



*Sensible planning and protection
for the San Mateo County Midcoast*

Date: October 18, 2019
To: Ruemel Panglao, Project Planner
Cc: Members of the Midcoast Community Council
San Mateo County Planning Commission
Steve Monowitz, Director Planning and Building
Erik Martinez, California Coastal Commission Planner
San Mateo County Supervisor Don Horsley
From: Resist Density Board of Directors
Re: REVISED: Proposed RV Park at corner of Capistrano & Highway 1 in Princeton – PLN2017-00320 – APN-047-081-430

Dear Mr. Panglao,

After review with counsel, Resist Density is submitting this revised letter of comments regarding the above referenced 50 Space RV Park at the gateway of Pillar Point Harbor and the County's proposed Negative Declaration. Resist Density, whose mission is to promote sensible development in the San Mateo County Midcoast, believes the proposed 50 Space RV Park will have significant impacts on the environment. We are writing to object to specific "Findings and Basis for a Negative Declaration" and urge the County to consider the following in assessing the potential for significant environmental impact.

Aesthetics - Impact on scenic ocean view – The conclusion by County staff that the 50 unit RV park will have "less than significant impact" or insignificant adverse effect on the scenic vista is flawed. The issue is not just a question of blocked scenic views. This site is acknowledged as being in the "scenic corridor." The Pillar Point Harbor area has unique coastal character that appeals to residents and visitors alike. Transforming the large undeveloped land area at the entrance to the harbor directly adjacent to this scenic corridor into an RV park is definitely "visually intruding into an area having natural scenic qualities," adversely affecting the charm that is so unique to the San Mateo County Midcoast.

The discussion in the Negative Declaration points to other existing RV parks as a basis for concluding no significant impact, stating "RV parks are a common sight along Cabrillo Highway within other municipalities, such as Pacifica and Half Moon Bay." Not only is this statement not factual and out of context, this argument is not addressing adverse impacts to the appeal of this particular harbor area. The proposed mitigation offering minor landscaping adjustments is missing the key overall concern that you will still see RVs and trailers from both north and south dominating the view on a scenic corridor. This significantly intrudes on the natural scenic qualities of the harbor and harms its appeal.

By pointing to other RV parks as the basis for concluding insignificant impacts, the Negative Declaration contravenes CEQA, particularly CEQA's requirement for cumulative impact analysis. The Negative Declaration impermissibly compares the supposed "incremental" effect



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of the proposed project against the collective cumulative impact of all relevant projects. In Communities for a Better Env't v. California Res. Agency, 103 Cal. App. 4th 98, 117 (2002), the court held that this comparative approach violates CEQA section 21083 and CEQA Guideline 15355's definition of cumulative impacts.

The foremost principle under CEQA is that it is "to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." With certain limited exceptions, a public agency must prepare an EIR whenever substantial evidence supports a fair argument that proposed project "may" have a significant effect on the environment. The fair argument standard is a 'low threshold' test for requiring the preparation of an EIR, with a preference for resolving doubts in favor of environmental review.

Testimony of members of the public counts as substantial evidence for purposes of the fair argument test. Relevant personal observations by area residents are properly considered for this purpose. Pocket Protectors v. City of Sacramento, 124 Cal. App. 4th 903, 932, 21 Cal. Rptr. 3d 791, 812 (2004)

Under CEQA, it is the state's policy to "[t]ake all action necessary to provide the people of this state with ... enjoyment of aesthetic, natural, and scenic environmental qualities." (Pub. Resources Code, § 21001, subd. (b); § 21060.5 [environment includes "objects of aesthetic significance".]) Thus, "aesthetic issues are properly studied under CEQA." The CEQA Guidelines specifically note that "the significance of an activity may vary with the setting." CEQA Guidelines, § 15064, subd. (b0). Several courts have recognized that a project's impact on the aesthetic character of a surrounding community is a proper subject of CEQA environmental review. Protect Niles v. City of Fremont, 25 Cal. App. 5th 1129, 1141 (2018)

Lack of a comprehensive traffic study – This RV park project presents yet another traffic concern coming for project approval without a Comprehensive Traffic Management Plan to aid in assessing the cumulative impact of upcoming developments. The intersection of HWY 1 and Capistrano is already one of the main access routes and choke points for the approved Big Wave project. Stating that the proposed project "may be assumed to cause a less-than significant transportation impact" because it generates or attracts fewer than 110 trips per day is not adequately addressing the concerns raised in prior comments.

In conclusion, we believe the impacts on the environment are not adequately considered and will likely impact the environment very significantly. We urge San Mateo County to prepare an Environmental Impact Report in the interest of protecting the public's enjoyment of the natural aesthetic character of this special place.

Thank you for your consideration.