



**CITY OF
SAN LUIS OBISPO**

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
For EID-1212-2017**

1. Project Title:

365 Prado Road Early Grading
EID-1212-2017

2. Lead Agency Name and Address:

City of San Luis Obispo
990 Palm Street
San Luis Obispo, CA 93401

3. Contact Person and Phone Number:

Kyle Bell, Associate Planner
kbell@slocity.org
(805) 781-7524

4. Project Location:

365 Prado Road, San Luis Obispo, CA 93401
APN: 053-441-006

5. Project Sponsor's Name and Address:

Martinelli Prado, LLC
465 Crestmont Dr.
San Luis Obispo, CA, 93401

Projects Representative Name and Address:

Carol Florence
Oasis Associates, Inc.
3427 Miguelito Ct.
San Luis Obispo, CA, 93401

6. General Plan Designation:

Business Park

7. Zoning:

Business Park (BP-SP) zone within the Margarita Area Specific Plan

8. Description of the Project:

The proposed project consists of an early grading application, which includes importing 52,000 cubic yards of soil from various locations within San Luis Obispo County to the approximately 18-acre project site, Lot 33. The project will raise the elevation of the property by 1 to 5 feet and will provide improved connectivity to the primary access along Prado Road, which will benefit future development of the property as defined in the Margarita Area Specific Plan. The proposed fill will not create building pads or other grading elements. The sources of the 52,000 cubic yards of fill material to be delivered to the project site include a variety of existing construction sites throughout the County of San Luis Obispo. The fill material would be placed and graded within the proposed limits of disturbance, stabilized to minimize erosion and sedimentation, and would remain in place in the long term (Attachment 1, Project Description).

The area of disturbance includes 17.95 acres within the 19.93-acre lot, which is comprised mostly of non-native annual grasses; however, there are three areas of interest identified that relate to the project description. 1) On the eastern edge of the property, a leaking hose on the neighboring property has provided a source of artificial hydrology producing a small stand of creeping spikerush. While the area is not a jurisdictional wetland, the proposed grading plan does not show any ground disturbance within the area. 2) A small group of the special-status Congdon’s tarplant was identified along the southern edge of the property. The grading plan has been designed to avoid this area, including a 25-foot setback from identified plant locations. 3) The grading plan has been designed to avoid a broad swale that runs east to west through the northern third of the property. The swale was evaluated for wetland plant, hydrology, and soil characteristics, and no plants that are more prone to be found in wetlands were observed (Attachment 3, Biological and Wetland Assessment).

A very small portion of the property is within mapped Flood Zone A (approximately 3,060 square feet), and no earthwork is proposed in the flood zone area. The contouring of the imported soil will maintain the existing drainage paths over the property, while incorporating improved erosion control measures (Attachment 2, Project Plans).

This Initial Study/Mitigated Negative Declaration tiers off the certified 2005 Margarita Area Specific Plan and Airport Area Specific Plan Final Environmental Impact Report (herein referred to as the MASP/AASP EIR) and addresses any potential impacts not already addressed in the Final EIR.

9. Surrounding Land Uses and Settings:

The project site encompasses one lot; 365 Prado Road (19.93 acres). The project site is located along the south side of Prado Road, approximately 2,000 feet from South Higuera Street. The property is currently undeveloped with a gentle slope to the southwest (approximately 1% average cross slope). The property is located in the Business Park (BP-SP) zone within the Margarita Area Specific Plan (MASP) area and is bordered by properties within the BP-SP zone to the east and west, and Office (O-SP) zone to the north. The property is bordered by the City Limit Line with unincorporated County land to the south, adjacent to the Airport Area Specific Plan (AASP) area. Adjacent land uses and zoning are provided in the table below:

	Zoning	Land Use
North	O-SP*	Single-Family Development
West	BP-SP	Animal Boarding/Personal Storage
South	Unincorporated County Land	Vacant
East	BP-SP	Vacant

**PD: Planned Development*

10. Project Entitlements Requested:

The proposed early grading project requires approval of an Administrative Use Permit since no associated development is proposed. Pursuant to California Construction Code Appendix §J103, and as amended by San Luis Obispo Municipal Code Section 15.04.020KK, grading activities not associated with a development project must be authorized with a use permit or other discretionary review.

11. Other public agencies whose approval is required:

Regional Water Quality Control Board, County of San Luis Obispo Air Pollution Control District

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources code section 21080.3.1? If so, has consultation begun?

YES

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

	Aesthetics		Greenhouse Gas Emissions		Population and Housing
	Agricultural Resources	X	Hazards & Hazardous Materials		Public Services
X	Air Quality		Hydrology/Water Quality		Recreation
X	Biological Resources		Land Use and Planning		Transportation & Traffic
X	Cultural Resources		Energy & Mineral Resources		Utilities and Service Systems
	Geology/Soils		Noise		Tribal Cultural Resources
	Mandatory Findings of Significance				

FISH AND GAME FEES

	There is no evidence before the Department that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.
X	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Game for review and comment.

STATE CLEARINGHOUSE

X	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g. Cal Trans, California Department of Fish and Game, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073(a)).
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DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made, or the mitigation measures described on an attached sheet(s) have been added and agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a “potentially significant” impact(s) or “potentially significant unless mitigated” impact(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR of NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Shawna Scott

Signature

June 21, 2018

Date

Shawna Scott
Senior Planner

For: Michael Codron
Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

Issues, Discussion and Supporting Information Sources Prado Early Grading Project USE-3771-2016 EID-1212-2017	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?	1,2			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1,11			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1,11, 28			X	
d) Create a new source of substantial light or glare which would adversely effect day or nighttime views in the area?	1,9, 30			X	

Evaluation

a), b), c), d) The project site is not located in the area of a scenic vista or a local or state scenic highway. The proposed project is located within the MASP in an already urbanized area. The existing visual character and quality of the site will only temporarily change as result of proposed project by the removal of the existing vegetation. Upon completion of the project, natural vegetation will restore the site to its existing appearance. No additional light or glare is anticipated from the early grading project because no new sources of light or glare are proposed. *Less than significant impact.*

Conclusion: Less than significant impact.

2. AGRICULTURE RESOURCES. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	14				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	10				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	14,12			X	

Evaluation

a) According to the prior MASP/AASP EIR, the Margarita Area does not contain any lands in the stated categories as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The Farmland Mapping and Monitoring Program of the California Resources Agency classify the project site as Urban or Built-Up Land, which is defined as “land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel.” Therefore, the project will not cause the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to any non-agricultural use. Potential impacts to other Farmland and agricultural lands is discussed further under c) below. *No impact*

b) The project site is not located on farmland, nor is it under a Williamson Act contract. The project site is designated for Business Park uses in the General Plan and is zoned BP (Business Park). The project site is surrounded by developed properties with access to public streets. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. *No impact.*

c) Lands in the vicinity of the project site are either 1) already developed or, 2) if within the MASP and in agricultural use (farmland/grazing or open space), are already slated by the MASP for eventual non-agricultural use. At the time the MASP/AASP EIR was certified, the project site was used for livestock grazing; the site is currently vacant and undeveloped. The impacts of conversion of these lands to non-agricultural uses have already been evaluated in the Final EIRs for the City’s Land Use and Circulation Elements Update and the MASP. The MASP/AASP EIR identifies significant, irreversible, unavoidable adverse impacts as a result of the conversion of agricultural land to non-agricultural uses due to implementation of the AASP and MASP, and the necessary Statement of Overriding Considerations was adopted by Resolution No. 9726

Issues, Discussion and Supporting Information Sources Prado Early Grading Project USE-3771-2016 EID-1212-2017	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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(2005 Series) pursuant to CEQA. Nonetheless, policies of the Land Use Element and MASP were adopted to help compensate for, and thereby reduce the impacts from productivity lost as a result of the conversions to non-agricultural uses. As stated in the MASP, development of the Margarita Area is meant to accommodate a reasonable share of projected city population increase within a compact urban form, to prevent sprawl on agricultural land outside the City’s designated urban growth boundary. To implement General Plan policy on agricultural land protection, the MASP includes specific measures that will help protect agricultural land elsewhere in the urban reserve or in the greenbelt. MASP/AASP EIR Mitigation Measure LU-5.1. requires dedication of open space land or payment through an in-lieu fee program to secure open space easements on Agricultural Land at a ratio of no less than 1:1. Compliance with this measure is an existing requirement for future development or future conversion of the open space use of the project site; therefore, no additional impacts to Farmland beyond what is identified in the MASP/AASP EIR would occur. As the grading project does not include a development that would permanently convert the currently vacant site to urbanized development as prescribed in the MASP, and in-lieu fees will be required at the time future development is proposed, potential impacts would be less than significant. *Less than significant impact.*

Conclusion: Less than significant impact.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	15,16,12			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	15,16,12		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed qualitative thresholds for ozone precursors)?	15,16,12		X		
d) Expose sensitive receptors to substantial pollutant concentrations?	30		X		
e) Create objectionable odors affecting a substantial number of people?	12, 30			X	

Evaluation

a) The Clean Air Plan (CAP) for San Luis Obispo County was developed and adopted by the Air Pollution Control District (APCD) and is a comprehensive planning document designed to reduce emissions from traditional industrial and commercial sources, as well as from motor vehicle use. Land Use Element Policy 1.14.2 states that the City will help the APCD implement the CAP. The AASP/MASP EIR determined that build-out and operation of the MASP would be consistent with the CAP, and impacts would be less than significant. The proposed project consists of grading only, and would not result in any long-term operational effects; therefore, the project would not conflict with the CAP. *Less than significant impact*

b), c), d) According to the MASP/AASP EIR, during project construction there will be increased levels of fugitive dust associated with construction and grading activities, as well as construction emissions associated with heavy-duty construction equipment. Construction-related emissions would primarily be dust (particulates) generated from soil disturbance and combustion emissions generated by construction equipment, including trucks hauling fill material to the project site. Such dust generation was determined to be a potentially short-term significant impact on air quality that could lead to established state and federal thresholds for regional or local air quality being exceeded or potential conflicts arising with City and County air quality plans or programs. The project site is located within 500 feet of sensitive receptors (residential dwellings within Serra Meadows across Prado Road); therefore, potentially significant impacts related to fugitive dust and diesel emissions may occur during proposed construction activities. These impacts are addressed and mitigated by implementation of standards in the City’s Grading Ordinance, which requires specific dust control techniques, and mitigation measures in the MASP/AASP EIR AIR-1.1, AIR-1.2, AIR-1.3 and the APCD CEQA Handbook, which address potential short-term construction-related impacts including combustion emissions, fugitive dust control, and activity management practices (Mitigation measure AIR-

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1.1 listed in the MASP/AASP EIR is outdated as the APCD no longer endorses the use of Caterpillar pre-chamber diesel engines or the installation of catalytic converters, but instead recommends the use of diesel oxidation catalysts (DOC) or catalyzed diesel particulate filters (CDPF) as the current control technologies). Compliance with these standards is monitored during the building permit plan check process and by field inspections conducted by Building Division inspectors.

Based on compliance with mitigation measures AIR-1.1, AIR-1.2, AIR-1.3 from the AASP/MASP EIR, and new mitigation measure AQ-1 (as identified in the APCD CEQA Handbook), potential short-term construction impacts would be mitigated to less than significant.

No development plan is proposed as part of this project; therefore, the project would not result in any long-term operational emissions. Any future development project would be subject to the mitigation measures in the AASP/MASP EIR, which are required to mitigate potential long-term impacts to less than significant. *Less than significant with mitigation.*

e) The project does not include any activities that would generate long-term odors. Short-term construction activity may generate odors by the use of construction equipment; however, this impact would be less than significant because the project will not create a permanent or a consistent odor source. *Less than significant impact.*

Implement the following Mitigation Measures from the MASP/AASP EIR Resolution No. 9726 (2005 Series):

- AIR-1.1 Implement Construction-Related Combustion Emissions Mitigation
- AIR-1.2 Implement Construction-Related Fugitive Dust (MP10) Mitigation
- AIR-1.3 Implement Construction-Related Activity Management Techniques

New Mitigation Measure AQ-1: To reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project and export soil from the site, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations
 - a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of restricted area, except as noted in Subsection (d) of the regulation.
 - b. Off-road diesel equipment shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board’s In-Use off-Road Diesel regulation.
 - c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state’s 5 minute idling limit.
2. Diesel Idling restrictions Near Sensitive Receptors (residential homes). In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
 - c. Use of alternative fueled equipment is recommended.
 - d. Signs that specify the no idling areas must be posed and enforces at the site.
3. Soil Transport. The final volume of soil that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day will need to be identified for the APCD. Specific standards and conditions will apply.

