



**CITY OF
SAN LUIS OBISPO**

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
For EID-1820-2018**

1. **Project Title:** Tribune Production Building Conversion Project
2. **Lead Agency Name and Address:** City of San Luis Obispo
Community Development Department
919 Palm Street, San Luis Obispo, CA 93401
3. **Contact Person and Phone Number:** Shawna Scott, 805-781-7176
4. **Project Location:** 3825 South Higuera Street, San Luis Obispo, California
APN: 053-251-070
5. **Project Sponsor's Name and Address:** DTJ Development, LLC
486 Marsh Street
San Luis Obispo, CA 93401
6. **General Plan Designations:** Services and Manufacturing, Higuera Commerce Park Specific Plan (Special Industrial)
7. **Zoning:** Manufacturing (M-SP)
8. **Description of the Project:** Redevelopment of a 6.5-acre site including 1) demolition and reconstruction of the existing Tribune production building to provide for 30 live/work units and 2) additional façade modifications to the existing Tribune office building fronting South Higuera Street. Structural improvements include exterior façade improvements to the western office wing and re-purposing the eastern warehouse with two stories of live/work units within the existing shell. Site improvements include modifications to the existing parking lot to add additional required parking, modifying the existing landscape plantings, tree removals and replacement, and provision of additional bicycle parking and storage and trash enclosures.
9. **Project Entitlements:** Architectural Review (ARCH-0932-2017) and Use Permit (USE-1353-2018)
10. **Surrounding Land Uses and Settings:** The project site is currently developed with the existing Tribune production facility and offices and associated paved parking areas. The project site is surrounded by existing development including: the Shops at Long Bonetti (commercial/retail project under construction including a variety of uses including restaurants, retail, offices, and

live/work units) and Tractor Supply to the south; GH sports and other commercial and industrial development to the north; South Higuera Street and residential development (mobilehome parks) to the west; and office, commercial, and industrial development to the east. Surrounding zoning includes M (Manufacturing) to the north, south, and east, and R-2 (Medium Density Residential) to the west.

11. 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?

Consultation invitations were mailed to tribal representatives. No formal consultation was requested.

12. Other public agencies whose approval is required: Regional Water Quality Control Board, Air Pollution Control District

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 / Housing
	Agriculture Resources		Hazards & Hazardous Materials		Public Services
X	Air Quality		Hydrology / Water Quality		Recreation
X	Biological Resources		Land Use / Planning		Transportation / Traffic
X	Cultural Resources		Mineral Resources		Tribal Cultural Resources
	Geology / Soils	X	Noise		Utilities / Service Systems
Mandatory Findings of Significance					

FISH AND WILDLIFE FEES

	The Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
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 Wildlife 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 Wildlife, 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 (To be completed by the Lead Agency):

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, by or 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 or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	



Signature

8-6-18

Date

Tyler Corey, Principal Planner

Printed Name

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. 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

	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, 4, 5, 8			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, 4, 5, 8			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1, 4, 5, 8			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 2, 4, 5, 8			X	

Evaluation

The City is located eight miles from the Pacific Ocean and lies at the convergence of two main drainages: the Los Osos Valley which drains westerly into Morro Bay via Los Osos Creek, and San Luis Valley which drains to the south-southwest into the Pacific Ocean at Avila Beach via the San Luis Obispo Creek. The topography of the city and its surroundings is generally defined by several low hills and ridges such as Bishop Peak and Cerro San Luis. These peaks are also known as Morros and provide scenic focal points for much of the City. The Santa Lucia Mountains and Irish Hills are the visual limits of the area and are considered the scenic backdrop for much of the City. The surrounding hills have created a hard urban edge where development has remained in the lower elevations.

The project site is located immediately east of South Higuera Street and south of Hind Lane, on a nearly-level site that is fully developed with the existing Tribune production building and offices, associated parking areas, and ornamental landscaping. The surrounding areas are fully urbanized, with residential development (mobilehome parks) located along the west side of South Higuera Street; offices, commercial, and light industrial development to the north along Hind Lane; Kennedy Club Fitness and commercial/light industrial development to the east along Long Street; and the Shops at Long Bonetti project, a public marketplace development under construction, which incorporates the Master List Long-Bonetti Ranch farm complex structures and new development including Tractor Supply (currently in operation) and additional commercial, office, retail, and live/work uses (either under construction, or pending construction).

As shown on Conservation and Open Space Element Figure 11 (Scenic Roadways and Vistas), the project site is located adjacent to a segment of South Higuera Street identified as having high scenic value; there is not an identified “cone of view” along this segment. The visual character along the roadway is urbanized, and existing structures and mature vegetation currently block most views of distant hillsides to the east and west. Views of the distant mountain ranges can be seen to the north, south, and southwest as viewed from South Higuera Street, and to the east and west as viewed from Hind Lane. Due to the proximity of the existing Tribune building adjacent to South Higuera Street, this existing structure blocks views of the hillsides east of the City.

- a) The proposed project does not include any significant changes to the Tribune office building fronting South Higuera Street. Proposed modifications are primarily limited to removal of the existing green awnings, incorporation of corrugated metal on the northeast and southeast corners of the building, painting the faded green storefront to a bronze color, and incorporation of wood elements on the existing windows. The modifications to this portion of the building would not change the existing height or massing. More substantial changes would occur to the existing eastern production building, which is a generally square structure, 33 feet in height. The proposed project includes the reconstruction of the eastern production building to accommodate live/work units within the existing building shell along Hind Lane, and the creation of two separate buildings within an opening in between the structures (as seen from the existing parking area). The proposed height of the reconstructed and new buildings would be 34.5 feet. As noted above, the existing structure currently blocks views of the hillsides east of the City, as seen from South Higuera Street. The proposed project would be located within the same approximate footprint as the existing structure and would result in a minimal overall height increase of 1.5 feet; therefore, compared to existing conditions, the proposed project would not result in a substantial adverse effect to a scenic vista.

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Conclusion: Based on the discussion above, the impact would be less than significant, and no mitigation is required.

- b) The project site currently supports multiple trees and other vegetation along the perimeter of the property and within existing parking areas. The project includes the removal of up to 36 trees from the project site (54 trees would remain). The conceptual landscape plan includes the planting of 67 new trees and other landscaping along the perimeter of the site, within parking areas, and between the proposed live/work buildings. Proposed tree removals and implementation of the landscape plan as approved by the Architectural Review Commission will be verified by the City Arborist and City Public Works and Community Development staff during review of building permits, with verification to be conducted prior to issuance of building occupancy. Based on the incorporation of proposed trees and other landscaping throughout the site, as shown in the Conceptual Landscape Plan, implementation of the project would not substantially damage scenic resources as seen from South Higuera Street.

Conclusion: Based on the discussion above and implementation of the Conceptual Landscape Plan, the impact would be less than significant, and no mitigation is required.

- c) As discussed in a) above, the proposed project would maintain the existing form and mass of the Tribune office building fronting South Higuera Street. Proposed new construction would be located within the approximate footprint to the existing eastern Tribune production building and would result in minimal height increase of 1.5 feet. The proposed materials and colors would include board formed concrete, smooth hardie panel, vertical siding, storefront and aluminum framed windows, corrugated metal siding, and wood accent panels. Proposed colors include varying shades of grey, dark brown, and off-white. The more substantial changes to the building would occur along Hind Lane, within the corner of South Higuera Street and Hind Lane, and interior to the site. Rear balconies would face Hind Lane, with one balcony facing South Higuera. An extended roof form above the building entry would be set back approximately 150 feet from the corner of South Higuera and Hind Lane. Pedestrian elements within this northwest corner of the property includes walkways, landscaping, and seating areas. These architectural elements are consistent with the architectural standards and intent of the Higuera Commerce Park Specific Plan.

The existing visual character of the project site and surrounding area is urbanized and dominated by industrial-type buildings and developments along the east side of South Higuera Street, and mobilehome parks along the west side of the roadway. The proposed project would incorporate industrial elements common throughout the area, maintain the existing unique form of the western Tribune office building, create an innovative entryway with landscaping and pedestrian elements near an existing transit stop, and be compatible with the urbanized and industrial character of the immediate area consistent with the intention of the Higuera Commerce Park Specific Plan; therefore, the project would not substantially degrade the existing visual character or quality of the site and its surroundings.

Conclusion: Based on the discussion above, the impact would be less than significant, and no mitigation is required.

- d) The project is located in a developed area with light sources from neighboring commercial, industrial, and residential uses. The proposed project would result in a general increase in development within the subject site. The project is required to conform to the City’s Night Sky Preservation Ordinance (Zoning Regulations Chapter 17.23) and General Plan Policy 9.2.3, which sets operational standards and requirements for lighting installations, including requiring all light sources to be shielded and downward facing. As such, impacts resulting from creating new sources of light will be less than significant.

Conclusion: Based on the discussion above and compliance with existing regulations, the impact would be less than significant, and no mitigation is required.

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?	1, 4, 5, 8, 9				X
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	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	1, 4, 5, 8, 9				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?	1, 4, 5, 8, 9				X

Evaluation

The city is located in the heart of San Luis Obispo County and the Central Coast Region, both of which are important key agricultural centers within the State of California. The region’s agricultural industry is an important part of the local economy. It provides employment and income directly for those in agriculture, and it helps drive growth in the tourism industry, which in turn generates further economic activity and consumer spending. Based on review of the *San Luis Obispo County Important Farmland 2016* map, the project site is designed as “Urban and Build-up Land”, which is defined as land that “is 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. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf course, sanitary landfills, sewage treatment, and water control structures” (California Department of Conservation, Division of Land Resource Protection, 2018).

a) Based on review of the maps provided by the state Farmland Mapping and Monitoring Program, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project; therefore, no impact would occur.

Conclusion: Based on the discussion above, no impact would occur, and no mitigation is necessary.

b) The project site and surrounding parcels are zoned for residential, commercial, and industrial development. There are no parcels under a Williamson Act contract proximate to the project site. Therefore, no impact would occur.

Conclusion: Based on the discussion above, no impact would occur, and no mitigation is necessary.

c) The project site and surrounding parcels are currently developed with urbanized uses. The redevelopment project would occur within an area designated for this type of development in both the Land Use Element and Higuera Commerce Park Specific Plan. Therefore, the project would not result in the conversion of Farmland, and no impact would occur.

Conclusion: Based on the discussion above, no impact would occur, and no mitigation is necessary.

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?	1, 4, 11, 12			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	1, 4, 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 quantitative thresholds for ozone precursors)?	1, 4, 12		X		
d) Expose sensitive receptors to substantial pollutant concentrations?	1, 4, 12		X		
e) Create objectionable odors affecting a substantial number of people?	1, 2, 3, 4, 12			X	

Evaluation

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Air quality in the San Luis Obispo region of the County is characteristically different than other regions of the County (i.e., the Upper Salinas River Valley and the East County Plain), although the physical features that divide them provide only limited barriers to transport pollutants between regions. The County is designated nonattainment for the one-hour California Ambient Air Quality Standards (CAAQS) for ozone and the CAAQS for respirable particulate matter (PM₁₀). The County is designated attainment for national ambient air quality standards (NAAQS). Measurements of ambient air quality from the monitoring station at 3220 South Higuera Street are representative of local air quality conditions.

