INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

For ER # EID-0267-2019

1. Project Title:

281 Broad Street Parcel Division

2. Lead Agency Name and Address:

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

3. Contact Person and Phone Number:

Kyle Bell, Associate Planner

(805) 781-7524

4. Project Location:

281 Broad Street (APN 001-091-016), San Luis Obispo, CA

5. Project Sponsor's Name and Address:

John Rourke

6. General Plan Designations:

Low Density Residential (7 d.u./acre), Open Space

7. Zoning:

Low-Density Residential (R-1), Conservation/Open Space (C/OS)

8. Description of the Project:

The project includes division of a 6.42-acre low-density residential parcel, of which 3.16 acres is dedicated as Conservation/Open Space (C/OS), into three parcels, 4.1 acres (Parcel 1), 1.30 acres (Parcel 2), and 1.03 acres (Parcel 3) in size. With the exception of Parcel 1, which would have two zoning designations (R-1 and C/OS), each parcel would have a low-density residential zoning designation (R-1). Approximately 3.16 acres of Parcel 1 would remain designated C/OS, and the remaining 0.94 acre would be designated R-1. Parcel 2 currently contains an existing single-family dwelling as well as an existing accessory dwelling unit (ADU) and garage. For the purposes of this evaluation, it is assumed that no future development or additional uses would occur on Parcel 2. Although no development is proposed as part of the project, for purposes of this document, it is assumed that Parcel 3 would ultimately be developed with new driveways off the existing asphalt access road on-site and a single-family dwelling, similar to other adjacent uses. Parcel 1 does not provide any development opportunity as developable area of the lot is beyond the Urban Reserve Line. Following the subdivision of the property, the project also includes widening the existing asphalt access road on-site to 30 feet, removing/abandoning the existing water and sewer lines serving the existing residence, and installing new water and sewer lines to service the existing and future

residence locations. Project development activities and probable future development of residential dwellings would result in approximately 609 cubic yards of cut material and 75 cubic yards of fill material, the majority of which would be balanced on-site.

The subject parcel is located at the base of Cerro San Luis on the west side of the City of San Luis Obispo (City). Topography of the site consists of a moderate slope upwards from the east side of the property to the west. Natural vegetation is composed of a mosaic of coastal valley grassland and coast live oak woodland. Future buildout of the new driveway and residence would likely result in the removal of several oak trees.

While no specific development proposal has been identified for the site, based on the underlying zoning and proposed parcel sizes, this analysis assumes that future development would consist of residential development. Such development would be subject to development standards identified in the City Municipal Code Chapter 17.16 Low-Density Residential (R-1) Development Standards, which identify minimum property line setback distances, building height and floor area ratio, and lot coverage. The future proposed residential units would also be subject to the City's Community Design Guidelines, which are intended to provide for residential and infill projects of high architectural quality that are compatible with existing development.

9. Project Entitlements:

Minor Subdivision

10. Surrounding Land Uses and Settings:

The property is surrounded to the north, east, and south by single-family residential development, and to the west with open space and recreational trails associated with Cerro San Luis.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Native American Tribes were notified about the project consistent with City and State regulations including, but not limited to, Assembly Bill 52. A representative from the Salinan tribe requested to be notified in the event of unanticipated discoveries, and this measure has been included as a mitigation requirement (refer to Section 18. Tribal Cultural Resources and Section 5 Cultural Resources).

12. Other public agencies whose approval is required:

N/A

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐	Aesthetics	☐	Greenhouse Gas Emissions	☐	Public Services
☐	Agriculture and Forestry Resources	☐	Hazards and Hazardous Materials	☐	Recreation
☒	Air Quality	☐	Hydrology and Water Quality	☐	Transportation
☒	Biological Resources	☐	Land Use and Planning	☒	Tribal Cultural Resources
☒	Cultural Resources	☐	Mineral Resources	☐	Utilities and Service Systems
☐	Energy	☒	Noise	☐	Wildfire
☒	Geology and Soils	☐	Population and Housing	☒	Mandatory Findings of Significance

FISH AND WILDLIFE FEES

☐	The California Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
☒	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Wildlife for review and comment.

