



## 1.0 INTRODUCTION

### 1.1 Project Overview

The California Department of Parks and Recreation (State Parks) Oceano Dunes District manages Pismo State Beach and Oceano Dunes State Vehicular Recreation Area (SVRA), together referred to in this Draft Environmental Impact Report (EIR) as the Park or the planning area. The Park is located in the Coastal Zone and is currently managed consistent with a Coastal Development Permit (CDP) issued in 1982 for development projects anticipated in the General Plan, including kiosks at its vehicle entrances on Grand Avenue and Pier Avenue, an OHV staging area, perimeter fencing, fencing around sensitive resources, and setting camping and day-use limits in the SVRA. The Coastal Commission approved CDP 4-82-300 for these projects in June 1982.

Since the original approval, there have been five amendments to the CDP. These amendments included changes to the OHV staging area, fencing installation, increase of beach camping limits, elimination of equestrian access in the Oso Flaco Lake area, and adjustments to the interim use limits for vehicles, both street-legal and OHV. Changes also included the creation of a technical review team (TRT) that reviewed specific CDP requirements, progress made on the requirements and reported annually to the Coastal Commission. From 2001 to 2018, State Parks provided updates to the Coastal Commission as required and the TRT submitted annual reports. The PWP, once approved, includes the sunset of the TRT.

The PWP (Volume 1), once approved by State Parks and the Coastal Commission, will supersede the CDP in its entirety. At that time, the PWP would become the main management plan for the Park to achieve Coastal Act compliance and would additionally provide guidance for day to day Park management and implementation of any associated Development Projects. The General Plan would continue to provide overall guidance for long term investments, as well as statutory land management authority for the Park. The proposed PWP includes existing, new proposed, and potential future activities. The majority of PWP management activities presently already occur in the PWP area and in many cases have been occurring for decades. Unless specifically described, the PWP does not propose changes to these existing activities. Specific Proposed Development Projects, other Small Development Projects, and implementation of Other Park Management Programs are included in this PWP as described in detail in Chapter 3.3 through 3.5 of Volume 1. This Draft EIR analyzes impacts on the physical environment associated with PWP implementation, including the Proposed Development Project, other Small Development Projects, and implementation of the Park Management Programs (both existing programs and programs that may be modified as described in Chapter 3.5 of Volume 1.

Park operations, including visitor uses, visitor services, facility maintenance, and resource management, may also affect federally- and state-listed endangered or threatened species including western snowy plover (*Charadrius nivosus*; SNPL), California least tern (*Sternula antillarum browni*; CLTE), California red-legged frog (*Rana draytonii*; CRLF), and tidewater goby (*Eucyclogobius newberryi*) and four federally- and two state-listed plant species. State Parks has prepared a draft Habitat Conservation Plan (HCP) and associated Draft EIR for the Oceano Dunes District in support of its application to the U.S. Fish and Wildlife Service (USFWS) for issuance of an incidental take permit (ITP) for federally-listed animal species authorized under Sections 10(a)(1)(A) and 10(a)(1)(B) of the federal Endangered



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Species Act (FESA; 16 USC § 1531 et seq). Additionally, the HCP addresses federally- and state-listed plant species. The HCP EIR is independent of and separate from this PWP EIR. However, where appropriate, baseline information, findings, Avoidance and Minimization Measures, and findings for specific Small Development Projects also envisioned and covered in the HCP EIR are incorporated into this PWP EIR by reference, and where, appropriate, clearly referenced. This occurs mostly in the biological resources section (Chapter 7) of this EIR.

In a separate action, State Parks has begun to prepare a Natural Community Conservation Plan (NCCP) in support of an application to California Department of Fish and Wildlife (CDFW) for issuance of a permit authorizing incidental take of state-listed animal and plant species under California Fish and Game Code sections 2800 et seq., including section 2835. State Parks is currently working with CDFW to prepare a Draft Oceano Dunes SVRA Biodiversity Management Plan.