- a) The San Luis Obispo Air Pollution Control District (APCD) adopted the 2001 Clean Air Plan (CAP) in 2002. The 2001 CAP is a comprehensive planning document intended to provide guidance to the SLOAPCD and other local agencies, including the City, on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. The proposed project is consistent with the general level of development anticipated and projected in the CAP. The project is consistent with the CAP's land use and circulation management strategies, including developing an in-fill project within an urbanized area, providing required short and long-term bicycle storage, and incorporating the existing transit stop on South Higuera Street into the project. Therefore, potential impacts would be less than significant.

Conclusion: Based on the discussion above, the proposed project is consistent with the APCD's CAP, and potential impacts would be less than significant.

- b), c), d) Both the US Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants representing safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called "criteria" pollutants because the health and other effects of each pollutant are described in criteria documents. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. As mentioned above, San Luis Obispo is currently designated as nonattainment for the 1-hour and 8-hour State standards for ozone and the 24-hour State standard for PM₁₀.

CEQA Appendix G states the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make significance determinations. Assessment of potential air quality impacts that may result from the proposed project was conducted using the April 2012 CEQA Air Quality Handbook, which is provided by the APCD for the purpose of assisting lead agencies in assessing the potential air quality impacts from residential, commercial and industrial development. Under CEQA, the APCD is a responsible agency for reviewing and commenting on projects that have the potential to cause adverse impacts to air quality.

Construction Significance Criteria:

Construction activities including demolition, grading, construction, and paving would generate fugitive dust particles (PM₁₀), ozone precursors (ROG+NO_x), and diesel exhaust (DPM) that could result in a temporary increase in criteria pollutants and could also contribute to the existing non-attainment status for ozone and PM₁₀. Reactive organic gasses (ROG) would be released during drying of architectural coatings. These temporary impacts resulting from construction from the project have the potential to create dust and emissions that exceed air quality standards for temporary and intermediate periods. Truck trips associated with imported and exported site material (i.e., soils and materials) may also be a source of emissions subject to APCD permitting requirements, subject to a specifically selected truck route. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: <https://www.arb.ca.gov/msprog/truck-idling/factsheet.pdf> and <https://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf>. Impacts related to vehicle and heavy equipment emissions are considered potentially significant but mitigable (refer to Mitigation Measures AQ-3, AQ-4, AQ-5, and AQ-6). In addition, construction equipment itself can be the source of air quality emission impacts and may be subject to California Air Resources Board or APCD permitting requirements. This includes portable equipment, 50 horsepower (hp) or greater or other equipment listed in the APCD's 2012 CEQA Handbook, Technical Appendices, page 4-4 (refer to Mitigation Measure AQ-5).

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses proximate to the proposed construction site. Based on implementation of mitigation measures that would suppress dust onsite, potentially significant impacts related to fugitive dust emissions during proposed construction activities would be mitigated to less than significant (refer to Mitigation Measure AQ-3). Sensitive receptors (residents of a mobilehome park) potentially affected by fugitive dust, diesel particulates, and construction equipment emissions are located approximately 90 feet to the west, on the west side of South Higuera. Based on the proximity of these sensitive receptors, additional diesel idling restrictions would apply to the project during construction (refer to Mitigation Measures AQ-4 and AQ-6).

Naturally occurring asbestos (NOA) has been identified by the state Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common throughout California and may contain naturally occurring asbestos. The SLO County APCD has identified that NOA may be present throughout the City of San Luis Obispo (APCD 2012 CEQA Handbook, Technical Appendix 4.4), and under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) are therefore required to provide geologic evaluation prior to any construction activities (refer to Mitigation Measure AQ-1). As such, impacts are considered potentially significant but mitigable. The project will include demolition of non-historic structures and grading, which has the potential to disturb asbestos that is often found in older structures as well as underground utility pipes and pipelines (i.e. transite pipes or insulation on pipes). Demolition can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). As such, the project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP) (refer to Mitigation Measure AQ-2). Impacts related to the proposed demolition of existing structures on the subject site are considered to be potentially significant but mitigable.

Operational Screening Criteria for Project Impacts:

Table 1-1 of the SLOAPCD CEQA Air Quality Handbook (as amended by the *Clarification Memorandum for the San Luis Obispo County Air Pollution Control District's 2012 CEQA Air Quality Handbook*, November 2017) indicates that the operation of the following types of uses (which would be similar to the types of uses typically associated with live/work developments) would not exceed the APCD ozone precursor significance threshold (25 lbs/day, ROG + NO_x): 149,000-square foot general office building; 141,000-square foot office park; 172,000 square feet of general light industry; or 218 condo/townhouse units. As the project would consist of 30 live/work units, with a total gross area of 68,292 square feet including the continued use of the Tribune office building, operation of the project would not exceed APCD operational thresholds. Therefore, operational impacts would be less than significant, and no mitigation is required.

Mitigation Measures:

Mitigation Measure AQ-1: Prior to grading plan approval, the project proponent shall ensure that a geologic evaluation be conducted to determine if naturally occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the San Luis Obispo County Air Pollution Control District (APCD). If NOA is found at the site, the applicant must comply with all requirements outlined in the California Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105). 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 online at slocleanair.org/business/asbestos.php.

Mitigation Measure AQ-2: Prior to grading plan and demolition plan approval, any scheduled demolition activities or disturbance, removal, or relocation of utility pipelines shall be coordinated with the APCD Enforcement Division at (805) 781-5912 to ensure compliance with NESHAP, which include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos.php>.

Mitigation Measure AQ-3: During construction/ground disturbing activities, the applicant shall implement the following

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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particulate (dust) control measures. These measures shall be shown on grading and building plans prior to issuance of grading, demolition, and construction permits. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Community Development and Public Works Departments prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions: <http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>.
- c. All dirt stock pile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil disturbing activities.
- e. Exposed grounds that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent "track out", designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- l. All PM10 mitigation measures required should be shown on grading and building plans and; The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact Tim Fuhs at 805-781-5912).

Mitigation Measure AQ-4: The following Standard Mitigation Measures for Construction Equipment shall be shown on plans prior to issuance of grading, demolition, and construction permits. The standard mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel-powered equipment with CARB certified motor vehicle diesel fuel (non-taxed

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- version suitable for use off-road);
- c. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- d. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f. Electrify equipment when feasible;
- g. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- h. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Mitigation Measure AQ-5: Prior to any construction activities at the site, the project proponent shall ensure that all equipment and operations are compliant with California Air Resource Board and APCD permitting requirements. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- a. Power screens, conveyors, diesel engines, and/or crushers;
- b. Portable generators and equipment with engines that are 50 hp or greater;
- c. Electrical generation plants or the use of standby generator;
- d. Internal combustion engines;
- e. Rock and pavement crushing;
- f. Unconfined abrasive blasting operations;
- g. Tub grinders;
- h. Trommel screens; and,
- i. Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.

Mitigation Measure AQ-6: Prior to issuance of grading, demolition, and construction permits, the following measures shall be shown on proposed plans. To reduce the 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:
 1. 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,
 2. 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 100 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.

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c. Use of alternative fueled equipment is recommended.

d. Signs that specify the no idling areas must be posted and enforced at the site.

3. Soil and Material Transport. The final volume of soil and material 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: Based on the discussion above, the project would result in potentially significant, short-term, construction-related impacts, which can be reduced to less than significant with identified mitigation. Potential operational impacts would be less than significant, and no operational air quality mitigation measures are required.

- e) The project includes the development of 30 live/work units. As required by Municipal Code (Zoning Regulations) Section 17.08.130.2 (Live/work unit), a live/work unit shall not be established or used in conjunction with any activity or use “determined by the Director to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.” The project site is located approximately 1,500 feet from the City’s Water Resources Recovery Facility (WRRF), which treats the City’s wastewater. Based on this distance, the potential for exposure to occasional odors from the WRRF would be less than significant. Therefore, based on the location of the project and the use limitations regulated by the Municipal Code, operation of the project would not result in any significant impacts related to odor, and no mitigation is required.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are required.

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?	1, 4, 5			X	
b) Have a substantial adverse effect, on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 4, 5			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, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1, 4, 5			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 native wildlife nursery sites?	1, 4, 5		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1, 3		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?	1, 4, 5				X

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Evaluation

The urbanized area of the City of San Luis Obispo lies at the convergence of two main geologic features: the Los Osos Valley which drains westerly into Morro Bay via Los Osos Creek, and the San Luis Valley which drains to the south- southwest into the Pacific Ocean at Avila Beach via San Luis Obispo Creek. San Luis Obispo, Stenner, Prefumo, and Brizzolara Creeks, and numerous tributary channels pass through the city, providing important riparian habitat and migration corridors connecting urbanized areas to less-developed habitats in the larger area surrounding the City.

Much of area outside the city limits consist of open rangeland grazed year-round, along with agricultural lands dominated by annual crop rotations and vineyards. A variety of natural habitats and associated plant communities are present within the City and support a diverse array of native plants and resident, migratory, and locally nomadic wildlife species, some of which are considered as rare, threatened, or endangered species. This City of San Luis Obispo also maintains a list of “Species of Local Concern”. Protective measures are therefore identified in the Conservation and Open Space for rare, threatened, endangered, or species of local concern. However, the largest concentrations of natural and native habitats are located in the larger and less developed areas outside the city limits. The following discussion, as outlined in the Land Use and Circulation Element Update Final Program Environmental Impact Report (LUCE Update EIR), provides a general overview of the habitat type found on the project site:

Urban/Developed Habitats: Based on a project site visit and observations of the property, the site exhibits the characteristics associated with the “Urban/Developed” habitat commonly found concentrated within and adjacent to the developed portions of the City. These areas typically provide low potential to support native plant or animal species occurrences. Wildlife occurrences within urban/developed areas would consist primarily of urban- adapted avian species such as house sparrow (*Passer domesticus*) and Eurasian collared dove (*Streptopelia decaocto*) utilizing the abundant tree canopy and concentrated food sources, common animal species adapted to human presence such as raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), and striped skunk (*Mephitis mephitis*). Additional wildlife uses may include foraging by birds and mammals, nesting/roosting activities by birds and bats, and travel/migration by mammals such as coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*), raccoon, opossum, mule deer (*Odocoileus hemionus*), and badger (*Taxidea taxus*).

a) b) c) The project site is developed with the existing Tribune building and associated parking area. The site is surrounded by urbanized uses, including a variety of commercial, industrial, and residential development. Mature vegetation within the project site includes trees, shrubs, grasses, and groundcover along the perimeter of the project site and within the parking area. There is no wetland or riparian habitat within or proximate to the project site. Implementation of the project will include compliance with stormwater management and erosion and sedimentation control ordinances and policies, which consist of existing regulations that address indirect impacts to surface and jurisdictional waters located outside of the project area. Based on the developed nature of the project site, there is no suitable habitat for special-status habitats, plants, or wildlife. Therefore, based on the location and existing conditions of the project site, the proposed project would result in less than significant impacts to special-status habitats, plants, and wildlife, and no mitigation is necessary.