STATE CLEARINGHOUSE

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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

TCorey
Signature

September 16, 2020
Date

Tyler Corey
Printed Name

For: Michael Codron,
Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact' is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).

5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

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

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

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. The explanation of each issue should identify:

    a) the significance criteria or threshold, if any, used to evaluate each question; and

    b) the mitigation measure identified, if any, to reduce the impact to less than significance

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	1, 2	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1, 4	☐	☐	☒	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	1, 3, 4	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 5	☐	☐	☒	☐

Evaluation

The topography of the City is generally defined by several low hills and ridges, such as Righetti Hill, Bishop Peak, and Cerro San Luis—three of the nine peaks known as the Morros—which provide scenic focal points for much of the City. The project vicinity exhibits intermittent views of nearby natural landmarks, including Cerro San Luis.

The City General Plan Conservation and Open Space Element (COSE) identifies specific goals and policies intended to protect and enhance the City's visual quality and character. Policies in the COSE include, but are not limited to, promoting the creation of "streetscapes" and linear scenic parkways during construction or modification of major roadways, designing new development to be consistent with the surrounding architectural context, and preserving natural and agricultural landscapes. Based on the COSE map of scenic roadways and vistas, the project site is not located along roadways considered to be of moderate or high scenic value or within the cone of view of a scenic roadway.

The project site is located within an urbanized residential neighborhood located at the eastern base of Cerro San Luis. Public views of Cerro San Luis from viewers travelling along Broad Street at this location are heavily screened by existing vegetation and topography.

a) A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the proposed project would significantly degrade the scenic landscape as viewed from public roads or other public areas. The project is located in an urbanized area with intermittent views of Cerro San Luis. Public views of Cerro San Luis from viewers travelling along Broad Street at this location are heavily screened by existing vegetation and topography. Based on the City's COSE map of scenic roadways and vistas, the project site is not located along roadways considered to be of moderate or high scenic value or within the cone of view of a scenic roadway. Therefore, the project is not located within a scenic vista and potential impacts would be *less than significant*.

b) The project site is located approximately 0.25-mile northwest of U.S. Highway 101 (US 101). Based on the California Department of Transportation (Caltrans) California Scenic Highways online mapping tool, this section of the US 101 is eligible for state scenic highway designation but is not officially designated. The project site would not be visible to viewers travelling along US 101 due to existing development, vegetation, and topography. Based on the City's COSE map of scenic roadways and vistas, the project site is not located along roadways considered to be of moderate or high

scenic value or within the cone of view of a scenic roadway. Therefore, the project would not result in substantial damage to scenic resources within a state or local scenic highway and impacts would be *less than significant.*

c) The proposed land division would occur within an urbanized residential area and is considered an infill development project. Implementation of the project may result in the removal of two oak trees from the project site; while removal of these trees would result in a visual change, the effect would not be significant because the applicant proposes to retain all other existing trees on-site, which would be consistent with the surrounding urban forest canopy present within the neighborhood. Proposed tree removal on-site would be required to comply with the City's Tree Ordinance, which establishes requirements for compensatory planting and preservation requirements for retaining native trees.

While no specific development proposal has been identified for the site, based on the underlying zoning and proposed parcel sizes, this analysis assumes that future development would consist of residential development. Such development would be subject to development standards identified in the City Municipal Code Chapter 17.16 Low-Density Residential (R-1) Development Standards, which identify minimum property line setback distances, building height and floor area ratio, and lot coverage. The future proposed residential unit would also be subject to the City's Community Design Guidelines, which are intended to provide for residential and infill projects of high architectural quality that are compatible with existing development. Therefore, potential impacts associated with conflict with applicable zoning and other regulations governing scenic quality would be *less than significant.*

d) While the parcel subdivision itself would not result in the creation of additional light or glare, future development would be subject to Night Sky Preservation standards set forth in the City Municipal Code, which would require the future residential development to minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary. Therefore, based on compliance with existing regulations and guidelines, potential impacts associated with future development of the project site related to visual character, quality of the site and its surroundings, light, and glare would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

The project is not located within a scenic vista or within the viewshed of a designated scenic highway. The project would be subject to applicable standards set forth in the City's Community Design Guidelines and Zoning Regulations prior to finalizing design plans. No potentially significant impacts associated with aesthetic resources would occur and no mitigation measures are necessary.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	6	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	2	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	2, 7	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	2 ,7	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	2, 6, 7	☐	☐	☐	☒

Evaluation

The California Department of Conservation (DOC) classifies and maps agricultural lands in the state in the Farmland Mapping and Monitoring Program (FMMP). The FMMP identifies five farmland categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Farmland of Local Potential. The project site is designated as Urban and Built-Up Land by the FMMP (source reference 8).