State Parks is also implementing several other previously approved plans including a Dust Abatement Plan associated with an air quality Stipulated Abatement Order and a Stormwater Management Plan. Implementation of these plans is considered part of current Park management and relevant aspects of the plans were considered in preparation of the PWP. Where applicable, any plans are referenced in the impact discussions in this EIR.

## 1.2 Lead Agency Information

The California Environmental Quality Act (CEQA; PRC § 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations [CCR] § 15000 et seq.) establish State Parks as the Lead Agency for the project. The Lead Agency is defined in CEQA Guidelines section 15367 as “the public agency which has the principal responsibility for carrying out or approving a project.” The Lead Agency is responsible for preparing the appropriate environmental review documentation. As described below, State Parks has determined that an Environmental Impact Report (EIR) is the appropriate CEQA document for the project and has prepared this Draft EIR in accordance with CEQA and the CEQA Guidelines.

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## 1.3 Intended Uses and Type of EIR

An EIR is an objective, informational document that informs government agency decision makers and the public of the potential for significant project effects, including possible ways to minimize those effects, and describes reasonable alternatives to the project (CEQA Guidelines § 15121(a)). An EIR must be prepared with a sufficient degree of analysis to provide decision makers with information enabling them to make a decision that considers the project’s potential direct and indirect environmental consequences. The evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible (CEQA Guidelines § 15151).



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This EIR will be used by State Parks to evaluate the environmental effects associated with implementation of the PWP and its associated Development Projects, Other Small Projects, and Other Park Management Programs as described in Sections 3.3 to 3.5 of Volume 1 when considering its approval.

A “responsible agency”, defined by CEQA guidelines Section 15381 is a public agency which proposes to carry out or approve a project, for which a lead agency is preparing or has prepared an EIR or negative declaration. For the purposes of CEQA, the term “responsible agency” includes all public agencies other than the lead agency which have discretionary approval power over the project. Because a PWP is a management plan for compliance with the Coastal Act, the California Coastal Commission will also act on the PWP upon completion and is therefore considered a Responsible Agency for this EIR.

A Trustee Agency, defined by CEQA Guidelines section 15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California,” may review this EIR for potential impacts related to resources under their governance. Trustee Agencies with jurisdiction over the resources potentially affected by implementation of the proposed PWP include the California Department of Fish and Wildlife (CDFW) and may also include other State Agencies such as the local State Water Resources Control Board (Water Board) or California Department of Transportation (Caltrans). State owned lands are not subject to local land use jurisdiction. Therefore no local agency permits such as building or grading permits would be required for PWP implementation, and local agencies are not considered Trustee Agencies.

This EIR is a Project EIR intended to cover the direct and indirect environmental effects associated with implementing the PWP, including the Proposed Development Projects and Small Development Projects as described in Chapters 3.3 and 3.4 in Volume 1 and other Management Programs described in Chapter 3.5 of Volume 1. For select Development Projects that are in a conceptual stage at this time (specifically Oso Flaco Initial and Future Project, Phase 2 of the Park Corporation Yard Improvement Project, and the Phillips 66/Southern Entrance Project) this Draft EIR analyses the potential environmental effects to the degree possible at the current time. The impact analysis for these conceptual projects is at a programmatic level for those resource topics that require site specific surveys. It is anticipated that future detailed environmental analysis pursuant to CEQA would be required before any element of those projects could be implemented. All other Development Projects, Small Projects and Management Programs are analyzed in sufficient detail to move towards final design, permitting and implementation, once the EIR is certified and the projects have been approved.

It is not the role of this Draft EIR to evaluate existing authorized uses, the parameters of current park operations, or regulatory permit conditions. The EIR impact analysis is limited to the environmental assessment of activities proposed by the PWP including associated development projects that would result in a physical change to the environment.