Conclusion: Based on the discussion above, the impact would be less than significant, and no mitigation is required.

d) The project includes the removal of up to 36 trees from the project site (54 trees would remain). Tree species proposed for removal include: palm, white alder, cypress, Bradford pear, maple, dawn redwood, and London plane. The conceptual landscape plan includes the planting of 67 new trees and other landscaping along the perimeter of the site, within parking areas, and between the proposed live/work buildings. New plantings will include red Japanese maple, white alder, arbutus (standard), river birch, forest pansy redbud, sweetshade, and London plane. While in an urban environment, mature trees have the potential to support nesting habitat for birds. The removal of trees and construction activity proximate to nests may result in abandonment of eggs and potential avian harm or mortality, resulting in a potentially significant impact. This impact would be mitigated to less than significant by implementation of mitigation identified below, which requires either avoidance of tree removal and construction within the nesting bird season, or pre-construction surveys and avoidance measures to ensure nests, eggs, and nesting birds are not harmed (refer to Mitigation Measure BIO-1).

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Mitigation Measures:

Mitigation Measure BIO-1: Prior to commencement of construction, to avoid conflicts with nesting birds, construction activities shall not be allowed during the nesting bird season (March to September), unless a City-approved and applicant funded qualified biologist has surveyed the impact zone and determined that no nesting bird activities would be adversely impacted. If any evidence of nesting activities is found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the City with possible recommendations for variable buffer zones, as needed, around individual nests.

Conclusion: Based on the discussion above and implementation of mitigation measure BIO-1, potentially significant impacts would be mitigated to less than significant.

- e) No heritage trees or significant native vegetation exist onsite. As noted above, the project includes the removal of up to 36 trees. Grading and development within the root zones of existing 54 trees to remain, including soil compaction and changes to existing drainage patterns, may impact the health of trees to remain, resulting in a potentially significant impact. Mitigation is identified below, which would require implementation of tree protection measures to prevent inadvertent harm to the root zones, canopy, and overlying soils of these trees. Based on implementation of this mitigation, potential impacts would be mitigated to less than significant. The proposed project includes a Conceptual Landscape Plan that includes planting 67 new trees within the project site, in addition to shrubs and groundcover. Please refer to the project Conceptual Landscape Plan for a detailed list of proposed landscaping scheme and planting palate. The City Arborist has reviewed the proposed tree removal plan and Conceptual Landscape Plan, and recommends approval provided required tree protection measures are in place prior to grading and construction (refer to Mitigation Measure BIO-2).

Mitigation Measures:

Mitigation Measure BIO-2: The applicant shall limit tree removal to no more than 36 trees. Prior to construction permit issuance, construction plans shall clearly delineate all trees within the project site and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. Construction plans shall also: show proposed tree protection measures to protect those trees identified to remain and new trees to be planted, including the placement of protective fencing to be inspected and approved by the City Arborist; identify the location, species, and size of trees to be planted; identify proposed irrigation plans; and show the use of structural soils to enhance the success of new plantings. Tree protection measures shall be implemented prior to any ground disturbing activities per the approved grading and construction plans, and as approved by the City Arborist. Tree protection measures shall remain in place until final inspection by the City Arborist.

Conclusion: Based on the discussion above and implementation of mitigation measure BIO-2, potentially significant impacts would be mitigated to less than significant.

- f) The project site is not part of a local, regional, or state habitat conservation plan; therefore, no impact would occur.

Conclusion: Based on the location of the project, no impact would occur, and no mitigation is necessary.

5. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5.	1, 4, 13, 14			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5)	1, 4, 13, 14		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 4, 15			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 4, 13, 15		X		

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Evaluation

Pre-Historic Setting: As outlined in the City’s LUCE Update EIR, archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years, and that Native American use of the central coast region may have begun during the late Pleistocene, as early as 9000 B.C., demonstrating that historical resources began their accumulation on the central coast during the prehistoric era. The City of San Luis Obispo is located within the area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The Obispeño Chumash occupied much of San Luis Obispo County, including the Arroyo Grande area, and from the Santa Maria River north to approximately Point Estero. The earliest evidence of human occupation in the region comes from archaeological sites along the coast. The project site is not considered sensitive, based on the lack features indicative of archaeological sensitivity including the site’s distance from creek corridors, and the disturbed and developed condition of the site and surrounding area.

Historic Resource Setting: The area of San Luis Obispo became colonized by the Spanish Incursion initially in 1542, with the first official settlement on Chumash Territory occurring in 1772, when the Mission San Luis Obispo de Tolosa was established. By the 1870’s (after the earliest arrivals of Chinese immigrants in 1869), a Chinatown district had been established in the downtown area near Palm and Morro Street. By 1875, 2,500 residents were documented in a 4-square mile area around what is now the City of San Luis Obispo. By 1901, the City was served by the Pacific Coast Railway and mainline Southern Pacific, and in 1903 the California Polytechnic State University was established. The last era of growth generally lasted from 1945 to the present. Many of the residential subdivisions in the Foothill and Laguna Lake area were developed between 1945 and 1970 and the city’s population increased by 53% during this time. There are no historic properties documented within the project site.

Paleontological Setting. The Pleistocene history of the region is marked by glacially controlled sea level fluctuations and tectonic uplift during which the shoreline advanced and retreated as much as 30 miles across the continental shelf. Sea level advance cut a system of marine terraces, 12 of which are exposed in the Point San Luis area 8-9 miles southwest of the city. These terraces range in age from 83,000 to 49,000 years and reach elevations of 79 feet above modern sea level. The formations that compose these terraces are the most paleontologically productive in the region.

The only fossil resources likely to occur in the vicinity are of Quaternary (Pleistocene) age. The Quaternary is the most recent of the three Periods of the Cenozoic Era in the geologic time scale. It follows the Tertiary Period, spanning from about 2,588,000 years ago to the present. The Quaternary includes two geologic epochs: the older Pleistocene--sometimes known as the "Ice Ages"-- and the younger Holocene, which began approximately 10,000 years before present (ybp). The Pleistocene epoch began approximately 1,800,000 ybp. On the basis of vertebrate fauna from the nonmarine, late Cenozoic deposits in the San Francisco Bay region, two major divisions of Pleistocene-age fossils are recognized in California: the older Irvingtonian and the younger Rancholabrean. The Rancholabrean fauna includes bison and other large mammals such as mammoths, mastodons, camels, horses, and ground sloths, as well as other species alive today.

There are three vertebrate localities documented along the coast within 9 miles of the city. These localities occur in Pleistocene fluvial deposits overlying marine terraces and include assemblages of the Rancholabrean mammals *Equus* sp. and *E. occidentalis* (horse); *Camelops* sp. and *C. hesternus* (camel); *Bison antiquus* and *B. latifrons* (bison), and *Mammuth americanum* (mammoth). Other, more distal localities in San Luis Obispo County are noted as well.

- a) The project site does not contain any known historic structures or other historic resources. The project site is currently developed and is located north of the Master List Long Bonetti Ranch property, which is currently under construction with the approved Shops at Long Bonetti project. The Shops at Long Bonetti project will include a mix of commercial, retail, office, and live/work development, including the restoration and reconstruction of elements of the historic farm complex and the introduction of new buildings within the site. Proposed development would occur within the footprint of existing development, would be separated from the Shops at Long Bonetti project by an existing parking lot to remain, and would be consistent with existing structures in the area. Therefore, based on the location of the project and lack of historic resources within the project site, potential impacts would be less than significant.

Conclusion: Based on the location of the project, and lack of historic resources within the project site, potential impacts would be less than significant, and no mitigation is necessary.

- b), d) The property does not contain any known prehistoric or historic archaeological resources identified on City-maintained

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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resource maps, is located approximately 1,400 feet from the nearest creek corridor and is not located within an archaeologically-sensitive or burial sensitivity area. In addition, the project site is developed with an existing building and parking lot. Based on the location and condition of the project site, and level of disturbance that occurred to construct the current uses of the project site, it is unlikely that unknown significant archaeological resources or burials are present. In the unlikely event of resource discovery during grading and construction, mitigation measure CR-1 is identified to further ensure protection of unknown resources. Compliance with this measure would mitigate any potential impacts to unknown resources to a level of insignificance.

Mitigation Measure:

Mitigation Measure CR-1: In the event historic, paleontological, or archeological resources and/or human remains are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the City Community Development Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified specialist (paleontologist, historian, archaeologist) and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. If human remains are unearthed, the applicant shall notify the City Community Development Department and shall comply with State Health and Safety Code Section 7050.5, which requires that no further disturbance shall occur until the County of San Luis Obispo Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be Native American, the County Coroner will notify the Native American Heritage Commission within 24 hours, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Conclusion: Based on the location and condition of the project site, and implementation of mitigation measure CR-1 identified below, potential impacts would be less than significant

- c) The geologic formation underlying the project site is Quaternary alluvium and marine deposits (Pleistocene to Holocene age), which has the potential to produce fossils. Based on the limited area of disturbance, and past grading and development that has occurred in the areas proposed for grading, the potential for significant paleontological discovery is low. Therefore, potential impacts to paleontological resources would be less than significant. In the unlikely event of resource discovery during grading and construction, mitigation measure CR-1 is identified to further ensure protection of unknown resources.

Conclusion: Based on the location and condition of the project site, and compliance with identified mitigation, potential impacts would be less than significant.

6. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: I. Rupture of a known earthquake fault, as delineated on 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. II. Strong seismic ground shaking? III. Seismic-related ground failure, including liquefaction? IV. Landslides?	1, 3, 4, 6, 10, 15, 16				
				X	
				X	
				X	
b) Result in substantial soil erosion or the loss of topsoil?	1, 3, 4, 6, 10			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and	1, 4, 6, 10			X	

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?					
d) Be located on expansive soil, as defined in Table 1802.3.2 of the California Building Code (2013), creating substantial risks to life or property?	1, 4, 6, 10			X	
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?	1				X

Evaluation

San Luis Obispo County lies within the southern Coast Range Geomorphic Province, which lies between the Central Valley of California and the Pacific Ocean and extends from Oregon to northern Santa Barbara County. The Coast Range province is structurally complex and is comprised of sub-parallel northwest-southeast trending faults, folds, and mountain ranges. The most distinctive geomorphological feature of the San Luis Obispo area is the series of Tertiary aged volcanic plugs (remnants of volcanoes) which extend from the City of San Luis Obispo northwesterly to Morro Bay. Hollister Peak, Bishop Peak, Cerro San Luis Obispo, Islay Hill, and Morro Rock are all comprised of these volcanic plugs. There are over 21 major and minor peaks in the Morros, but there are nine major peaks, hence the name commonly used, “The Nine Sisters”. The nine major peaks are: Morro Rock, Black Hill, Cabrillo Peak, Hollister Peak, Cerro Romauldo, Chumash Peak, Bishop Peak, Cerro San Luis Obispo, and Islay Hill. The Nine Sisters form a divider between the Los Osos Valley and Chorro Valley, covering approximately 40 square miles.

Seismicity and Ground Shaking. Faults produce ground shaking and/or surface rupture. Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Surface rupture is limited to very near the fault. Other hazards associated with seismically induced ground shaking include earthquake-triggered landslides, liquefaction, and tsunamis. The predominant northwest-southeast trending structures of the Coast Range Province are related to the San Andreas Fault Transform Boundary. Other faults in the San Luis Obispo area that are considered active or potentially active include the San Juan Fault, the East and West Huasna Faults, the Nacimiento Fault Zone, the Oceano Fault, the Oceanic Fault, Cambria Fault, the Edna Fault, the Hosgri Fault, and the Los Osos Fault. The East and West Huasna Faults, the Nacimiento Fault Zone, the Cambria Fault, and the Edna Fault have not yet been officially classified by the California Division of Mines and Geology (LUCE EIR Section 4.6, Geology and Soils). As depicted in LUCE EIR Section 4.6 Geology and Soils, *Figure 4.6-1 Earthquake Faults – Regional Area* and *Figure 4.6.2 Earthquake Faults – Local Area*, the City is located in a seismically active area. Local active and potentially active faults are shown on these figures, and represent seismic hazards related to surface displacement and seismically induced ground acceleration. The project site is located approximately 0.6 mile from the Los Osos Fault.