According to California Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

a) The project site is designated as Urban and Built-Up Land by the FMMP. The proposed project site is not in agricultural use and is not located on lands designated Farmland by the FMMP. Therefore, the project would not result in the conversion of Farmland to non-agricultural use and *no impacts would occur*.

b) The project site does not include land use designations or zoning for agricultural uses and is not located within or immediately adjacent to land under an active Williamson Act Contract. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur*.

c-d) The western portion of the project property supports oak woodland. Following the proposed lot subdivision, future development of residential uses on Parcel 3 would have the potential to remove two noncontiguous oak trees, but would not result in impacts to the contiguous oak woodland canopy on the western portion of the site, which would remain under C/OS zoning. The project site does not include land use designations or zoning for forest land or timberland. Therefore, the project would not conflict with zoning for, result in the loss of, or result in the conversion of forest land, timberland, or timberland zoned Timberland Production and impacts would be *less than significant*.

e) The project includes the subdivision of a residentially zoned parcel and therefore would not result in substantial changes in the environment that could result in conversion of nearby agricultural land. Therefore, the project would not result in changes in the existing environment that could result in conversion of forest land to non-forest use and *no impacts would occur*.

Mitigation Measures

None necessary.

Conclusion

The project site is located in an urbanized area and is not within or adjacent to Prime Farmland, land zoned for agricultural or forest land use, or land under a Williamson Act Contract. Potential impacts would be less than significant to agriculture or forest land, and no mitigation is necessary.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	10, 11, 12	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	8, 10	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	10	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	1, 9	☐	☒	☐	☐

Evaluation

The City is located within the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions, including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (CARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD).

San Luis Obispo County is currently designated as partial nonattainment for federal ambient standards for ground-level ozone, nonattainment for the state standards for ground-level ozone, and nonattainment for the state standards for particulate matter 10 micrometers or less in diameter (PM_{10}) (source reference 8). The City COSE identifies goals and policies to achieve and maintain air quality that supports health and enjoyment for those who live, work, and visit the city. These goals and policies include

meeting state and federal air quality standards, reducing dependency on gasoline- or diesel-powered motor vehicles, and encouraging walking, biking, and public transit use.

The SLOAPCD has developed a CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to evaluate project-specific impacts and determine if potentially significant impacts could result from a project. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, the SLOAPCD adopted a Clean Air Plan (CAP) in 2001.

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. The CARB has identified the following groups who are most likely to be affected by air pollution (i.e., sensitive receptors): children under 14, the elderly over 65 years of age, athletes, and people with cardiovascular and chronic respiratory diseases. The project site is located within 1,000 feet of multiple sensitive receptors, including residential dwelling units within 50 feet of the parcel boundaries and surrounding residential neighborhoods.

Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the CARB. Any ground disturbance proposed in an area identified as having the potential to contain NOA must comply with the CARB Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations [CCR] Section 93105). The SLOAPCD Naturally Occurring Asbestos Map indicates that the project site is located within an area identified as having a potential for NOA to occur (source reference 9).

a) In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP (source reference 10). The proposed project would be consistent with the general level of development anticipated and projected in the CAP. The project would also be consistent with the CAP's land use and circulation management strategies because it consists of an infill project within an urbanized area proximate to public transit stops and bicycle routes. Therefore, potential impacts would be *less than significant.*

b) San Luis Obispo County is currently designated as non-attainment for ozone and PM_{10} under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG), nitrogen oxides (NO_x), and fugitive dust emissions (PM_{10}). In operation, the project would result in emissions of ozone precursors associated with mobile source emissions and other uses.

