally changing or impairing the interests of homeowners who purchased homes located adjacent to fairways or with golf course views. Prior iterations of the proposed development were unacceptable in large part because the interests of owners with homes on the golf course would be impaired if the development was on existing fairways with homes in place. Further, in discussions with Mr. Rossi, he has committed to among other things, significant improvement of the golf course infrastructure and conditioning, which will benefit all members of the BLMA and sub-associations while allowing the golf course business to survive and prosper.

The Board's position concerning this proposed development is predicated on Black Lake Golf Resort LLC going through all the required governmental processes and obtaining approvals therefore and then going through the Architectural Review process under the CCRs to ensure that the architectural styles, locations, colors and materials are harmonious with the rest of the committee based on final construction plans and specifications. It is also predicated on the Board's request to the Board of Supervisors that the County provide appropriate oversight and conditions on the project to ensure

that the interests of the members of the BLMA and its sub-association's are properly protected.

It should be noted that the Board of Directors still believes that an amendment to the CCRs relative to development of new residential units on the golf course property "should" require an amendment to the CCRs approved by 75% of the membership because it changes the use of the property from recreational to residential and the golf course property is specifically designated as for recreational and open space purposes. However, given its view that the overall proposal is advantageous to the community, that the amendment process would be very difficult to obtain and costly to pursue, as well as the significant Association resources that would be used in the event any legal proceeding to determine whether such an amendment is really necessary, the Board has come to the conclusion that the proper course of action is to not oppose Mr. Rossi's proposed development.

If the Board has any questions which I can answer further as to the position of the BLMA Board of Directors, please let me know and I will be happy to attempt to respond.

Very truly yours,

Board of Directors of Black Lake Management Association

Bob McGill, President

To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings,
Cc: Paul Thomey/BOS/COSLO@Wings, Tessa Cornejo/Admin/COSLO@Wings,
Bcc:
Subject: Fw: Blacklake-1-12-16 Agenda Item
From: Stephanie Fuhs/Planning/COSLO - Monday 01/11/2016 11:26 AM

More correspondence for Item 18 on tomorrow's agenda.

Stephanie Fuhs
Planner

County of San Luis Obispo

805.781.5721 (office)

805.781.1242 (fax)

email: sfuhs@co.slo.ca.us

website: sloplanning.org

----- Forwarded by Stephanie Fuhs/Planning/COSLO on 01/11/2016 11:25 AM -----

From: "Carters" <Carterstwo@earthlink.net>
To: <lcompton@co.slo.ca.us>, <ahill@co.slo.ca.us>, <bgibson@co.slo.ca.us>, <fmecham@co.slo.ca.us>, <darnold@co.slo.ca.us>
Cc: <sfuhs@co.slo.ca.us>, <tmcnulty@co.slo.ca.us>
Date: 01/11/2016 11:16 AM
Subject: Blacklake-1-12-16 Agenda Item

Board of Supervisors

County of San Luis Obispo

Subject: Proposed Amendment to Blacklake Specific Plan, January 12, 2016

(Emailed 1-11-16)

My apologies, that this is an 11th hour email but it is due to the passage below in red.

I "get it" that the golf course at BL is in the toilet. I "get it" that Mr. Rossi bought high and desires a grandiose project to balance his ledger. I "get it" that the so-called expert arguments before you in support of this project may appear compelling. And I "get it" that those homeowners who do not oppose such a plan are also not directly impacted.

This is a pivotal moment wherein the County will decide if is going to nuke its own Specific Plan at BL.

The Black Lake SP was created and successfully executed to complete buildout years ago but is now being subjected to a bought and paid for interpretation that would benefit Mr. Rossi but punish homeowners who bought into the SP which clearly identifies the golf course, not as a target for destruction, but rather as significant visual resource, to be protected by an open space easement, with the specific intent that it not be used for non-recreation use. If the intent and spirit of this language is to be set aside, then of what value is any part of the Plan? The homeowners are clearly the major stakeholder here, are most at risk in this matter yet have no voice-why then is there not at least a County survey or better yet, a vote of the homeowners on such an important matter?

Speaking of that easement, I do not see a response to Supervisor Gibson's direction from last March in which he wanted to know why that was not done then or could not be done tomorrow.