Liquefaction Hazards. Liquefaction is defined as the transformation of a granular material from a solid state to a liquefied state as a consequence of increased pore water pressure. As a result, structures built on this material can sink into the alluvium, buried structures may rise to the surface or materials on sloped surfaces may run downhill. Other effects of liquefaction include lateral spread, flow failures, ground oscillations, and loss of bearing strength. The soils in the San Luis Obispo area that are most susceptible to ground shaking, and which contain shallow ground water, are the ones most likely to have a potential for settlement and or liquefaction (refer to LUCE EIR Section 4.6 Geology and Soils, *Figure 4.6-3 Seismic and Landslide Hazards*). Based on review of the City’s Safety Element, the project site is located in an area of high liquefaction potential (Safety Element *Figure 5 Ground Shaking & Landslide Hazards*). The actual risk of settlement or liquefaction is identified by investigation of specific sites, including subsurface sampling, by qualified professionals. Previous investigations have found that the risk of settlement for new construction can be reduced to an acceptable level through careful site preparation and proper foundation design, and that the actual risk of liquefaction is low.

Landslide Hazards. Landslides occur when the underlying support can no longer maintain the load of material above it, causing a slope failure. Ground shaking and landslide hazards are mapped by the City and are shown in LUCE EIR Section 4.6 Geology and Soils, *Figure 4.6-3 Seismic and Landslide Hazards*. Much of the development in San Luis Obispo is in valleys, where there is low potential for slope instability; however, the city contains extensive hillsides. Several are underlain by the rocks of the

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Franciscan group, which is a source of significant slope instability. The actual risk of slope instability is identified by investigation of specific sites, including subsurface sampling, by qualified professionals. The California Building Code (CBC) and City Municipal Code require site-specific investigations and design proposals by qualified professionals in areas that are susceptible to slope instability and landslides. Based on the nearly-level to gently sloping topography of the project site, and review of LUCE EIR *Figure 4.6-3 Seismic and Landslide Hazards*, the project site is not located in a landslide hazard area.

Other Hazards. Differential settlement is the downward movement of the land surface resulting from the compression of void space in underlying soils. Portions of the city have been identified as possibly being underlain by soft organic soils, resulting in a high potential for settlement. Other potential geologic hazards in the City include expansive soils, and subsidence, which occurs where underlying geologic materials (typically loosely consolidated surficial silt, sand, and gravel) undergo a change from looser to tighter compaction, and as a result, the ground surface subsides (lowers) (refer to LUCE EIR Section 4.6 Geology and Soils, *Table 4.6-1 City of San Luis Obispo Soil Properties*). Underlying soils include Cropley clay (0 to 2 percent slopes), with a small area of Marimel silty clay loam, drained (Web Soil Survey, Accessed July 30, 2018). Cropley clay has a high shrink-swell potential; Marimel silty clay loam has a low to moderate potential for shrink-swell.

- a) The City is located in Seismic Zone 4, the highest level of potential earthquake threat in the State of California. City General Plan Safety Element *Figure 3, Earthquake Faults – Local Area* shows mapped and inferred faults in the San Luis Obispo area, including the Los Osos Fault, which is identified under the California Alquist Priolo Fault Hazards Act, and is located approximately 0.6 mile west of the project site. Structures must be designed in compliance with seismic design criteria established in the California Building Code for this seismic zone. To minimize this potential impact, the California Building Code and City Codes require new structures be built to resist such shaking or to remain standing in an earthquake. Based on compliance with existing regulations, potential impacts related to seismicity would be less than significant.

The underlying soil map units include soils with a low to high shrink-swell potential. Compliance with existing regulations including the City’s Municipal Code and the California Building Code would address this soil condition; therefore, the potential impact would be less than significant.

Based on the nearly-level to gently sloping topography of the project site, and review of LUCE EIR *Figure 4.6-3 Seismic and Landslide Hazards*, the project site is not located in a landslide hazard area; therefore, potential impacts due to seismically-induced landslide hazards is less than significant.

Conclusion: Based on the location of the project site and underlying geologic and soil properties, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- b) The erosion hazard of the underlying soils is slight (LUCE EIR *Table 4.6-1 City of San Luis Obispo Soil Properties*). The most significant source of potential erosion of on-site soils would be during initial site ground disturbance/construction and from stormwater runoff. Implementation of erosion control measures and best management practices to avoid discharge of sediment and other pollutants from the project site is regulated through compliance with the Municipal Code (Chapter 12.08 Urban Storm Water Quality Management and Discharge Control). Erosion control measures that would be required pursuant to existing regulations for the project during construction may include, but not be limited to: scheduling ground disturbance to avoid the rain events (if feasible), use of hydroseeding, planting, and mulch to stabilize soils, dust control to stabilize stockpiles, unpaved roads, and graded areas, protection of storm drain inlets, use of sediment traps, construction of a stabilized page of aggregate and filter fabric at the construction access entrance, street sweeping, and use of silt fencing, sand/gravel bags, and fiber rolls. All construction projects in the city require the installation, maintenance, routine inspection (i.e. weekly, before predicted rain events, after rain events and during prolonged rain events) and the repair or replacement, as needed, of best management practices (BMPs) throughout the course of the construction project in order to protect local water quality. Most BMPs (i.e. concrete / tool washouts and street sweeping) are required year long and others are specifically required during the rainy season (i.e. October 15th through April 15th) or prior to a predicted rain event, even if that rain event is predicted during the summer months. Enforcement of stormwater regulations occurs all year long. Failure to develop a plan and/or failure to implement the plan in accordance with Central Coast Regional Water Quality Control Board (RWQCB) erosion and sediment control requirements would result in the issuance of a “Notice to Comply.” For sites with exposed soil, a Project Stop Work Notice may be issued at this time unless erosion and siltation control measures are actively being installed. After October 15th, a Project Stop Work Notice would be issued for all work except the installation of erosion control measures, and the RWQCB would be notified. Therefore, based on compliance with

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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existing state and local regulations, potential impacts as a result of erosion and down-gradient sedimentation would be less than significant, and no additional mitigation measures are necessary.

Conclusion: Based on the location of the project site and underlying geologic and soil properties, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- c) As noted above, the project site is located in an area with negligible landslide potential. Based on the underlying soils, the potential for liquefaction is low. Compliance with the California Building Code is required to address any potential impacts related to lateral spreading, subsidence, liquefaction and collapse.

Conclusion: Based on the location of the project site and underlying geologic and soil properties, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- d) The underlying soils have low to high shrink-swell characteristics, and low to high expansion potential. Compliance with the California Building Code is required to address any potential impacts related soil expansion.

Conclusion: Based on the location of the project site and underlying geologic and soil properties, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- e) The proposed project will be required to connect to the City’s sewer system. Septic tanks or alternative wastewater systems are not proposed and will not be used on the site; therefore, no impact would occur.

Conclusion: Based on the location of the project site, and existing and proposed connections to the City’s sewer system, no impact would occur, and no mitigation is necessary.

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, 4, 12, 17, 18			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	1, 4, 12, 17, 18			X	

Evaluation

As outlined in the LUCE Update EIR, prominent 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, which is causing global climate change. 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), Climate Pollution Reduction Beyond 2020 Healthier Communities

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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and a Stronger Economy (Senate Bill [SB] 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. The San Luis Obispo County Air Pollution Control District (APCD) adopted a CEQA Air Quality Handbook (2012) and associated clarification memorandum (2017), as well as guidance on GHG emission thresholds and supporting evidence (2012), that may be applied by lead agencies within San Luis Obispo County. 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 and help the city build resiliency and adapt to the effects of climate change.

a, b) The proposed project will result in infill development, located in close proximity to transit, services and employment centers. City policies recognize that compact, infill development allows for more efficient use of existing infrastructure and aids Citywide efforts to reduce greenhouse gas emissions. The City’s CAP also recognizes that energy efficient design will result in significant energy savings, which result in emissions reductions. The emissions from project-related vehicle exhaust comprise the vast majority of the total project CO₂ emissions. The remaining project CO₂ emissions are primarily from building heating systems and increased regional power plant electricity generation due to the project’s electrical demands.

Construction activities would generate GHG emissions through the use of on- and off-road construction equipment in new development. Long-term emissions associated with the project relate to indirect source emissions, such as electricity usage. State Title 24 regulations for building energy efficiency are enforced with new construction. Table 1-1 of the SLOAPCD CEQA Air Quality Handbook (as amended by the *Clarification Memorandum for the San Luis Obispo County Air Pollution Control District’s 2012 CEQA Air Quality Handbook*, November 2017) indicates that the construction and operation of the following types of uses (which would be similar to the types of uses typically associated with live/work developments) would not exceed the APCD GHG bright-line threshold of 1,150 CO₂e (metric tons/year): 75,000-square foot general office building; 69,000-square foot office park; 92,000 square feet of general light industry; or 127 condo/townhouse units. As the project would consist of 30 live/work units, with a total gross area of 68,292 square feet including the continued use of the Tribune office building, operation of the project would not exceed APCD GHG construction and operational thresholds.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are required.

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?	1, 2, 3, 4, 10			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?	1, 2, 3, 4, 10			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?	1, 2, 3, 4			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, would it create a significant hazard to the public or the environment?	1, 2, 3, 4, 19, 20			X	

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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?	1, 2, 3, 4, 21			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?	1, 2, 3, 4, 21			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1, 2, 3, 4, 6			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 residences are intermixed with wildlands?	1, 2, 3, 4, 6, 10			X	

Evaluation

As outlined in the LUCE Update EIR, the analysis of hazards and hazardous material impacts relates to hazards regarding safety risks posed by airport flight patterns, impeding of adopted emergency response/evacuation plans, and wildland fires where wildlands are adjacent to urbanized areas; and hazardous materials or substances regarding routine transport or disposal of substances, explosion or release of substances, and emissions or handling of substances within one-quarter mile of an existing or planned school. The following is a brief outline of the primary identified hazards:

Fire Hazards: Fires have the potential to cause significant losses to life, property, and the environment. Urban fire hazards result from the materials that make up the built environment, the size and organization of structures, and spacing of buildings. Additional factors that can accelerate fire hazards are availability of emergency access, available water volume and pressure for fire suppression, and response time for fire fighters. Fire hazard severity in rural areas, including areas on the edge between urban and rural land (commonly called the wildland interface), are highly influenced by the slope of the landscape and site vegetation and climate. This risk is somewhat amplified by the native, Mediterranean vegetation common to the rural setting in which the City is located that has evolved to rely on wildfires for its ecological sustainability. Where wildland fires may be a threat, plant fuels are often managed by replacement planting, grazing, plowing, or mechanical clearing.