Construction Emissions

For the purposes of this document, the reasonable worse-case scenario for site disturbance and earthwork on-site would include disturbance of the entire residentially-zoned areas of Lot 1 and Lot 3, as well as 0.3 acre of Lot 2 for accompanying utility and roadway improvements. Lot 1 would include 0.94 acre of R-1 zoned area (the remaining 3.16 acres would remain in Conservation/Open Space and would not be developed). All of Lot 3 (1.03 acres) would remain zoned for residential uses. Therefore, the reasonable worst-case scenario for ground disturbance would be a total of 2.27 acres. Based on Table 2-1 of the SLOAPCD's CEQA Air Quality Handbook, any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM_{10} quarterly threshold. Since a maximum amount of 2.27 acres would be graded for development on all three lots; the project would not exceed the APCD quarterly threshold for PM_{10}.

Based on the probable future development of residential dwellings on Lot 1 and Lot 3, estimated earthwork would include 172 cubic yards of cut and 20 cubic yards of fill on Lot 1, 10 cubic yards of cut and 10 cubic yards of fill on Lot 2, and 427 cubic yards of cut and 45 cubic yards of fill on Lot 3. For the purposes of this document, the reasonable worst-case scenario for ground-disturbing construction-related emissions would include a total of 684 cubic yards of earthwork. This would result in the generation of construction dust as well as short-term construction vehicle emissions within 1,000 feet of existing residential uses (sensitive receptors), including diesel particulate matter (DPM), ROGs, NO_x, and particulate matter (PM).

Based on the screening emission rates for construction operations in the SLOAPCD's CEQA Air Quality Handbook, estimated project construction emissions have been provided in Table 1 below.

Table 1. Project Construction Emissions

Criteria Pollutant	Total Project Emissions	APCD Daily Threshold	Exceeds Threshold?	APCD Quarterly Tier 1 Threshold	Exceeds Threshold?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x)	77.85 lbs	137 lbs/day	No	2.5 tons	No
Diesel Particulate Matter (DPM)	3.18 lbs	7 lbs/day	No	0.13 tons	No
Fugitive Particulate Matter (PM_{10})	< 4 acres	--	--	2.5 tons	No

Based on the preliminary estimated construction emissions shown in Table 1, the project would not have the potential to exceed the SLOAPCD quarterly threshold for fugitive ozone precursors, DPM, or fugitive dust.

Based on correspondence with the project civil engineer, the majority of earthwork associated with future development of residential uses on the site would be balanced on-site. However, future development may require earthwork materials to be imported on-site or exported off-site and would have the potential to result in additional criteria air pollutant emissions on- and off-site. Trucks hauling materials to and from the project site, and diesel construction vehicles used onsite, would be subject to the diesel idling restrictions and regular maintenance checks detailed in mitigation measure AQ-1. In addition, mitigation measure AQ-2 includes a provision that requires all trucks hauling dirt, sand, soil, or other loose materials to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114. Based on the scope of project and future development activities and the assumption that the majority of earthwork materials would be balanced on-site, these measures would effectively reduce air pollutant emissions related to cut and fill haul trips and would not result in the project's exceedance of SLOAPCD thresholds. Therefore, potential construction-related impacts would be *less than significant with mitigation*.

Operational Impacts

Implementation of the proposed project would result in a marginal increase in vehicle trips, electricity use, and architectural coating off-gassing that would generate criteria pollutant emissions. Based on Table 1-1 of the SLOAPCD's CEQA Handbook, the size of a single-family residential project expected to exceed SLOAPCD's operational greenhouse gas (GHG) emissions Brightline Threshold would be a project including 76 dwelling units, and the size of a single-family residential project expected to exceed the SLOAPCD operational threshold for ozone precursors would be a project including 128 dwelling units. Based on allowable and anticipated uses within the project site, the project would not have the potential to exceed any of the operational thresholds established by the SLOAPCD for GHG or ozone precursor emissions (refer also to Section 8, Greenhouse Gas Emissions).

Therefore, potential impacts associated with project-related or a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment would be *less than significant with mitigation*.

c) The project site is located within 1,000 feet of multiple sensitive receptors, including single-family residential units to the north, east, and south of the project site. Future development of new residential uses on-site would result in temporary construction vehicle emissions and fugitive dust that may affect surrounding sensitive receptors. Mitigation Measures AQ-1 and AQ-2 have been identified to reduce exposure of sensitive receptors to adverse fugitive dust and construction vehicle emissions; therefore, impacts would be *less than significant with mitigation.*

d) Project development activities, such as building construction, utility trenching, and installation, would generate odors associated with equipment exhaust and fumes. The proposed activities would not differ significantly from those resulting from any other type of construction project. Any effects would be short term in nature and limited to the construction phase of the proposed project.

