

RESOLUTION NO. 9615 (2004 Series)

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN LUIS
OBISPO CERTIFYING A FINAL PROGRAM EIR FOR THE
MARGARITA AND AIRPORT AREA SPECIFIC PLANS AND
RELATED FACILITIES MASTER PLANS, APPROVING THE
MARGARITA AREA SPECIFIC PLAN, AND APPROVING GENERAL
PLAN LAND USE MAP AMENDMENTS
(APPLICATION NO. ER, SP, GP/R 73-00)**

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

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

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

WHEREAS, on June 9th, after eight public hearings, the Planning Commission recommended the City Council certify the EIR, adopt the specific plan, amend the Land Use Element to reflect the specific plan map, and amend the text and rezone those properties currently within the City; and

WHEREAS, the City Council held public hearings on September 7th and 28th, and October 12th, 2004 to hear public testimony and to consider the Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans Final Program EIR, and the Draft Margarita Area Specific Plan; and

WHEREAS, as a result of its deliberations, the City Council finds and determines that the project's Final Program Environmental Impact Report adequately addresses the potentially significant environmental impacts of the proposed project entitlements and reflects the independent judgment of the City Council; and

WHEREAS, at its September 28th, 2004 meeting, the City Council endorsed the land use and circulation chapters of the Margarita Area Specific Plan and also directed staff to prepare information on the remaining chapters of the specific plan and return on October 12th with the necessary resolutions and ordinances to adopt the specific plan; and

WHEREAS, the City Council has considered the additional information provided by staff and completed its review of the Program EIR and the Draft Specific Plan and related facilities plans; and

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

WHEREAS, implementation of the specific plan requires an amendment to the City's General Plan Land Use Map to reflect the land use categories contained in the plan to maintain consistency between to the two documents.

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

SECTION 1. EIR Certified. Council hereby certifies the Final Program Environmental Impact Report for the Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans (September 2003), subject to the Findings of Fact and the Statement of Overriding Considerations listed in Exhibit "A", and subject to the incorporation of the mitigation measures listed in the Mitigation Monitoring Plan, Exhibit "B" into the project, and based on the following findings:

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

SECTION 2. Specific Plan Approved. Pursuant to Sections 65450 through 65457 of the California Government Code and the City's General Plan, the Margarita Area Specific Plan (Attached as Exhibit "C" and incorporated herein by reference) is hereby approved, subject to the following findings:

1. The specific plan is consistent with General Plan because it will direct all facets of future development of the Margarita Area, including the distribution of land uses, the location and sizing of infrastructure, site planning, architectural guidelines, phasing, and the method of financing public improvements. The Specific Plan will provide for the type of growth and development envisioned by the General Plan for the Margarita Area and neighboring properties.
2. All subjects required in a specific plan by the California Government Code and applicable City ordinances are appropriately and adequately covered.
3. The types and intensity of land uses are designed to be consistent with the San Luis Obispo County Airport Land Use Plan to ensure compatibility with airport operations.

SECTION 3. General Plan Land Use and Circulation Maps Amended. The City General Plan Land Use Element and Circulation Element Maps are hereby amended to reflect the adopted boundaries, streets and land uses in the adopted specific plan, as shown in "Exhibit D."

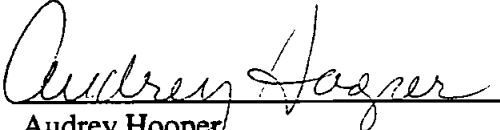
Upon motion of Council Member Ewan, seconded by Council Member Settle, and on the following roll call vote:

AYES: Council Members Ewan and Settle, Vice Mayor Schwartz and Mayor Romero
NOES: Council Member Mulholland
ABSENT: None

The foregoing resolution was adopted this 12th day of October 2004.

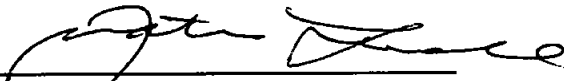

Mayor David F. Romero

ATTEST:


Audrey Hooper
City Clerk

Council Resolution No. 9615 (2004 Series)
Page 4

APPROVED AS TO FORM:



Jonathan P. Lowell
City Attorney

Exhibit "A" to Resolution 9615 (2004 Series)

**Before the City Council
of the City of San Luis Obispo**

**Findings of Fact and
Statement of Overriding Considerations
for the
Airport Area and Margarita Area Specific Plans
and Related Master Facilities Plans**

City of San Luis Obispo, California

October 2004

**Findings of Fact and
Statement of Overriding Considerations
for the
Airport Area and Margarita Area Specific Plans and Related
Master Facilities Plans
City of San Luis Obispo, California**

Prepared by:

City of San Luis Obispo

**Lead Agency under the
California Environmental Quality Act**

Prepared pursuant to:

**Section 21081 et seq. of the
California Public Resources Code and**

**Sections 15091 and 15093 of the
State CEQA Guidelines**

October 2004

SECTION 1. INTRODUCTION

The City of San Luis Obispo (City) has decided to approve the Airport Area and Margarita Area Specific Plans and Related Master Facilities Plans (project). The City is the lead agency under the California Environmental Quality Act (CEQA) and has certified a program environmental impact report (EIR) for the project.

Section 15091 of the State CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require a lead agency to adopt findings for each significant environmental impact disclosed in an EIR. Specifically, for each significant impact, the lead agency must find that:

- changes or alterations have been incorporated into the project to avoid or substantially lessen the significant environmental effects identified in the EIR;
- such changes or alterations are within the responsibility and jurisdiction of another public agency and should be adopted by that agency; or
- specific economic, social, legal, technological, or other considerations make the mitigation measures or alternatives identified in the EIR infeasible.

In addition to making a finding for each significant impact, if the lead agency approves a project without mitigating all of the significant impacts, it must prepare a statement of overriding considerations, in which it balances the benefits of the project against the unavoidable environmental risks. The statement of overriding considerations must explain the social, economic, or other reasons for approving the project despite its environmental impacts (14 CCR 15093, Pub. Res. Code 21081).

This document contains the findings and statement of overriding considerations for the approval of the Airport Area and Margarita Area Specific Plans and Related Master Facilities Plans and reflects the City's independent judgment. This document incorporates by reference the program EIR. The EIR, specific plans, related master facilities plans, and other portions of the administrative record are available for review at:

City of San Luis Obispo Community Development Department
990 Palm Street
San Luis Obispo, CA 93401
Contact: Mike Draze
805/781-7274

SECTION 2. PROJECT DESCRIPTION

Project Objectives

As required by the City General Plan, each of the specific plans is intended to contain policies and standards that will facilitate appropriate development of land, protection of open space, and provision of adequate public facilities. The specific plans are more detailed than the general plan but less precise than subdivision maps or construction plans. The overall objective of the project is to adopt specific plans for the Airport and Margarita areas, pursuant to the City General Plan.

Airport Area Specific Plan Objectives

Airport Area Specific Plan objectives include:

- # identifying the infrastructure needed to provide city services to the area;
- # facilitating the City's eventual annexation of the Airport area;
- # ensuring that planned land uses are compatible with airport operations and consistent with San Luis Obispo County's Airport Land Use Plan (ALUP);
- # accommodating businesses identified in the City's Targeted Industry Cluster Study that provide household-supporting incomes for San Luis Obispo residents; and
- # establishing goals and policies for open space protection, conservation, and restoration.

Margarita Area Specific Plan Objectives

Margarita Area Specific Plan objectives include:

- # accommodating a wide range of housing types, with an emphasis on housing affordable to those working in San Luis Obispo;
- # protecting substantial natural habitats, including creeks, hills, wetlands, and corridors between these habitats;

EXHIBIT "A"

- # providing convenient access for residents to employment, basic shopping, recreation, and education through both the location of land uses and the design of circulation features;
- # accommodating research and light manufacturing jobs that can support local households in forms compatible with airport safety and neighboring residences;
- # ensuring that planned land uses are compatible with airport operations; and
- # ensuring consistency with San Luis Obispo County's Airport Land Use Plan.

Proposed Project

The proposed project includes implementation of the goals and policies contained in the Airport Area Specific Plan, Margarita Area Specific Plan, Water System Master Plan, Wastewater Master Plan Update, and Storm Drain Master Plan.

Specific Plans

The specific plans include the following designations:

- # designation of the Airport area for 3.1 hectares (7.6 acres) of Residential, 134.3 hectares (331.8 acres) of Services and Manufacturing, 44.6 hectares (110.1 acres) of Business Park, 124.7 hectares (308.03 acres) of Open Space, and 97.6 hectares (241.1 acres) of Government Facility, for a total Airport area of 404.1 hectares (998.6 acres);
- # designation of the Margarita area for 75.4 hectares (186.2 acres) of Open Space, 10.5 hectares (25.9 acres) of Parks, 28.6 hectares (70.7 acres) of Residential, 1.3 hectare (3.1 acre) of Neighborhood Commercial, 0.4 hectare (.9 acre) of Special Use, 28.0 hectares (68.8 acres) of Business Park, and 19 hectares (47 acres) of Streets, for a total Margarita area of 168.7 hectares (416.1 acres);
- # extension of Padro Road to Broad Street;
- # extension of new commercial collector connecting Tank Farm Road and Prado Road;
- # extension of Santa Fe Road from south of Tank Farm Road to Prado Road;
- # extension of Buckley Road to South Higuera Street; and

EXHIBIT "A"

- # widening of various existing roadways, including Prado Road, and Tank Farm Road.

Water System Master Plan

The Water System Master Plan describes improvements to the water treatment and distribution systems to meet citywide general plan development needs, including needs of the Airport area. The following is a brief summary of substantial treatment plant and facilities improvements identified in the Water System Master Plan.

Recommended Treatment Plant Improvements. The recommended treatment plant improvements are as follows:

- # Phase I: Perform a seismic evaluation of the existing treated water storage and clearwell facilities.
- # Phase II: Add facilities to improve filtration rates, treatment processes, and emergency operations.
- # Phase III: Monitor water levels at the forebay, improve efficiency of pump motors, evaluate means to protect the water treatment plant from railroad accidents, and improve emergency standby power capacity.

Recommended Distribution Improvements. The recommended distribution improvements are:

- # a grid of 12-inch diameter mains: three traversing east to west and three north-south mains connecting the existing 16- and 20-inch mains to the north (the mains will be located in the major roads);
- # adding a 757,000-liter (200,000-gallon) water tank in the Edna Saddle zone in the southwestern part of the city; and
- # adding a 4,542,000-liter (1,200,000-gallon) water tank in the Bishop zone to serve the Bishop zone.

Wastewater Master Plan Update

The City's Wastewater Master Plan Update addresses the city in its entirety, including the annexation areas. The plan identifies improvements to collection and treatment facilities that will be needed to provide wastewater service to future annexation areas and provides recommendations concerning citywide wastewater system facilities. The Wastewater Master Plan Update identifies the following substantial reclamation facility and system improvements:

EXHIBIT "A"

- # replacing the Howard Johnson and Tank Farm pump stations;
- # installing approximately 3,790 meters (12,400 feet) of new trunk sewer mains in the Airport area;
- # installing 4,000 feet (1,219.2 meters) of 16-inch discharge pipe (required at the new tank farm facility);
- # installing approximately 9,400 meters (30,700 feet) of new trunk sewer mains in the Margarita area; and
- # upgrading existing pump stations in the project area.

Storm Drain Master Plan

The Storm Drain Master Plan addresses the East Branch San Luis Obispo Creek watershed. This watershed includes the Airport and Margarita areas as well as areas to the east. The features of the plan would, downstream of the Airport area, limit storm drainage flows at build-out to the level estimated for existing conditions, provide 100-year flood protection, provide for environmental enhancement of stream corridors, and provide individual onsite or sub-regional detention basins that will serve the area, rather than a single regional detention basin. Previous project improvement recommendations included parallel, minor creek modifications as needed and permitted by the governing entity to enhance flood conveyance capacity. However, the City has determined that the existing creeks have capacity to sufficiently convey floodwaters. The Storm Drain Master Plan identifies the following recommended improvements:

- # replacing bridges across Acacia Creek at Tank Farm Road and the East Branch of San Luis Obispo Creek at Santa Fe Road and
- # replacing and improving Tank Farm Creek culvert facilities at Tank Farm Road with a standard Caltrans two-span concrete slab bridge.

SECTION 3. ENVIRONMENTAL IMPACT REPORT

The program EIR was prepared in compliance with CEQA and State CEQA Guidelines. As such, the EIR contains analysis, at a program level, of the basic issues that will be used in conjunction with subsequent tiered environmental documents for specific projects related to the Airport Area Specific Plan, the Margarita Area Specific Plan, and the related facilities master plans. Once the Airport Area Specific Plan, Margarita Area Specific Plan, and the related facilities master plans are adopted by the City, the basic policy issues will not need to be revisited by subsequent (second-tier) documents.

The initial study and Notice of Preparation of the Draft EIR were circulated to appropriate public agencies, organizations, and interested groups and individuals for a 30-day comment period that ran from May 16, 2000, to June 16, 2000. The draft EIR was released for an 80-day public and agency review period from February 15 through May 8, 2002. A public hearing on the draft EIR was held on May 8, 2002, at the joint Planning Commission/City Council hearing rooms in the City. A final EIR, which provided responses to the written and verbal comments received during the review of the draft EIR and included revisions to the draft EIR, was prepared and made available to the public and agencies on September 19, 2003. Since September 19, 2003, additional comments were provided in writing and through public testimony; responses to these additional comments since publication of the final EIR were prepared and made part of the administrative record.

SECTION 4. FINDINGS FOR SIGNIFICANT ENVIRONMENTAL EFFECTS AND MITIGATION MEASURES OF THE PROPOSED PROJECT

Introduction

This section presents the project's significant environmental impacts and feasible mitigation measures. Section 15091 of the State CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require a lead agency to make findings for each significant environmental impact disclosed in an EIR. Specifically, for each significant impact, the lead agency must find that:

- replacing changes or alterations have been incorporated into the project to avoid or substantially lessen the significant environmental effects identified in the EIR;
- such changes or alterations are within the responsibility and jurisdiction of another public agency and should be adopted by that agency; or
- specific economic, social, legal, technological, or other considerations make the mitigation measures or alternatives identified in the EIR infeasible.