Hazardous Materials: Hazardous materials are defined as substances with physical and chemical properties of ignitability, corrosively, reactivity, or toxicity, which may pose a threat to human health or the environment. This includes, for example, chemical materials such as petroleum products, solvents, pesticides, herbicides, paints, metals, asbestos, and other regulated chemical materials. Additionally, hazards include known historical spills, leaks, illegal dumping, or other methods of release of hazardous materials to soil, sediment, groundwater, or surface water. If a historical release exists, then there is a risk associated with disturbing the historical release area. The potential for risks associated with hazardous materials are varied regionally. The primary risk concerns identified by the city, as stipulated in the City's General Plan Safety Element, include radiation hazards and the transportation of hazardous materials in and around the city. Most of these incidents are related to the increasing frequency of transport of chemicals over roadways, railways or through industrial accidents. Highway 101 and a rail corridor are major transportation corridors through the San Luis Obispo area.

Airport Hazards: The San Luis Obispo County Airport provides commuter, charter, and private aviation service to the area. The primary hazard associated with land uses near the airport is the risk of aircraft incidents on approach and take-off. Aircraft flight operations are determined largely by the physical layout of the airport and rules of the Federal Aviation Administration. The County manages activities on the airport property through the Airport Land Use Commission (ALUC). As the means of fulfilling these basic obligations, the ALUC, must prepare and adopt Airport Land Use Plans for each airport within their jurisdiction. The policies in the ALUP are intended to minimize the public's exposure to excessive noise and safety hazards while providing for the orderly expansion of airports (Public Utility Code Section 21670(a)(2)). The ALUC has developed an Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport that was first adopted in 1973, was updated in May 2005 and is currently being updated. The ALUP has identified safety zones with associated land use density and intensity

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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restrictions. The ALUP defines these as:

- Runway Protection Zones – Areas immediately adjacent to the ends of each active runway, within which the level of aviation safety risk is very high and in which, consequently, structures are prohibited and human activities are restricted to those which require only very low levels of occupancy.
- Safety Areas S-1 a through c– The area within the vicinity of which aircraft operate frequently or in conditions of reduced visibility at altitudes less than 500 feet above ground level (AGL).
- Safety Area S-2 – The area within the vicinity of which aircraft operate frequently or in conditions of reduced visibility at altitudes between 501 and 1000 feet above ground level (AGL). Because aircraft in Area S-2 are at greater altitude and are less densely concentrated than in other portions of the Airport Planning Area, the overall level of aviation safety risk is considered to be lower than that in Area S-1 or the Runway Protection Zones.

In association with adoption of the LUCE and associated Airport Land Use Compatibility Report, the City Council approved an overrule of the ALUP, which allowed for development to occur pursuant to adopted Specific Plans (if the Specific Plan specifically identified allowable densities within Safety Zones) or existing Zoning Regulations Chapter 17.57 Airport Overlay Zone and associated *Table 10 – Airport Overlay Zone (AOZ) – Maximum Allowed Persons*.

- 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 of the proposed project would be required to comply with applicable building, health, fire, and safety codes. Hazardous materials would be used in varying amounts during construction and occupancy of the project. Construction and maintenance activities would use hazardous materials such as fuels (gasoline and diesel), oils, and lubricants; paints and paint thinners; glues; cleaners (which could include solvents and corrosives in addition to soaps and detergents); and possibly pesticides and herbicides. 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.

With respect to operation of the project, the proposed units would not generate significant amounts of hazardous materials. In addition, the City Municipal Code prohibits the “storage of flammable liquids or hazardous materials beyond that normally associated with a residential use” (Section 17.08.130.C.2 Live/Work Unit). Therefore, based on compliance with existing regulations, potential impacts would be less than significant.

Conclusion: Based on compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- b) c) The proposed project site is located over a ¼ mile from the nearest school (Pacific Beach High School, approximately 0.8 mile to the northwest). As discussed above (refer to response to a), the proposed project would not result in the routine transport, use, disposal, handling, or emission of any hazardous materials that would create a significant hazard to the public or to the environment. Implementation of Title 49, Parts 171–180, of the Code of Federal Regulations and stipulations in the General Plan Safety Element would reduce any impacts associated with the potential for accidental release during construction or occupancy of the proposed project or by transporters picking up or delivering hazardous materials to the project site. These regulations establish standards by which hazardous materials would be transported, within and adjacent to the proposed project. Where transport of these materials occurs on roads, the California Highway Patrol is the responsible agency for enforcement of regulations. If potentially hazardous materials, including cleaning supplies, oils, paint, and fuels are stored onsite for continued operation and maintenance of the live/work units (in compliance with Zoning Regulations Section 17.08.130.C.2 Live/work unit), the applicant and future owners/tenants would be required to prepare a Hazardous Materials Business Plan, which would be approved by the County Department of Public Health. This plan would document the safe and legal storage and use of standard materials, including paints, oils, fuels, cleaning materials, and other compounds onsite.

Construction of the proposed project would require the use of fuels and materials, if spilled, could result in a hazard to the public. The applicant is required to comply with state and local water quality regulations (refer to Sections 6 and 9 of this

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Initial Study), which would address this potential impact. Therefore, based on compliance with existing regulations, potential impacts related to the accidental release of hazardous materials would be less than significant.

Conclusion: Based on compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- d) Based on a review of the State of California Geotracker and Envirostor databases, no hazardous materials sites are present within the project site, or proximate to the site boundaries. Therefore, potential impacts would be less than significant.

Conclusion: Based on compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- e) f) The project site is located in the vicinity of the San Luis Obispo County Regional Airport and is located within the S1-b Safety Area of the County Airport Land Use Plan (ALUP). As the Higuera Commerce Park Specific Plan does not identify density limitations related to the ALUP, and the City adopted an override in association with the LUCE and incorporation of Table 10 (*Airport Overlay Zone [AOZ] – Maximum Allowed Persons*) into the Zoning Regulations, the project site is subject to the City’s Airport Overlay Zone (AOZ), which allows development based on the development standards for the zone. The proposed project would be located outside of restricted areas for live/work development, which are defined as: “within 10,000 feet from the end of primary runway 11-29 for a width of 1,000 feet on an extension of runway centerline” and “within 4,000 feet from the end of the existing secondary runway 7-25 for an area 1,000 [feet] wide on an extension of the runway centerline” (refer to *Zoning Regulations Table 10 – Airport Overlay Zone [AOZ] – Maximum Allowed Persons*). Pursuant to the AOZ regulations, the maximum persons per acre is determined by the underlying zone (as the Higuera Commerce Park Specific Plan does not specify allowable density). The proposed development would be 34.5 feet in height and does not include any features that would create a potential hazard for air traffic. Therefore, based on the location and size of the project, and compliance with *Zoning Regulations Table 10 – Airport Overlay Zone [AOZ] – Maximum Allowed Persons*, the proposed project would not result in any significant impacts related to air traffic.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are required.

- g) The project would be subject to the requirements contained in the City’s emergency response and evacuation plans. The project does not include any features that would impede emergency response or evacuation. Therefore, impacts related to impaired implementation or physical interference with an adopted emergency response or evacuation plan are considered less than significant.

Conclusion: Based on the location of the projects site, and existing and proposed access points, potential impacts would be less than significant, and no mitigation measures are required.

- h) The project site is located in the City of San Luis Obispo, within a moderate fire hazard severity zone (see LUCE Update EIR *Figure 4.8-1 City of SLO Planning Area Fire Hazard Severity Zones*). The proposed project would be constructed consistent with the California Building Code and Fire Code and would be reviewed and inspected for compliance by the City Fire Department prior to occupation. The site design includes access suitable for emergency responders, with access directly off South Higuera Street, Hind Lane, and Long Street. Therefore, based on compliance with existing regulations in the California Building Code/Fire Code, potential impacts related to fire would be less than significant.

Conclusion: Based on the location of the projects site and moderate fire risk within an urbanized area, and existing and proposed access points, potential impacts would be less than significant, and no mitigation measures are required.

9. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	1, 3, 4, 22, 23			X	
b) Substantially deplete groundwater supplies or interfere	1, 4,			X	

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 or planned uses for which permits have been granted)?	24, 25, 26				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?	1, 3, 4, 22, 23			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	1, 3, 4, 22, 23			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	1, 3, 4, 22, 23			X	
f) Otherwise substantially degrade water quality?	1, 3, 4, 22, 23			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?	1, 4, 27			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	1, 4, 27			X	
i) Expose people or structures to significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	1, 4			X	
j) Inundation by seiche, tsunami, or mudflow?	1, 4			X	

Evaluation

Drainage and Flooding. The City is located within the San Luis Obispo Creek Hydrologic Subarea of the Estero Bay Hydrologic Unit, which stretches roughly 80 miles between the Santa Maria River and the Monterey County line and includes numerous individual stream systems. According to the Safety Element of the City of San Luis Obispo General Plan, average seasonal precipitation in the City of San Luis Obispo is 22 inches and average seasonal precipitation throughout the county varies from 8.5 inches (at Simmler) to 25.6 inches (at San Simeon). The watershed generally drains to the south-southwest via San Luis Obispo Creek where it meets the Pacific Ocean at Avila Beach. San Luis Obispo Creek originates in the Cuesta Grade area north of San Luis Obispo at an elevation of 2,200 feet above mean sea level, in the western slopes of the Santa Lucia Range. The creek flows south through the City of San Luis Obispo adjacent to U.S. Highway 101 until it reaches the southern extent of the Irish Hills where it veers west to the ocean. The City is generally located within a low-lying valley centered on San Luis Obispo Creek. San Luis Obispo Creek is one of four major drainage features that create flood hazards in the city, with the others being Stenner Creek, Prefumo Creek, and Old Garden Creek. In addition, many minor waterways drain into these creeks, and these can also present flood hazards. Because of the high surrounding hills and mountains in the area, the drainage sheds of these creeks are relatively small, but the steep slopes and high gradient can lead to intense, fast moving flood events in the city. The project site is not located within a 100-year flood zone (refer to LUCE EIR Section 4.9 Hydrology and Water Quality, *Figure 4.9-1 100-year Flood Zones*). San Luis Obispo is not subject to inundation from dam failure, beach erosion, or coastal or lakefront flooding due to earthquake-induced waves (tsunami or seiche).

Water Quality. The City's Public Works, Utilities, and Community Development Departments are responsible for coordinating the implementation of the City's Storm Water Management Program (SWMP). This program is required under the Phase II Storm Water Regulations regulated by the SWRCB, San Luis Obispo Region. The primary goal of the program is to minimize

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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urban runoff that enters the municipal storm drain system, and carries bacteria and other pollutants into local creeks, our watershed and to the ocean. As part of these new requirements, the City of San Luis Obispo has been mandated to establish a set of minimum-designated Best Management Practices (BMPs) and Pollution Prevention Methods (PPMs). BMPs are steps taken to minimize or control the amount of pollutants and runoff. PPMs are strategies to eliminate the use of polluting materials, and/or not exposing potential pollutants to rainwater or other runoff.

San Luis Obispo Creek has been designated by the Central Coast RWQCB as having present and potential beneficial uses for municipal supply; agricultural supply; groundwater recharge; recreation; wildlife habitat; warm and cold fresh water habitat; migration of aquatic organisms; spawning, reproduction, and/or early development of fish; and commercial and sport fishing. As documented in LUCE EIR Section 4.9 Hydrology and Water Quality, water quality in the San Luis Obispo Creek drainage system is generally considered to be good; however, the water quality fluctuates along with seasonal changes in flow rates. In summer months, when the flows decrease and dilution is reduced, water quality decreases. According to the RWQCB Total Maximum Daily Load (TMDL) Project for San Luis Obispo Creek, the creek has been reported to exceed nutrient and pathogen levels. Nitrate sources contributing to the nutrients identified in TMDL Project are, in decreasing order of contribution: City of San Luis Obispo Water Resource Recovery Facility (WRRF), croplands, background, reservoirs, and residential areas. The fecal coliform sources identified by the RWQCB TMDL Project are, in decreasing order of contribution: urban, human, birds and bats roosting in the tunnel, livestock, and background.