The SLOAPCD Naturally Occurring Asbestos Map indicates that the project site is located within an area identified as having a potential for NOA to occur. The project would include trenching and installation of new water and wastewater service pipelines to the existing residence and proposed residence location on-site. Pursuant to SLOAPCD requirements

and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105), the applicant is required to provide geologic evaluation prior to any ground-disturbing activities and comply with existing regulations regarding NOA, if present. Mitigation Measures AQ-3 and AQ-4 have been identified to require the applicant to complete a geologic evaluation and follow all applicable protocol and procedures if NOA is determined to be present on-site.

The project includes widening the existing asphalt access road on-site to 30 feet and removing/abandoning the existing water and sewer lines serving the existing residence. The existing infrastructure located on-site (e.g., utility lines, pipelines, the existing asphalt driveway) may have the potential to include asbestos containing materials (ACM) and/or lead-based paint. Demolition or temporary disturbance of these facilities may have the potential to result in harmful asbestos or lead emissions. Mitigation measures AQ-5 has been identified to require full compliance with applicable regulatory requirements for removal and disposal of these toxic contaminants if present on-site, including notification of the SLOAPCD prior to disturbance of these project components. Based on compliance with identified mitigation and existing regulations, potential impacts associated with other emissions would be *less than significant with mitigation.*

Mitigation Measures

AQ-1 Prior to issuance of grading, demolition, and construction permits for any future development at the project site, the following measures shall be shown on proposed plans. To reduce the sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project and export soil from the site, the applicant shall implement the following idling control techniques:

a. California Diesel Idling Regulations

1. On-road diesel vehicles shall comply with 13 CCR 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

   i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and

   ii. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

2. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the CARB's In-Use Off-Road Diesel regulation.

3. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.

a. Diesel Idling Restrictions Near Sensitive Receptors (residential homes). In addition to the state-required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.

2. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.

3. Use of alternative fueled equipment is recommended.

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

5. Soil and Material Transport. The final volume of soil and material that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day, will need to be identified for the SLOAPCD. Specific standards and conditions will apply.

AQ-2 During construction/ground-disturbing activities of any potential future development on-site, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on grading and building plans prior to issuance of grading, demolition, and construction permits. In addition, the contractor shall designate a

person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, and prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the City Community Development and Public Works Departments prior to commencement of construction.

a. Reduce the amount of disturbed area where possible.

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a SLOAPCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions: http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm.

c. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.

e. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.

f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.

g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.

i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. "Track Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

l. All PM_{10} mitigation measures required should be shown on grading and building plans.

m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the SLOAPCD's limit of 20% opacity for

greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.

AQ-3 Prior to initiation of ground-disturbing activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb ACM, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 If ACM are determined to be present on-site, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding ACM, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;

b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and

c. Implementation of applicable removal and disposal protocol and requirements for identified ACM.

AQ-5 Prior to initiation of demolition/construction activities, the applicant shall implement the following measures to reduce the risk associated with disturbance of ACM and lead-coated materials that may be present within the existing infrastructure onsite:

a. Disturbance of existing built components shall comply with the procedures required by the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos) for the control of asbestos emissions during demolition activities. SLOAPCD is the delegated authority by the U.S. EPA to implement the Federal Asbestos NESHAP. Prior to disturbance of existing infrastructure, SLOAPCD shall be notified, per NESHAP requirements. The project applicant shall submit proof that SLOAPCD has been notified prior to disturbance of any facilities with the potential to contain ACM or lead to the City Community Development Department.

b. If during construction activities, paint is separated from existing infrastructure (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified hazardous materials inspector to determine proper management. All hazardous materials shall be handled and disposed of in accordance with local, state, and federal regulations. If required, all lead work plans shall be submitted to SLOAPCD at least 10 days prior to the start of demolition. The applicant shall submit proof that paint waste has been evaluated by a qualified hazardous waste materials inspector and handled according to their recommendation to the City Community Development Department.