Each of these findings must be supported by substantial evidence in the administrative record. This section identifies the following environmental impacts associated with implementation of the proposed project, as identified in the program EIR:

EXHIBIT "A"

- impacts that can be fully avoided or reduced to a less-than-significant level through the incorporation of feasible mitigation measures into the project; and
- impacts that can be reduced, but not to a less-than-significant level, through the incorporation of feasible mitigation measures into the project, and which therefore, remain significant and unavoidable.

The impacts identified in this section are considered in the same sequence in which they appear in the draft EIR. Where adoption of feasible mitigation measures is not effective in avoiding an impact or reducing it to a less-than-significant level, the feasibility of adopting alternatives to the proposed project is considered in Section 5 of this document.

Land Use and Aesthetics

Impact LU-2: Consistency of Proposed Specific Plans with County General Plan Policy

As discussed under Policy Consistency, the proposed project, which has been developed in conformance with the City General Plan, is in conflict with county policy regarding the land use designation in the Avila Ranch area immediately south of the planning area.

City growth management policies establish the URL as the final edge for urban development (Policy 1.1) as a means of protecting agricultural and scenic rural lands. The County's designation of the Avila Ranch, which is outside of the URL, for Industrial uses is not consistent with this concept. While this inconsistency already exists between the City and County General Plans, and is not a direct result of the proposed project, the proposed project's failure to address the inconsistency represents a *significant* impact because it allows a condition that is not in conformance with its policies to protect agriculture and open space lands to persist.

The proposal is consistent with the City's policies regarding land uses within the URL. The land outside the URL is under County land use jurisdiction and is subject to County plans and ordinances. The inconsistency between the City's URL policies, which call for areas outside the URL to remain open, and County general plan designations, which provide for commercial and light industrial development in some areas adjoining the URL, is a pre-existing, baseline condition.

In summary, the proposed project requires mitigation to address inconsistencies with county plans and policies concerning the Airport area, which represent a significant impact. No mitigation is required for the Margarita area. Changes to County general plan designations are the responsibility of the County and are outside the City's authority. Mitigation calls for the County to reassess its approach to the areas adjoining the proposed specific plan. Reconciliation of these existing policy differences may not be possible. Nonetheless, the effort to reach reconciliation would mitigate the impact to a less-than-significant level.

Mitigation

EXHIBIT "A"

Implementation of the following mitigation measure would reduce the Airport area impact to a *less-than-significant* level.

Mitigation Measure LU-2.1: Resolve Discrepancy regarding Disposition of Lands Immediately South of Project Area

The County shall work with the City to resolve the discrepancy regarding the disposition of lands immediately south of the project area. The County must consider whether: (1) the current land use designation for the Avila Ranch property is desired; (2) because the property has an urban designation, it should ultimately be annexed to the City; or, (3) the property should be included in the Airport area project and be subject to specific plan development standards and guidelines. These questions should be answered within two years of adoption of the Airport Area Specific Plan.

Finding: Mitigation is the Responsibility of Other Agency. The City finds that the mitigation measure is the responsibility of other agencies and that the County of San Luis Obispo can and should implement this mitigation measure.

Impact LU-5: Conversion of Prime Agricultural Land to Urban Uses

The 1993 Land Use Element and Circulation Element Update EIR addressed the fact that annexation and development of the area in accordance with the City General Plan designations would result in the loss of agricultural resources. That loss was identified as a significant and irreversible adverse impact that could not be mitigated. Policies were incorporated into the Land Use Element to help compensate for productivity lost as a result of the conversion of agricultural lands within the urban reserve. Specifically, city policy requires direct dedication of open space areas, or payment of an in-lieu fee, for annexed land.

The primary target of this exaction is to protect open space and agricultural lands outside, but especially those contiguous to, the City's URL. The concept is to create a permanent open space buffer/greenbelt around the city that prevents continued expansion of the urban area onto valuable agricultural and open space resources. For certain locations, the general plan calls for the open space protection area to be equal in size to the developed area or to be four times the size of the developed area. The ratio for the Margarita area follows from the land use designations (approximately 40% open space, excluding parks). The general plan does not set a specific ratio for the Airport area. The in-lieu fee that has been set for the so-called interim annexations probably can achieve a ratio of 1:1 on average.

Based on a review of mapping of the State's Department of Conservation farmland categories, the majority of the proposed project area (347.2 hectares [858 acres], or 61%) consists of lands with little or no agricultural value (i.e., designated by the state for Urban/Built-up or Other). Table 3A-2 shows the acreage breakdown for the project area by category. The project area has relatively limited amounts of Prime Farmland (26.3 hectares [65

EXHIBIT "A"

acres], or 5%) and Farmland of Local Importance (16.1 hectares [40 acres], or 3%), and no lands designated for Farmlands of Statewide Importance or Unique Farmland. Farmland of Local Potential and Grazing Land, two categories with lower agricultural value, compose a larger percentage of the area (21% and 11%, respectively). Although past development and current use result in relatively low farmland classifications under the California Department of Conservation categories, the underlying soils types have the characteristics of prime soil, according to the U.S. Natural Resources Conservation Service, for most of the gently sloping part of the Margarita area and for nearly all the Airport area, excluding the Unocal property affected by the 1926 explosion.

The specific plan shows urban use for approximately 12.1 hectares (30 acres) of prime farmland that is being cultivated north of Tank Farm Road. There are also cultivated lands just west of the middle of the Margarita area. The proposed project is consistent with the City General Plan, so, as anticipated in the 1993 EIR, annexation and development of the area will adversely affect agricultural resources. Altogether, the proposed project will result in the loss of approximately 14.1 hectares (35 acres) of Prime Farmland (in the northwest corner of the Airport area), and 109.2 hectares (270 acres) of Farmland of Local Potential (primarily in the Margarita area and along Broad Street). No land that has been in active cultivation in recent years will experience impacts. Agricultural lands that will be lost to development have been used primarily for grazing. The Airport Area Specific Plan's designation for Open Space in the central portion of the Airport area will protect areas of Prime Farmland and Farmlands of Local Importance that are actively cultivated. No areas under Williamson Act contracts are affected by the proposed project.

In addition to the loss of farmlands within the proposed project area, the construction of the detention basin south of Buckley Road will result in the agricultural productivity being removed from 9.7 hectares (24 acres) of Prime Farmland. Although the detention basin will remain as planted open space, it will not be available for active cultivation as long as it is needed for flood control purposes.

While the loss of prime agricultural land is limited, the conversion of any lands containing prime agricultural soils associated with the proposed project is considered a ***significant and unavoidable*** impact.

Mitigation

While the loss of prime agricultural soils to urban uses is irreversible and cannot be mitigated, the following mitigation is recommended to help compensate for the loss of agricultural productivity. The intent of the mitigation is to enhance the opportunities for continued agriculture in the unincorporated areas outside the City's URL.

Mitigation Measure LU-5.1: Dedicate Open Space Land or Pay In-Lieu Fees to Secure Open Space Easements on Agricultural Land outside the URL at Ratio of No Less than 1:1

As a condition of annexation and development within the Airport and Margarita areas, developers shall be required to dedicate open space land or pay in-lieu fees to secure open space easements on agricultural land outside the URL at a ratio of no less than 1:1.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted. However, the impact would not be reduced to a less-than-significant level. A statement of overriding consideration for this impact is made in Section 6.

Impact LU-6: Change in Views

The proposed project will result in the change of character of the plan areas from a generally semi-rural setting to an urban developed setting. The issue of aesthetic impacts was reviewed during the adoption of the General Plan. The conclusion was reached within Section 9.0 of the General Plan EIR that urbanization would irreversibly change the visual character of the south end of the city from that of a low-density semi-rural area to a more intensely developed, suburban area. While substantial design standards are contained in the Airport Area Specific Plan, Margarita Area Specific Plan, and the City General Plan (including the preservation of open space, hills, and development design standards), these do not change this fundamental conclusion of the General Plan EIR. No feasible mitigation exists to eliminate the impact associated with the conversion of a semi-rural landscape to an urban landscape. The impact is considered *significant and unavoidable*.

Mitigation

No mitigation measures are feasible.

Finding: No Feasible Mitigation is Available. The City finds that no feasible mitigation is available and that this impact is significant and unavoidable. A statement of overriding consideration for this impact is made in Section 6.

Impact LU-7: Potential Increase in Daytime/Nighttime Light and Glare

The development of the Airport and Margarita areas for urban uses will result in an increase in daytime/nighttime light and glare within the area. These increases will be the result of new lighting at commercial, business park, and residential uses, as well as at new park facilities. Development of these sites would increase the amount of light and glare associated with development of urban uses, such as additional parking lots, building lights, and streetlights. While the types of lighting and their specific locations are not specified at this point, development proposed under this alternative would increase the amount of light into adjacent areas, including airport lands. The potential increase in light and glare is considered to be a *significant impact*.

Mitigation

Implementation of the following mitigation measure would reduce the impact to a *less-than-significant* level.

Mitigation Measure LU-7.1: Incorporate Lighting Design Standards into Margarita and Airport Area Specific Plans

The City shall incorporate lighting design standards into the Margarita and Airport Area Specific Plans. The standards shall contain specific measures to limit the amount of light trespass associated with development within the project area. Specific measures shall include the use of shielding and/or directional lighting methods to ensure that spillover light does not exceed 0.5-foot candles at adjacent property lines.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Hydrology and Water Quality

The program EIR previously reported in error that a significant unavoidable impact would result from constructing a dam within a watercourse in Perfumo Canyon. However, the water reservoir to be constructed would be a tank for storage purposes only in an upland area, not an impoundment of water along a natural streamway. Therefore, no significant impacts on Hydrology and Water Quality are associated with the proposed project.

Biological Resources

Impact BIO-1: Loss or Temporary Disturbance of Annual Grassland

The Margarita area contains 93.03 hectares (229.89 acres) of annual grassland. Implementation of this portion of the project would result in the loss or temporary disturbance of annual grassland. Annual grassland is common locally and regionally; therefore, the loss of

annual grassland is typically considered less than significant. However, large portions of the project area, including areas identified for facilities master plan improvements, have not been surveyed, and sensitive resources like seasonal wetlands and drainages, patches of valley needlegrass grassland, and populations of special-status species may be found interspersed in the annual grassland. Therefore, this impact is considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. Applications for subdivisions and development in grassland areas must include the result of the following surveys and studies:

- # surveys and mapping of special-status plants identified in Table 3C-4 of the program EIR during the appropriate identification periods;
- # surveys and mapping of special-status wildlife identified in Table 3C-5 of the program EIR during the appropriate seasons;
- # mapping and quantification of valley needlegrass grassland inclusions;
- # delineation and quantification of waters of the United States, including wetlands, using the Corps' 1987 wetland delineation manual (Environmental Laboratory 1987);
- # identification of special-status species and species of local concern as identified in the (forthcoming) Conservation Element; and
- # mapping and quantification of habitat loss.

For areas of annual grassland that are determined to contain no special-status species, inclusions of valley needlegrass grassland, or seasonal wetland, no further mitigation is required. If sensitive resources are identified, please refer to the mitigation measures below to avoid, minimize, or compensate for significant impacts on these resources. This is not intended to limit other measures that the City may take regarding non-listed species.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-2: Loss or Temporary Disturbance of Valley Needlegrass Grassland

Valley needlegrass grassland is found within annual grassland and ruderal areas of the Airport and Margarita areas. Patches of valley needlegrass grassland have been identified on the Unocal property of the Airport area. There may be additional patches within the annual grassland matrix of unsurveyed portions of the Airport and Margarita planning areas and facilities master plan service areas. Valley needlegrass grassland has suffered extensive losses statewide and is considered a sensitive natural community by DFG. The elimination or substantial degradation of this community is considered a *significant* impact.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-2.1. Avoid and Minimize Impacts on Valley Needlegrass Grassland. After areas of valley needlegrass grassland are mapped and quantified (Mitigation Measure BIO-1.1), the following steps should be implemented in order of preference:

- # Avoid stands of valley needlegrass grassland whenever possible; this may be achieved by setting aside areas that contain significant stands of valley needlegrass grassland as ecological buffers or nature preserves.
- # Minimize impacts on valley needlegrass grassland in areas that cannot be avoided completely; this may be achieved by placing orange construction barrier fencing or stakes and flags around the perimeter of needlegrass grassland stands and by restricting the operation of heavy equipment and other construction-related activities to the outside of these exclusion zones.
- # Compensate for unavoidable losses of valley needlegrass grassland with replacement plantings at an alternative mitigation site. The project proponent should develop a mitigation and monitoring plan in coordination with DFG that specifies replacement ratios, success criteria, monitoring and reporting needs, and remediation measures. Replacement plantings should be placed adjacent to existing preserved stands to encourage natural regeneration, ensure future preservation, and create enhanced habitat values.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-5: Loss or Temporary Disturbance of Open-Water Habitat

The Airport area contains approximately 0.28 hectare (0.69 acre) of open-water habitat. There is open-water habitat on the Unocal property in the Airport area and in limited areas in the Margarita area and facilities master plan areas. Open-water habitat may qualify as other waters of the United States subject to Corps jurisdiction under Section 404 of the Clean Water Act. The potential loss of open-water habitat is considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-6.1. Avoid and Minimize Impacts on Wetland Habitat. This mitigation measure is described below.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-6: Loss or Temporary Disturbance of Freshwater Marsh

The Airport area contains approximately 6.78 hectares (16.76 acres) and the Margarita area contains approximately 0.64 hectares (1.59 acres) of freshwater marsh. Freshwater marsh is considered a sensitive natural community by DFG and is also considered a wetland subject to Corps jurisdiction under Section 404 of the Clean Water Act. Extensive stands of freshwater marsh have been documented on the Unocal property. Additional stands also occur along drainage ditches throughout the project area, including the facilities master plan areas, as well as in low-lying landscape positions throughout the area. Loss or temporary disturbance of freshwater marsh is considered a *significant* impact.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-6.1. Avoid and Minimize Impacts on Wetland Habitat. To avoid and minimize impacts to freshwater marsh and other wetland habitats, the project proponent will do all of the following:

- # obtain a qualified wetland ecologist to conduct a delineation of waters of the United States, including wetlands, at the project site;
- # obtain verification of the delineation from the Corps;
- # avoid identified waters of the United States and wetlands during project design to the extent possible and establish a buffer zone around jurisdictional features to be preserved;
- # obtain a permit from the Corps for any unavoidable fill of wetlands or other waters of the United States; and
- # develop and implement a mitigation and monitoring plan in coordination with the agencies to compensate for losses and to ensure no net loss of wetland habitat functions and values.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-7: Loss or Temporary Disturbance of Seasonal Wetlands