Conclusion: Less than significant impact with incorporation of mitigation measures.

Issues, Discussion and Supporting Information Sources Prado Early Grading Project USE-3771-2016 EID-1212-2017	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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4. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	10,12, 31,		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	10,11, 12,31		X		
c) Have a substantial adverse effect on Federally protected wetlands as defined in Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, etc.) through direct removal, filling, hydrological interruption, or other means?	10,12, 31,32			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	10,11, 12,32			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	9			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	5				X

Evaluation

a) Extensive biological resource impact analyses was conducted during preparation of the prior EIR for the MASP & AASP, and the EIR identified 19 areas of potential significant impact to special-status plant and wildlife species. Of these 19 impacts, the AASP/MASP EIR determined that six (BIO- 3, 4, 10, 15, 18, & 19) were less than significant and thereby, not requiring mitigation. BIO-9 was ruled out as an impact for the MASP territory, and therefore is not an impact for the three Western Enclave project sites. The balance of 12 significant impacts (BIO-1, 2, 5, 6, 7, 8, 11, 12, 13, 14, 16 & 17) were subject to MASP/AASP EIR mitigation requiring further site specific surveys and mapping to determine if the specie of concern identified in the respective enumerated impacts might occur on the site.

In compliance with AASP/MASP EIR Mitigation Measure BIO-1.1 (Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species), the applicant provided a specialized biological report for the subject property prepared by David K. Wolff, Sage Institute Inc., August 2016. The report confirmed that the project site supports non-native annual grassland and identified one occurrence of the special-status plant (California Rare Plant Rank 1B.1) Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), located on the southern property border about two-thirds the way west of the southeast property corner. No other special status species were observed or identified in the biological report. Performance criteria identified in AASP/MASP EIR Mitigation Measure BIO-1.1 states that if special-status plant species are not found to exist then no further mitigation would be necessary; if special-status plant species are found or determined to exist then Mitigation Measure BIO-6.1 outlining the performance criteria to avoid, minimize, or compensate for significant impacts on those resources as specified by the site specific biological surveys would be required. As described in the project description, the proposed project does not include any grading or ground disturbance within 25-feet of the area where Congdon's tarplant was identified, which is consistent with AASP/MASP EIR Mitigation Measure BIO-9.1 (Avoid or Minimize Impacts on Special-Status Plant Species). To ensure Congdon's tarplant is avoided during grading activities, new mitigation measure BR-1 (protection fencing) shall be required. Based on compliance with the AASP/MASP EIR and new mitigation measure BR-1, potential impacts would be less than significant. *Less than significant with mitigation.*

b) c) A biological and wetland assessment report prepared by David Wolff, Sage Institute, Inc. in 2016 identified indicators of wetland hydrology in the following three locations within the project parcel: 1) a roadside ditch along Prado Road collects localized drainage and carries it along the west side of Lot 34; 2) a swale runs along the norther third of the east property line

Issues, Discussion and Supporting Information Sources Prado Early Grading Project USE-3771-2016 EID-1212-2017	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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of Lot 33 with no clear connection to the Prado Road ditch, it ends at a low-lying spot that is subject to a leaking hose from an adjacent property; and 3) a broad swale that runs east to west through the northern third of Lot 33 was evaluated for wetland plant, hydrology, and soil characteristics and no plants that are more prone to be found in wetlands were observed. The biologist concluded that the Prado Road ditch is presumably a tributary drainage to waters of the U.S. that may be considered jurisdictional waters of the U.S./State. As proposed and shown on the grading plans, the project avoids impacts to jurisdictional waters associated with the Prado Road ditch such that that no federal/state regulatory permitting would be required. In addition, protection fencing shall be required to ensure avoidance (refer to new Mitigation Measure BR-2). The biological report concluded that the other two identified swales are not located within tributary waters of the U.S., and do not fall under the jurisdiction of the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act. The project consists of grading the site within the areas identified in the grading plans, which does not include the areas with identified wetland hydrology. The proposed project is required to comply with the City's Waterways Management Plan and Post Construction Stormwater Requirements regarding the changes to the drainage on the site as further discussed in the Hydrology and Water Quality section. *Less than significant with mitigation.*

d) The Margarita Area does not contain any waterways known to be important of viable fisheries, therefore there is not expected to be any effect on fish species. Due to the relatively poor soils, simple vegetation type (grassland that does not include any trees on site), and general lack of vegetation diversity, the Western Enclave developments of MASP (including the project site) are not rich in wildlife species and do not form any kind of nursery or refugium for wildlife species. AASP/MASP EIR Mitigation Measure BIO-12.1 (Avoid Impacts on Non-Listed, Special Status Wildlife Species) ensures that the development would not interfere substantially with the movement of any native wildlife species (including nesting birds) by avoiding or minimizing impacts on non-listed species to the extent possible and avoiding construction activity within proximity to active nesting sites during nesting season. There are no trees on site. *Less than significant impact.*

e), f) There are no local ordinances or habitat conservation plans that affect the property. *No impact.*

Implement the following Mitigation Measures from the MASP/AASP EIR Resolution No. 9726 (2005 Series):

- a. BIO-1.1, Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species
- b. BIO-6.1 Avoid and Minimize Impacts on Wetland Habitat
- c. BIO-9.1 Avoid or Minimize Impacts on Special Status Plant species
- d. BIO-12.1 Avoid or Minimize Impacts on Non-Listed, Special Status Wildlife Species

Mitigation Measure BR-1: Prior to issuance of a grading permit, the applicant shall submit a protection plan ensuring that the mapped occurrence of the Congdon's Tarplant (California Rare Plant Rank 1B.1, which means "rare or endangered in California and elsewhere, and seriously endangered in California) is avoided with a 25-foot buffer and includes exclusionary fencing. Protection fencing shall be installed prior to ground disturbance and shall remain in place for the life of the project.

Mitigation Measure BR-2: Prior to issuance of a grading permit, the applicant shall submit a protection plan ensuring that the Prado Road ditch is avoided with a 25-foot buffer and includes exclusionary fencing. Protection fencing shall be installed prior to ground disturbance and shall remain in place for the life of the project. The applicant shall comply with all state and federal regulations regarding jurisdictional waters for the life of the project.

Conclusion: Less than significant impact with incorporation of mitigation measures.

5. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historic resource? (See CEQA Guidelines 15064.5)	10,21,22				X
b) Cause a substantial adverse change in the significance of an archaeological resource? (See CEQA Guidelines 15064.5)	21,22,33		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	11,21,33		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?	23,32		X		

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Evaluation

a) The project site does not contain a listed historic resource and is not located within or near a historic resource Historic District. *No impact.*

b), c), d) The project site is not located within or near areas designated as burial sensitivity areas and the project site is not considered an archaeologically sensitive site as described in the City’s Archaeological Resource Preservation Program Guidelines. There are no known paleontological resources on the project site and there are no unique geologic features on the property. However, there will be significant fill at the site associated with the project. In compliance with AASP/MASP Mitigation Measure CR-1.1 (Protect Known and/or Unknown Cultural Resources), the applicant has provided a Cultural Resources Survey, prepared by Terry L. Joslin, Ph.D., RPA, March 2018. The report states that although the project site is located within an area of moderate archaeological sensitivity, archival research, previous surveys, and an intensive archaeological field survey of the project site identified no prehistoric or historic cultural materials and the potential for intact archaeological deposits existing on the property is considered to be low. The survey confirms the records search conducted at the Central Coast Information Center, and the previous archaeological studies in the vicinity, that found no evidence of archaeological material in adjacent properties. As a result, no further archaeological work is required or recommended within the acreage investigated during the study. In the unlikely event that buried cultural or paleontological materials are encountered during construction, all ground disturbances will cease until a qualified archaeologist, historian, or paleontologist is contacted to evaluate the nature, integrity, and significance of the deposit, as required by mitigation measures CR-1 and CR-2. Therefore, the project does have the unlikely potential to impact unknown cultural resources, but implementation of new mitigation measures CR-1 and CR-2 will properly address the potential impacts to unknown cultural resources uncovered during construction. *Less than significant with mitigation.*

New Mitigation Measure CR-1: In the event that buried or otherwise unknown cultural resources are discovered during construction work in the area of the find, work shall be suspended and the City of San Luis Obispo should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense. If the coroner determines the remains are Native American, the Native American Heritage Commission (NAHC) will be contacted and the remains will be left in situ and protected until a decision is made on their final disposition.

New Mitigation Measure CR-2: If excavations encounter significant paleontological resources, archaeological resources or cultural materials, then construction activities which may affect them shall cease until the extent of the resource is determined and appropriate protective measures are approved by the Community Development Director. The Community Development Director shall be notified of the extent and location of discovered materials so that they may be evaluated and recorded by a qualified archaeologist or paleontologist (as applicable). If pre-historic Native American artifacts are encountered, a Native American monitor should be called in to work with the archaeologist to evaluate the resources pursuant to the California Environmental Quality Act. Disposition of artifacts shall comply with state and federal laws.

Conclusion: Less than significant impact with incorporation of mitigation measures.

6. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:				
I. Rupture of a known earthquake fault, as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	25		X	
II. Strong seismic ground shaking?	25		X	
III. Seismic-related ground failure, including liquefaction?	13		X	
IV. Landslides or mudflows?	10		X	
b) Result in substantial soil erosion or the loss of topsoil?	13,30,		X	

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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslides, lateral spreading, subsidence, liquefaction, or collapse? d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	34				
	13, 34			X	
	13, 34			X	
	7, 34				X

Evaluation

a), c) San Luis Obispo County, including the City of San Luis Obispo, is located within the Coast Range Geomorphic Province, which extends along the coastline from central California into Oregon. This region is characterized by extensive folding, faulting, and fracturing of variable intensity. In general, the folds and faults of this province comprise the pronounced northwest trending ridge-valley system of the central and northern coast of California.

Under the Alquist-Priolo Special Studies Zone Act, the State Geologist is required to delineate appropriately wide special studies zones to encompass all potentially and recently-active fault traces deemed sufficiently active and well-defined as to constitute a potential hazard to structures from surface faulting or fault creep. In San Luis Obispo County, the special Studies Zone includes the San Andreas and Los Osos faults. The edge of this study area extends to the westerly city limit line, near Los Osos Valley Road. According to a recently conducted geology study (source 16), the closest mapped active fault is the Los Osos Fault, which runs in a northwest direction and is about one mile from the City’s westerly boundary. Because portions of this fault have displaced sediments within a geologically recent time (the last 10,000 years), portions of the Los Osos fault are considered “active”. Other active faults in the region include: the San Andreas, located about 30 miles to the northeast, the Nacimiento, located approximately 12 miles to the northeast, and the San Simeon-Hosgri fault zone, located approximately 12 miles to the west.

Although there are no fault lines on the project site or within close proximity, the site is located in an area of “High Seismic Hazards,” specifically Seismic Zone D, which means that future buildings constructed on the site will most likely be subjected to excessive ground shaking in the event of an earthquake. New structures, which are not a part of this project description, must be designed in compliance with seismic design criteria established in the California Building Code for Seismic Zone D. To minimize this potential impact, the Uniform Building Code and City Codes require new structures to be built to resist such shaking or to remain standing in an earthquake. The project site is not in an area designated as having high landslide potential and is not located on steep slopes. Therefore, based on compliance with existing regulations, potential impacts would be less than significant. *Less than Significant Impact.*

b) The NRCS Soil Survey for the project site recorded two soil types for the site, Marimel Sandy Clay Loam, and Cropley Clay. Permeability of Marimel Sandy Clay Loam and Cropley Clay is moderately slow or slow and the available water capacity is high or very high. The most significant source of potential erosion of on-site soils would be during initial site ground disturbance/construction and from stormwater runoff. The project applicant has prepared a Drainage Analysis Report (prepared by Keith Crowe, PE, PLS, August 22, 2016). Grading in accordance with the Drainage Analysis will address stormwater flow across the site, ensure the natural retention of stormwater and help address potential erosion. Additionally, the dust reduction measures of Mitigation Measure AQ-1 will also minimize soil erosion. Therefore, erosion impacts are considered less than significant. *Less than significant impact.*

d) The Safety Element of the General Plan indicates that the project site has a high potential for liquefaction, which is true for most of the City, and the site contains highly expansive soils as defined in Table 18-1-B of the Uniform Building Code (2001). A soils report prepared by GeoSolutions, Inc, May 2016 concluded that the site is suitable for the proposed project and includes recommendations for preparation of fill areas. In accordance with the California Building Code Chapter 18, any recommendations included in the report will be incorporated into project plans and addressed through site construction techniques. Therefore, based on compliance with existing regulations, potential impacts would be less than significant. *Less*

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than significant impact.

e) The project consists of early grading and includes no structures requiring access to City sewers or the construction of a new leachfield and septic system. *No impact.*

Conclusion: Less than Significant Impact.

7. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1, 9			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	1, 9			X	

Evaluation

As outlined in the recent City Land Use and Circulation Element Update EIR, prominent greenhouse gas (GHG) emissions contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). Anthropogenic (human-caused) GHG emissions in excess of natural ambient concentrations are responsible for intensifying the greenhouse effect and have led to a trend of unnatural warming of the earth’s climate, known as global climate change or global warming. Global sources of GHG emissions include fossil fuel combustion in both stationary and mobile sources, fugitive emissions from landfills, wastewater treatment, agricultural sources, deforestation, high global warming potential (GWP) gases from industrial and chemical sources, and other activities.

The major sources of GHG emissions in the City are transportation-related emissions from cars and trucks, followed by energy consumption in buildings. These local sources constitute the majority of GHG emissions from community-wide activities in the city, and combine with regional, statewide, national, and global GHG emissions that result in the cumulative effect of global warming. A minimum level of climate change is expected to occur despite local, statewide, or other global efforts to mitigate GHG emissions. The increase in average global temperatures will result in a number of locally-important adverse effects, including sea-level rise, changes to precipitation patterns, and increased frequency of extreme weather events such as heat waves, drought, and severe storms.

Statewide legislation, rules and regulations that apply to GHG emissions associated with the Project Setting include the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32), the Sustainable Communities and Climate Protection Act of 2008 (Senate Bill [SB] 375), Advanced Clean Cars Rule, Low Carbon Fuel Standard, Renewable Portfolio Standard, California Building Codes, and recent amendments to the California Environmental Quality Act (CEQA) pursuant to SB 97 with respect to analysis of GHG emissions and climate change impacts.

Plans, policies and guidelines have also been adopted at the regional and local level that address GHG emissions and climate change effects in the City. SLO APCD adopted a CEQA Air Quality Handbook, as well as guidance on GHG emission thresholds and supporting evidence, that may be applied by lead agencies within San Luis Obispo County (APCD 2012). The City also adopted a Climate Action Plan (CAP) that includes a GHG emissions inventory, identifies GHG emission reduction targets, and includes specific measures and implementing actions to both reduce community-wide GHG emissions. The CAP also includes measures and actions to help the city build resiliency and adapt to the effects of climate change.

a), b) Air quality impacts resulting from the buildout of the City’s General Plan, including the MASP, have been analyzed in detail under the LUCE Update EIR. Specifically, in 2009 the City conducted a GHG emissions inventory of annual emissions for the baseline year 2005. The City’s CAP also included forecasted business-as-usual (BAU) emissions for 2010, 2020 and 2035. The CAP BAU forecast supersedes forecasted emissions included in the original 2009 inventory. According to the emissions forecast, communitywide BAU emissions would increase by approximately 9 percent in 2020 compared to 2005 levels, and would further increase by approximately 21 percent in 2035 compared to 2005 levels. However, projected growth assumed under the LUE and MASP is equal to or slightly less than the growth projections used to estimate worst case future GHG emissions in the CAP. Therefore, expected long-term operational GHG emissions generated by new development is consistent with the land use and zoning evaluated under the LUCE Update and would be consistent with forecasted BAU

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communitywide emissions in the CAP.

The CAP includes a communitywide GHG emissions reduction target of 15 percent below 2005 levels by 2020. In order to address the forecasted increase in long-term operational emission impacts, the CAP includes specific GHG reduction measures that are designed to achieve this target, in combination with state and federal legislative reductions. As shown in the LUCE Update EIR, with implementation of the GHG reduction measures, communitywide emissions would be reduced to 16 percent below 2005 levels by the year 2020, exceeding the 15 percent target. Please refer to LUCE EIR Table 4.7-3 (titled “Consistency of Proposed LUCE Update Policies and Programs with Climate Action Plan Measures and Actions”) for a detailed review of LUE policies and their consistency with applicable CAP measures.

The emissions from project-related vehicle exhaust comprise the vast majority of the total project CO₂ emissions. Construction activities would generate GHG emissions through the use of on- and off-road construction equipment. The project does not include the development of any structures and is therefore not growth inducing, and would not increase land use intensity, and does not include any features that require significant energy to operate. Therefore, any GHG emissions from the project would not conflict with California’s commitment to GHG reduction under AB 32. The project would not result in cumulatively considerable generation of GHG. *Less than significant impact.*

Conclusion: Less than significant impact.

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	29		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	29		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	29				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment?	4				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	27			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	27			X	
g) Impair implementation of, or physically interfere with, the adopted emergency response plan or emergency evacuation plan?	4				X
h) Expose people or structures to a significant risk of loss, injury, or death, involving wildland fires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?	4			X	

Evaluation

a) The proposed project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials. Construction activities are required to comply with applicable building, health, fire, and safety codes. Construction and maintenance activities would use hazardous materials such as fuels (gasoline

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and diesel), oils, and lubricants. The amount of materials used would be small, so the project would not create a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous materials, as such uses would have to comply with applicable federal, state, and local regulations, including but not limited to Titles 8 and 22 of the CCR, the Uniform Fire Code, and Chapter 6.95 of the California Health and Safety Code.

b) The MASP/AASP EIR determined that historical agricultural activities and surrounding industrial activities of the Margarita Area may have released hazardous materials into the environment. Hazardous materials releases may have involved leaking underground or aboveground storage tanks, or similar events from other nearby properties that store or handle hazardous or toxic materials.

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed, to be evaluated with the grading plans. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD as described in mitigation measure HZ-1.

Construction-related and ground disturbing activities may involve the use of materials that could contaminate nearby soils and water resources in the project area. The MASP/AASP EIR determined impacts related to development of allowed business park land uses could result in operations-related exposures to hazardous materials and short-term surface water quality degradation from accidental release of hazardous materials during construction. The MASP/AASP EIR requires three mitigation measures that would reduce such impacts to less than significant: HAZ 1.1 (Implement a Construction-Related Hazardous Materials Management Plan); HAZ 1.2 (Conduct Phase I and Possibly Phase II Environmental Site Assessments to Determine Soil or Groundwater Contamination); and HAZ 2.1 (Implement an Operations-Related Hazardous Materials Management Plan). Therefore, based on mitigation measure HZ-1 and compliance with existing regulations and required MASP/AASP EIR mitigation measures, potential impacts would be less than significant. *Potentially significant unless mitigation incorporated.*

c), d) The proposed project is not located on a site with any known hazardous materials, and improvements necessary for the proposed project would not result in the emission of any hazardous materials or substances. The project site is not located within a one-quarter mile of an existing or proposed school and the site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. *No impact.*

e), f) The project site is located within the Airport Land Use Plan (ALUP) area S-1B. When adopted, the City Council and the Airport Land Use Commission found the MASP to be consistent with the Airport Land Use Plan (ALUP). Since the project consists only of grading the subject property, the project is compliant with the MASP, subsequently the project is also compatible with the policies and objectives of the ALUP. Future site development will be subject to compliance with the ALUP density standards and land uses. *Less than significant impact.*

g), h) The project has been reviewed by the Fire Marshal to assure compliance with adopted fire/emergency-related codes. The subject site is not within an area of fire hazard severity and would not interfere with any emergency response plan or emergency evacuation plans. *Less than significant impact.*

Implement the following Mitigation Measures from the MASP/AASP EIR Resolution No. 9726 (2005 Series):

- HAZ-1.1 Implement a Construction-Related Hazardous Materials Management Plan
- HAZ-1.2 Conduct Phase I and Possibly Phase II Environmental Site Assessments to Determine Soil or Groundwater Contamination
- HAZ-2.1 Implement an Operations-Related Hazardous Materials Management Plan.

New Mitigation Measure HZ-1: Naturally Occurring Asbestos. Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an

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exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Technical Appendix 4.4 of this Handbook includes a map of zones throughout SLO County where NOA has been found and geological evaluation is required prior to any grading. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.

Conclusion: Less than significant with incorporation of mitigation measures.

9. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	30			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. The production rate of pre-existing nearby wells would drop to a level which would not support existing land uses for which permits have been granted)?	19				X
c) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation onsite or offsite?	30			X	
d) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial flooding onsite or offsite?	30			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	19			X	
f) Otherwise substantially degrade water quality?	30			X	
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	26				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	26				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	26				X
j) Inundation by seiche, tsunami, or mudflow?	26				X

Evaluation

a) Grading and construction activities have the potential to discharge incidental sediment and construction related pollutants, such as petroleum products. Development associated with the property, including grading activities, will require issuance of an National Pollutant Discharge Elimination System (NPDES) general construction activity storm water permit by the Central Coast Regional Water Quality Control Board (RWQCB) and compliance with City regulations for erosion control, stormwater management, and water quality. Therefore, based on compliance with existing regulations, potential impacts would be less than significant. *Less than significant impact.*

b) The project is limited to grading activity which will consist only of water use for the purposes of dust suppression and does not include or require connection to City's water systems and will not result in any depletion groundwater resources. *No impact.*

c), d), e), f) Physical improvement of the project site will be required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. The Waterways Management Plan and Low Impact Development (LID) stormwater treatment requires that

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site development be designed so that post-development site drainage does not significantly exceed pre-development run-off. In addition, the project is required to comply with the City’s engineering standards, water pollution control plan requirements, Post Construction Stormwater Requirements, and adopted building and grading codes for water quantity/quality analysis. Therefore, based on compliance with existing regulations, potential impacts would be less than significant. *Less than significant impact.*

g), h), i), j) As no housing or structures are included as part of the project, no structures will be subject to a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The project site is not located near a levee or dam, is not downstream from a levee or dam, and is not located in an area where there is risk of inundation by seiche, tsunami, or mudflow. *No impact.*

Conclusion: Less than significant impact.

10. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?	1, 8				X
b) Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	1, 10				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plans?	5				X

Evaluation

a) The project will not physically divide an established community since the project is limited to grading only, in a manner consistent with the adopted MASP. *No impact.*

b), c) The proposed grading project is consistent with the MASP and does not conflict with the ALUP. The project will not conflict with any applicable habitat conservation plans or natural community conservation plans. *No impact*

Conclusion: No Impact.

11. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	10				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	10				X

Evaluation

a), b) No known mineral resources are present at the project site. Grading of the site would not result in the loss of availability of a known mineral resource. The project site is not designated by the general plan, specific plan, or other land use plans as a locally important mineral recovery site. *No impact.*

Conclusion: No Impact.

12. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	3, 18			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	3, 18			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	30				X

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d) A substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	30			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	9, 27			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	9, 27			X	

Evaluation

a), b) Residences are designated as noise sensitive by the Noise Element. The Noise Element indicates that noise levels of up to 60 dB are acceptable for outdoor activity areas and noise levels of up to 45 dB are acceptable for indoor areas. The project is located in proximity to single-unit dwellings, approximately 200 feet across Prado Road. Increases in groundborne vibration levels attributable to the proposed project would be primarily associated with short-term construction-related activities. Construction activities would likely require the use of various types of heavy equipment, such as haul trucks. Because construction activities are restricted to the days, hours, and sound levels allowed by City ordinance (Chapter 9.12 of the Municipal Code), impacts associated with groundborne vibration and noise would be less than significant. *Less than significant impact.*

c) As the project consists of grading only, there will be no permanent increase to ambient noise levels will occur. *No impact.*

d) Site grading will result in temporary increases in ambient noise levels. Construction activities generate noise and may temporarily raise the ambient noise levels above acceptable levels for the duration of construction, including groundborne vibration and noise. Construction noise is regulated by the City's Noise Ordinance, which regulates time of construction and maximum noise levels that may be generated. The project would be required to meet the noise standards contained in the Ordinance in order to avoid a potential nuisance. Therefore, based on compliance with existing regulations, potential short-term impacts would be less than significant. *Less than significant impact.*

e), f) According to the MASP/AASP EIR and ALUP, the project site is located within the projected 60 dB average airport noise contour and within the 75 dB single event noise contour at ground level. As the project consists of grading only, an no noise sensitive land uses are proposed at this time, potential impacts would be less than significant. *Less than significant impact.*

Conclusion: Less than significant Impact.

13. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?	6				X
b) Displace substantial numbers of existing housing or people necessitating the construction of replacement housing elsewhere?	6				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	6				X

Evaluation

a), b), c) No impacts to population and housing will occur as the grading project does not include any infrastructure or development elements that would be inconsistent with the MASP, and the grading project does not include the demolition or relocation of housing or people. *No impact.*

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Conclusion: No Impact.

14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision, or need, of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a) Fire protection?	12			X	
b) Police protection?	12			X	
c) Schools?	12			X	
d) Parks?	12			X	
e) Roads and other transportation infrastructure?	12			X	
f) Other public facilities?	12			X	

Evaluation

a), b), e), f) As the project consists of grading within an infill site, adequate public services (fire, police, roads and other transportation infrastructure, and other public facilities) are available to serve the grading project. *Less than significant impact.*

c), d) The proposed project consists of grading only, and would not result in any new development that would increase demands on parks or schools. *Less than significant impact.*

Conclusion: Less than significant impact.

15. RECREATION. Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	30				X
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	30				X

Evaluation

a), b) The project consists of grading of the site and will not have a direct or indirect impact on use of existing neighborhood or regional parks, or other recreational facilities. *No impact.*

b) The project does not include or require the construction of recreational facilities. *No impact.*

Conclusion: No Impact.

16. TRANSPORTATION/TRAFFIC. Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	2			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways?	2			X	
c) Substantially increase hazards due to design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	30			X	
d) Result in inadequate emergency access?	30			X	
e) Result in inadequate parking capacity onsite or offsite?	30			X	

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f) Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?	2				X
g) Conflict with the with San Luis Obispo County Airport Land Use Plan resulting in substantial safety risks from hazards, noise, or a change in air traffic patterns?	27				X

Evaluation

a), b), c), d), e), f), g) Since the project does not include development of any structures, no permanent impact to traffic or transportation infrastructure will occur as a result of the project. However, the project will include construction vehicles generating trips to and from the site to haul materials, which may contribute to traffic in the area, this is a short-term activity with a less than significant impact. *Less than significant impact.*

g) The project will not result in any changes to air traffic patterns, nor conflict with any safety plans of the ALUP. *No Impact.*

Conclusion: Less than Significant Impact.

17. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	22			X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	21,23,33		X		

Evaluation

On January 24, 2018, local Native American tribal groups were formally noticed that an Initial Study of Environmental Impact was being prepared for the proposed project at 365 Prado Road and invited to provide consultation on the proposed project. No tribal representatives requested formal consultation, and the project is not located within an archaeologically sensitive site, or near areas designated as burial sensitive areas. On March 20, 2018 the Northern Chumash Tribe was contacted after expressing interest in the project. Following a collaborative conversation with the Central Coast Archaeological Research Consultants, who prepared the Cultural Resources Survey for the property, the tribe did not identify any concerns regarding tribal cultural resources within the project area. As a result of consultation efforts, the City has included the following mitigation measure to ensure protection of unknown resources: "In the unlikely event that buried or otherwise unknown cultural resources are discovered during construction work in the area of the find, a mitigation measure under the Cultural Resource section has been included to insure preservation of any discovered potential remains or artifacts" (see New Mitigation Measure CR-1).

a), b) The project site does not contain any tribal cultural resources that are: listed or eligible for listing in the California Register of Historical Resources or local register as defined in Public Resources Section 5020.1(k). The site does not contain any tribal cultural resources identified by any California Native American tribe. As noted above, based on communications with the tribal representatives, compliance with New Mitigation Measure CR-1 would mitigate potential impacts to unknown resources to less than significant. *Less than significant with mitigation.*

Conclusion: Less than significant impact with incorporation of mitigation measures.

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18. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	12				X
b) Require or result in the construction or expansion of new water treatment, waste water treatment, water quality control, or storm drainage facilities, the construction of which could cause significant environmental effects?	12				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	12				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded water resources needed?	12			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitment?	12				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	24			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?	24			X	

Evaluation

a), b), c), e) The project does not include or require any connections to the City's waste water, or storm water drainage facilities, the project will not result in any expansion or impact to existing facilities. *No impact.*

d) The City's General Plan and MASP ensure that an adequate quantity of water is available to serve future development prescribed in the Land Use Element and MASP. The project consists only of water use for the purposes of dust suppression and does not include any connection to the City's water supply. *Less than significant impact.*

f), g) The project consists of grading the site only the project will fully comply with existing federal, state, and local statutes and regulations related to solid waste. *Less than significant impact.*

Conclusion: Less than significant impact.

19. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X		
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The project consists of grading a site without any associated development in an urbanizing area of the city. Without incorporation of the development standards and mitigation measures identified in the 2004 MASP and AASP/MASP FEIR, the project would have the potential to create significant impacts to the community. As discussed above, potential impacts will be less than significant based on compliance with the Municipal Code, state and federal regulations, mitigation measures identified in the AASP/MASP FEIR, and new mitigation measures specific to the proposed grading project.

b) Does the project have impacts that are individually limited, but			X		
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cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)					
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The impacts of the proposed project are individually limited and not considered "cumulatively considerable." Although incremental changes in certain issue areas can be expected as a result of the proposed project, all environmental impacts that could occur as a result of the proposed project would be reduced to a less than significant level through compliance with existing regulations discussed in this Initial Study and/or implementation of the mitigation measures required and recommended in this Initial Study for the following resources: air quality, biological resources, and cultural resources.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	
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Implementation of the proposed project would result in no environmental effects that would cause substantial direct or indirect adverse effects on human beings with incorporation of the mitigation measures recommended in this Initial Study.

20. EARLIER ANALYSES.

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:

a) Earlier analysis used. Identify earlier analyses and state where they are available for review.

In 2004 the City of San Luis Obispo certified an Environmental Impact Report (EIR) for the Margarita Area Specific Plan (MASP), the Airport Area Specific Plan (AASP) and the related Facilities Master Plan. The subject project lies within the boundaries of the MASP. Therefore, this prior MASP/AASP EIR evaluation considered impacts and mitigation related generally to potential development of the subject site and others pursuant to the MASP and related Facilities Master Plan. The prior MASP/AASP EIR, certified by the City Council along with the adoption of the MASP and Facilities Master Plan on October 12, 2004, by Resolution No. 9615 (2004 Series), contained a variety of mitigation measures to be incorporated as discrete components of the MASP or as policies or development standards to be implemented through site specific development proposals. Further on August 23, 2005, by Resolution No. 9726 (2005 Series), the City Council re-certified, with additional mitigation, the MASP/AASP EIR for the Airport Area Specific Plan (AASP), and adopted the Plan.

The California Environmental Quality Act (CEQA) allows Lead Agencies (the City) to use the analysis of general matters contained in a broader EIR, such as for a general or specific plan, with later EIRs or Negative Declarations on narrower projects; incorporating by reference the general discussions from the broader EIR, and concentrating the later EIR or Negative Declaration solely on the issues specific to the later project.

The environmental analyses above for this project take into account the environmental conclusions of the prior EIR as they are applicable to the proposed site-specific project. As such, mitigation measures adopted in the prior EIR that are applicable to the subject site-specific project, and therefore must be incorporated into the proposed project to effectively mitigate the prior identified impacts, are listed below. These mitigation measures are verbatim from the prior EIR. The [Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans and Final Program EIR](#) is available for review at the City of San Luis Obispo Community Development Department, City Hall, 919 Palm Street, San Luis Obispo, CA 93401.

b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

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Applicable excerpts, analysis and conclusions from the referenced documents have been added to each impact issue area discussion. Where project specific impacts and mitigation measures have been identified that are not addressed in the MASP FEIR, original analysis has been provided to analyze impact levels as needed.

c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.

The MASP/AASP EIR was certified by the City Council on October 12, 2004, thereby determining that the EIR adequately analyzed the potentially significant impacts listed in Column No. 1 and that mitigation was required. Column No. 2 indicates the status of impact after mitigation specified in the prior EIR. Column No. 3 indicates if there is a specific provision of the MASP that serves to implement or achieve the required mitigation. Column No. 4 indicates whether previously adopted EIR mitigation measures satisfactorily respond to the site-specific project impacts or whether revised or new mitigation measures are proposed.

Please refer to Initial Study and MASP FEIR Required Mitigation and Monitoring Program

MASP/AASP EIR-Identified Areas of Potential Impact	Impact After Mitigation	MASP Provision	Previously Amended Mitigation Measures
Biological Resources			
- BIO-1 Conduct surveys	L-T-S	Open Space & Parks	MM BIO 1.1
- BIO-6 Freshwater Marsh	L-T-S	Open Space & Parks	MM BIO 6.1
- BIO-9 Special-Status Plants	L-T-S	Open Space & Parks	MM BIO 9.1
- BIO-12 Non-listed Special-Status Wildlife	L-T-S	Open Space & Parks	MM BIO 12.1
- BIO-13 Calif. Red-Legged Frog	L-T-S	Open Space & Parks	MM BIO 13.1
- BIO-16 Least Bell's Vireos	L-T-S	Open Space & Parks	MM BIO 16.1, 16.2, 16.3
- BIO-17 Southwestern pond turtle	L-T-S	Open Space & Parks	MM BIO 17.1, 17.2
Air Quality			
-AIR-1 Short-Term Construction Emissions	L-T-S	not specified	MM AIR 1.1, 1.2, 1.3
Hazardous Materials			
- HAZ-1 Construction Related	L-T-S	not specified	MM HAZ 1.1, 1.2
- HAZ-2 Operations Related	L-T-S	not specified	MM HAZ 2.1

Notes: SU=Significant & Unavoidable (Statement of Overriding Considerations adopted), L-T-S=Less than Significant

21. SOURCE REFERENCES.

1.	City of SLO General Plan Land Use Element, December 2014
2.	City of SLO General Plan Circulation Element, December 2014
3.	City of SLO General Plan Noise Element, May 1996
4.	City of SLO General Plan Safety Element, July 2000
5.	City of SLO General Plan Conservation Element, April 2006
6.	City of SLO General Plan Housing Element, January 2015
7.	City of SLO Water and Wastewater Element, February 1987
8.	City of SLO General Plan EIR 2014 for Update to the Land Use and Circulation Elements
9.	City of San Luis Obispo Municipal Code
10.	City of San Luis Obispo, Land Use Inventory Database
11.	Site Visit
12.	City Council Resolution No. 9726 (2005 Series) MASP FEIR

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13.	USDA, Natural Resources Conservation Service, Soil Survey of San Luis Obispo County
14.	Website of the Farmland Mapping and Monitoring Program of the California Resources Agency: http://www.consrv.ca.gov/dlrp/FMMP/
15.	Clean Air Plan for San Luis Obispo County, Air Pollution Control District, 2001
16.	CEQA Air Quality Handbook, Air Pollution Control District, 2012
17.	Institute of Transportation Engineers, Trip Generation Manual, 6 th Edition, on file in the Community Development Department
18.	City of San Luis Obispo Noise Guidebook, May 1996
19.	City of SLO Waterways Management Plan
20.	City of San Luis Obispo, Historic Resource Preservation Guidelines, on file in the Community Development Department
21.	City of San Luis Obispo, Archaeological Resource Preservation Guidelines, on file in the Community Development Department
22.	City of San Luis Obispo, Historic Site Map
23.	City of San Luis Obispo Burial Sensitivity Map
24.	City of SLO Source Reduction and Recycling Element, on file in the Utilities Department
25.	San Luis Obispo Quadrangle Map, prepared by the State Geologist in compliance with the Alquist-Priolo Earthquake Fault Zoning Act, effective January 1, 1990
26.	Flood Insurance Rate Map (Community Panel 0603100005 C) dated March 5, 2007
27.	San Luis Obispo County Airport Land Use Plan
28.	City of San Luis Obispo Community Design Guidelines
29.	2001 Uniform Building Code
30.	Project Plans
31.	Biological and Wetland Assessment, David Wolff, Sage Institute, Inc. 2016
32.	Drainage Analysis Martinelli Grading Prado Road, Keith V. Crowe, KVC Consulting, 2017
33.	Cultural Resources Survey, Terry Joslin, Ph.D, RPA, Central Coast Archaeological Research Consultants, 2018
34.	Preliminary Soils Engineering Report Parcel 33, Prado Road, May 2016

All documents listed above are available for review at the City of San Luis Obispo Community Development Department, 990 Palm Street, San Luis Obispo, California (805) 781-7188.