Groundwater Quality. Groundwater within the San Luis Obispo Valley Sub-basin flows toward the south-southwest, following the general gradient of surface topography. Groundwater occurs within the alluvial sediments and the underlying weathered and fractured bedrock. Depth to groundwater in the San Luis Obispo Valley Sub-basin is estimated to be 15 to 25 feet below ground surface. Groundwater within the San Luis Obispo area is considered suitable for agricultural water supply, municipal and domestic supply, and industrial use.

a, f) Implementation of the project would include grading and development within a nearly level to gently sloping area. Disturbance of soils and use of equipment may result in the discharge of sediment, hydrocarbons, and other pollutants into the City storm system. Operation of the project would include use of parking areas; accidental leaks or spills that may result in the transport of oils and fuels into stormwater and down-gradient surface waters. Discharge of any pollutants (e.g. herbicides, pesticides, janitorial cleaning products, and toxic substances such as motor oil, gasoline, and anti-freeze) or heated water (e.g. from steam cleaning sidewalks) into a storm water system or directly into surface waters is illegal and subject to enforcement action by the RWQCB. The proposed project is subject to several existing regulations and programs, including the City’s Storm Water Management Program, the 2014 LUCE, and Drainage Design Manual (DDM) of the Waterway Management Plan and Post Construction Requirements for storm water control. Best Management Practices (BMPs) and Pollution Prevention Methods (PPMs) are required to be incorporated into grading and construction plans for the short and long-term management and protection of water quality. The applicant estimates that the proposed project would result in the addition of more than 22,000 square feet of impervious surface (structure and parking areas), and is subject to Performance Requirements 1-4, pursuant to the Post Construction Requirement established by the RWQCB. The project will include the incorporation of new catch basins that will drain to a new underground chamber system that will infiltrate the runoff back into the ground. The chambers are proposed to connect to an existing catch basin to remain, and stormwater would continue to flow out the existing stormdrain in South Higuera Street. Runoff rates are proposed to be managed to maintain pre-project runoff rates by draining impervious areas to landscaped areas and bioretention planters, in addition to use of the proposed underground chamber (Ashley and Vance, 2018).

Additional discussion of drainage and stormwater runoff requirements is provided in the response to impacts c, d, and e below. Based on compliance with existing regulations, and incorporation of identified mitigation measures to protect water quality, the project would not violate any water quality standards or waste discharge requirements, and potential impacts would be less than significant.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are required.

b) The project will be served by the City’s sewer and water systems and will not deplete groundwater resources (refer to Section 18, Utilities and Service Systems for additional information). Therefore, potential impacts would be less than

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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significant.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are required.

c) d) e) 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 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.

Conclusion: Based on the discussion above (refer to a, c, d, and e), and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

g) h) i) The project site is not within the boundaries of an area subject to inundation from flood waters in a 100-year storm per the Federal Flood Hazard Boundary or Flood Insurance Rate Map. The project site is not located in an area susceptible to flooding from the failure of a levee or dam. The project will not impede or re-direct the flow of any floodwaters, and stormwater management would be addressed through compliance with existing local and state regulations. Therefore, potential impacts would be less than significant.

Conclusion: Based on the location of the project site and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

j) The proposed development is outside the zone of impacts from seiche or tsunamis, and the existing onsite and surrounding topography does not generate significant storm water runoff such to create a potential for inundation by mudflow. Therefore, potential impacts would be less than significant.

Conclusion: Based on the location of the project site, potential impacts would be less than significant, and no mitigation measures are required.

10. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?	1, 4, 8				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 2, 3, 4, 8			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1, 4, 5				X

Evaluation

a) The proposed infill development project is consistent with the development anticipated for the project site under the City's General Plan and Higuera Commerce Park Specific Plan. The project would be located within the footprint of existing development and does not include any features that would divide an established community. The project would connect to the pending Shops and Long Bonetti project via sidewalks and access routes through existing and proposed parking areas and would connect to existing bike lanes along South Higuera Street. Therefore, no impact would occur.

Conclusion: Based on the location of the project site, and the discussion above, no impact would occur.

b) The proposed project will not conflict with applicable land use plans, policies, or regulations for the purpose of avoiding or

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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mitigating an environmental effect since live/work development is an allowed use within the manufacturing zone, and the applicant is required to obtain a use permit for this use pursuant to the Higuera Commerce Park Specific Plan. As discussed in Initial Study Section 8 (Hazards and Hazardous Materials), the project complies with Zoning Regulations *Table 10 Airport Overlay Zone [AOZ] – Maximum Allowed Persons*, is located outside of restricted areas for live/work development and complies with AOZ regulations for maximum persons per acre in the S1-b safety zone. Therefore, potential impacts would be less than significant.

Conclusion: Based on the location of the project site and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are required.

- c) As discussed in subsection 4, Biological Resources, the proposed project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan or natural community conservation plan; therefore, no impact would occur.

Conclusion: Based on the location of the project site no impact would occur, and no mitigation is necessary.

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?	4				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?	4				X

Evaluation

- a), b) No known mineral resources are present at the project site. Implementation of the proposed project 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 would occur.

Conclusion: Based on the location of the project site no impact would occur, and no mitigation is necessary.

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?	1, 2, 3, 4, 7, 10, 28		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	1, 2, 3, 4, 7, 10, 28			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 2, 3, 4, 7, 10, 28			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	1, 2, 3, 4, 7, 10, 28			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?	1, 2, 3, 4, 7, 10, 28			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	1, 2, 3, 4, 7, 10, 28			X	

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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excessive noise levels?					
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Evaluation

As analyzed in the City’s LUCE Update EIR, a number of noise-sensitive land uses are present within the City, including various types of residential, schools, hospitals and care facilities, parks and recreation areas, hotels and transient lodging, and place of worship and libraries. Based on ambient noise level measurements throughout the City, major sources of noise include traffic noise on major roadways, passing trains, and aircraft overflights.

Pursuant to LUCE Update EIR *Table 4.11-1 Summary of Modeled Existing Roadway Traffic Noise Levels*, under future build-out conditions, the 70 decibel (dB) noise contour would extend 51 feet from the centerline of South Higuera (Prado to Tank Farm), the 65 dB noise contour would extend 161 feet, and the 60 decibel noise contour would extend 508 feet. The project site is located outside of the 60 dB noise contour for the San Luis Obispo County Airport (refer to Zoning Regulations *Figure 13, Airport Noise Contours*).

- a) For a conservative assessment, the live/work units are considered a noise sensitive land use, as designed by the City’s 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. Based on the location of the proposed live/work units, the closest unit would be approximately 180 feet from the centerline of South Higuera, with the existing Tribune office building to remain along the western property boundary that fronts the roadway. Based on this distance, future uses would not be exposed to noise exceeding 65 dB under build-out conditions; in addition, the existing Tribune building would provide some additional noise attenuation. Provision of an alternative balcony material that provides a solid barrier would attenuate noise by approximately 3 dB, in compliance with the City’s Noise Element (refer to Mitigation Measure N-1). Regarding interior noise standards, interior noise levels of less than 45 dB will be achievable with standard building materials and construction techniques. Impacts associated with 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, would be less than significant based on compliance with identified mitigation.

In the long-term, future occupants would be subjected to ambient noise that is typical of the light manufacturing, commercial, office, and live/work units currently under operation, and planned as components of future development. As the future uses of the live/work units would be consistent with uses anticipated for the manufacturing zone, and the primary source of noise in the area consists of transportation-related sources (discussed above), future occupants would not be subjected to significant levels of noise from stationary sources.

Mitigation Measure:

Mitigation Measure N-1: Prior to issuance of building permits, the applicant shall submit plans for exterior balconies that show the use of solid material that would achieve noise attenuation of a minimum 3 decibels.

Conclusion: Based on the discussion above, and compliance with the identified mitigation measure, potential impacts would be mitigated to less than significant.

- b) Long-term operational activities associated with the proposed project would be from live/work uses, which would not involve the use of any equipment or processes that would result in potentially significant levels of ground vibration. As required by Municipal Code (Zoning Regulations) Section 17.08.130.2 (Live/work unit), a live/work unit shall not be established or used in conjunction with any activity or use “determined by the Director to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes.” 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 forklifts, concrete mixers, and 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

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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than significant.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation is required.

- c) Long-term operation of the project would be consistent with existing and future uses in the project vicinity. Noise sensitive land uses in the area are limited to the mobilehome parks located west of South Higuera. As these uses are located approximately 230 feet from the proposed buildings and are separated by the project site by South Higuera Street (the primary source of noise in the area), operation of the project would not result in a long-term significant noise impact. In addition, as noted above, future uses of the live/work units are required to be compatible with residential uses. The proposed project would therefore have a less than significant impact related to producing a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation is required.

- d) Noise generated by the project would occur during short-term construction of the proposed project. Noise levels during construction would be higher than existing noise levels, but only for the duration of construction. Although there would be intermittent construction noise in the project area during the construction period, noise impacts would be less than significant because the construction would be short term and restricted to the hours and noise levels allowed by City ordinance (Chapter 9.12 of the Municipal Code).

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation is required.

- e, f) The project is not within the vicinity of a private airstrip. The project site is located outside of the 60 dB noise contour for the San Luis Obispo County Airport (refer to Zoning Regulations Figure 13, Airport Noise Contours). Therefore, potential impacts would be less than significant.

Conclusion: Based on the location of the project site, potential impacts would be less than significant, and no mitigation is required.

13. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 4			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	1, 4				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	1, 4				X

Evaluation

- a) The project site is designated for services and manufacturing uses, including live/work developments (which are allowed in the Manufacturing zone). The proposed project includes development consistent with the anticipated land use and would provide only a portion of the density allowed based on the project parcel size and maximum allowed density identified in the City’s Zoning Regulations. New employment generated by the proposed project would not be considered substantial, and as the use is proposed to be live/work, each unit would provide space for both employment and living. Considering the project area is currently developed, and the proposed project would utilize existing infrastructure at the subject location, the project would not induce additional growth that would be considered significant. The proposed project would not involve any other components that would induce further growth not already anticipated under the General Plan. Impacts are considered less than significant.

Conclusion: Based on the discussion above, potential impacts would be less than significant and no mitigation measures are

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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necessary.

b) c) The project does not include the displacement of housing or people; therefore, no impact would occur.

Conclusion: Based on the location of the project, no impact would occur.

14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental 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?	1, 3, 4			X	
b) Police protection?	1, 3, 4			X	
c) Schools?	1, 3, 4			X	
d) Parks?	1, 3, 4			X	
e) Other public facilities?	1, 3, 4			X	

Evaluation

Fire Protection: The San Luis Obispo Fire Department (SLOFD) provides fire and emergency services to the City of San Luis Obispo. The Fire Department is organized into five divisions: Emergency Operations, Fire Prevention and Life Safety, Training and Equipment, Administrative, and Support Services. In addition to providing fire and emergency services to the city, SLOFD maintains an Emergency Services Contract with Cal Poly. Under the current contract, SLOFD provides fire and emergency services to the university in return for a set annual fee.