The Airport area contains approximately 20.12 hectares (49.72 acres) and the Margarita area contains 3.76 hectares (9.30 acres) of existing and potential seasonal wetlands. Seasonal wetlands have been documented throughout the Unocal property in the Airport area and are likely present throughout unsurveyed portions of the planning area, including the facilities master plan service areas. Seasonal wetlands are considered sensitive natural communities by DFG and qualify as wetlands subject to Corps jurisdiction under Section 404 of the CWA. Impacts on seasonal wetlands are considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-6.1. Avoid and Minimize Impacts on Wetland Habitat. This mitigation measure is described above.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-8: Loss or Temporary Disturbance of Riparian Woodland and Scrub

The Airport area contains approximately 8.39 hectares (20.72 acres) of riparian woodland and scrub. Riparian woodland and scrub are found on the Unocal property, along the East Branch of Acacia Creek, and in other localized occurrences along unmapped drainage ditches or low-lying areas throughout the planning area and facilities master plan service areas. Additionally, the Margarita area contains 0.27 hectare (0.66 acre) of riparian woodland and scrub. Riparian woodland and scrub are considered sensitive natural communities by DFG and are likewise protected by the City General Plan and proposed Specific Plans= policies. The riparian woodland and scrub may also qualify as wetlands subject to Corps jurisdiction under Section 404 of the CWA. Impacts on riparian woodland and scrub are considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-8.1. Avoid Temporary Disturbance to Riparian Woodland and Scrub by Complying with DFG and City General Plan Guidelines and Specific Plan requirements for Setbacks Regarding Riparian Corridors. The project proponent will do all of the following:

- # retain a qualified biologist to identify and map riparian woodland and scrub in the project area;
- # establish a buffer zone around the edge of the riparian habitat at a distance to be determined in cooperation with DFG and the City by installing orange construction fencing or poles and flags; and
- # restrict construction activities to the outside of the fenced buffer zone.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-9: Loss or Temporary Disturbance of Agricultural Fields and Congdon's Tarplant

The Airport area contains approximately 39.52 hectares (97.66 acres) and the Margarita area contains approximately 2.97 hectares (7.33 acres) of agricultural fields. Agricultural fields are locally and regionally common. The loss or temporary disturbance of agricultural fields is generally considered less than significant from a biological standpoint. However, Congdon's Tarplant, a special-status plant species, has been observed in fallow agricultural fields in the planning area. Therefore, impacts on agricultural fields and Congdon's Tarplant are considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-9.1. Avoid or Minimize Impacts on Special-Status Plant Species. To avoid or minimize impacts on special-status plant species, the project proponent will do all of the following:

- # Whenever possible, set aside as nature preserve areas known to support large populations of special-status plants.
- # Ensure that a qualified botanist conducts surveys for special-status plant species in all portions of the planning area at the appropriate time when the plants are clearly identifiable. The botanist should document and map encountered populations.
- # Avoid or minimize impacts on special-status plant populations to the extent possible.
- # Compensate for the unavoidable loss or disturbance of special-status plant species. Compensation shall be implemented under a mitigation plan developed in conjunction with DFG and USFWS. The requirements for a mitigation plan will depend on the species affected by the project and the extent of impacts on the populations. Mitigation shall be implemented onsite whenever possible. Possible mitigation locations (but not required locations) for Congdon's Tarplant include those areas of the Unocal site set aside as Open Space.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-11: Impacts on Special-Status Plant Species

Several occurrences of special-status plant species have been reported in the Margarita and Airport areas and the facilities master plan service areas. Populations of rayless ragwort and San Luis Obispo mariposa lily occur in the South Hills, which are part of the Margarita area. These occurrences are located in areas to be designated as Open Space; therefore, *no impact* on these populations is expected.

Many occurrences of Congdon's Tarplant have recently been documented in the Margarita and Airport areas. Although most populations occur in wetland conditions in a grassland matrix, several populations have also been documented in disturbed areas, including fallow fields. Impacts on special-status plant species are considered *significant*.

Mitigation

Implementation of the following mitigation measure would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-9.1. Avoid or Minimize Impacts on Special-Status Plant Species. This mitigation measure is described above.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-12: Impacts on Non-Listed Special-Status Wildlife Species

Several occurrences of special-status species have been reported in the Margarita and Airport areas. Many more special-status species have the potential for occurrence in these areas (Table 3C-5). Impacts on special-status wildlife species are considered *significant*.

Mitigation Measure BIO-1.1. Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. This mitigation measure is described above.

Mitigation Measure BIO-12.1. Avoid or Minimize Impacts on Non-Listed, Special-Status Wildlife Species. To avoid or minimize impacts on non-listed, special-status wildlife species (Table 3C-5 of the program EIR), the project proponent will do all of the following:

Ensure that a qualified biologist conducts surveys for non-listed special-status wildlife species in all portions of the planning area at the appropriate time for each species. The biologist should document and map encountered individuals.

Avoid or minimize impacts on non-listed special-status wildlife populations and individuals to the extent possible.

Ensure that a qualified biologist conducts protocol-level surveys for burrowing owls and, if presence is confirmed, develops a mitigation plan following DFG guidelines.

Surveys would be conducted at suitable breeding habitat for nesting tricolored blackbirds before construction begins. Surveys would be conducted 2B3 times during the nesting season (April 1BJuly 15). If nesting tricolored blackbirds are found, the project proponent shall avoid impacts on the species by one of two methods: avoiding construction within 500 feet of an active nesting colony during the nesting season or constructing the interceptor during the nonbreeding season (July 15BMarch 31). Barrier

fencing would be used to establish buffer zones around the active colonies. Removal of suitable breeding habitat should also be minimized through the project design. If nesting habitat is unoccupied, construction in the area could occur at any time; however, removal of suitable breeding habitat should be minimized.

Compensate for the unavoidable loss or disturbance of non-listed special-status wildlife species. Compensation shall be implemented under a mitigation plan developed in conjunction with DFG and USFWS. The requirements for a mitigation plan will depend on the species affected by the project and the extent of impacts on the populations. Mitigation shall be implemented onsite whenever possible.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-13: Potential Direct Mortality or Disturbance of California Red-Legged Frogs

California red-legged frogs have been observed in the creeks in the San Luis Obispo area, including Acacia Creek, the perennial stream on the eastern and southern edge of the Tank Farm. Implementing construction activities or projects in the Airport area, including the facilities master plans could require removal of riparian or marsh vegetation or disturbance of stream habitat along the South Fork of Acacia Creek or ponds and marshes in the area. This could cause direct mortality of red-legged frogs or removal of their habitat. This potential impact on the California red-legged frog is considered *significant* because the Airport area, and to a lesser extent the Margarita area, are within the range of the species, suitable habitat is present, and the species has been recorded in the vicinity.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-13.1. Avoid Potential Direct Mortality and Loss of California Red-Legged Frogs.

- # Prior to the initial site investigation and subsequent ground disturbing activities, a qualified biologist will instruct all project personnel in worker awareness training, including recognition of California red-legged frogs and their habitat.
- # A qualified biologist will conduct pre-construction surveys within the project area no earlier than 2 days before ground-disturbing activities.
- # No activities shall occur after October 15 or the onset of the rainy season, whichever occurs first, until May 1 except for during periods greater than 72 hours without precipitation. Activities can only resume after site inspection by a qualified biologist. The rainy season is defined as: a frontal system that results in depositing 0.25 inches or more of precipitation in one event.

- # Vehicles to and from the project site will be confined to existing roadways to minimize disturbance of habitat.
- # Prior to movement of a backhoe in the project area, a qualified biologist will make sure the route is clear of California red-legged frogs.
- # If a California red-legged frog is encountered during excavations, or any project activities, activities will cease until the frog is removed and relocated by an USFWS-approved biologist. Any incidental take will be reported to the USFWS immediately by telephone at (916) 414-6600.
- # If suitable wetland habitat is disturbed or removed, the project proponent will restore the suitable habitat back to its original value by covering bare areas with mulch and revegetating all cleared areas with wetland species that are currently found in the project area.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-14: Potential Direct Mortality of or Indirect Impacts on Vernal Pool Fairy Shrimp and California Tiger Salamanders

Implementing the specific plans could result in the loss of, or disturbance to, vernal pool fairy shrimp and California tiger salamanders (if they occur in the planning area) if there are vernal pools or other suitable seasonal wetlands within 250 feet of project activities. Direct or indirect impacts on vernal pool fairy shrimp and tiger salamanders are considered *significant* because the species are listed under the federal ESA and a candidate for federal listing, respectively.

Mitigation

Implementation of the following mitigation measure would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-14.1. Compensate for Direct and Indirect Impacts on Vernal Pool and Seasonal Wetland Vernal Pool Fairy Shrimp and California Tiger Salamander Habitat. If vernal pool fairy shrimp or tiger salamander habitat is present and cannot be avoided, the project proponent will compensate for direct and indirect effects on the habitat. The project proponent will conduct an onsite visit with USFWS and DFG to determine whether potential vernal pools or seasonal wetlands in the Airport and Margarita areas are suitable fairy shrimp and tiger salamander habitat. If there is no suitable fairy shrimp and tiger salamander habitat, no additional mitigation is needed. If there is suitable habitat, the project proponent can assume that it is occupied and mitigate the loss of habitat, or can retain a qualified biologist to conduct USFWS protocol-level surveys and determine presence or absence. These surveys typically require two seasons

of surveys during the winter-wet season; therefore, most project proponents assume presence and mitigate the loss of fairy shrimp and tiger salamander habitat. This compensation will be achieved by implementing the following measures, as described in the programmatic agreement between USFWS and the Corps:

- # Create suitable fairy shrimp habitat (i.e., vernal pools or other suitable seasonal wetlands) at a 1:1 ratio or other ratio approved by the USFWS. The habitat must be created at a location approved by USFWS.
- # Preserve suitable fairy shrimp habitat at a 2:1 ratio or other ratio approved by the USFWS. The habitat must be preserved at a location approved by USFWS.
- # Before construction starts, the project proponent will obtain authorization from USFWS to take listed fairy shrimp species that would be affected by the project. A biological opinion under the federal ESA may be needed from USFWS before construction begins. This is not intended to limit mitigation should USFWS and the Corps require a different approach.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-16: Potential Disturbance of Least Bell=s Vireos

The least Bell=s vireo may breed in dense riparian vegetation in the Airport Area and Margarita Area Specific Plan areas, including the facilities master plan areas. This bird is a rare breeding species in San Luis Obispo County. Because the least Bell=s vireo habitat may be reduced, this impact is considered *significant*.

Mitigation

Mitigation Measure BIO-16.1. Conduct Protocol-Level Surveys for Least Bell=s Vireo. If the species or appropriate habitat is present, then the project proponent will implement Mitigation Measure BIO-16.2.

Mitigation Measure BIO-16.2. Avoid Potential Direct Mortality and Loss of Least Bell=s Vireo. The project proponent will consult with USFWS and DFG and possibly conduct a site visit with these agencies to develop measures to avoid and minimize potential impacts on this species along the stream in the Airport and Margarita areas. If potential impacts on least Bell=s vireos can be avoided, no additional mitigation is needed. If potential impacts on the least Bell=s vireo cannot be avoided, the project proponent will implement Mitigation Measure BIO-16.3.

Mitigation Measure BIO-16.3. Develop and Implement a Least Bell=s Vireo Mitigation Plan. If potential impacts on the least Bell=s vireo cannot be avoided along the creeks in the Airport area in the planning area, the project proponent will prepare and

implement a mitigation plan and obtain the appropriate federal ESA permits, if necessary. The project proponent will consult with USFWS and DFG to determine whether additional mitigation is needed, and USFWS will assist the project proponent in determining whether incidental take authorization under the federal ESA is needed. The plan will need to include measures that would avoid and minimize impacts on the least Bell=s vireo and additional habitat creation, enhancement, and management in the planning area.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact BIO-17: Potential Direct Mortality of or Indirect Impacts on Southwestern Pond Turtle

The southwestern pond turtle is known to occur in the tributaries of San Luis Obispo Creek, and it has been observed in riparian vegetation on the Tank Farm site (Entrix 1996). Pond turtles could occur in ponds in the Airport area; they could also nest in the grasslands there, especially at the Tank Farm. Implementing construction activities or projects in the Airport area could require removal or disturbance of riparian habitats, ponds, or grasslands, but a substantial amount of habitat would not be disturbed. This could cause short-term impacts on pond turtles in the Airport area. Depending on the year and the season, eliminating the reach of Orcutt Creek, modifying Acacia Creek (including mitigation enhancements for loss at Orcutt Creek), and developing the sports fields and Prado Road extension could have adverse impacts on pond turtles. Therefore, these potential impacts on the southwestern pond turtle are considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure BIO-17.1. Avoid Potential Direct Mortality and Loss of Southwestern Pond Turtle. The project proponent will consult with USFWS and DFG and possibly conduct a site visit with these agencies to develop measures to avoid and minimize potential impacts on this species along the stream and wetlands (including ponds) in the Airport and Margarita areas. If potential impacts on the southwestern pond turtle can be avoided, no additional mitigation is needed. If potential impacts on the southwestern pond turtle cannot be avoided, the project proponent will implement Mitigation Measure BIO-17.2.

Mitigation Measure BIO-17.2. Develop and Implement a Southwestern Pond Turtle Mitigation Plan. If potential impacts on the southwestern pond turtle cannot be avoided along the creeks in the Airport area and marsh and other wetlands in the planning area, the project proponent will prepare and implement a mitigation plan and obtain the appropriate federal ESA permits, if necessary. The project proponent will consult with USFWS and DFG to determine whether additional mitigation is needed, and USFWS and

the Corps will assist the project proponent in determining whether incidental take authorization under the federal ESA is needed. The plan will need to include measures that would avoid and minimize impacts on the southwestern pond turtle and additional habitat creation, enhancement, and management in the planning area.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Traffic and Circulation

Impact T-1: Secondary Impacts of Road Improvements

The improvements necessary to achieve vehicular flow at the intersections listed above could cause secondary impacts on pedestrians and bicyclists. To avoid significant pedestrian and bicycle impacts, development projects in the Airport and Margarita Specific Plan areas shall include pedestrian and bicycle facilities in the design of the intersection and roadway improvements. Pedestrian facilities shall include sidewalks along both sides of all newly constructed streets and reconstructed streets, crosswalks at new intersections and reconstructed intersections, and pedestrian signals at all new and reconstructed signalized intersections. Bicycle facilities shall include Class II bike lanes on all new and reconstructed streets per the San Luis Obispo Bicycle Transportation Plan and the Specific Plans. Bike lanes shall be included in the widening and extension of the following streets.