Attachments:

1. Project Description
2. Reduced scale project plans
3. Biological and Wetland Assessment, Sage Institute, Inc. August 2016
4. City Council Resolution No. 9726 (2005 Series) MASP FEIR

REQUIRED MITIGATION AND MONITORING PROGRAMS

AIR QUALITY MITIGATION

Implement the following Mitigation Measures from the MASP/AASP EIR Resolution No. 9726 (2005 Series):

- AIR-1.1 Implement Construction-Related Combustion Emissions Mitigation. NOx emissions will be the controlling factor in determining the application of control strategies for construction-related, combustion-related emissions. Any project requiring grading of >1,950 cubic yards/day or >50,000 cubic yards within a 3-month period will need to apply Best Available Control Technology for construction equipment combustion controls. Projects requiring >125,000 cubic yards of grading in a 3-month period will need to apply CBACT plus offsets and/or other mitigation. Examples of CBACT can be found in the San Luis Obispo APCD CEQA Air Quality Handbook. If impacts are still significant after application of CBACT, the following additional measures shall be implemented as necessary:
 - i. use Caterpillar pre-chamber diesel engines (or equivalent), properly maintained and operated to reduce emissions of NOx;

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- ii. use electrically powered equipment where feasible;
 - iii. maintain equipment in tune per manufacturer’s specifications, except as otherwise required above;
 - iv. install catalytic converters on gasoline-powered equipment;
 - v. substitute gasoline-powered equipment for diesel-powered equipment, where feasible;
 - vi. implement activity management techniques as described below; and
 - vii. use compressed natural gas– or propane-powered portable equipment (e.g., compressors, generators, etc.) onsite instead of diesel-powered equipment, where feasible.
- AIR-1.2 Implement Construction-Related Fugitive Dust (MP10) Mitigation. Any project with a grading area greater than 1.6 hectares (4.0 acres) of continuously worked area will exceed the 2.5 ton PM10 quarterly threshold and will require the following mitigation measures where applicable. Proper implementation of these measures shall be assumed to achieve a 50% reduction in fugitive dust emissions. The use of soil binders on completed cut-and-fill areas has the potential to reduce fugitive dust emissions by 80%.
 - i. Reduce the amount of the disturbed area where possible.
 - ii. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site; increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph); reclaimed (nonpotable) water should be used whenever possible.
 - iii. Spray all dirt stockpile areas daily as needed.
 - iv. Implement permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible following completion of any soil disturbing activities.
 - v. Sow exposed ground areas that are planned to be reworked at dates occurring 1 month after initial grading with a quickly germinating native grass seed and water until vegetation is established.
 - vi. Stabilize all disturbed soil areas that are not subject to revegetation using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - vii. Complete paving of all roadways, driveways, sidewalks, etc. that are to be paved as soon as possible; lay building pads as soon as possible after grading unless seeding or soil binders are used.
 - viii. Limit vehicle speeds for all construction vehicles to a maximum of 15 mph on any unpaved surface at the construction site.
 - ix. Cover all trucks hauling dirt, sand, soil, or other loose materials or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114; this measure has the potential to reduce PM10 emissions by 7–14%.
 - x. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; this measure has the potential to reduce PM10 emissions by 40–70%.
 - xi. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads; water sweepers with reclaimed water should be used where feasible; this measure has the potential to reduce PM10 emissions by 25–60%.
- AIR-1.3 Implement Construction-Related Activity Management Techniques.
 - i. Develop a comprehensive construction activity management plan designed to minimize the amount of large construction equipment operating during any given time period.
 - ii. Schedule construction truck trips during non-peak hours to reduce peak hour emissions.
 - iii. Limit the length of the construction work-day period, if necessary.
 - iv. Phase construction activities, if appropriate.

AQ-1: To reduce sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project and export soil from the site, the applicant shall implement the following idling control techniques:

1. California Diesel Idling Regulations
 - a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,

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- ii. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of restricted area, except as noted in Subsection (d) of the regulation.
- b. Off-road diesel equipment shall comply with the 5 minute idling restriction identified in Section 2449(d)(2) of the California Air Resources Board’s In-Use off-Road Diesel regulation.
- c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state’s 5 minute idling limit.
- 2. Diesel Idling restrictions Near Sensitive Receptors (residential homes). In addition to the State required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.
 - c. Use of alternative fueled equipment is recommended.
 - d. Signs that specify the no idling areas must be posed and enforces at the site.
- 3. Soil Transport. The final volume of soil that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day will need to be identified for the APCD. Specific standards and conditions will apply.

BIOLOGICAL RESOURCES MITIGATION

Implement the following Mitigation Measures from the MASP/AASP EIR Resolution No. 9726 (2005 Series):

- BIO-1.1, Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. Applications for subdivisions and development in grassland areas must include the result of the following surveys and studies:
 - i. surveys and mapping of special-status plants identified in Table 3C-4 during the appropriate identification periods;
 - ii. surveys and mapping of special-status wildlife identified in Table 3C-5 during the appropriate seasons;
 - iii. mapping and quantification of valley needlegrass grassland inclusions;
 - iv. delineation and quantification of waters of the United States, including wetlands, using the Corps’ 1987 wetland delineation manual (Environmental Laboratory 1987);
 - v. identification of special-status species and species of local concern as identified in the (forthcoming) Conservation Element; and
 - vi. mapping and quantification of habitat loss.
- BIO-6.1 Avoid and Minimize Impacts on Wetland Habitat. To avoid and minimize impacts to freshwater marsh and other wetland habitats, the project proponent will do all of the following:
 - i. obtain a qualified wetland ecologist to conduct a delineation of waters of the United States, including wetlands, at the project site;
 - ii. obtain verification of the delineation from the Corps;
 - iii. avoid identified waters of the United States and wetlands during project design to the extent possible and establish a buffer zone around jurisdictional features to be preserved;
 - iv. obtain a permit from the Corps for any unavoidable “fill” of wetlands or other waters of the United States; and
 - v. develop and implement a mitigation and monitoring plan in coordination with the agencies to compensate for losses and to ensure no net loss of wetland habitat functions and values.
- BIO-9.1 Avoid or Minimize Impacts on Special Status Plant species. To avoid or minimize impacts on special-status plant species, the project proponent will do all of the following:
 - i. Whenever possible, set aside as nature preserve areas known to support large populations of special-status plants.
 - ii. Ensure that a qualified botanist conducts surveys for special-status plant species in all portions of the planning area at the appropriate time when the plants are clearly identifiable. The botanist should document and map encountered populations.
 - iii. Avoid or minimize impacts on special-status plant populations to the extent possible.

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- iv. Compensate for the unavoidable loss or disturbance of special-status plant species. Compensation shall be implemented under a mitigation plan developed in conjunction with DFG and USFWS. The requirements for a mitigation plan will depend on the species affected by the project and the extent of impacts on the populations. Mitigation shall be implemented onsite whenever possible. Possible mitigation locations (but not required locations) for Congdon’s tarplant include those areas of the Unocal site set aside as Open Space.
- BIO-12.1 Avoid or Minimize Impacts on Non-Listed, Special Status Wildlife Species. To avoid or minimize impacts on non-listed, special-status wildlife species (Table 3C-5), the project proponent will do all of the following:
 - i. Ensure that a qualified biologist conducts surveys for non-listed special-status wildlife species in all portions of the planning area at the appropriate time for each species. The biologist should document and map encountered individuals.
 - ii. Avoid or minimize impacts on non-listed special-status wildlife populations and individuals to the extent possible.
 - iii. Ensure that a qualified biologist conducts protocol-level surveys for burrowing owls and, if presence is confirmed, develops a mitigation plan following DFG guidelines.
 - iv. Surveys would be conducted at suitable breeding habitat for nesting tricolored blackbirds before construction begins. Surveys would be conducted 2–3 times during the nesting season (April 1–July 15). If nesting tricolored blackbirds are found, the project proponent shall avoid impacts on the species by one of two methods: avoiding construction within 500 feet of an active nesting colony during the nesting season or constructing the interceptor during the nonbreeding season (July 15–March 31). Barrier fencing would be used to establish buffer zones around the active colonies. Removal of suitable breeding habitat should also be minimized through the project design. If nesting habitat is unoccupied, construction in the area could occur at any time; however, removal of suitable breeding habitat should be minimized.
 - v. Compensate for the unavoidable loss or disturbance of non-listed special-status wildlife species. Compensation shall be implemented under a mitigation plan developed in conjunction with DFG and USFWS. The requirements for a mitigation plan will depend on the species affected by the project and the extent of impacts on the populations. Mitigation shall be implemented onsite whenever possible.

BR-1: Prior to issuance of a grading permit, the applicant shall submit a protection plan ensuring that the mapped occurrence of the Congdon’s Tarplant (California Rare Plant Rank 1B.1, which means “rare or endangered in California and elsewhere, and seriously endangered in California) is avoided with a 25-foot buffer and includes exclusionary fencing. Protection fencing shall be installed prior to ground disturbance and shall remain in place for the life of the project.

BR-2: Prior to issuance of a grading permit, the applicant shall submit a protection plan ensuring that the Prado Road ditch is avoided with a 25-foot buffer and includes exclusionary fencing. Protection fencing shall be installed prior to ground disturbance and shall remain in place for the life of the project. The applicant shall comply with all state and federal regulations regarding jurisdictional waters for the life of the project.

Monitoring Program:

Prior to approval of the building permits, the applicant shall contact the City Natural Resource Manager for review and approval of the final lot and street design to assure that on-site natural resources are protected and preserved to the greatest extent required by the mitigation measures and consistent with requirements of the MASP and MASP/AASP. Prior to any site preparation or construction activities, the applicant shall also initiate and complete for approval by the City pre-construction surveys for nesting birds and adhere to performance standard specified in the mitigation. Provisions for required off-site mitigation shall be coordinated with and approved by the City Natural Resource Manager. Prior to the onset of construction, the wetland habitat mitigation plan, mitigation for the Congdon’s tarplant, and training for construction personnel shall be completed or in progress to the satisfaction of the Natural Resources Manager.

CULTURAL RESOURCES MITIGATION

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CR-1: In the event that buried or otherwise unknown cultural resources are discovered during construction work in the area of the find, work shall be suspended and the City of San Luis Obispo should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense. If the coroner determines the remains are Native American, the Native American Heritage Commission (NAHC) will be contacted and the remains will be left in situ and protected until a decision is made on their final disposition.

CR-2: If excavations encounter significant paleontological resources, archaeological resources or cultural materials, then construction activities which may affect them shall cease until the extent of the resource is determined and appropriate protective measures are approved by the Community Development Director. The Community Development Director shall be notified of the extent and location of discovered materials so that they may be evaluated and recorded by a qualified archaeologist or paleontologist (as applicable). If pre-historic Native American artifacts are encountered, a Native American monitor should be called in to work with the archaeologist to evaluate the resources pursuant to the California Environmental Quality Act. Disposition of artifacts shall comply with state and federal laws.

Monitoring Program:

Requirements for cultural resource mitigation shall be clearly noted on all plans for project grading and construction.

HAZARDS AND HAZARDOUS MATERIALS MITIGATION

Implement the following Mitigation Measures from the MASP/AASP EIR Resolution No. 9726 (2005 Series):

- HAZ-1.1 Implement a Construction-Related Hazardous Materials Management Plan. Before beginning construction activities, a project proponent will submit a hazardous materials management plan for construction activities that involve hazardous materials. The plan will discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. The plan will also outline a specific protocol to identify health risks associated with the presence of chemical compounds in the soil and/or groundwater and identify specific protective measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project proponent will implement Mitigation Measure HAZ-1.2.
- HAZ-1.2 Conduct Phase I and Possibly Phase II Environmental Site Assessments to Determine Soil or Groundwater Contamination. The project proponent will complete a Phase I environmental site assessment for each proposed public facility (e.g., streets and buried infrastructure). If Phase I site assessments indicate a potential for soil and/or groundwater contamination within or adjacent to the road or utility alignments, a Phase II site assessment will be completed. The following Phase II environmental site assessments will be prepared specific to soil and/or groundwater contamination.
 - i. Soil Contamination. For soil contamination, the Phase II site assessment will include soil sampling and analysis for anticipated contaminating substances. If soil contamination is exposed during construction, the San Luis Obispo Fire Department
 - ii. Groundwater Contamination. For groundwater contamination, the Phase II assessment may include monitoring well installation, groundwater sampling, and analysis for anticipated contaminating substances. If groundwater contaminated by potentially hazardous materials is expected to be extracted during dewatering, the SLOFD and the Central Coast RWQCB will be notified. A contingency plan to dispose of contaminated groundwater will be developed in agreement with the SLOFD and Central Coast RWQCB before activities.
- HAZ-2.1 Implement an Operations-Related Hazardous Materials Management Plan. The project proponent will ensure that a hazardous materials management plan for operations-related activities is established and addresses the delivery, use, manufacture, and storage of various chemicals. The plan will identify the proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. In addition, the SLOFD will conduct routine fire and lifesafety inspections to determine compliance with applicable health and safety codes.