Police Protection: The San Luis Obispo Police Department (SLOPD) provides police protection services within the city limits. SLOPD is responsible for responding to calls for service, investigating crimes and arresting offenders, enforcing traffic and other laws, and promoting community safety through crime prevention and school-safety patrols. The Police Department consists of two bureaus, Administration and Operations, each of which has four divisions. The Police Department operates out of one main facility located at 1042 Walnut Street and a small additional office at 1016 Walnut Street.

Public Schools: The San Luis Coastal Unified School District (SLCUSD) serves an area between the coast and the Los Padres National Forest, and from Morro Bay to the north and Arroyo Grande to the south. In total, the District operates ten elementary schools, two middle schools, two high schools, one continuation high school, and an adult education facility. In addition to the K-12 educational program, the SLCUSD offers a variety of additional educational programs, including: cooperative preschool, preschool early education, and parent participation. Within the San Luis Obispo LUCE Planning Subarea, the District operates six elementary schools, one middle school, one high school, and one continuation high school.

a), b), d), e) As an infill site, adequate public services (fire, police, roads and other transportation infrastructure, and other public facilities) are available to serve the project. Future development must comply with applicable City codes and State regulations and building permits will be issued to ensure consistency with these requirements. Less than significant impact.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are necessary.

c) The school districts in the state have the authority to collect fees at the time of issuance of building permits to offset the costs to finance school site acquisition and school construction and are deemed by State law to be adequate mitigation for all school facility requirements. Any increases in demand on school facilities caused by the project are considered to be mitigated by the district's collection of adopted fees at the time of building permit issuance. Less than significant impact.

Conclusion: Based on the discussion above, potential impacts would be less than significant, and no mitigation measures are necessary.

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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15. RECREATION.

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1, 3, 4			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	1, 3, 4			X	

Evaluation

As discussed in the recent City LUCE Update EIR, there are 26 parks in the city, consisting of eight community parks, 10 neighborhood parks, and eight mini parks. There are also six joint use facilities, and several recreation centers and special facilities (e.g., Damon Garcia Sports Fields and the SLO Swim Center). There is currently approximately 151.65 acres of parkland in the City, of which 33.53 acres are neighborhood parks. In addition to developed parks, the City owns or manages over 6,970 acres of open space within and adjacent to San Luis Obispo, some of which provide trails that accommodate hiking and mountain biking.

a), b) The project will add incrementally to the demand for parks and other recreational facilities. However, given the size of the project (30 new live/work units) and expected number of residents, no significant recreational impacts are expected to occur with development of the site. Park Land In-Lieu fees will be required to be paid to the City to help finance additional park space, maintenance or equipment in the vicinity, per existing City policy. Therefore, potential impacts would be less than significant.

Conclusion: Based on the discussion above and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are necessary.

16. TRANSPORTATION/TRAFFIC. Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	1, 4, 29, 30			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	1, 4, 29, 30			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	1, 2, 4			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	1, 4			X	
e) Result in inadequate emergency access?	1, 3, 4			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	1, 2, 3, 4, 29, 30			X	

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Evaluation

The City is accessed primarily by roadways including US 101, State Route (SR) 1 and SR 227. Routes of regional significance providing access include Los Osos Valley Road, Foothill Road, Broad Street, O’Connor Way, Prefumo Canyon Road, South Higuera Street and Orcutt Road. The city is accessed by air via the San Luis Obispo County Regional Airport or by rail via Amtrak’s Pacific Surfliner and Coast Starlight routes. Additional modes of transportation include City bikepaths and bikelanes and SLO Transit (refer to LUCE EIR Section 4.15 Transportation and Circulation, *Figure 4.15-1 City of San Luis Obispo Roads, Airport and Rail, Figure 4.15-2 City of San Luis Obispo Roads, Transit, and Figure 4.15-3 City of San Luis Obispo Bicycle System*). LUCE EIR Section 4.15 Transportation and Circulation, *Table 4.15-2 Local Roadway LOS (Per ADT Threshold)* shows the properties of local roadways and the baseline level of service (LOS) as determined by the transportation analysis conducted for the LUCE EIR. LUCE EIR Section 4.15 Transportation and Circulation also discusses neighborhood traffic management and roadway operations.

Although federal transportation regulations mandate the use of a federal classification system, local jurisdictions, such as City of San Luis Obispo, also develop classification systems to define their own roadways. A total of 75 roadway segments in the local, county, and state roadway system were studied under the LUCE Update EIR using the City’s AADT LOS thresholds. The City of San Luis Obispo considers roadways operating at LOS D or better to be acceptable, excepting segments downtown where LOS is allowed to drop to E. The only segment noted to be deficient under existing conditions is Broad Street south of Buckley Road, which is under State of California and County jurisdiction. As documented in LUCE Update EIR *Table 4.15-2 Local Roadway LOS (Per ADT Threshold)*, South Higuera Street (an arterial roadway, between Prado Road and Tank Farm Road) currently operates at LOS B (acceptable). Under build-out conditions, this segment of South Higuera would operate at LOS B, which is acceptable (refer to LUCE Update EIR *Table 4.15-8 Cumulative Local Roadway LOS [using FDOT Procedures]*).

- a), b) Access to the project site is provided by South Higuera and Hind Lane, with alternative access from Tank Farm Road and Long Street. The project does not conflict with any applicable circulation system plans and does not significantly add to demand on the circulation system or conflict with any congestion management programs or any other agency’s plans for congestion management. The project will add vehicular trips to local and area streets, which have sufficient unused capacity to accommodate the added vehicular traffic without reducing existing levels of service. The proposed project would not result in a significant impact with regard to increased vehicular trips and does not conflict with performance standards provided in City adopted plans or policies. The project will also contribute to overall transportation infrastructure by participating in the Citywide Transportation Impact Fee program. Therefore, potential impacts would be less than significant.

Conclusion: Based on the discussion above and compliance with existing regulations, potential impacts would be less than significant, and no mitigation measures are necessary.

- c) Based on the location and design of the proposed development, the project will not result in any changes to air traffic patterns and does not include any components that would result in an increased safety risk. Therefore, potential impacts would be less than significant.

Conclusion: Based on the location and design of the project, potential impacts would be less than significant, and no mitigation measures are necessary.

- d) The project does not include any additional access points along South Higuera Street. The existing access point on Long Street would remain, and the project design is consistent with City code requirements for ingress/egress to safely and adequately serve the project. Future uses of the site would not result in any significant incompatibilities resulting in potential safety risks, because Zoning Regulations Section 17.08.130.2 (Live/work unit) requires that a live/work unit shall not be established or used in conjunction with any activity or use “determined by the Director to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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would be hazardous because of materials, processes, products, or wastes.” Therefore, potential impacts would be less than significant.

Conclusion: Based on the location and design of the project, potential impacts would be less than significant, and no mitigation measures are necessary.

- e) The project has been reviewed by the City Fire Marshal to ensure adequate emergency access has been provided. As proposed, the project would not alter the existing travel flow of vehicles, bicyclists, or pedestrians or substantially increase traffic on local streets. Therefore, the proposed project would not have a negative effect on emergency access.

Conclusion: Based on the location and design of the project, potential impacts would be less than significant, and no mitigation measures are necessary.

- f) The project is consistent with policies supporting alternative transportation due to the site’s location within the City’s urban center, and its proximity to shopping, bicycle lanes, transit, and services. There is an existing transit stop onsite, that is incorporated into the proposed design of the project; this transit stop allows public transportation services to the Downtown and Cal Poly campus. City standards require provision of on-site bicycle storage. The proposed project includes 24 long-term bicycle parking spaces and 6 short-term bicycle parking spaces, consistent with City regulations.

Conclusion: Based on the location and design of the project, potential impacts would be less than significant, and no mitigation measures are necessary.

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 as defined in Public Resources Section 5020.1(k)?	1			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.	1			X	

Evaluation

On July 27, 2018, local Native American tribal groups were formally noticed that an Initial Study of Environmental Impact was being completed for the proposed project and invited to provide consultation on the proposed project. No tribal representatives requested a formal consultation or identified a tribal cultural resource onsite.

- a) The project site does not contain any structures 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). Therefore, potential impacts would be less than significant.

Conclusion: Based on discussion above and in Initial Study Section 5 (Cultural Resources), and compliance with AB52, potential impacts would be less than significant, and no mitigation is required.

- b) The site does not contain any known resources considered significant by any California Native American tribe. Therefore, potential impacts would be less than significant.

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Conclusion: Based on discussion above and in Initial Study Section 5 (Cultural Resources), and compliance with AB52, potential impacts would be less than significant, and no mitigation is required.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	1, 3, 4, 10, 24, 25			X	
b) Require or result in the construction or expansion of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	1, 3, 4, 10, 24, 25, 26			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?	1, 3, 4, 22, 23			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded entitlements needed?	1, 3, 4, 24, 25			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 commitments?	1, 3, 4, 25			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	1, 3, 4, 31			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?	1, 3, 4, 31			X	

Evaluation

Water: As discussed in the City's LUCE Update EIR, the City of San Luis Obispo Utilities Department provides potable and recycled water to the community and is responsible for water supply, treatment, distribution, and resource planning. The City is the sole water provider within the city limits and most of the City's water is supplied from multiple surface water sources. However, the City also uses groundwater to supplement surface water supplies and recycled water is used to supplement irrigation demand. With the update of the City's Water and Wastewater Element in 2018, the City Council reaffirmed the policy for a multi-source water supply. Consistent with the multi-source water supply concept, the City obtains water from five sources:

- Salinas Reservoir (Santa Margarita Lake) and Whale Rock Reservoir: Combined Safe Annual Yield 4,910 AF/year
- Nacimiento Reservoir: 5,482 AF/year dependable yield/ contractual limit
- Recycled water from the City's Water Resource Recovery Facility (WRRF): 238 AF/year

Wastewater: The wastewater system for the City includes facilities for wastewater collection and treatment. The City's collection system serves residential, commercial, and industrial customers. Sewer service is provided only to properties within the city limits, with the exception of a few residential properties located just outside of the city limits, Cal Poly San Luis Obispo, and the County of San Luis Obispo Airport. There are approximately 12,000 service connections.

The City's Water Resource Recovery Facility (WRRF) processes wastewater in accordance with the standards set by the State's RWQCB. The WRRF removes solids, reduces the amount of nutrients, and eliminates bacteria in the treated wastewater, which is then discharged to San Luis Obispo Creek. The WRRF is designed for an average dry weather flow capacity of 5.4 million gallons per day (MGD) and a peak wet weather flow capacity of 19 MGD. In 2017, annual average flows to the WRRF were approximately 3.30 MGD.