Conclusion

With implementation of Mitigation Measures AQ-1 through AQ-5, residual impacts associated with air quality would be less than significant with mitigation.

4. BIOLOGICAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	14	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	14, 15	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	14	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1, 2, 14	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	1, 2, 13, 14	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	1, 2, 13, 14	☐	☐	☒	☐

Evaluation

The project site consists of a 6.42-acre lot located on the west side of the City, upslope side of Broad Street on the flank of Cerro San Luis. The property is partially developed with an existing single-family dwelling, ADU, and garage. Topography of the site consists of a moderate slope upwards from the east side of the property to the west. Natural vegetation on the parcel is composed of a mosaic of coastal valley grassland and coast live oak woodland.

The City is generally surrounded by open rangeland used for grazing and other agricultural uses and open space areas that support a variety of natural habitats and plant communities. The City's many creeks provide sheltered corridors that allow local wildlife to move between habitats and open space areas. The City COSE identifies various goals and policies to maintain, enhance, and protect natural communities within the City planning area. These policies include, but are not limited to, protection of listed species and species of special concern, preservation of existing wildlife corridors, protection of significant trees, and maintenance of development setbacks from creeks.

The City's Tree Ordinance was adopted in 2010 and updated in 2019 with the purpose of establishing a comprehensive program for installing, maintaining, and preserving trees within the City. This ordinance includes policies that require preservation of trees whenever possible and feasible, acquisition of a permit for any tree removal within the City, and application requirements for tree removals associated with development permits. The City has also established a Heritage Tree Program, which identifies landmark trees throughout the city that are typically large specimens and/or of unusual species and are identified and approved by the Tree Committee and City Council. Based on the City's Geographic Information System (GIS) Division Heritage Trees map, no heritage trees are located within the project site (source reference 13).

a) Biological resource surveys were conducted on the project site in April and May 2019 to characterize the biological resources present and determine the presence or potential presence of special-status species. The analysis provided below is based on the Biological Resources Survey Report Proposal prepared for the project by Dr. V. L. Holland.

Special-Status Wildlife

Based on the literature review, 85 special-status wildlife species have been documented within the immediate project quadrangle and the surrounding eight quadrangles. The project site is overall relatively disturbed and experiences regular human activity. Grasslands on and around the study site provide foraging areas and habitat for some vertebrate wildlife species and invertebrate species, such as snails, butterflies, bees, beetles, etc. Wildlife species such as sparrows, scrub jays, crows, mockingbirds, Eurasian collared dove, mourning dove, quail, and house finches forage in grasslands. Raptors, such as white-tailed kites, red-shouldered hawks, red-tailed hawks, American kestrels, and common barn owls, hunt in grassland areas and use the nearby oak trees to observe their grassland prey. Because the grassland on the project parcel where future development may occur is small and adjacent to homes and Broad Street, it does not provide suitable habitat for most wildlife. The larger grassland in the western part of the 6.42-acre lot can be viewed as an extension of the large grassland areas on Cerro San Luis and would not be affected by the proposed development on the project parcel. The ephemeral drainage that runs through the western portion of the property does not support riparian habitat and does not provide adequate habitat features to support special-status fish or amphibian species.

In general, coast live oak woodland is important for animal cover, providing vertical and horizontal structure, potential nesting sites for birds, and shelter for numerous mammals. It also provides an important food source for wildlife species. The oak woodland on-site provides suitable foraging and nesting habitat for a variety of bird species protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. No active bird nests were observed within the project site during either of the biological surveys; however, these surveys occurred outside of the typical nesting bird season.

The project would allow for the development of new single-family residential uses within the project site, consistent with adjacent areas. Project development may result in the removal of mature coast live oak trees. If project construction activities are conducted between February and September, they could result in direct and indirect impacts to nesting birds, if present. Potential direct impacts to nesting birds include injury, mortality, or destruction of nests and/or eggs from the use and movement of construction equipment tree and vegetation removal. Potential indirect impacts to nesting birds include the generation of noise and dust from construction activities and the alteration of suitable nesting habitat. Mitigation Measure BIO-1 is included to minimize potential impacts to nesting migratory birds during construction of future residential uses. With implementation of BIO-1, impacts to special-status wildlife would be *less than significant with mitigation*.