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## 1.4 Scoping of Environmental Issues

State Parks published a Notice of Preparation (NOP) for this EIR on May 9, 2018. The NOP initiated an environmental scoping period for the project from May 9 to June 9, 2018. Public notice of the scoping period and public meeting was distributed to local community agencies and interested groups and individuals. Notices were also published in newspapers of local circulation.

On May 22, 2018 and May 23, 2018, two public scoping meetings were held for the project at the South County Regional Center in Arroyo Grande and the Radisson Hotel Conference Center in Fresno, respectively. These meetings provided an opportunity for the public to learn about the PWP and provide input on the scope and content of the EIR. Approximately 57 people attended the scoping meeting in Arroyo Grande and approximately 39 people attended the scoping meeting in Fresno and many attendees provided oral comments. In addition, a total of 100 written comments were received from public agencies, local organizations, Native American Tribes and individuals during the scoping period.

Results of the scoping process were published in a scoping report (Appendix A of this EIR). The scoping report includes an introductory overview of the scoping process and a summary of key issues raised. It also includes the NOP, sign-in sheets from the scoping meetings, public hearing transcripts, and copies of all written comment received. The scoping report is included in Appendix A of this EIR and has been available on the PWP website since August 2018.

Some of the comments expressed support or opposition to project features and the public involvement process. Others provided suggestions or requests related to park operations. These comments were considered, as feasible, in the preparation of the PWP (Volume 1). Only those comments relating to the scope of the environmental analysis under CEQA are addressed in this Draft EIR. As summarized below in Table 1-1, these comments generally focused on air quality, biological resources, traffic, noise, waste, and water utility impacts. The Draft EIR section that addresses the comments is also listed in Table 1-1.

Several commenters also asked for an analysis of economic impacts to nearby communities. While not a specific CEQA resource topic, economic impacts featured strongly in the development of the PWP (Volume 1), but are not specifically addressed in this Draft EIR.

## 1.5 Environmental Baseline

As described in Section 1.4 above, the NOP for this EIR was published in May 2018. Therefore, the environmental conditions that existed in the Park at the time of publication of the NOP are considered the environmental baseline for this EIR. This EIR does not analyze specific impact of ongoing Park management. Where applicable, State Parks has completed CEQA compliance for ongoing operations, resource management activities, and for existing development within the Park.



**Table 1-1. Environmental Analysis Related Scoping Comments**

Comment	Where Addressed in Draft EIR
<p>Air Quality</p> <ul style="list-style-type: none"> <li>Analyze air quality-related public health concerns regarding dust, sand, particulate matter.</li> </ul>	Chapter 6, Air Quality
<p>Biological Resources</p> <ul style="list-style-type: none"> <li>Protect natural resources such as vegetation, wildlife (California least terns, plovers)</li> </ul>	Chapter 7, Biological Resources
<p>Traffic, Noise</p> <ul style="list-style-type: none"> <li>Analyze impacts of vehicle entrances including traffic, noise, air quality, and economic impacts</li> <li>Include existing traffic volume data no more than two years old for the traffic study</li> </ul>	Chapter 6, Air Quality; Chapter 16 Noise
<p>Waste/Water</p> <ul style="list-style-type: none"> <li>Analyze waste impacts, water utility impacts, and economic impacts to the Oceano community</li> </ul>	Chapter 13 Hydrology and Water Quality; Chapter 18 Utilities and Public Services

Spring and summer of 2020 saw an extended closure of the Park for typical visitor use, due to the Covid-19 health pandemic. This prolonged closure, lasting from April through September of 2020 has led to changed conditions in the Park with regard to wildlife behavior and distribution, and with regard to visitor presence and use. However, it is important to note that the 2020 conditions are considered unique, and that conditions and use patterns in the Park are expected to return to their normal pre-pandemic levels once the pandemic has passed. Therefore, the unusual 2020 conditions do not influence the consideration of baseline for this EIR.



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