- # South Higuera Street (Tank Farm to Buckley)
- # Broad Street (Buckley to Tank Farm Road)
- # Prado Road (Broad Street to US 101 interchange)
- # Santa Fe Road (Buckley to Prado road extension)

The road improvements in the Margarita and Airport Area Specific Plans will result in substantial widening of roadways and intersection approaches to accommodate vehicle traffic and maintain LOS D or better. Widening of streets and intersections can result in secondary *significant* impacts on pedestrians and bicyclists by increasing crossing distance and introducing conflicts at intersections with multiple turning lanes unless designed properly.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure T-1.1: Implement Design Features. The following design features should be implemented:

- # On approaches to intersections where exclusive right-turn lanes are recommended and Class II bikeways are proposed, the design of the intersection shall provide bike lanes (1.2 meters in width) for through travel along the left edge of the right-turn lane.
- # At intersection approaches where pedestrian crossing distance exceeds six travel lanes (22 meters), the intersection design shall include an Americans with Disabilities Act (ADA) compliant median refuge island (raised concrete) with pushbutton to activate the pedestrian signal. The minimum width of the median refuge shall be 1.2 meters if integral with a raised median along the entire length of the street, or 1.8 meters wide by 6 meters long if an isolated median refuge. Exceptions for this measure include locations where existing right-of-way constraints make it infeasible to widen the street for the refuge.
- # All signalized intersections shall be designed with pedestrian signal heads and pushbutton activation.
- # Intersections with exclusive right-turn lanes shall be designed to reduce the speed of right-turning vehicles and reduce the pedestrian crossing distance. The curb return radius should be 15 meters or less. Raised pedestrian refuges (porkchop islands) may be installed between exclusive right-turn lanes and through lanes on streets with crossings that exceed 22 meters, but the approach angle of the right turn shall be designed to minimize turning speed.

Mitigation Measure T-1.2: Install New Signalized Intersection for Aero Drive and Broad Street. To mitigate significant effects on this intersection, a new signalized intersection shall be installed on Broad Street south of Aero Drive, as identified in the Airport Master Plan.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Air Quality

Impact AIR-1: Short-Term Construction Emissions

Buildout under the proposed project would involve the grading and construction of residential, commercial, industrial, and recreational structures throughout the project in the Airport Area, Margarita Area, and facilities master plan service areas. All phases of site preparation and building construction would produce construction emissions. The most emissions would be generated during the initial phases of site preparation when large areas of soil would be disturbed and many large construction vehicles would be in operation. Emissions occurring during this phase would consist primarily of particulates generated by soil disturbance and combustion emissions generated by construction vehicles. The rate of particulate generation is dependent upon soil moisture and silt content, wind speed, and relative activity level.

The combustion emissions generated by construction vehicles and equipment may degrade local air quality and cause exceedances of the state nitrogen dioxide standard. In addition, emissions of ozone precursors (NO_x and ROG) would exacerbate existing high ozone levels in the County. The magnitude of combustion emissions is highly variable among construction sites because of the variability in the number of construction vehicles operating simultaneously.

While the total acreage to be developed under buildout of the proposed project could be estimated, the phasing of individual development projects is not known. Consequently, the impact of construction emissions on regional or local air quality cannot be quantified with any accuracy. The construction emissions of each specific development project must be evaluated individually and cumulatively to determine the magnitude of impacts to regional and local air quality. This impact is considered *significant*

Mitigation

Implementation of the following mitigation measure would reduce the impact to a *less-than-significant* level.

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

- # use Caterpillar pre-chamber diesel engines (or equivalent), properly maintained and operated to reduce emissions of NO_x;
- # use electrically powered equipment where feasible;
- # maintain equipment in tune per manufacturer's specifications, except as otherwise required above;
- # install catalytic converters on gasoline-powered equipment;
- # substitute gasoline-powered equipment for diesel-powered equipment, where feasible;
- # implement activity management techniques as described below; and

- # use compressed natural gas or propane-powered portable equipment (e.g., compressors, generators, etc.) onsite instead of diesel-powered equipment, where feasible.

Mitigation Measure AIR-1.2. Implement Construction-Related Fugitive Dust (PM10) Mitigation Any project with a grading area greater than 1.6 hectares (4.0 acres) of continuously worked area will exceed the 2.5 ton PM10 quarterly threshold and will require the following mitigation measures where applicable. Proper implementation of these measures shall be assumed to achieve a 50% reduction in fugitive dust emissions. The use of soil binders on completed cut-and-fill areas has the potential to reduce fugitive dust emissions by 80%.

- # Reduce the amount of the disturbed area where possible.
- # Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site; increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph); reclaimed (nonpotable) water should be used whenever possible.
- # Spray all dirt stockpile areas daily as needed.
- # Implement permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible following completion of any soil-disturbing activities.
- # Sow exposed ground areas that are planned to be reworked at dates occurring 1 month after initial grading with a quickly germinating native grass seed and water until vegetation is established.
- # Stabilize all disturbed soil areas that are not subject to revegetation using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- # Complete paving of all roadways, driveways, sidewalks, etc. that are to be paved as soon as possible; lay building pads as soon as possible after grading unless seeding or soil binders are used.
- # Limit vehicle speeds for all construction vehicles to a maximum of 15 mph on any unpaved surface at the construction site.
- # Cover all trucks hauling dirt, sand, soil, or other loose materials or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114; this measure has the potential to reduce PM10 emissions by 7B14%.

- # Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; this measure has the potential to reduce PM10 emissions by 40B70%.
- # Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads; water sweepers with reclaimed water should be used where feasible; this measure has the potential to reduce PM10 emissions by 25B60%.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

Mitigation Measure AIR-1.3. Implement Construction-Related Activity Management Techniques

- # Develop a comprehensive construction activity management plan designed to minimize the amount of large construction equipment operating during any given time period.
- # Schedule construction truck trips during non-peak hours to reduce peak hour emissions.
- # Limit the length of the construction work-day period, if necessary.
- # Phase construction activities, if appropriate.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation is feasible and has been adopted.

Impact AIR-2: Long-Term Operation Emissions

Long-term air quality impacts would result primarily from ongoing emissions generated by the operation of motor vehicles and by natural gas combustion and electricity consumption. The land uses proposed in the project would generate new vehicle trips in the air basin. Vehicle emissions were estimated using the ARB=s URBEMIS7G model. The increase in vehicle emissions associated with buildout of the project for each land use is presented in Table 3E-4 in the program EIR under transportation emissions. Development of the land uses in the project would increase the demand for electricity and natural gas for space and water heating. Electricity consumption would generate emissions from fuel combustion at powerplants. Natural

gas combustion would also generate emissions directly. Emissions were estimated using URBEMIS7G and are listed in Table 3E-4 of the program EIR under area sources.

Consistency with the District's CAP. As indicated in the APCD CEQA Air Quality Handbook, a consistency analysis is required in the environmental review for projects that involve a proposed project. The consistency analysis must evaluate the following questions:

1. Are the population projections used in the plan or project equal to or less than those used in the most recent CAP for the same area?
2. Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?
3. Have all applicable land use and transportation control measures from the CAP been included in the plan or project to the maximum extent feasible?

Provided that the answer to all three of these questions is yes, the project is to be considered consistent with the CAP. If the answer to any one of the questions is no, then the emissions reductions projected in the CAP may not be achieved, which could delay or preclude attainment of the state ozone standard. This would be considered inconsistent with the CAP. The following paragraphs evaluate the proposed project based on the questions presented above.

1. Are the population projections used in the plan or project equal to or less than those used in the most recent CAP for the same area?

The CAP includes population figures for incorporated and unincorporated areas of the County for 1990, as well as population projections up to year 2010. The CAP projects that the population of the San Luis Obispo area will be 49,228 in the year 2010. The proposed project uses the population projections in the San Luis Obispo General Plan and, according to the most recent plan, the population projection for the year 2010 is also 49,228. As such, the proposed project would be consistent with the population projections in the CAP.

2. Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area? Due mainly to the additional employment generated in the area (more than anticipated by the 1994 Land Use and Circulation Elements update), VMT is expected to increase faster than population in the area. Over the anticipated buildout period for the area, a gradual shift to vehicles with lower emissions is expected to at least partially offset air quality impacts of increased VMT. However, rapid commercial and industrial development in the early years could exceed this compensating reduction.
3. Have all applicable land use and transportation control measures from the CAP been included in the plan or project to the maximum extent feasible?

Under the San Luis Obispo Area Plan, the goals for land use were to plan compact communities, provide for mixed land use, and balance jobs and housing. The proposed project incorporated these goals from the Area Plan, which was also identified in the CAP aim to reduce the number of VMT by local residents. For example, the Margarita Area Specific Plan would allow the development of a wide variety of land uses including Residential, Park, Neighborhood Commercial, Business Parks, and Elementary School. These land uses would provide residents with convenient access to employment, basic shopping, recreation, and education through both the locations of land uses and the design of circulation features.

Based on these considerations, the proposed project would be consistent with the CAP and is not expected to further delay the attainment of state and federal air quality standards within the County. Therefore, this impact is considered to be *less than significant*.

Mitigation

Mitigation Measure AIR-2.1. Implement Growth-Phasing Schedule. The City will implement a growth-phasing schedule for the Airport area, to assure that nonresidential development in the urban area does not exceed the pace of residential development.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Noise

No significant impacts associated with Noise were identified in the program EIR for the proposed project.

Hazardous Materials

Impact HAZ-1: Potential Construction-Related Exposure to Hazardous Materials

Construction-related activities associated with specific projects in the Airport and Margarita areas and development of roadway/utility infrastructure associated with the facility master plans would involve the use of materials that could contaminate nearby soils and water resources in the project area (e.g., petroleum-based fuels and oils, solvents, cement). Additionally, construction workers and other people could be exposed to dust or emissions containing these materials. Construction workers could also be exposed to organic pesticides, herbicides, and other hazardous materials during groundbreaking activities.

Groundwater may also occur near the surface along buried infrastructure alignments. Trenches or tunnels may encounter groundwater, which may require dewatering for pipe

placement. Contaminated water encountered during construction-related activities may also require special handling and disposal procedures.

While known and potential hazardous materials/waste sites have been identified in the Airport area, the potential also exists to expose construction workers to previously undiscovered hazardous materials/waste sites during development of the Margarita area. Because construction-related activities could substantially increase the use of hazardous materials and increase the risk of exposure to hazardous materials in the project area, this impact is considered *significant*.

Mitigation

Implementation of the following mitigation measures would reduce this impact to a *less-than-significant* level.

Mitigation Measure HAZ-1.1. Implement a Construction-Related Hazardous Materials Management Plan. Before beginning construction activities, a project proponent will submit a hazardous materials management plan for construction activities that involve hazardous materials. The plan will discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. The plan will also outline a specific protocol to identify health risks associated with the presence of chemical compounds in the soil and/or groundwater and identify specific protective measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project proponent will implement Mitigation Measure HAZ-1.2.

Mitigation Measure HAZ-1.2. Conduct Phase I and Possibly Phase II Environmental Site Assessments to Determine Soil or Groundwater Contamination. The project proponent will complete a Phase I environmental site assessment for each proposed public facility (e.g., streets and buried infrastructure). If Phase I site assessments indicate a potential for soil and/or groundwater contamination within or adjacent to the road or utility alignments, a Phase II site assessment will be completed. The following Phase II environmental site assessments will be prepared specific to soil and/or groundwater contamination.

- # **Soil Contamination.** For soil contamination, the Phase II site assessment will include soil sampling and analysis for anticipated contaminating substances. If soil contamination is exposed during construction, the San Luis Obispo Fire Department (SLOFD) will be notified and a workplan to characterize and possibly remove contaminated soil will be prepared, submitted, and approved.
- # **Groundwater Contamination.** For groundwater contamination, the Phase II assessment may include monitoring well installation, groundwater sampling, and analysis for anticipated contaminating substances. If groundwater contaminated by potentially hazardous materials is expected to be extracted during dewatering, the SLOFD and the Central Coast RWQCB will be notified. A contingency plan to

dispose of contaminated groundwater will be developed in agreement with the SLOFD and Central Coast RWQCB before activities.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation is feasible and has been adopted.

Impact HAZ-2: Potential Operations-Related Exposure to Hazardous Materials

Implementation of the proposed project would include the development of manufacturing and business park land uses in the Airport area and the development of business park land uses in the Margarita area. Operations at the sites could involve the delivery, use, manufacture, and storage of various chemicals necessary to perform manufacturing and business park activities. Operations-related activities within both the Airport and Margarita areas could substantially increase the use of hazardous materials and increase the risk of exposure to hazardous materials in the project area. Development of the specific roadway and utility infrastructure improvements outlined in the facility master plans would not generate a substantial amount of operations-related hazardous materials. Because operations-related activities could substantially increase the use of hazardous materials and increase the risk of exposure to hazardous materials in the project area, this impact is considered *significant*.

Mitigation

Implementation of the following mitigation measure would reduce this impact to a *less-than-significant* level.

Mitigation Measure HAZ-2.1. Implement an Operations-Related Hazardous Materials Management Plan. The project proponent will ensure that a hazardous materials management plan for operations-related activities is established and addresses the delivery, use, manufacture, and storage of various chemicals. The plan will identify the proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. In addition, the SLOFD will conduct routine fire and life-safety inspections to determine compliance with applicable health and safety codes.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Impact HAZ-3: Short-Term Surface Water Quality Degradation from Accidental Release of Hazardous Materials during Construction-Related Activities

Construction-related activities associated with specific projects in the Airport and Margarita areas and development of roadway/utility infrastructure associated with the facility master plans would require the installation of much buried infrastructure to support development. The proposed buried infrastructure may cross several drainages, and construction-related activities would involve the use of hazardous materials (e.g., oils, grease, lubricants) that could accidentally be released into local waterways.

Water quality impacts would largely be determined by the duration and seasonality of construction-related activities. Specific areas of concern in the Airport area include San Luis Obispo Creek, Orcutt Creek, and Davenport Creek. Areas of concern in the Margarita area include Acacia Creek. Although construction-related activities occurring during the dry season would have less potential to flush hazardous materials into a stream or drainage, low summer flows are less able to dilute hazardous materials entering the water column. Because construction-related activities would substantially increase the use of hazardous materials and increase the risk of accidental release of hazardous materials into project-area drainages, this impact is considered *significant*.