Issues, Discussion and Supporting Information Sources Prado Early Grading Project USE-3771-2016 EID-1212-2017	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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HZ-1: Naturally Occurring Asbestos. Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation should be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Technical Appendix 4.4 of this Handbook includes a map of zones throughout SLO County where NOA has been found and geological evaluation is required prior to any grading. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.

Monitoring Program:

The geologic evaluation will be required to be submitted by a project proponent to the City Community Development Department and APCD for review prior to any grading activities. If NOA is found at the site the Asbestos ATCM shall include an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program subject to the approval of the APCD.



PROJECT STATEMENT
ENGINEERED FILL AT
365 PRADO ROAD
Administrative Use Permit
01 September 2016

I. INTRODUCTION & EXISTING CONDITIONS

365 Prado Road is a 19.93 acre parcel located in the Margarita Area Specific Plan area. The proposed project consists exclusively of importing soil material to the site; no development is proposed at this time. The proposed engineered fill benefits the existing and on-going area construction by providing a local permanent depository for fill material and benefits the subject property by improving the elevation of the property as it relates to Prado Road.

The property is currently vacant with a gentle slope to the southwest. Prado Road was constructed at a significantly higher elevation than the subject property. Raising the elevation of the property will improve connectivity to and relationship of the road and property for future development. Again, no development is proposed at this time.

II. PROJECT DESCRIPTION & ADMINISTRATIVE USE PERMIT

Pursuant to California Construction Code Appendix §J103, as amended by Municipal Code §15.04.020KK, grading activities not associated with a building permit must be authorized with a use permit or other discretionary review. Since no development is proposed as this time, this Administrative Use Permit application is submitted to fulfill this requirement.

The proposed engineered fill will not create building pads or other fine grading elements. A very small portion (± 200 square foot) of the subject property is within the mapped Flood Zone A. There is no earthwork proposed in the flood zone area. The contouring of the imported will maintain the existing drainage paths over the property, while incorporating improved erosion control measures. The increase in overall site elevation will better accommodate connectivity between Prado Road and future development.

III. BIOLOGICAL ASSESSMENT / ENVIRONMENTAL REVIEW

Based on the mitigation measures outlined in the Margarita Area Specific Plan Environmental Impact Report (“EIR”), a biological assessment of the subject property has been completed. Please see the Biological and Wetland Resource Evaluation for details of the assessment. (Sage Institute, 15 August 2016). The completed biological assessment satisfies the mitigation measures for the Specific Plan EIR and fulfills the requisite environmental review for the property and proposed project.

The subject property is comprised mostly of non-native annual grasses, but there are two areas of interest identified.

- 1) On the eastern edge of the property, a leaking hose on the neighboring property has provided a source of artificial hydrology producing a small stand of creeping spikerush. While the area is not

OASIS ASSOCIATES, INC.
01 September 2016
365 PRADO ROAD
Page 2 of 2

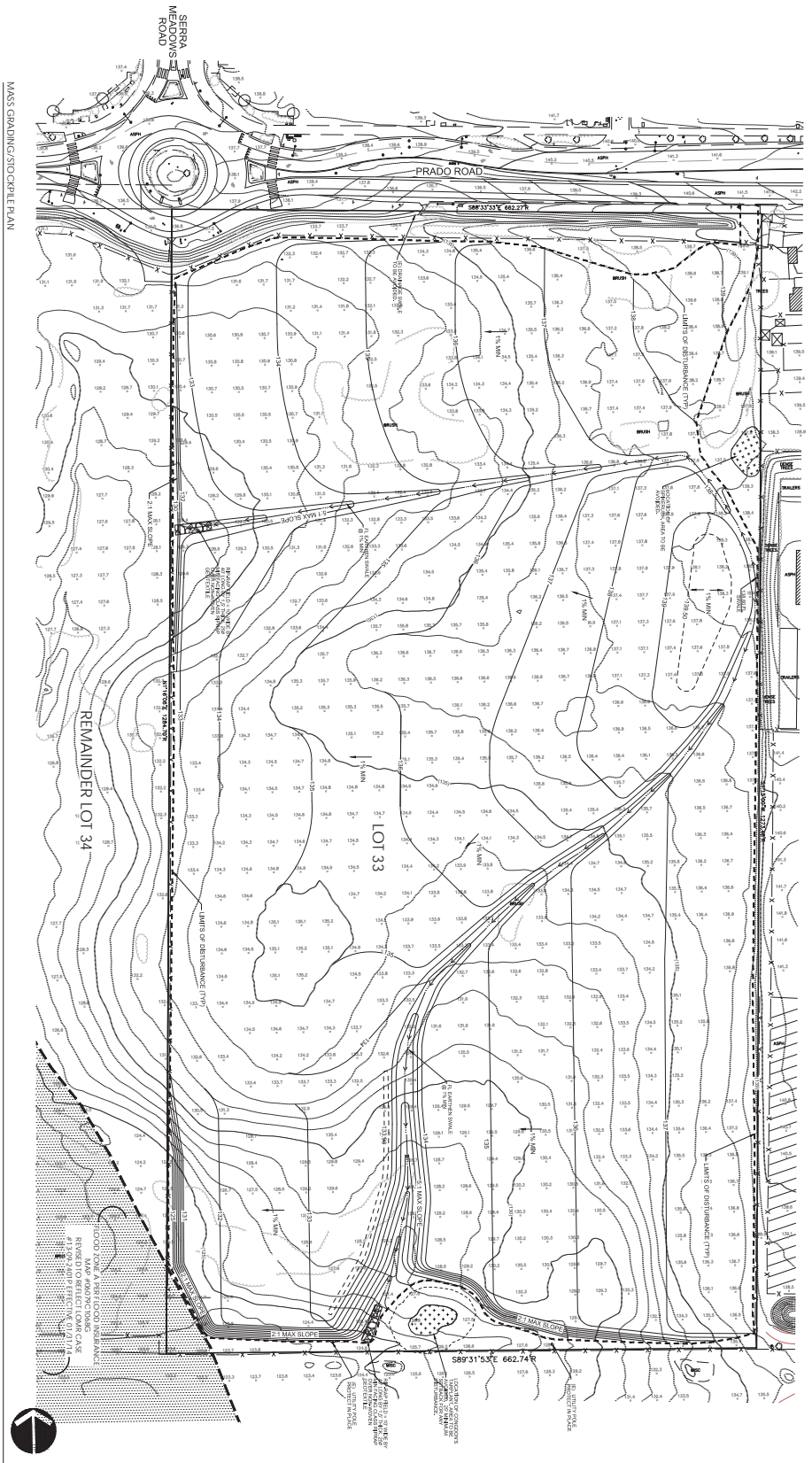
considered a jurisdictional wetland, the grading plan does not disturb the area.

- 2) A small stand (± 100 square feet) of the special-status Congdon' Tarplant was identified along the southern edge of the property. Again, the grading plan has been designed to avoid this area and provides a 25-foot setback from the proposed fill and related activities.

With review and approval of the Administrative Use Permit, the applicant will continue the process of obtaining the grading (building) permit (PLGRAD-2960-2016) to construct the engineered fill on the subject property. Fill material will be sourced from various local construction sites, in compliance with best management practices including compaction and testing.

ATTACHMENTS

- Mass Grading Plan C2.0, KVC Civil Engineering and Hydrology 19 August 2016
- Biological and Wetland Resource Evaluation, Sage Institute, 15 August 2016
- Response to Grading Permit plan Check PLGRAD-2960-2016, Oasis Associates, Inc. 01 September 2016



MASS GRADING/SLOPE PLAN

EARTHWORK
 CURB 0.5' V
 FILL 52.000 C' V
 BENCH 52.000 C' V

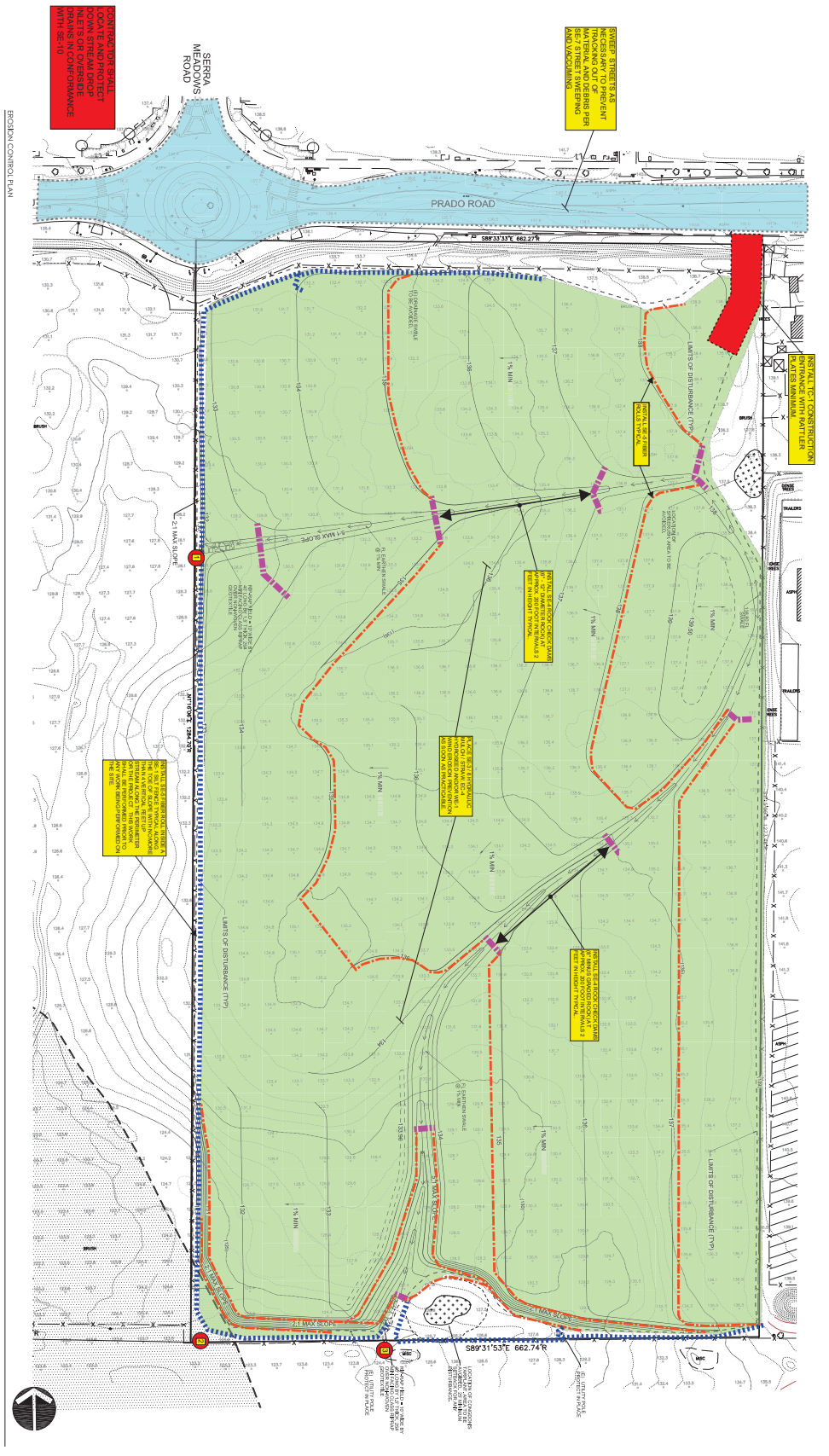
NOTE:
 SITE GRADING TO BE APPROVED AS
 REQUIRED BY THE MASS STATE CONSTRUCTION
 ENGINEERS BOARD (SCEB) IN ACCORDANCE
 WITH 805 CMR 1.00(1) AND 1.00(2).