I defer to him.

The core objective in this application is to essentially replace DUs sold off, previously used for "stay & play" facilities in the hey-days of the GC when annual rounds were north of 100,000 a year. Replacing these facilities with a more modest lodge and tournament related facilities meets this objective. In other words, what is needed is a more modest plan to accommodate this need without

drastically impacting the community.

However, the plan filed last November is not only overkill, it may not even work, given its location

and nearby competing golf courses. Simply stated, scheme benefits Mr. Rossi but not the homeowners.

Imagine, if you will, a five-story hotel? Immediately adjacent to homes on both sides and towering over the entire community?

When I read the Staff Report before you, I specifically looked for fresh input since the plan from last March was off the table. Instead, the application to amend the SP somehow morphed into a treatise on

a CUP filed in November, a filing, by the way, that we at BL had no prior inkling of! Let me be clear: this plan is not the result of joint effort as directed by your Board last March.

Subsequent to the posting of this agenda item, correspondence was posted on Friday, Jan 8, with that "new input" in the form of a letter with more than 100 pages to Counsel, dated December 28, *but not*

provided to the Project Manager until last Friday . This being the case, the application before you does not have the benefit of proper Staff analysis and input to your Board. I would be interested in your take.

Turning to the staff report, it states that you directed the applicant to work with the property owners to develop a project that was acceptable to the neighbors. There was no tangible "working with us", rather

it was a series of didactic presentations culminating in a surprise CUP application in November. I say again, a more modest lodge facility would be a much better fit and all that is needed to cure the need for golf

related accommodations.

Along with other issues on water and CC&Rs, this application is still not right for processing and therefore I ask the Board to "not authorize".

If, however, your Board moves to authorize this application to proceed, as referenced in the above correspondence, that you include a "revised scope" to wit: require (1) a complete plan of works for GC restoration

as a condition of plan approval of development and completion of same before issuing any certificates of occupancy and (2) that the remainder of the GC be subject to the terms of the Specific Plan that requires an

Open Space Easement to the County.

Kit Carter



To: cr_board_clerk Clerk Recorder/ClerkRec/COSLO@Wings, Adam Hill/BOS/COSLO@Wings, Bruce Gibson/BOS/COSLO@Wings, Debbie Arnold/BOS/COSLO@Wings, Frank Mecham/BOS/COSLO@Wings, Hannah Miller/BOS/COSLO@Wings, Jennifer Caffee/BOS/COSLO@Wings, Vicki
Cc:
Bcc:
Subject: Fw: Blacklake Project
From: Lynn Compton/BOS/COSLO - Monday 01/11/2016 11:40 AM
Sent by: Jocelyn Brennan/BOS/COSLO

----- Forwarded by Jocelyn Brennan/BOS/COSLO on 01/11/2016 11:40 AM -----

From: Candyce Espinoza <candycej@charter.net>
To: lcompton@co.slo.ca.us
Cc: rswalsh@verizon.net
Date: 01/11/2016 10:46 AM
Subject: Blacklake Project

Supervisor Compton:

We are opposed to the Rossi project.

We bought our two Blacklake vacation rental properties, one each in 1997 and 1998, as a plan toward retirement in the area. We still own and manage them. In 2004 we were happy to retire,

buy our home in the Fairways and move here from the Central Valley. We later sold that home and moved in 2014 to the Legends where we currently live.

When we moved to this area, we had the understanding that the Blacklake development was "built out" according to the Specific Plan. We looked at other areas including new developments in

Santa Maria, Trilogly and Cypress Ridge. We found we weren't interested in those areas as we liked the mature natural beauty and quietness of Blacklake and didn't want to live for years with

ongoing construction.

Another reason we are opposed to the project - we are concerned that funding may be insufficient to bring this new project to completion. Nothing would be worse than a project of this size

that is started, then abandoned due to a lack of funding.

Finally, we are not confident that even if this project is approved and finished, the Blacklake golf course will be improved and/or properly maintained as promised.

For those and other reasons including traffic congestion, building density, diminished open space and water concerns, we are opposed to the project. Thank you for the opportunity to express

our opinions.

Art and Candyce Espinoza