Mitigation

Implementation of the following mitigation measure would reduce this impact to a *less-than-significant* level.

Mitigation Measure HAZ-1.1. Implement a Construction-Related Hazardous Materials Management Plan. This mitigation measure is described above.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Public Services and Utilities

No significant impacts associated with public services or utilities were identified in the program EIR for the proposed project.

Cultural Resources

Impact CR-1: Potential Damage to or Destruction of Known and/or Unknown Cultural Resources

Different types of cultural resources throughout the planning areas could be affected by activities proposed within the Airport and Margarita areas and the related facility master plan areas. For example, archaeological sites are susceptible to damage during excavation. Generally, the scientific value of archaeological sites is in the information that can be extracted about past lifestyles. Any activity that moves, removes, or destroys aspects of a site will compromise that information. The historic built environment and historic landscape are also quite susceptible to impacts associated with activities proposed under the specific plans. For example, any activity that destroys or alters the physical makeup of structures or the setting in which they exist, including, but not limited to, the construction of new structures, will compromise the integrity of these resources.

Previous cultural resource field surveys have identified a wooden barn in the Airport area and a cluster of four stone mortars in the Margarita area. Although individual projects have not been proposed, resources associated with these findings may be adversely affected by individual projects. Impacts on these cultural resources could result from ground disturbance associated with infrastructure development and construction of new structures, roads, and underground utilities.

Implementation of the proposed project would entail reuse of the area for residential, service and manufacturing, commercial, office, public, open space, recreational, infrastructure, and underground utilities. Ground disturbance associated with infrastructure development and construction of new structures, access roads, and underground utilities could have an impact on known or unknown cultural resources; therefore, this impact is considered *significant*.

Mitigation

Implementation of the following mitigation measure would reduce this impact to a *less-than-significant* level.

Mitigation Measure CR-1.1. Protect Known and/or Unknown Cultural Resources.

The City will ensure that the project proponent implements the following measures before and during development of specific projects proposed under the Airport Area and Margarita Area Specific Plans and the related facility master plans. Specific measures include the following:

- # **Conduct Surveys of Unsurveyed Areas.** Before implementing project activities, pedestrian surveys will be conducted to locate and record cultural resources.
- # **Evaluate Resources within the Project Areas.** Resources in the planning areas that cannot be avoided will be evaluated. Additional research and test excavations, where appropriate, will be undertaken to determine whether the resource(s) meets CEQA or NRHP significance criteria. Impacts on significant resources that cannot be avoided

will be mitigated in consultation with the lead agency for the project. Possible mitigation measures include:

- a data recovery program consisting of archaeological excavation to retrieve the important data from archaeological sites;
- development and implementation of public interpretation plans for both prehistoric and historic sites;
- preservation, rehabilitation, restoration, or reconstruction of historic structures according to the Secretary of Interior Standards for Treatment of Historic Properties;
- construction of new structures in a manner consistent with the historic character of the region; and
- treatment of historic landscapes according to the Secretary of Interior Standards for Treatment of Historic Landscapes.

If the project involves a federal agency, and is therefore subject to a Memorandum of Agreement, the inventory, evaluation, and treatment processes will be coordinated with that federal agency to ensure that the work conducted will also comply with Section 106 of the NHPA.

Finding: Mitigation Has Been Incorporated into the Project. The City finds that the mitigation measure is feasible and has been adopted.

Cumulative Impacts

Because of the program-level nature of the project, cumulative impacts are considered in each of the sections of Chapter 3 of the program EIR (and the project's significant impacts are discussed above for each resource topic listed). The project directly implements policies and plans adopted by the City, including the City General Plan. This EIR analysis uses the projection approach to cumulative impact analysis, supplemented by the policies contained in the proposed Airport Area Specific Plan and Margarita Area Specific Plan. The projection approach to cumulative impact analysis involves considering the project effects in light of the effects summarized in an adopted general plan or related planning document that is designed to evaluate regional or areawide conditions (State CEQA Guidelines, Section 15130[b][1][B].) The analysis is based on the assumption that the cumulative impacts analysis of the general plan EIR provides an appropriate and adequate base for analysis of future development and cumulative impacts associated with the proposed project. In certain instances, the Airport Area Specific Plan and Margarita Area Specific Plan propose changes to what is currently identified in the adopted general plan. Where there are conflicts between the adopted general plan and the proposed specific plans, policies are proposed in the form of mitigation to reduce cumulative impacts.

Finding: Mitigation Has Been Incorporated into the Project. Except for the two impacts listed below, the City finds that the mitigation measures proposed above are feasible and have been adopted to reduce the cumulative impacts.

Finding: No Feasible Mitigation is Available. The City finds that no feasible mitigation is available for the following cumulative impacts and that these cumulative impacts are significant and unavoidable:

Impact LU-5: Conversion of Prime Agricultural Land to Urban Uses
Impact LU-6: Change in Views

A statement of overriding consideration for these impacts is made in Section 6.

Growth Inducement

Impact: Increased Growth and Additional Secondary Growth-Related Impacts

The project will result in the potential future development of the Airport and Margarita areas for residential, commercial, industrial, park, and open space uses. This includes the use of approximately 357.9 hectares (884.4 acres) for urban uses, including development of approximately 868 residential units for approximately 2,015 people. However, the project directly implements policies and plans adopted by the City, including the City General Plan. The growth-inducement analysis is based on the assumption that the growth-inducing impacts analysis of the City General Plan EIR provides an appropriate and adequate base for analysis of future development and growth-inducing impacts associated with the proposed project. The impact is considered *significant and unavoidable*.

Mitigation

Implementation of the adopted policies in the City's general plan and mitigation measures in the General Plan EIR (aimed at reducing the secondary effects of growth), combined with implementation of the mitigation measures identified in Chapter 3 of the program EIR and the policies contained in the Airport Area Specific Plan and Margarita Area Specific Plan will reduce the secondary effects of growth associated with the proposed adoption of these specific plans and related facilities master plans. However, these impacts would not be reduced to less-than-significant levels. The project would have a significant and unavoidable growth-inducing impact. Short of denying the project, there is no feasible mitigation.

Finding: No Feasible Mitigation is Available. The City finds that no feasible mitigation is available and that this impact is significant and unavoidable. A statement of overriding consideration for this impact is made in Section 6.

SECTION 5. FINDINGS FOR ALTERNATIVES TO THE PROPOSED PROJECT

Introduction

As identified in Section 4 of this document, the proposed project will cause the following significant and unavoidable environmental impacts to occur:

- Impact LU-5: Conversion of Prime Agricultural Land to Urban Uses in the Airport and Margarita areas and the Storm Drain Master Plan area.
- Impact LU-6: Change in Views from a semi-rural landscape to an urban landscape in the Airport and Margarita areas.
- Growth Inducement: The project would have a significant and unavoidable growth-inducing impact.

Because the proposed project will cause significant and unavoidable environmental impacts to occur as identified above, the City must consider the feasibility of any environmentally superior alternatives to the project, as proposed. The City must evaluate whether one or more of these alternatives could substantially lessen or avoid the unavoidable significant environmental effects. As such, the environmental superiority and feasibility of each alternative to the project is considered in this section. Specifically, this section evaluates the effectiveness of these alternatives in reducing the significant and unavoidable impacts of the proposed project.

Description of the Alternatives

The program EIR for the project evaluates the following four alternatives to the project.

Alternative 1

Under Alternative 1, the southerly boundary of the Airport Area Specific Plan is moved northerly. The airport is excluded from the Plan area. Additionally, land to the south and west of the airport is excluded from the plan area. The total Airport Plan area is reduced by 140.3 hectares (346.6 acres). In addition to changes in the plan area boundary, the distribution of land uses within the plan area is modified as shown in Table 5-1 and Figure 2-4 of the program EIR and outlined below. The boundaries of the Margarita Area Specific Plan remain largely unchanged. However, the land uses within the plan area are modified as shown in Table 5-2 of the program EIR and shown below:

- # designation of the Airport Area for 3.1 hectares (7.6 acres) of Medium-Density Residential, 136.1 hectares (336.4 acres) of Services and Manufacturing, 20.8 hectares (51.4 acres) of Business Park, and 103.8 hectares (256.6 acres) of Recreation and Open Space for a total Airport Area of 263.8 hectares (652.0) acres;

- # designation of the Margarita Area for 71.1 hectares (175.6 acres) of Open Space, 10.9 hectares (26.9 acres) of parks, 40.4 hectares (99.8 acres) of Residential, 0.60 hectare (1.5 acres) of Neighborhood Commercial, 0.40 hectare (1.0 acre) of Special Use, 17.5 hectares (43.2 acres) of Business Park, and 27.7 hectares (68.4 acres) of Streets for a total Margarita Area of 168.6 hectares (416.4 acres);
- # extension of Prado Road to Madonna Road;
- # extension of Prado Road to Broad Street;
- # construction of a roadway connection between Los Osos Valley Road and Prado Road; and
- # extension of Buckley Road to South Higuera Street.

Alternative 2

Under Alternative 2 the southerly boundary of the Airport Area Specific Plan is moved slightly south at the Airport to correspond to County Land Use designation boundaries. The airport is excluded from the Plan area. The total Airport Plan area is reduced by 39.0 hectares (96.3 acres). In addition to changes in the plan area boundary, the distribution of land uses within the plan area is modified as shown in Table 5-3 and Figure 2-5 of the program EIR and summarized below. No change is made to the land uses or boundaries of the Margarita Area Specific Plan.

- # designation of the Airport Area for 3.1 hectares (7.6 acres) of Medium-Density Residential, 204.0 hectares (504.2 acres) of Services and Manufacturing, 29.3 hectares (72.4 acres) of Business Park, 120.3 hectares (297.3 acres) of Recreation and Open Space, and 8.4 hectares (20.8 acres) for Agriculture and Open Space for a total Airport Area of 365.1 hectares (902.3 acres);
- # designation of the Margarita Area for 68.4 hectares (169.0 acres) of Open Space, 22.6 hectares (55.7 acres) of parks, 30.3 hectares (74.9 acres) of Residential, 0.9 hectare (2.1 acres) of Neighborhood Commercial, 0.40 hectare (1.0 acre) of Special Use, 27.9 hectares (68.8 acres) of Business Park, and 19 hectares (47 acres) of Streets for a total Margarita Area of 169.4 hectares (418.5 acres);
- # extension of Prado Road to Madonna Road;
- # extension of Prado Road (in the Margarita area) to Broad Street;
- # extension of Prado Road to Tank Farm Road; and

- # extension of Buckley Road to South Higuera Street.

Alternative 3

Under Alternative 3, the southerly boundary of the Airport Area Specific Plan is moved south along the length of the southerly boundary to correspond to County Land Use designation boundaries. The airport is excluded from the Plan area. The total Airport Plan area is increased by 70.5 hectares (174.1 acres). In addition to changes in the plan area boundary, the distribution of land uses within the plan area is modified as shown in Table 5-4 and Figure 2-6 of the program EIR and summarized below. No change is made to the land uses or boundaries of the Margarita Area Specific Plan.

- # designation of the Airport Area for 3.1 hectares (7.6 acres) of Medium-Density Residential, 140.5 hectares (347.2 acres) of Services and Manufacturing, 132.0 hectares (326.1 acres) of Business Park, 117.6 hectares (290.6 acres) of Recreation and Open Space, and 81.4 hectares (201.2 acres) for Agriculture and Open Space for a total Airport Area of 474.6 hectares (1,172.7 acres);
- # designation of the Margarita Area for 68.4 hectares (169.0 acres) of Open Space, 22.6 hectares (55.7 acres) of parks, 30.3 hectares (74.9 acres) of Residential, 0.9 hectare (2.1 acres) of Neighborhood Commercial, 0.40 hectare (1.0 acre) of Special Use, 27.9 hectares (68.8 acres) of Business Park, and 19 hectares (47 acres) of Streets for a total Margarita Area of 169.4 hectares (418.5 acres);
- # extension of Prado Road to Madonna Road;
- # extension of Prado Road (in the Margarita area) to Broad Street;
- # construction of a roadway connection between Los Osos Valley Road and Prado Road;
- # extension of Los Osos Valley Road from South Higuera Street to Broad Street; and
- # extension of Buckley Road to South Higuera Street.

Alternative 4: No-Project

As required by CEQA, this EIR evaluates the environmental consequences of not proceeding with the project. Under this alternative, no specific plans or facility plans are adopted for the Airport and Margarita Areas. The City General Plan would not allow urban development within the Airport and Margarita Areas until adoption of specific plans. As such, no further subdivision or urban development would be expected within the specific plan areas.

The No-Project Alternative would not accomplish the City's fundamental goal of implementing the General Plan. The City evaluated the concept of not developing the Airport and Margarita Areas for urban uses during the General Plan and General Plan EIR processes and consideration of no further development is considered to be adequately addressed within these documents.

Effectiveness of Alternatives in Avoiding Project Impacts

This section evaluates the effectiveness of the alternatives in reducing the significant and unavoidable impacts of the proposed project.

Impact LU-5: Conversion of Prime Agricultural Land to Urban Uses

Although Alternative 1 would result in fewer total acres of land converted, none of the reduced acreage is prime farmland. Therefore, the impact would remain significant and unavoidable under Alternative 1.

Alternatives 2, 3, and the No-Project Alternative would avoid the conversion of prime farmland. Therefore, under Alternatives 2, 3, and 4, the significant unavoidable impact of conversion of prime farmland could be avoided. However, Alternatives 2 and 3 are not consistent with the City's current urban reserve and greenbelt and Alternative 3 is not consistent with current water, wastewater, and stormwater collection and distribution plans. Furthermore, Alternative 4 would not comply with the City or County's general plan.

Impact LU-6: Change in Views

Alternatives 1, 2, and 3 would result in the same significant unavoidable changes in views from a semi-rural landscape to an urban landscape in the Airport and Margarita areas as the proposed project; development would still occur under these alternatives as under the project.

Under the No-Project Alternative, the General Plan would not allow urban development within the Airport and Margarita Areas until adoption of specific plans. As such, no further subdivision or urban development would be expected within the specific plan areas. Implementation of this alternative would, therefore, eliminate this significant unavoidable impact. However, Alternative 4 would not comply with the City or County's general plan.