VICINITY MAP



<p>Kevin V. Cowie, P.E. 1000 WASHINGTON STREET WASHINGTON, MA 01890</p>		<p>Project: MARTINELLI MASS GRADING PLAN</p> <p>307 Adams Road Westford, MA 01886</p>	<p>Client: L. Martelli</p>	<p>Scale: As Shown</p>	<p>Title: MASS GRADING PLAN</p> <p>Date: NOVEMBER 7, 2017</p> <p>Project: MARTINELLI MASS GRADING</p>	<p>Sheet: C2.0 OF 3</p>
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THIS SITE IS RISK LEVEL 2
MIDP# 3 40C - PENDING

LEGEND

	3'x6'x6' SLOTTED LOG SILT FENCE		3'x6'x6' SLOTTED LOG SEDIMENT TRAP
	3'x6'x6' SLOTTED LOG CHECK DAM		3'x6'x6' SLOTTED LOG ENERGY DISSIPATOR
	3'x6'x6' SLOTTED LOG SEDIMENT FILTER		3'x6'x6' SLOTTED LOG SEDIMENT BASIN
	3'x6'x6' SLOTTED LOG SEDIMENT POND		3'x6'x6' SLOTTED LOG SEDIMENT BASIN WITH 18" x 18" x 18" CONCRETE BLOCK
	3'x6'x6' SLOTTED LOG SEDIMENT BASIN WITH 18" x 18" x 18" CONCRETE BLOCK		3'x6'x6' SLOTTED LOG SEDIMENT BASIN WITH 18" x 18" x 18" CONCRETE BLOCK

- EROSION CONTROL NOTES**
1. ALL EROSION CONTROL NOTES ON EROSION CONTROL SHEETS AND 2. ALL PERMITTER EROSION CONTROL SHEETS SHALL BE INSTALLED PRIOR TO CONSIDERED PHASE ONE CONTROLS AND SHALL BE INSTALLED PRIOR TO 3. GRAVEL BARS AND FIBER ROLLS IN CONFORMANCE WITH PLAN 4. HYDROSEED MULCH AND PROTECTION MEASURES SHALL BE APPLIED TO ALL EXPOSED EROSION CONTROL WITHIN 14 DAYS OF 5. REPAIRS TO ALL EROSION CONTROL MEASURES SHALL BE INSTALLED 6. FOR RESPONSIBLE CHANGE OF EROSION CONTROL DEVICES SEE SHEET 7. ALL DETAILS FOR EROSION DEVICES SHOWN ON SHEETS C.A. & C.A. 8. HYDROSEED MULCH AND PROTECTION MEASURES SHALL BE INSTALLED 9. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED 10. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED 11. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED 12. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED 13. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED 14. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED 15. ALL EROSION CONTROL DEVICES SHALL BE DESIGNED AND HYDROSEEDED

MARTINELLI MASS GRADING PLAN

34676

NOVEMBER 7, 2017

34676

MARTINELLI MASS GRADING

34676

C3.0

OF 3

KVC CIVIL ENGINEERING & HYDROLOGY

KEVIN V. COVE, P.E.

100 WEST BROAD STREET, SUITE 200, WASHINGTON, DC 20004

TEL: 202.331.1331 FAX: 202.331.1332

WWW.KVCIVIL.COM

Attachment 2

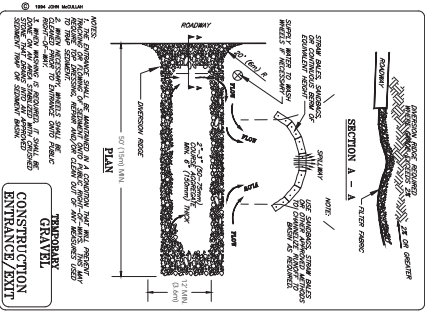
GENERAL EROSION NOTES:

1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED TO PROTECT THE EROSION CONTROL MEASURES FROM EROSION.
2. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED TO PROTECT THE EROSION CONTROL MEASURES FROM EROSION.
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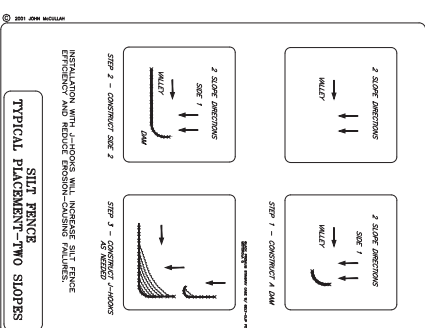
GENERAL EROSION NOTES (CONTINUED)

6. MAINTENANCE OF EROSION CONTROL MEASURES SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED TO PROTECT THE EROSION CONTROL MEASURES FROM EROSION.
7. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL REMAIN IN PLACE UNTIL THE EROSION CONTROL MEASURES ARE NO LONGER REQUIRED TO PROTECT THE EROSION CONTROL MEASURES FROM EROSION.
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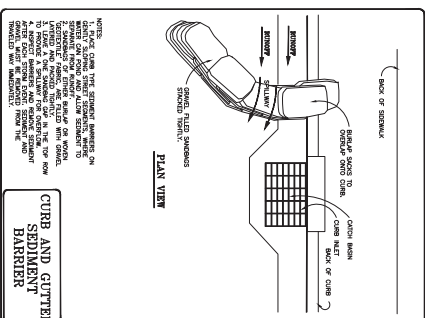
SECTION 101 - STORM DRAIN PROTECTION



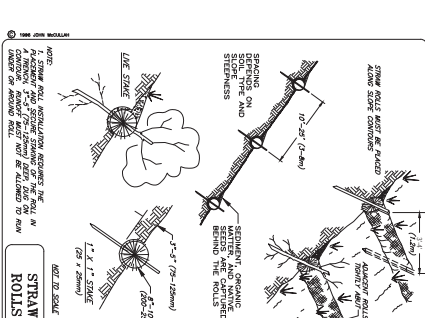
SECTION 102 - STORM DRAIN PROTECTION



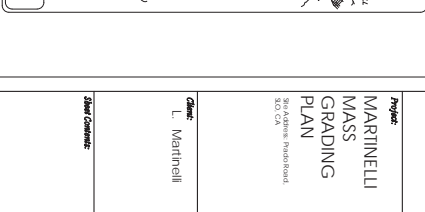
SECTION 103 - STORM DRAIN PROTECTION



SECTION 104 - STORM DRAIN PROTECTION



SECTION 105 - STORM DRAIN PROTECTION



kvc
 CIVIL ENGINEERING & HYDROLOGY

Keith V. Coyne, P.E.
 1000 Massachusetts Street
 North Andover, MA 01855
 Phone: 978-851-1111
 Fax: 978-851-1112
 Email: kvc@kvc-engineers.com

EROSION CONTROL NOTES AND DETAILS

Project: MARTINELLI MASS GRADING
 Date: NOVEMBER 7, 2017
 Sheet: C4.0 OF 5

Attachment 2

Stockpile Management

WM-3

Stockpile Management

Description and Purpose

The purpose of this plan is to provide guidance on the proper storage and management of stockpiles of materials and equipment. The goal is to ensure that all stockpiles are stored in a safe and secure manner, and that they are properly maintained and managed throughout their entire life cycle.

Applicable Regulations

This plan is developed in accordance with the following regulations and standards:

- 40 CFR 101.110 - National Air Quality Standards (NAQS)
- 29 CFR 1910.106 - Occupational Safety and Health Administration (OSHA) - Hazardous Waste Operations and Emergency Response (HAZWOP)
- 29 CFR 1910.107 - Occupational Safety and Health Administration (OSHA) - Flammable and Combustible Liquids
- 29 CFR 1910.120 - Occupational Safety and Health Administration (OSHA) - Hazardous Waste Operations and Emergency Response (HAZWOP)
- 29 CFR 1910.122 - Occupational Safety and Health Administration (OSHA) - Hazardous Waste Operations and Emergency Response (HAZWOP)

Applicable Standards

This plan is developed in accordance with the following standards:

- ANSI Z39.1 - American National Standard for Safety Colors
- ANSI Z39.2 - American National Standard for Safety Signs and Symbols
- ANSI Z39.3 - American National Standard for Safety Tags and Labels

Material	Color	Signage	Labeling	Storage	Access
Hazardous Waste	Red	Flammable	Caution	Segregated	Restricted
Flammable and Combustible Liquids	Yellow	Flammable	Caution	Segregated	Restricted
Inert Materials	Green	None	None	Segregated	Open

Soil Preparation/Roughening

EC-15

Soil Preparation/Roughening

Description and Purpose

The purpose of this plan is to provide guidance on the proper preparation and roughening of soil surfaces. The goal is to ensure that all soil surfaces are properly prepared and roughened, and that they are properly maintained and managed throughout their entire life cycle.

Applicable Regulations

This plan is developed in accordance with the following regulations and standards:

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Soil Preparation/Roughening

Check Dams

SE-4

Check Dams

Description and Purpose

The purpose of this plan is to provide guidance on the proper construction and maintenance of check dams. The goal is to ensure that all check dams are properly constructed and maintained, and that they are properly managed throughout their entire life cycle.

Applicable Regulations

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Check Dams

SE-4

Check Dams

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Check Dams

Check Dams

SE-4

Check Dams

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Check Dams

SE-4

Check Dams

TYPICAL ROCK CHECK DAM ELEVATION

ROCK CHECK DAM SECTION

SEPARATED ROCK CHECK DAM ELEVATION

Check Dams

Check Dams

SE-4

Check Dams

Description and Purpose

The purpose of this plan is to provide guidance on the proper construction and maintenance of check dams. The goal is to ensure that all check dams are properly constructed and maintained, and that they are properly managed throughout their entire life cycle.

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Check Dams

SE-4

Check Dams

ROCK CHECK DAM SECTION

Check Dams

Check Dams

SE-4

Check Dams

Description and Purpose

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Check Dams

SE-4

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Check Dams



Keith V. Cowie, P.E.

CIVIL ENGINEERING & HYDROLOGY

150 E. BOSTON ST. SUITE 200
BOSTON, MA 02111
PHONE: 617-552-1234
FAX: 617-552-1235
WWW.KVCENGINEERING.COM

Project: MARTINELLI MASS GRADING PLAN

Client: L. Martinelli

Scale: 3/8" = 1'-0"

EROSION CONTROL DETAILS

Date: NOVEMBER 7, 2017

Drawn by: MARTINELLI MASS GRADING

Sheet: C5.0 OF 3



sage institute

August 15, 2016

Carol Florence, AICP
Principal Planner, Oasis Associates
3427 Miguelito Court
San Luis Obispo, CA 93401

SUBJECT: Biological and Wetland Resources Evaluation for the Lot 33 Martinelli Mass Grading Project, Prado Road, City of San Luis Obispo, CA

Dear Carol:

Sage Institute, Inc. (SII) is providing this biological and wetland resources evaluation for your use in permit approvals with the City of San Luis Obispo. In preparing this evaluation I reviewed available background information including the Final Environmental Impact Report for the Airport Area and Margarita Area Specific Plans (FEIR) and conducted field surveys on June 14 and August 12, 2016. The purpose of the field surveys was to document the existing conditions the Lot 33 Martinelli property in comparison to the setting established in the FEIR biological resources section.

Habitat Cover Type

The Lot 33 Martinelli property supports a non-native annual grassland cover composed of the typical annual grasses and weedy herbaceous forbs of the region. Dominant non-native grass species include oats (*Avena* sp.), soft chess and riggut brome (*Bromus hordeaceus*, *B. diandrus*), foxtail and Mediterranean barley (*Hordeum murinum* ssp. *leporinum*; *H. marinum* ssp. *gussoneanum*), ryegrass (*Festuca (Lolium) perennis*), bermuda grass (*Cynodon dactylon*), and rattail sixweeks grass (*Festuca myuros*). No perennial native bunch grasses were observed. The Common weedy forbs scattered about the site include fennel (*Foeniculum vulgare*), mustard (*Brassica* sp.), filarees (*Erodium* spp.), English plantain (*Plantago lanceolata*), curly dock (*Rumex crispus*), mayweed (*Anthemis cotula*), and hayfield tarweek (*Hemizonia congesta* ssp. *leucocephala*).

The FEIR habitat map suggested this area might be have a perennial grassland cover type, however, the yellow polygon color over this property was not represented in the FEIR map legend. Based on the SII 2016 field surveys, the Lot 33 Martinelli property is confirmed as non-native annual grassland habitat.

Drainage Patterns

There are several topographic drainage patterns on the Lot 33 Martinelli property that were evaluated for meeting jurisdictional criteria as waters of the U.S./State and/or wetlands.