Solid Waste: The City's Utilities Department is responsible for administering an exclusive franchise agreement with San Luis

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Garbage Company to collect and dispose solid waste generated by residential, commercial, and industrial customers in San Luis Obispo. This agreement also includes curbside recycling, and green waste service. There are three solid waste disposal facilities within San Luis Obispo County. Most solid waste collected in the city is disposed of at the Cold Canyon Landfill. Cold Canyon Landfill is currently (2016) permitted to receive up to 1,650 tons of solid waste per day, with an estimated remaining capacity of 14,500,000 cubic yards (60.1 percent remaining capacity). In 2015, the Cold Canyon Landfill operator estimated the landfill is expected to reach capacity in 2040.

a, b, c, e) The proposed project would result in an incremental increase in demand on City infrastructure, including water, wastewater and storm water facilities. Development of the site is required to be served by City sewer and water service, which both have adequate capacity to serve the use. Existing storm water facilities are present in the vicinity of the project site, and it is not anticipated the proposed project will result in the need for new facilities or expansion of existing facilities which could have significant environmental effects. The developer will be required to construct private sewer facilities to convey wastewater to the nearest public sewer. The on-site sewer facilities will be required to be constructed according to the standards in the Uniform Plumbing Code and City standards. Impact fees are collected at the time building permits are issued to pay for capacity at the City's Water Resource Recovery Facility (WRRF). The fees are set at a level intended to offset the potential impacts of each new unit in the project. This project has been reviewed by the City's Utilities Department and no resource/infrastructure deficiencies have been identified. Less than significant impact.

Conclusion: Based on the discussion above, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation is required.

d) The proposed project would result in an incremental increase in demand on water supplies, as anticipated under the recent General Plan Update. As analyzed in the LUCE Update EIR, the City has sufficient water supplies for build-out of the City's General Plan. The incremental change created by the proposed project would be less than significant. This project has been reviewed by the City's Utilities Department and no resource/infrastructure deficiencies have been identified. Less than significant impact.

Conclusion: Based on the discussion above, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation is required.

f), g) The proposed project will be served by San Luis Garbage Company, which maintains standards for size and access to ensure that collection is feasible, both of which will be reviewed by the Architectural Review Commission. The location and size of trash enclosures proposed for the project have been reviewed by the City and it has been determined that the trash enclosures are sufficient in size to handle the demands of the proposed project.

The Integrated Waste Management Act of 1989 (AB 939) requires each city and county in California to reduce the flow of materials to landfills by 50% (from 1989 levels) by 2000. The proposed project is required to reduce the waste stream generated by development consistent with the City's Conservation and Open Space Element policies to coordinate waste reduction and recycling efforts (COSE 5.5.3), and Development Standards for Solid Waste Services (available at <http://www.slocity.org/home/showdocument?id=4384>). A solid waste reduction plan for recycling discarded construction materials is a submittal requirement with the building permit application. The incremental additional waste stream generated by this project is not anticipated to create significant impacts to solid waste disposal. This impact would be considered less than significant.

Conclusion: Based on the discussion above, and compliance with existing regulations, potential impacts would be less than significant, and no mitigation is required.

	Sources	Potentially Significant Issues	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 is an infill project in an urbanized area of the city. Without mitigation, the project could have the potential to have adverse impacts on all of the issue areas checked in the Table on Page 3. As discussed above, potential impacts to air quality, biological and cultural resources, and noise impacts will be less than significant with incorporation of recommended mitigation measures.

b) Does the project have impacts that are individually limited, but 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)?			X		
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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 recommended in this Initial Study for the following resource areas: air quality, biological and cultural resources, and noise. Therefore, based on compliance with existing regulations and identified mitigation measures, the impacts of the proposed project would not be "cumulatively considerable."

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.	
City of San Luis Obispo Land Use and Circulation Element (LUCE) Update EIR, available for review at the City Community Development Department (919 Palm Street, San Luis Obispo, CA 93401), or at the following web site: http://www.slocity.org/government/department-directory/community-development/planning-zoning/general-plan	
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.	
Applicable excerpts, analysis and conclusions from the LUCE Update EIR 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 LUCE Update EIR, original analysis has been provided and mitigation has been recommended to reduce 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.	
Not applicable.	
21. SOURCE REFERENCES.	
1.	Project Plans
2.	City of San Luis Obispo Zoning Regulations, March 2015
3.	City of San Luis Obispo Municipal Code
4.	City of San Luis Obispo Land Use and Circulation Element and Final EIR, last revised December 2014
5.	City of San Luis Obispo Conservation & Open Space Element, 2006
6.	City of San Luis Obispo General Plan Safety Element, July 2000
7.	City of San Luis Obispo Noise Element, 1996
8.	Higuera Commerce Park Specific Plan, 1997
9.	California Department of Conservation Farmland Mapping and Monitoring Program, February 2018
10.	California Building Code
11.	Clean Air Plan for San Luis Obispo County, Air Pollution Control District, 2001.
12.	CEQA Air Quality Handbook, Air Pollution Control District, 2012 and associated Clarification Memorandum for the San Luis Obispo County Air Pollution Control District's 2012 CEQA Air Quality Handbook, Air Pollution Control District, November 14, 2017
13.	City of San Luis Obispo Archaeological Resource Preservation Program Guidelines, October 2009
14.	City of San Luis Obispo, GIS database, accessed July 2018
15.	Geologic Map of California (2010); State of California, 2015; https://maps.conservation.ca.gov/cgs/gmc/ (Accessed July 30, 2018).
16.	Web Soil Survey, Natural Resources Conservation Service; https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm (Accessed July 30, 2018).
17.	City of SLO 2012 Climate Action Plan, August 2012
18.	Greenhouse Gas Thresholds and Supporting Evidence, Air Pollution Control District, March 28, 2012
19.	California Department of Toxic Substances Control, Envirostor; https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=3825+south+higuera%2C+san+luis+obispo (Accessed July 30, 2018)
20.	State Water Resources Control Board, Geotracker; https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=3825+south+higuera (Accessed July 30, 2018)
21.	County of San Luis Obispo Airport Land Use Plan dated May 18, 2005.
22.	Hydrology and Post Construction Stormwater Requirements, Ashley and Vance, May 21, 2018
23.	Waterway Management Plan and Drainage Design Manual, City and County of San Luis Obispo, 2003
24.	City of SLO 2015 Urban Water Management Plan, June 2016

25.	City of SLO Water and Wastewater Element, March 2018
26.	Water Resources Status Report, July 2012, on file with in the Utilities Department
27.	Federal Emergency Management (FEMA) Flood Map Service Center; https://msc.fema.gov/portal/home (Accessed July 31, 2018)
28.	City of SLO Noise Guidebook, May 1996
29.	City of San Luis Obispo Bicycle Transportation Plan, 2017
30.	City of San Luis Obispo Multimodal Transportation Impact Study Guidelines, March 2015
31.	City of SLO Source Reduction and Recycling Element, on file in the Utilities Department

Attachments:

1. Project Location Map
2. Proposed Project Plans

REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

Mitigation Measure AQ-1: Prior to grading plan approval, the project proponent shall ensure that a geologic evaluation be conducted to determine if naturally occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the San Luis Obispo County Air Pollution Control District (APCD). If NOA is found at the site, the applicant must comply with all requirements outlined in the California Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105). 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 online at slocleanair.org/business/asbestos.php.

Mitigation Measure AQ-2: Prior to grading plan and demolition plan approval, any scheduled demolition activities or disturbance, removal, or relocation of utility pipelines shall be coordinated with the APCD Enforcement Division at (805) 781-5912 to ensure compliance with NESHAP, which include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Consultant, and, 3) applicable removal and disposal requirements of identified ACM. More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos.php>.

Mitigation Measure AQ-3: During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on grading and building plans prior to issuance of grading, demolition, and construction permits. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Community Development and Public Works Departments prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions:
<http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm>
- c. All dirt stock pile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil disturbing activities.
- e. Exposed grounds that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- j. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent "track out", designate access points and require

all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified;

- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- l. All PM10 mitigation measures required should be shown on grading and building plans and; The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition (Contact Tim Fuhs at 805-781-5912).

Mitigation Measure AQ-4: The following Standard Mitigation Measures for Construction Equipment shall be shown on plans prior to issuance of grading, demolition, and construction permits. The standard mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- i. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- j. Fuel all off-road and portable diesel-powered equipment with CARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- k. Use diesel construction equipment meeting CARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- l. Use on-road heavy-duty trucks that meet the CARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- m. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- n. Electrify equipment when feasible;
- o. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- p. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Mitigation Measure AQ-5: Prior to any construction activities at the site, the project proponent shall ensure that all equipment and operations are compliant with California Air Resource Board and APCD permitting requirements. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided as a guide to equipment and operations that may have permitting requirements but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- j. Power screens, conveyors, diesel engines, and/or crushers;
- k. Portable generators and equipment with engines that are 50 hp or greater;
- l. Electrical generation plants or the use of standby generator;
- m. Internal combustion engines;
- n. Rock and pavement crushing;
- o. Unconfined abrasive blasting operations;
- p. Tub grinders;
- q. Trommel screens; and,
- r. Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.

Mitigation Measure AQ-6: Prior to issuance of grading, demolition, and construction permits, the following measures shall be shown on proposed plans. To reduce the 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:
 1. 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,
 2. 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 100 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 posted and enforced at the site.
3. Soil and Material Transport. The final volume of soil and material 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.

Air Quality Mitigation Measures Monitoring Program: These measures shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary.

Biological Resources

Mitigation Measure BIO 1: Prior to commencement of construction, to avoid conflicts with nesting birds, construction activities shall not be allowed during the nesting bird season (March to September), unless a City-approved and applicant funded qualified biologist has surveyed the impact zone and determined that no nesting bird activities would be adversely impacted. If any evidence of nesting activities is found, the biologist will determine if any construction activities can occur during the nesting period and to what extent. The results of the surveys will be passed immediately to the City with possible recommendations for variable buffer zones, as needed, around individual nests.

Biological Resources Monitoring Program: These conditions and measures shall be noted on all grading and construction plans. The City Community Development Department and Natural Resources Manager shall verify compliance.

Mitigation Measure BIO-2: The applicant shall limit tree removal to no more than 36 trees. Prior to construction permit issuance, construction plans shall clearly delineate all trees within the project site and shall show which trees are to be removed or impacted, and which trees are to remain unharmed. Construction plans shall also: show proposed tree protection measures to protect those trees identified to remain and new trees to be planted, including the placement of protective fencing to be inspected and approved by the City Arborist); identify the location, species, and size of trees to be planted; identify proposed irrigation plans; and show the use of structural soils to enhance the success of new plantings. Tree protection measures shall be implemented prior to any ground disturbing activities per the approved grading and construction plans, and as approved by the City Arborist. Tree protection measures shall remain in place until final inspection by the City Arborist.

Biological Resources Monitoring Program: These conditions and measures shall be noted on all grading and construction plans. The City Community Development Department and City Arborist shall verify compliance.

Cultural Resources

Mitigation Measure CR-1: In the event historic, paleontological, or archeological resources and/or human remains are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the City Community Development Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified specialist (paleontologist, historian, archaeologist) and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. If human remains are unearthed, the applicant shall notify the City Community Development Department and shall comply with State Health and Safety Code Section 7050.5, which requires that no further disturbance shall occur until the County of San Luis Obispo Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the human remains are determined to be Native American, the County Coroner will notify the Native American Heritage Commission within 24 hours, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Cultural Resources Monitoring Program: These conditions shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance, including preparation and implementation of the Monitoring Plan, and review and approval of cultural resources monitoring reports documenting compliance with required mitigation measures.

Noise

Mitigation Measure N-1: Prior to issuance of building permits, the applicant shall submit plans for exterior balconies that show the use of solid material that would achieve noise attenuation of a minimum 3 decibels.

Noise Monitoring Program: These measures shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during building permit plan check and regular inspections.

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