Impact: Increased Growth and Additional Secondary Growth-Related Impacts

With the exception of the No-Project Alternative, the alternatives to the project would result in essentially the same significant unavoidable growth inducement impacts associated with the proposed project. Under the No-Project Alternative, the General Plan would not allow urban development within the Airport and Margarita Areas until adoption of specific plans. As such, no further subdivision or urban development would be expected within the specific plan areas.

Implementation of this alternative would, therefore, eliminate this significant unavoidable impact. However, Alternative 4 would not comply with the City or County's general plan.

Environmentally Superior Alternative and Feasibility of Project Alternatives

As described above, Alternatives 2, 3, and 4 (No-Project Alternative) would avoid the significant unavoidable prime farmland conversion impact of the proposed project and Alternative 4 would avoid all three significant unavoidable impacts caused by the project. As such, this section determines whether Alternatives, 2, 3, or 4 are environmentally superior to the proposed project, and if so, whether they are feasible.

Finding: The Proposed Project is Environmentally Superior to Alternative 2

Alternative 2 would avoid the significant unavoidable prime farmland conversion impact of the proposed project but would not substantially lessen the other environmental impacts of the project. Moreover, this alternative would result in additional significant and unavoidable impacts associated with expansion beyond its current urban reserve, would not maintain an open space greenbelt around the City, and would result in unacceptable levels of service at the Prado Road/South Higuera Street intersection. Therefore, this alternative is not environmentally superior to the project and the City need not make a feasibility determination of the alternative.

Finding: The Proposed Project is Environmentally Superior to Alternative 3

Similar to Alternative 2, Alternative 3 would avoid the significant unavoidable prime farmland conversion impact of the proposed project. However, as described above for Alternative 2, this alternative would result in additional significant and unavoidable impacts associated with expansion beyond its current urban reserve, would not maintain an open space greenbelt around the City, and would result in unacceptable levels of service at the Prado Road/South Higuera Street intersection, the Tank Farm Road/Broad Street intersection, and the Los Osos Valley Road/US 101 northbound ramps. Therefore, this alternative is not environmentally superior to the project and the City need not make a feasibility determination of the alternative.

Finding: Infeasible to Adopt No-Project Alternative (Alternative 4)

The No-Project Alternative is the only alternative that could avoid all of the significant unavoidable impacts of the project and would not introduce new significant and unavoidable impacts. However, the No-Project Alternative does not comply with the designated land uses for the project area of either the City or County. The No-Project Alternative would not accomplish the City's fundamental goal of implementing the General Plan. Moreover, the No-Project Alternative fails to meet the City's basic objectives for the project, and thus is infeasible as a means in of satisfying those objectives. The City, therefore, finds this alternative to be infeasible to implement.

SECTION 6. STATEMENT OF OVERRIDING CONSIDERATIONS

Introduction

The program EIR for the project identifies the following significant and unavoidable impacts of the project:

- Impact LU-5: Conversion of Prime Agricultural Land to Urban Uses
- Impact LU-6: Change in Views
- Growth Inducement: The project would have a significant and unavoidable growth-inducing impact.

For projects which would result in significant environmental impacts that cannot be avoided, CEQA requires that the lead agency balance the benefits of these projects against the unavoidable environmental risks in determining whether to approve the projects. If the benefits of these projects outweigh the unavoidable impacts, those impacts may be considered acceptable (CEQA Guidelines Section 15093[a]). CEQA requires that, before adopting such projects, the public agency adopt a Statement of Overriding Considerations setting forth the reasons why the agency finds that the benefits of the project outweigh the significant environmental effects caused by the project. This statement is provided below.

Required Findings

The City has incorporated all feasible mitigation measures into the project. Although these measures will significantly lessen the unavoidable impacts listed above, the measures will not fully avoid these impacts.

The City has also examined a reasonable range of alternatives to the project. Based on this assessment, the City has determined that none of these alternatives is environmentally superior or more feasible than the project.

Alternative 1 would result in essentially the same impacts as the project. Alternatives 2 and 3 would avoid the significant unavoidable prime farmland conversion impact of the project. However, Alternatives 2 and 3 would result in additional significant and unavoidable impacts on land use and traffic that can be avoided by implementing the project. Alternative 4 (No-Project Alternative) would avoid many of the significant impacts of the project, but is not considered feasible.

In preparing this statement of Overriding Considerations, the City has balanced the benefits of the proposed project against its unavoidable environmental risks. For the reasons

specified below, the City finds that the following considerations outweigh the proposed project's unavoidable environmental risks:

- **Provision of new jobs:** The project would involve the construction of approximately 868 residential units for and create new construction and permanent jobs in the project area. These new jobs would be a benefit to the local economy.
- **Provision of additional housing:** The project would involve the construction of approximately 868 residential units for approximately 2,015 people in an area currently in need of additional housing. These new homes would provide housing to existing and future employees in the region.
- **Provision of adequate public facilities for the region:** The master facilities plans for the project will ensure that there are no shortfalls for water supply and distribution facilities, stormdrain, and wastewater facilities.
- **Creation of open space protection:** Implementation of the project would result in the creation of open space protection, conservation, and restoration policies and the designation of 494 acres of open space and recreation in the project area. The land use designation, together with the policies, will ensure that areas in the vicinity of the City are reserved for future residents' recreational use and aesthetic benefits.

Accordingly, the City finds that the project's adverse, unavoidable environmental impacts are outweighed by these considerable benefits.

Dated: October 12, 2004



Dave Romero

Mayor, City of San Luis Obispo

Mitigation Monitoring Plan

The City of San Luis Obispo, as the lead agency under the California Environmental Quality Act (CEQA), has developed a mitigation monitoring plan (MMP) for the Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans project. This MMP is designed to ensure that the mitigation measures identified in the program environmental impact report (EIR) for the project, and identified as the City's responsibility in the City's CEQA findings (State CEQA Guidelines, Section 15091[a][1]), are implemented.

Table 1 represents the MMP. For each mitigation measure, Table 1 identifies:

- the mitigation measure,
- the funding source
- the implementing party,
- the monitoring agency, and
- the timing of implementation.

The MMP is limited to those measures that the City of San Luis Obispo is responsible for implementing.

Acronyms and Abbreviations

ADA	Americans with Disabilities Act
APCD	Air Pollution Control District
Caltrans	California Department of Transportation
CBACT	best available control technology for construction equipment
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
City General Plan	City of San Luis Obispo General Plan
Corps	U.S. Army Corps of Engineers
County	San Luis Obispo County
CVC	California Vehicle Code
DFG	California Department of Fish and Game
DTSC	Department of Toxic Substances Control
EIR	environmental impact report
ESA	Endangered Species Act
mph	miles per hour
NO _x	oxides of nitrogen
PM10	particulate matter smaller than 10 microns in diameter
RWQCB	Regional Water Quality Control Board
SLOFD	San Luis Obispo Fire Department
USFWS	U.S. Fish and Wildlife Service

Table 1. Mitigation Monitoring Plan for the Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>LU-2.1: Resolve Discrepancy regarding Disposition of Lands Immediately South of Project Area The County shall work with the City to resolve the discrepancy regarding the disposition of lands immediately south of the Airport Area. The County must consider whether: (1) the current land use designation for the Avila Ranch property is desired; (2) because the property has an urban designation, it should ultimately be annexed to the City; or, (3) the property should be included in the Airport area project and be subject to specific plan development standards and guidelines. These questions should be answered within two years of adoption of the Airport Area Specific Plan.</p>	City of San Luis Obispo	County of San Luis Obispo	City of San Luis Obispo	Within 2 years of adoption of the Airport Area Specific Plan
<p>LU-5.1: Dedicate Open Space Land or Pay In-Lieu Fees to Secure Open Space Easements on Agricultural Land outside the URL at Ratio of No Less than 1:1. As a condition of annexation and development within the Airport area, developers shall be required to dedicate open space land or pay in-lieu fees to secure open space easements on agricultural land outside the URL at a ratio of no less than 1:1.</p>	City of San Luis Obispo	City of San Luis Obispo	City of San Luis Obispo	Prior to or with annexation of the Airport Area
<p>LU-7.1: Incorporate Lighting Design Standards into Margarita and Airport Area Specific Plans. The City shall incorporate lighting design standards into the Margarita and Airport Area Specific Plans. The standards shall contain specific measures to limit the amount of light trespass associated with development within the project area. Specific measures shall include the use of shielding and/or directional lighting methods to ensure that spillover light does not exceed 0.5 foot candles at adjacent property lines.</p>	City of San Luis Obispo	City of San Luis Obispo	City of San Luis Obispo	Prior to adoption of the Margarita and Airport Area Specific Plans
<p>BIO-1.1: Conduct Surveys for Wetland Resources, Sensitive Natural Communities, and Special-Status Species. Applications for subdivisions and development in grassland areas must include the result of the following surveys and studies:</p> <ul style="list-style-type: none"> ■ surveys and mapping of special-status plants identified in Table 3C-4 during the appropriate identification periods; ■ surveys and mapping of special-status wildlife identified in Table 3C-5 during the appropriate seasons; ■ mapping and quantification of valley needlegrass grassland inclusions; ■ delineation and quantification of waters of the United States, including wetlands, using the Corps' 1987 wetland delineation manual (Environmental 	Project proponent	Project proponent	Corps, USFWS, DFG, City of San Luis Obispo	Before any ground-disturbing activities

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>Laboratory 1987);</p> <ul style="list-style-type: none"> ■ identification of special-status species and species of local concern as identified in the (forthcoming) Conservation Element; and ■ mapping and quantification of habitat loss. <p>For areas of annual grassland that are determined to contain no special-status species, inclusions of valley needlegrass grassland, or seasonal wetland, no further mitigation is required. If sensitive resources are identified, please refer to the mitigation measures below to avoid, minimize, or compensate for significant impacts on these resources. This is not intended to limit other measures that the City may take regarding nonlisted species.</p>				
<p>BIO-2.1: Avoid and Minimize Impacts on Valley Needlegrass Grassland. After areas of valley needlegrass grassland are mapped and quantified (Mitigation Measure BIO-1.1), the following steps should be implemented in order of preference:</p> <ul style="list-style-type: none"> ■ Avoid stands of valley needlegrass grassland whenever possible; this may be achieved by setting aside areas that contain significant stands of valley needlegrass grassland as ecological buffers or nature preserves. ■ Minimize impacts on valley needlegrass grassland in areas that cannot be avoided completely; this may be achieved by placing orange construction barrier fencing or stakes and flags around the perimeter of needlegrass grassland stands and by restricting the operation of heavy equipment and other construction-related activities to the outside of these exclusion zones. ■ Compensate for unavoidable losses of valley needlegrass grassland with replacement plantings at an alternative mitigation site. The project proponent should develop a mitigation and monitoring plan in coordination with DFG that specifies replacement ratios, success criteria, monitoring and reporting needs, and remediation measures. Replacement plantings should be placed adjacent to existing preserved stands to encourage natural regeneration, ensure future preservation, and create enhanced habitat values. 	Project proponent	Project proponent	DFG, City of San Luis Obispo	Complete surveys, mapping, and mitigation plan before construction; implement replacement planting concurrent with construction; monitor, report, and implement remediation plantings as specified in mitigation and monitoring plan
<p>BIO-6.1: Avoid and Minimize Impacts on Wetland Habitat. To avoid and minimize impacts to freshwater marsh and other wetland habitats, the project proponent will do all of the following:</p>	Project proponent	Project proponent	Corps, City of San Luis Obispo	Before any ground-disturbing activities

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> ■ obtain a qualified wetland ecologist to conduct a delineation of waters of the United States, including wetlands, at the project site; ■ obtain verification of the delineation from the Corps; ■ avoid identified waters of the United States and wetlands during project design to the extent possible and establish a buffer zone around jurisdictional features to be preserved; ■ obtain a permit from the Corps for any unavoidable "fill" of wetlands or other waters of the United States; and ■ develop and implement a mitigation and monitoring plan in coordination with the agencies to compensate for losses and to ensure no net loss of wetland habitat functions and values. 	Project proponent	Project proponent	DFG, City of San Luis Obispo	Before any ground-disturbing activities
<p>BIO-8.1: Avoid Temporary Disturbance to Riparian Woodland and Scrub by Complying with DFG and City General Plan Guidelines and Specific Plan requirements for Setbacks Regarding Riparian Corridors. The project proponent will do all of the following:</p> <ul style="list-style-type: none"> ■ retain a qualified biologist to identify and map riparian woodland and scrub in the project area; ■ establish a buffer zone around the edge of the riparian habitat at a distance to be determined in cooperation with DFG and the City by installing orange construction fencing or poles and flags; and ■ restrict construction activities to the outside of the fenced buffer zone. 	Project proponent	Project proponent	DFG, USFWS, City of San Luis Obispo	Before any ground-disturbing activities
<p>BIO-9.1: Avoid or Minimize Impacts on Special-Status Plant Species. To avoid or minimize impacts on special-status plant species, the project proponent will do all of the following:</p> <ul style="list-style-type: none"> ■ Whenever possible, set aside as nature preserve areas known to support large populations of special-status plants. ■ Ensure that a qualified botanist conducts surveys for special-status plant species in all portions of the planning area at the appropriate time when the plants are clearly identifiable. The botanist should document and map encountered 	Project proponent	Project proponent	DFG, USFWS, City of San Luis Obispo	Before any ground-disturbing activities

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>populations.</p> <ul style="list-style-type: none"> ■ Avoid or minimize impacts on special-status plant populations to the extent possible. <p>Compensate for the unavoidable loss or disturbance of special-status plant species. Compensation shall be implemented under a mitigation plan developed in conjunction with DFG and USFWS. The requirements for a mitigation plan will depend on the species affected by the project and the extent of impacts on the populations. Mitigation shall be implemented onsite whenever possible. Possible mitigation locations (but not required locations) for Congdon's tarplant include those areas of the Unocal site set aside as Open Space.</p>				
<p>BIO-12.1: Avoid or Minimize Impacts on Non-Listed, Special-Status Wildlife Species. To avoid or minimize impacts on non-listed, special-status wildlife species (Table 3C-5), the project proponent will do all of the following:</p> <ul style="list-style-type: none"> ■ Ensure that a qualified biologist conducts surveys for non-listed special-status wildlife species in all portions of the planning area at the appropriate time for each species. The biologist should document and map encountered individuals. ■ Avoid or minimize impacts on non-listed special-status wildlife populations and individuals to the extent possible. ■ Ensure that a qualified biologist conducts protocol-level surveys for burrowing owls and, if presence is confirmed, develops a mitigation plan following DFG guidelines. ■ Surveys would be conducted at suitable breeding habitat for nesting tricolored blackbirds before construction begins. Surveys would be conducted 2-3 times during the nesting season (April 1-July 15). If nesting tricolored blackbirds are found, the project proponent shall avoid impacts on the species by one of two methods: avoiding construction within 500 feet of an active nesting colony during the nesting season or constructing the interceptor during the nonbreeding season (July 15-March 31). Barrier fencing would be used to establish buffer zones around the active colonies. Removal of suitable breeding habitat should also be minimized through the project design. If nesting habitat is unoccupied, construction in the area could occur at any time; however, removal of suitable breeding habitat should be minimized. 	Project proponent	Project proponent	DFG, USFWS, City of San Luis Obispo	Before any ground-disturbing activities