- A roadside ditch along the Prado Road frontage of the property likely picks up localized drainage and carries it to the drainage feature along the west side of Lot 34. As such, presumably this is a tributary drainage to a waters of the U.S. that would make it a jurisdictional waters of the U.S./State. Avoiding impacts as shown on the grading plan is recommended so no federal/state regulatory permitting would be required for the mass grading operation.
- A swale runs along the northern third of the east property line of Lot 33 with no clear connection to the Prado Road ditch. It ends at a low-lying spot that is subject to a leaking hose

(soggy in August otherwise dry all around). This artificial hydrology has manifested a small stand of creeping spikerush, a wetland plant. Given the artificial hydrology, this does not represent a jurisdictional wetland. However, avoiding this swale and low-lying area as shown on the grading plans is recommended.

- A broad swale runs east to west through the northern third of Lot 33 that was evaluated for wetland plant, hydrology, and soil characteristics. The swale supported a mix of plants with a similar likelihood of occurring in both wetlands and non-wetlands (FAC), and plants that occur more often in non-wetlands but can occur in wetlands (FACU). No plants that are more prone to be found in wetlands were observed (FACW, OBL). For an area to be considered a wetland, greater than 50 percent of the dominant species (individually 20% or more cover) need to be OBL, FACW, or FAC species.

The swale was dominated by ryegrass (FAC), English plantain (FAC), rattail six weeks grass (FACU), and soft chess (FACU) that does not meet the greater than 50% wetland species criteria. Other species in the swale included curly dock (FAC), bird's-foot trefoil (*Lotus corniculatus*; FAC), mayweed (FACU), Bermuda grass (FACU), and hayfield tarweed (upland plant). As such, the swale was lacking in a clear dominance of greater than 50 percent cover of wetland indicator plants leaning more on the non-wetland plant characteristics. Two shallow soils test pits were evaluated for field indicators of hydric soils. The soils were coarse gravelly loam and did not have any hydric soil field indicators such as dark soil with evidence of wetting and drying (called redoxomorphic features). And finally, aside from the broad swale topography, there was no evidence of an Ordinary High Water Mark (OHWM) such as physical alterations generated from flowing water such as an incised channel, matted vegetation, or drift lines of debris. Based on the preponderance of evidence described above, this should be considered a non-wetland swale and does not represent a jurisdictional waters of the U.S./State subject to regulatory compliance permitting.

Congdon's Tarplant

One small occurrence (100 square feet) of the special-status plant Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) was observed in a small depression on the southern property border about two-thirds the way west of the southeast property corner. Avoiding this area and impacts on the Congdon's tarplant as shown on the grading plans is recommended.

Thank you very much for continuing with SII for your environmental consulting services. Please contact me directly if you have any questions or need any additional information.

Sincerely,



David K. Wolff, Principal Ecologist

RESOLUTION NO. 9726 (2005 Series)**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
LUIS OBISPO APPROVING THE AIRPORT AREA SPECIFIC PLAN,
AMENDING THE GENERAL PLAN LAND USE MAP, AND ADOPTING
FINDINGS OF SIGNIFICANT ENVIRONMENTAL EFFECTS AND MITIGATION
MEASURES OF THE PROPOSED PROJECT INCLUDING FINDINGS OF
OVERRIDING CONSIDERATION
(APPLICATION NO. SP, GP/R, ER 116-98)**

WHEREAS, the City General Plan (Land Use Element Policies LU 2.3 and LU 2.3.1) requires the preparation of a specific plan for the Airport Area prior to annexation and further development, and sets specific requirements for information to be included in the Plan; and

WHEREAS, the City of San Luis Obispo General Plan contains general goals and policies relating to growth and development in the Airport Area, which may be implemented in a variety of ways, including the specific plan procedure as outlined by California State Law (State Government Code 65450 et.seq.); and

WHEREAS, the City of San Luis Obispo, with the participation of property owners, citizens, public agencies, and other interested parties, has prepared a draft specific plan for the Airport Area pursuant to the General Plan and the State Government Code; and

WHEREAS, on March 9, 2005, and again on April 13, 2005, the Planning Commission held a public hearing to consider the recommendations of staff and consider the Specific Plan map, text and necessary changes to the General Plan Map and Zoning Map to implement the Specific Plan for the purpose of making a recommendation to the City Council; and

WHEREAS, on April 13, 2005, the Planning Commission recommended that the City Council adopt the Specific Plan with findings of significant environmental effects, mitigation measures and findings of overriding considerations; and

WHEREAS, on June 14, July 26, and August 23, 2005, the City Council held public hearings to consider the recommendations of the Planning Commission and staff, and to consider the Specific Plan map, text and necessary changes to the General Plan Map and Zoning Map to implement the Specific Plan; and

WHEREAS, the California Government Code requires that a specific plan be consistent with the City's General Plan; and

WHEREAS, as a result of its deliberations, the City Council has decided to adopt the Airport Area Specific Plan.

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NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo, the following:

SECTION 1. EIR Findings. The City Council hereby adopts findings of significant environmental effects, including findings for a Statement of Overriding Considerations, for the Final Program Environmental Impact Report for the Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans (September 2003), as listed in Exhibit "A", with the incorporation of the mitigation measures and monitoring programs outlined in Exhibit "B", and based on the following findings:

1. The Final Program EIR was prepared in compliance with the California Environmental Quality Act (CEQA) and was considered by the City prior to any approvals of the project.
2. The Final EIR reflects the independent judgment of the City.
3. The Mitigation Monitoring Program has been reviewed and approved by the Planning Commission and the City Council in conjunction with the recommendation for certification of the Final Program EIR.
4. For each significant effect identified in the Final Program EIR under the categories of Land Use and Aesthetics, Hydrology and Water Quality, Traffic and Circulation, Air Quality, Noise, Hazardous Materials, Public Services, Cultural Resources and Cumulative Impacts, the approved mitigation measures contained in the EIR will avoid or substantially lessen the identified adverse environmental impacts of the project to a level of insignificance and have been incorporated into the project.
5. There are seven impacts identified in the EIR that, even after mitigation, are considered significant and unavoidable: (1) Impact LU-5: Conversion of Prime Agricultural Land to Urban Uses, (2) Impact LU-6: Change in Views, (3) Impact T-2 (Alternative 3): LOS in Excess of LOS D, (4) Impact PS-1 (Alternative 3): Impacts on Water Supply and Distribution Facilities, (5) Impact PS-2 (Alternative 3): Impacts on Sewer Mains and Capacity, and Expansion of Treatment Facilities, (6) Impact PS-3 (Alternative 3): Impacts on Storm Drainage Capacity, and (7) Growth Inducement: The project would have a significant and unavoidable growth-inducing impact. These significant effects identified in the EIR will not be fully mitigated to a degree of insignificance with the incorporation of all of the identified mitigation measures included in the Final Program EIR. Consequently, Council has adopted findings for the Statement of Overriding Considerations, as shown in Section 6 of Exhibit "A."

SECTION 2. Specific Plan Approval. Pursuant to Sections 65450 through 65457 of the California Government Code and the City's General Plan, the City Council hereby approves the Planning Commission Draft of the Airport Area Specific Plan, subject to the following findings:

1. The specific plan is consistent with General Plan because it will direct all facets of future development of the Airport Area, including the distribution of land uses, the location and sizing of infrastructure, site planning, architectural guidelines, phasing, and the method of financing public improvements. The Specific Plan will provide for the type of growth

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and development envisioned by the General Plan for the Airport Area.

2. All subjects required in a specific plan by the California Government Code and applicable City ordinances are appropriately and adequately covered.
3. The types and intensity of land uses are designed to be consistent with the SLO County Regional Airport Land Use Plan to ensure compatibility with airport operations.

SECTION 3. Specific Plan Modifications. The Community Development Director shall cause the following changes to occur to the Planning Commission Draft of the Airport Area Specific Plan prior to its publication.

1. Figure 4-1, Land Use Designations, shall be modified to reflect Alternative 3 as described in the Final EIR, with the URL to be held north of the land designated Agriculture, as shown in Exhibit C. All other AASP figures, tables and text shall be modified as necessary to reflect the boundaries and land use designations established by Figure 4-1, Exhibit C.
2. The AASP shall be revised to reflect the changes requested by the Airport Land Use Commission, as shown in Exhibit D.
3. The Conservation chapter program regarding expansion of wetlands north of Tank Farm Road, which was previously deleted by the Planning Commission, shall be replaced as follows: *Program 3.3.18: Expand the existing major wetland north of Tank Farm Road to the northwest and provide a suitable upland edge, in conjunction with redevelopment of the part of the Unocal property that contained company offices.*
4. Standards 6.4.9.1 through 6.4.9.4 shall be revised to reduce the threshold for requiring participation in Transit Demand Management strategies from 50 employees to 25 employees.
5. Program 6.3.J shall be added to require development in the Airport Area to provide for transit facilities such as bus stops with turnouts, transit pads and shelters adjacent to new development as part of the development review process.
6. Mitigation Measure PS-1.1 shall be implemented by adding Policies 7.2.1 and 7.3.1 to require development south of the 1994 URL and east of the airport to submit an engineering feasibility study for water and wastewater service.
7. Goal 4.1.11: Agricultural Buffers shall be added as follows: *Preservation of agricultural land and open space for on-going agricultural uses. This is accomplished through the provision of buffers on urban land so land use conflicts are diminished.*
8. Policy 4.2.7: Agriculture shall be as follows: Areas designated Agriculture are intended to encourage conservation of agricultural lands and continuation of agricultural uses and keeping of livestock where compatible with urban development. The sites designated as

Agriculture in the Airport Area have historically been used for agricultural uses and are bordered by agricultural buffers on the parcels being developed with urban uses to insure compatibility between the uses.

9. Figure 6-7 shall be deleted and Standards 6.4.2.1 through 6.4.2.4, and Figure 6-6 shall be revised to identify Tank Farm Road as an urban road with a continuous 4-lane section.
10. Figures 6-8 and 6-9, and Table 4.7 (Setback Standards), shall be revised to require setbacks for all physical improvements along Buckley Road in order to allow for the roadway to be widened to four lanes in the future, if such widening becomes necessary. Figure 6-10 shall be deleted.
11. Policy 4.5.1 regarding the Cluster Development Zone shall be revised as follows: *The AASP shall meet the open space requirements of the ALUP, and the area shown in the Figure 4-5 shall be maintained in a manner that qualifies the area as a Cluster Development Zone (CDZ), to the approval of the Airport Land Use Commission.* Figure 4-5 shall be revised as shown in Exhibit E.
12. Policy 4.5.2 regarding Airport Compatible Open Space on the Avila Ranch property shall be revised as follows: *The agricultural buffer along the southwest boundary of the Avila Ranch and Airport Area shall be maintained as Airport Compatible Open Space (ACOS), per the requirements of the ALUP.*
13. The second sentence of Section 7.4 shall be revised to provide encouragement for all forms of alternative energy production as follows: *Although there are no area-wide plans for wind, geothermal, solar or biomass energy production, development of such energy resources should be encouraged where feasible and consistent with the City's Conservation and Open Space Element.*
14. All required mitigation measures from the Final EIR that have not been directly incorporated into the Specific Plan shall be included in an Appendix of the Specific Plan, as shown in Exhibit F, and references to the appendix shall be made in the AASP where appropriate.
15. Footnote #1 to Table 4.3 (AASP Page 4-19) shall be revised to include the following statement: *Floor area limitations shall not apply to bank headquarters.*
16. Table 4.4, Parcel Dimensions, shall be revised to include footnote (c), as follows: *Common interest subdivisions are permitted subject to the requirements of the City's Subdivision Regulations.*
17. References to the Unocal Collector road, including the Primary Circulation Plan (Figure 6-1), shall be revised to designate the road as a "local" road.

SECTION 4. General Plan Amendment. The City General Plan, including the Urban Reserve Line, the Land Use Element Map, and the Street Classification Map, shall be amended

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to reflect the adopted boundaries, land uses and streets approved as part of the Airport Area Specific Plan, as shown in "Exhibit C."

On motion of Council Member Settle, seconded by Vice Mayor Ewan, and on the following roll call vote:

AYES: Council Members Brown and Settle, Vice Mayor Ewan and Mayor Romero

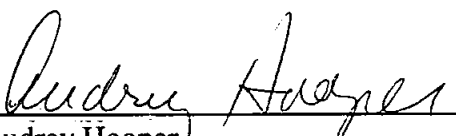
NOES: Council Member Mulholland

ABSENT: None

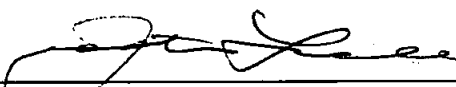
The foregoing resolution was passed and adopted this 23rd day of August 2005.


Mayor David F. Romero

ATTEST:


Audrey Hooper
City Clerk

APPROVED AS TO FORM:


Jonathan P. Lowell,
City Attorney