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> Compensate for the unavoidable loss or disturbance of non-listed special-status wildlife species. Compensation shall be implemented under a mitigation plan developed in conjunction with DFG and USFWS. The requirements for a mitigation plan will depend on the species affected by the project and the extent of impacts on the populations. Mitigation shall be implemented onsite whenever possible. 				
<p>BIO-13.1: Avoid Potential Direct Mortality and Loss of California Red-Legged Frogs.</p> <ul style="list-style-type: none"> Prior to the initial site investigation and subsequent ground disturbing activities, a qualified biologist will instruct all project personnel in worker awareness training, including recognition of California red-legged frogs and their habitat. A qualified biologist will conduct pre-construction surveys within the project area no earlier than 2 days before ground-disturbing activities. No activities shall occur after October 15 or the onset of the rainy season, whichever occurs first, until May 1 except for during periods greater than 72 hours without precipitation. Activities can only resume after site inspection by a qualified biologist. The rainy season is defined as: a frontal system that results in depositing 0.25 inches or more of precipitation in one event. Vehicles to and from the project site will be confined to existing roadways to minimize disturbance of habitat. Prior to movement of a backhoe in the project area, a qualified biologist will make sure the route is clear of California red-legged frogs. If a California red-legged frog is encountered during excavations, or any project activities, activities will cease until the frog is removed and relocated by a USFWS-approved biologist. Any incidental take will be reported to the USFWS immediately by telephone at (916) 414-6600. If suitable wetland habitat is disturbed or removed, the project proponent will restore the suitable habitat back to its original value by covering bare areas with mulch and revegetating all cleared areas with wetland species that are currently found in the project area. 	Project proponent	Project proponent	DFG, USFWS, City of San Luis Obispo	Before any ground-disturbing activities
<p>BIO-14.1: Compensate for Direct and Indirect Impacts on Vernal Pool and</p>	Project	Project	DFG,	Before any

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>Seasonal Wetland Vernal Pool Fairy Shrimp and California Tiger Salamander Habitat. If vernal pool fairy shrimp or tiger salamander habitat is present and cannot be avoided, the project proponent will compensate for direct and indirect effects on the habitat. The project proponent will conduct an onsite visit with USFWS and DFG to determine whether potential vernal pools or seasonal wetlands in the Airport and Margarita areas are suitable fairy shrimp and tiger salamander habitat. If there is no suitable fairy shrimp and tiger salamander habitat, no additional mitigation is needed. If there is suitable habitat, the project proponent can assume that it is occupied and mitigate the loss of habitat, or can retain a qualified biologist to conduct USFWS protocol-level surveys and determine presence or absence. These surveys typically require two seasons of surveys during the winter wet season; therefore, most project proponents assume presence and mitigate the loss of fairy shrimp and tiger salamander habitat. This compensation will be achieved by implementing the following measures, as described in the programmatic agreement between USFWS and the Corps:</p> <ul style="list-style-type: none"> ■ Create suitable fairy shrimp habitat (i.e., vernal pools or other suitable seasonal wetlands) at a 1:1 ratio or other ratio approved by the USFWS. The habitat must be created at a location approved by USFWS. ■ Preserve suitable fairy shrimp habitat at a 2:1 ratio or other ratio approved by the USFWS. The habitat must be preserved at a location approved by USFWS. ■ Before construction starts, the project proponent will obtain authorization from USFWS to take listed fairy shrimp species that would be affected by the project. A biological opinion under the federal ESA may be needed from USFWS before construction begins. <p>This is not intended to limit mitigation should USFWS and the Corps require a different approach.</p>	proponent	proponent	USFWS, City of San Luis Obispo	ground-disturbing activities
<p>BIO-16.1: Conduct Protocol-Level Surveys for Least Bell's Vireo. If the species or appropriate habitat is present, then the project proponent will implement Mitigation Measure BIO-16.2.</p> <p>BIO-16.2: Avoid Potential Direct Mortality and Loss of Least Bell's Vireo. The project proponent will consult with USFWS and DFG and possibly conduct a site visit with these agencies to develop measures to avoid and minimize potential impacts on this species along the stream in the Airport and Margarita areas. If potential impacts on</p>	Project proponent	Project proponent	USFWS, DFG, City of San Luis Obispo	Before any ground-disturbing activities

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>least Bell's vireos can be avoided, no additional mitigation is needed. If potential impacts on the least Bell's vireo cannot be avoided, the project proponent will implement Mitigation Measure BIO-16.3.</p> <p>BIO-16.3: Develop and Implement a Least Bell's Vireo Mitigation Plan. If potential impacts on the least Bell's vireo cannot be avoided along the creeks in the Airport area in the planning area, the project proponent will prepare and implement a mitigation plan and obtain the appropriate federal ESA permits, if necessary. The project proponent will consult with USFWS and DFG to determine whether additional mitigation is needed, and USFWS will assist the project proponent in determining whether incidental take authorization under the federal ESA is needed. The plan will need to include measures that would avoid and minimize impacts on the least Bell's vireo and additional habitat creation, enhancement, and management in the planning area.</p>	Project proponent	Project proponent	DFG, USFWS, City of San Luis Obispo	Before any ground-disturbing activities
<p>BIO-17.1: Avoid Potential Direct Mortality and Loss of Southwestern Pond Turtle. The project proponent will consult with USFWS and DFG and possibly conduct a site visit with these agencies to develop measures to avoid and minimize potential impacts on this species along the stream and wetlands (including ponds) in the Airport and Margarita areas. If potential impacts on the southwestern pond turtle can be avoided, no additional mitigation is needed. If potential impacts on the southwestern pond turtle cannot be avoided, the project proponent will implement Mitigation Measure BIO-17.2.</p> <p>BIO-17.2: Develop and Implement a Southwestern Pond Turtle Mitigation Plan. If potential impacts on the southwestern pond turtle cannot be avoided along the creeks in the Airport area and marsh and other wetlands in the planning area, the project proponent will prepare and implement a mitigation plan and obtain the appropriate federal ESA permits, if necessary. The project proponent will consult with USFWS and DFG to determine whether additional mitigation is needed, and USFWS and the Corps will assist the project proponent in determining whether incidental take authorization under the federal ESA is needed. The plan will need to include measures that would avoid and minimize impacts on the southwestern pond turtle and additional habitat creation, enhancement, and management in the planning area.</p>	Project proponent	Project proponent	DFG, USFWS, City of San Luis Obispo	Before any ground-disturbing activities
<p>T-1.1: Implement Design Features. The following design features will mitigate these secondary impacts to <i>less-than-significant</i> at widened intersections:</p>	Project proponent	Project proponent	City of San Luis Obispo	Upon construction of

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> ■ On approaches to intersections where exclusive right-turn lanes are recommended and Class II bikeways are proposed, the design of the intersection shall provide bike lanes (1.2 meters in width) for through travel along the left edge of the right-turn lane. ■ At intersection approaches where pedestrian crossing distance exceeds six travel lanes (22 meters), the intersection design shall include an Americans with Disabilities Act (ADA) compliant median refuge island (raised concrete) with pushbutton to activate the pedestrian signal. The minimum width of the median refuge shall be 1.2 meters if integral with a raised median along the entire length of the street, or 1.8 meters wide by 6 meters long if an isolated median refuge. Exceptions for this measure include locations where existing right-of-way constraints make it infeasible to widen the street for the refuge. ■ All signalized intersections shall be designed with pedestrian signal heads and pushbutton activation. ■ Intersections with exclusive right-turn lanes shall be designed to reduce the speed of right-turning vehicles and reduce the pedestrian crossing distance. The curb return radius should be 15 meters or less. Raised pedestrian refuges (porkchop islands) may be installed between exclusive right-turn lanes and through lanes on streets with crossings that exceed 22 meters, but the approach angle of the right turn shall be designed to minimize turning speed. 			Obispo	intersection widenings associated with the Specific Plans
<p>T-1.2: Install New Signalized Intersection for Aero Drive and Broad Street. To mitigate significant effects on this intersection, a new signalized intersection shall be installed on Broad Street south of Aero Drive, as identified in the Airport Master Plan. With this mitigation measure, the impact will be reduced to a <i>less-than-significant</i> level.</p>	Project proponent fees, assessments and dedications	County, Caltrans	County, Caltrans	When average intersection delay of unsignalized intersection exceeds 38 seconds per vehicle, and signal is warranted based on standard Caltrans

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>AIR-1.1: Implement Construction-Related Combustion Emissions Mitigation. NO_x emissions will be the controlling factor in determining the application of control strategies for construction-related, combustion-related emissions. Any project requiring grading of >1,950 cubic yards/day or >50,000 cubic yards within a 3-month period will need to apply Best Available Control Technology for construction equipment combustion controls. Projects requiring >125,000 cubic yards of grading in a 3-month period will need to apply CBACT plus offsets and/or other mitigation. Examples of CBACT can be found in the San Luis Obispo APCD CEQA Air Quality Handbook. If impacts are still significant after application of CBACT, the following additional measures shall be implemented as necessary:</p> <ul style="list-style-type: none"> ■ use Caterpillar pre-chamber diesel engines (or equivalent), properly maintained and operated to reduce emissions of NO_x; ■ use electrically powered equipment where feasible; ■ maintain equipment in tune per manufacturer's specifications, except as otherwise required above; ■ install catalytic converters on gasoline-powered equipment; ■ substitute gasoline-powered equipment for diesel-powered equipment, where feasible; ■ implement activity management techniques as described below; and ■ use compressed natural gas- or propane-powered portable equipment (e.g., compressors, generators, etc.) onsite instead of diesel-powered equipment, where feasible. 	Project proponent	Project proponent	City of San Luis Obispo; San Luis Obispo APCD	During construction warrants
<p>AIR-1.2: Implement Construction-Related Fugitive Dust (PM10) Mitigation. Any project with a grading area greater than 1.6 hectares (4.0 acres) of continuously worked area will exceed the 2.5 ton PM10 quarterly threshold and will require the following mitigation measures where applicable. Proper implementation of these measures shall be assumed to achieve a 50% reduction in fugitive dust emissions. The use of soil binders on completed cut-and-fill areas has the potential to reduce fugitive dust emissions by 80%.</p>	Project proponent	Project proponent	City of San Luis Obispo; San Luis Obispo APCD	During construction

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> ■ Reduce the amount of the disturbed area where possible. ■ Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site; increased watering frequency would be required whenever wind speeds exceed 15 miles per hour (mph) ; reclaimed (nonpotable) water should be used whenever possible. ■ Spray all dirt stockpile areas daily as needed. ■ Implement permanent dust control measures identified in the approved project revegetation and landscape plans as soon as possible following completion of any soil-disturbing activities. ■ Sow exposed ground areas that are planned to be reworked at dates occurring 1 month after initial grading with a quickly germinating native grass seed and water until vegetation is established. ■ Stabilize all disturbed soil areas that are not subject to revegetation using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD. ■ Complete paving of all roadways, driveways, sidewalks, etc. that are to be paved as soon as possible; lay building pads as soon as possible after grading unless seeding or soil binders are used. ■ Limit vehicle speeds for all construction vehicles to a maximum of 15 mph on any unpaved surface at the construction site. ■ Cover all trucks hauling dirt, sand, soil, or other loose materials or maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114; this measure has the potential to reduce PM10 emissions by 7-14%. ■ Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site; this measure has the potential to reduce PM10 emissions by 40-70%. ■ Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads; water sweepers with reclaimed water should be used where feasible; this measure has the potential to reduce PM10 emissions by 25- 				

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>60%.</p> <p>All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading of the structure.</p>				
<p>AIR-1.3: Implement Construction-Related Activity Management Techniques.</p> <ul style="list-style-type: none"> ■ Develop a comprehensive construction activity management plan designed to minimize the amount of large construction equipment operating during any given time period. ■ Schedule construction truck trips during non-peak hours to reduce peak hour emissions. ■ Limit the length of the construction work-day period, if necessary. ■ Phase construction activities, if appropriate. 	Project proponent	Project proponent	City of San Luis Obispo	During construction
<p>AIR-2.1: Implement Growth-Phasing Schedule. The City will implement a growth-phasing schedule for the Airport area, to assure that nonresidential development in the urban area does not exceed the pace of residential development.</p>	City of San Luis Obispo	City of San Luis Obispo	City of San Luis Obispo	During implementation of the Airport Area Specific Plan
<p>Noise Mitigation: To mitigate noise impacts, the City will implement its Noise Element Policies, summarized below.</p> <ul style="list-style-type: none"> ■ City Policy N 1.2.11. This policy stipulates that the City will require developers to implement noise mitigation measures listed in the noise element. The noise element identifies some mitigation measures as more desirable than others and requires that developers implement the most desirable measures first, or show that they are impractical. ■ City Policy N 1.2.12. This policy outlines measures for mitigating noise sources: using existing features to shield receptors; limiting the hours of operation, and providing noise-blocking features. 	Project proponent	Project proponent	City of San Luis Obispo	During construction

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> ■ City Policy N 1.2.13. This policy outlines individual and combined measures for mitigating outdoor noise exposure: putting distance between noise sources and receivers, using earthen berms, using soundwalls, and creating barriers by combining berms, soundwalls, and other structures. 				
<ul style="list-style-type: none"> ■ City Policy N 1.2.14. This policy outlines measures for mitigating indoor noise exposure, including the installation of air conditioning or ventilation, when necessary. 				
<ul style="list-style-type: none"> ■ City Policy N 1.2.15. This policy provides guidance on the use of soundwalls: soundwalls should be used only if other measures are not effective and should be integrated with the aesthetic environment. This policy specifies that, in the Margarita Area, dwellings should be set back from highways, arterials, and collector streets to eliminate the need for soundwalls. 				
<ul style="list-style-type: none"> ■ City Policy N 1.2.16. This policy provides guidance on how the City can address existing and cumulative noise impacts. Measures include rerouting traffic and reducing traffic speeds, constructing noise barriers, retrofitting buildings, and supporting programs to provide mitigation. 				
<ul style="list-style-type: none"> ■ City Policy N 1.2.17. This policy instructs the City to approve increases in residential fence heights for noise mitigation purposes, as long as the fences are aesthetically integrated into the neighborhood. 				
<p>In addition to the above policies, the Noise Element identifies programs to ensure that noise impacts are evaluated and that development complies with noise standards. These programs are summarized below.</p>				
<ul style="list-style-type: none"> ■ Program N 1.3.1. This program requires the Community Development Department to review new development proposals and ensure their consistency with the Noise Element. 				
<ul style="list-style-type: none"> ■ Program N 1.3.2. This program requires developers to prepare and submit a noise study if project noise may exceed acceptable levels. 				
<ul style="list-style-type: none"> ■ Programs N 1.3.3 and N 1.3.4. These programs require the City to ensure that noise mitigation measures, including those specified in State Building Code Chapter 35 and Title 24 of the CCR, are implemented during project construction and/or after construction is complete, as appropriate. 				

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> ■ Program N 1.3.5. This program requires the City to enforce California Vehicle Code restrictions on noise from exhaust systems and sound amplification systems. ■ Program N 1.3.6. This program directs the City to pursue alternatives to noisy equipment, such as leaf blowers, and to purchase equipment and vehicles only if they incorporate the best available noise reduction technology. ■ Programs N 1.3.7 and 1.3.8. These programs direct the City to review and update the Noise Element if needed to ensure that it is consistent with other policies, and to make the Noise Guidebook available to anyone involved in project design and review. 				
<p>HAZ-1.1: Implement a Construction-Related Hazardous Materials Management Plan. Before beginning construction activities, a project proponent will submit a hazardous materials management plan for construction activities that involve hazardous materials. The plan will discuss proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. The plan will also outline a specific protocol to identify health risks associated with the presence of chemical compounds in the soil and/or groundwater and identify specific protective measures to be followed by the workers entering the work area. If the presence of hazardous materials is suspected or encountered during construction-related activities, the project proponent will implement Mitigation Measure HAZ-1.2.</p>	Project proponent	Project proponent	DTSC, RWQCB, and the City of San Luis Obispo	Before construction activities
<p>HAZ-1.2: Conduct Phase I and Possibly Phase II Environmental Site Assessments to Determine Soil or Groundwater Contamination. The project proponent will complete a Phase I environmental site assessment for each proposed public facility (e.g., streets and buried infrastructure). If Phase I site assessments indicate a potential for soil and/or groundwater contamination within or adjacent to the road or utility alignments, a Phase II site-assessment will be completed. The following Phase II environmental site assessments will be prepared specific to soil and/or groundwater contamination.</p> <ul style="list-style-type: none"> ■ Soil Contamination. For soil contamination, the Phase II site assessment will include soil sampling and analysis for anticipated contaminating substances. If soil contamination is exposed during construction, the San Luis Obispo Fire Department (SLOFD) will be notified and a workplan to characterize and possibly remove contaminated soil will be prepared, submitted, and approved. 	Project proponent	Project proponent	City of San Luis Obispo and/or Central Coast RWQCB	Before any ground-disturbing activities

Table 1. Continued

Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<p>■ Groundwater Contamination. For groundwater contamination, the Phase II assessment may include monitoring well installation, groundwater sampling, and analysis for anticipated contaminating substances. If groundwater contaminated by potentially hazardous materials is expected to be extracted during dewatering, the SLOFD and the Central Coast RWQCB will be notified. A contingency plan to dispose of contaminated groundwater will be developed in agreement with the SLOFD and Central Coast RWQCB before activities.</p>				
<p>■ HAZ-2.1: Implement an Operations-Related Hazardous Materials Management Plan. The project proponent will ensure that a hazardous materials management plan for operations-related activities is established and addresses the delivery, use, manufacture, and storage of various chemicals. The plan will identify the proper handling and disposal of materials used or produced onsite, such as petroleum products, concrete, and sanitary waste. In addition, the SLOFD will conduct routine fire and life-safety inspections to determine compliance with applicable health and safety codes.</p>	Project proponent	Project proponent	City of San Luis Obispo	Before the City approves a specific site's development plan
<p>■ CR-1.1: Protect Known and/or Unknown Cultural Resources. The City will ensure that the project proponent implements the following measures before and during development of specific projects proposed under the Airport Area and Margarita Area Specific Plans and the related facility master plans. Specific measures include the following:</p> <ul style="list-style-type: none"> ■ Conduct Surveys of Unsurveyed Areas. Before implementing project activities, pedestrian surveys will be conducted to locate and record cultural resources. ■ Evaluate Resources within the Project Areas. Resources in the planning areas that cannot be avoided will be evaluated. Additional research and test excavations, where appropriate, will be undertaken to determine whether the resource(s) meets CEQA or NRHP significance criteria. Impacts on significant resources that cannot be avoided will be mitigated in consultation with the lead agency for the project. Possible mitigation measures include: <ul style="list-style-type: none"> - a data recovery program consisting of archaeological excavation to retrieve the important data from archaeological sites; - development and implementation of public interpretation plans for both prehistoric and historic sites; 	Project proponent	Project proponent	City of San Luis Obispo	Before and during construction

Table 1. Continued

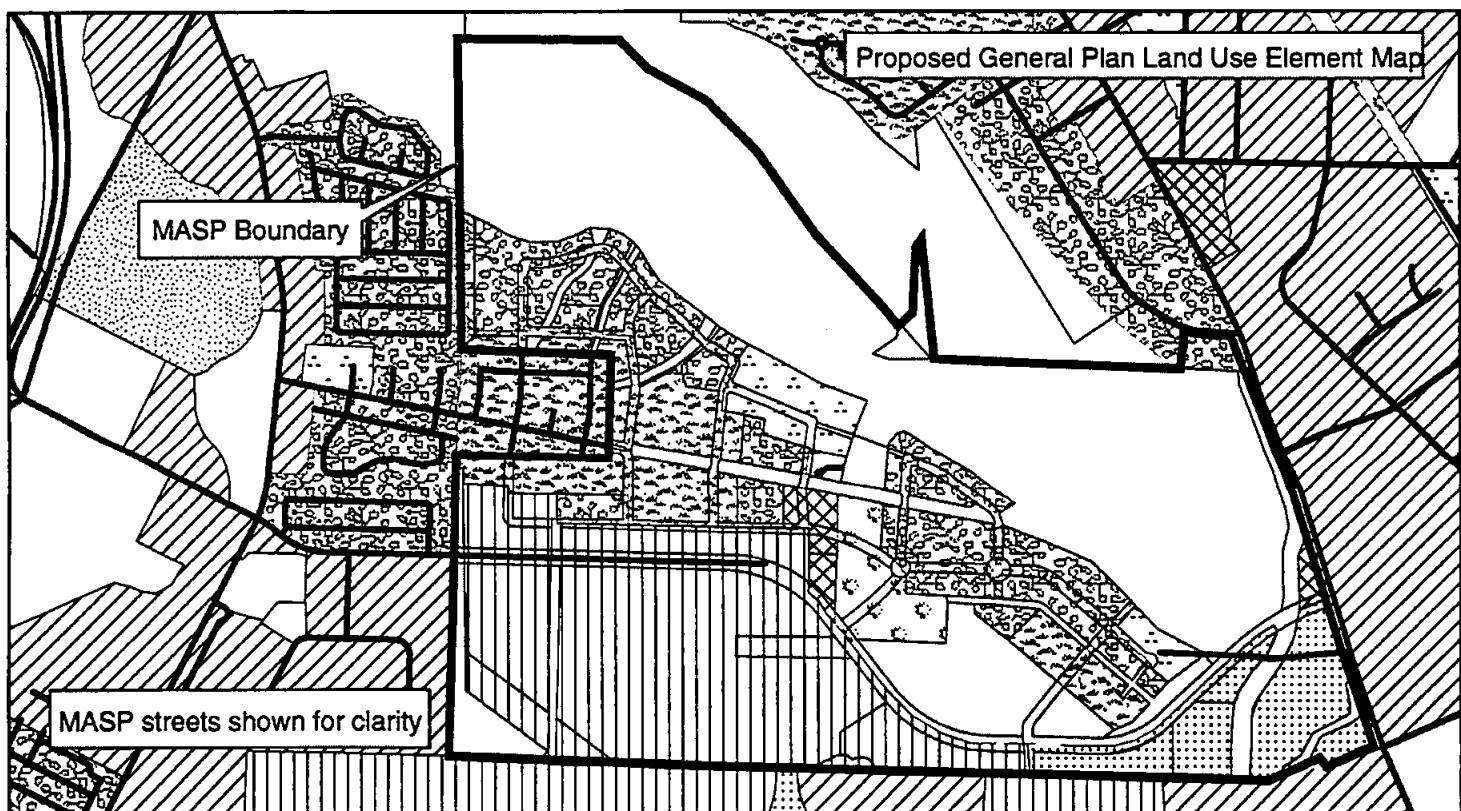
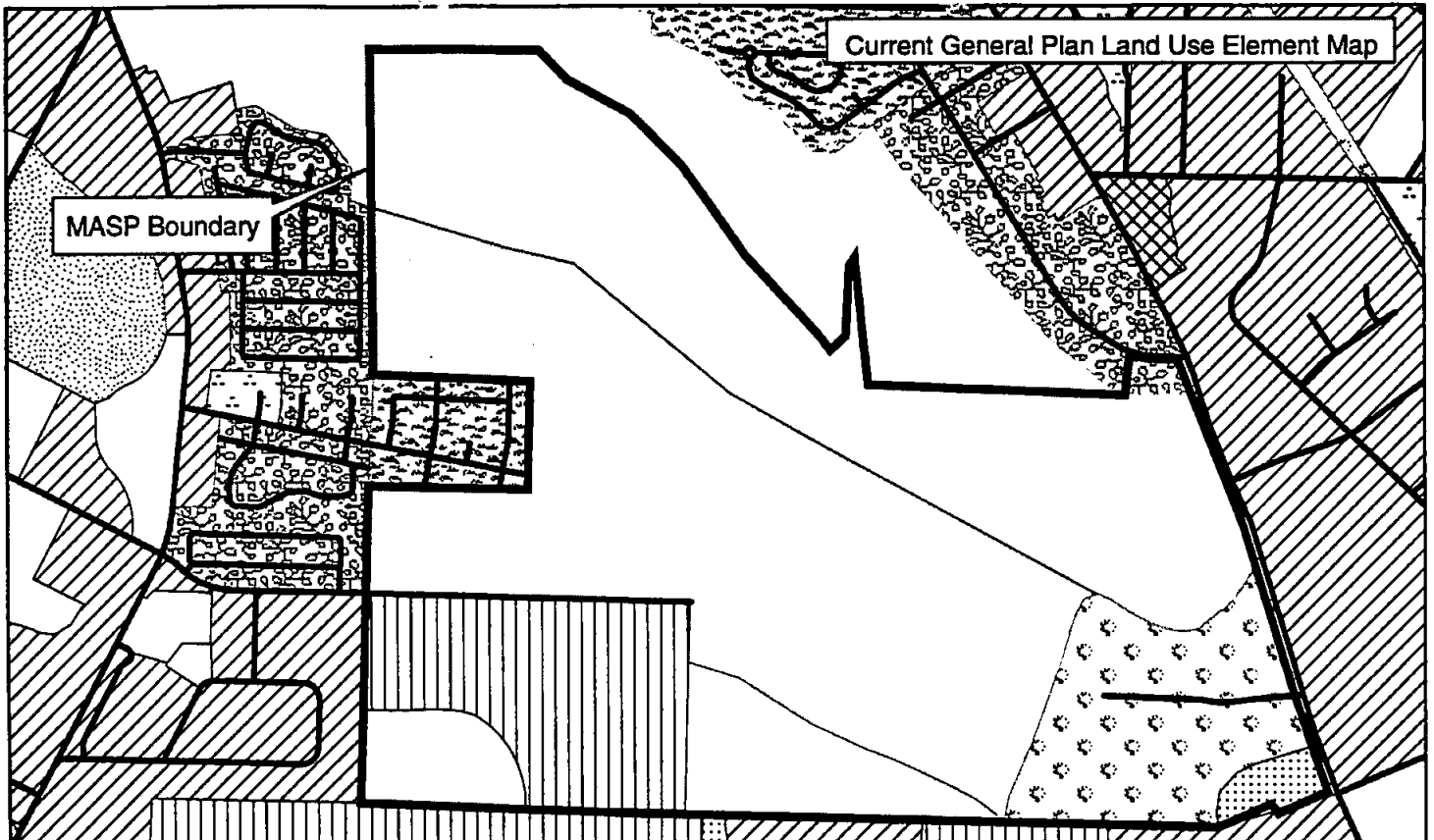
Mitigation Measure	Funding Source	Implementing Party	Monitoring Agency	Timing
<ul style="list-style-type: none"> - preservation, rehabilitation, restoration, or reconstruction of historic structures according to the Secretary of Interior Standards for Treatment of Historic Properties; - construction of new structures in a manner consistent with the historic character of the region; and - treatment of historic landscapes according to the Secretary of Interior Standards for Treatment of Historic Landscapes. 				
<p>If the project involves a federal agency, and is therefore subject to an MOA, the inventory, evaluation, and treatment processes will be coordinated with that federal agency to ensure that the work conducted will also comply with Section 106 of the NHPA.</p>				

**MARGARITA AREA SPECIFIC PLAN
A TRANSIT-ORIENTED DEVELOPMENT**

October 2004

**Full Version of the Specific Plan Available in
City of San Luis Obispo
Community Development Department**

EXHIBIT C



Legend

- | | | |
|--------------------|---------------------------------|--------------------------|
| Open Space | Low Density Residential | Residential Neighborhood |
| Interim Open Space | Medium Density Residential | Neighborhood Commercial |
| Park | Medium-high Density Residential | Business Park |
| Recreation | High Density Residential | Services & Manufacturing |