Special-Status Plants

Based on the literature review, 75 special-status plant species have been documented within the immediate project quadrangle and the surrounding eight quadrangles. Coastal valley grassland covers approximately 45% of the 6.42-acre lot, mostly in the western portion where the lot adjoins the grasslands that cover the flank of Cerro San Luis. These grasslands also form part of the understory in the coast live oak woodland. Much of the project site has been disturbed in the past by construction of homes, garage, patio, driveways, orchards, landscape features, and ornamental plantings. As a result, many of the weedy plants that are found in ruderal communities have become established in the coastal valley grasslands on the project site.

The majority of the grasses and forbs observed in the coastal valley grassland on and around the subject property were annual, weedy, introduced plants commonly found in disturbed grassland areas locally. No special-status plants identified by the California Natural Diversity Database (CNDDB) lists or California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California database were observed during the springtime project surveys; therefore, none of these special-status species would be impacted by the proposed project.

Therefore, potential impacts associated with adverse impacts to candidate, sensitive, or special-status species in regional or local plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS) would be *less than significant with mitigation.*

b) The small, unnamed ephemeral drainage, which originates on Cerro San Luis, flows downhill in a northwest to southeast direction and traverses the central portion of the 6.42-acre lot just west of the existing guesthouse, main house, and driveway. The unnamed drainage crosses the western side of the project property within the C/OS zoning and no potential future disturbance within approximately 450 feet of this drainage is anticipated. The drainage is seasonal and may have some flowing water for short periods during the winter rains but is dry much of the year, the drainage leads to a culvert beneath Broad Street, which daylights and drains into Old Garden Creek. During the April and May 2019 site surveys, there were no signs of flowing or standing water except for a few small puddles of water in the stretch just northwest of the guesthouse. The ephemeral drainage does have a bed and a bank; however, it does not support riparian or wetland vegetation and is lined by coast live oak woodland. No development is proposed beyond this drainage area as this area is delineated by the City's Urban Reserve Line. The project site does not include riparian vegetation or other sensitive habitat community identified in regional or local plans, policies, or regulations or by the CDFW or USFWS; therefore, potential impacts would be *less than significant.*

c) The ephemeral drainage that runs through the western portion of the property does not support riparian or wetland vegetation. The project site does not support any federally or state protected wetlands; therefore, potential impacts would be *less than significant.*

d) The ephemeral drainage that runs through the western portion of the property does not support riparian habitat and does not provide adequate habitat features to support native or migratory fish. The project is located in an area designated as a wildlife corridor in the City COSE. The proposed property subdivision and subsequent development of a new residence and utility connections would not introduce a substantial new barrier to wildlife passing through the area. Implementation of the proposed project would not significantly restrict the movement of any native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, or the use of native wildlife nursery sites. In addition, approximately 3.16 acres of Parcel 1 would be retained as C/OS-zoned land to maintain existing undeveloped area for wildlife passage; therefore, potential impacts would be *less than significant*.

e) The proposed subdivision and subsequent development of a single-family residence and associated uses would result in the removal of up to two native oak trees; however, oak woodland present on-site would not be disturbed. Proposed tree removal would be conducted in compliance with the City's Tree Ordinance standards for tree removal with a Development Permit, which requires submittal of site plans showing location and species of trees to be removed, information to support the reason for removal, and other pertinent information required. This application would be subject to review and approval by the City Arborist.

Future development of the site may require additional tree removals and may have the potential to impact the health of surrounding oak trees that would not be removed. Mitigation Measure BIO-2 has been identified to require identification and protection measures for native trees on the project site to be left intact during construction and site development activities, as well as protection and maintenance measures for new trees to be planted. With implementation of Mitigation Measure BIO-2, potential impacts associated with conflicts with local policies or ordinances protecting biological resources would be *less than significant with mitigation.*

f) The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved state, regional, or local habitat conservation plan. Therefore, the project would not conflict with the provisions of an adopted plan and potential impacts would be *less than significant.*

Mitigation Measures

BIO-1 If feasible, tree removal associated with any future residential (or accessory) development at the project site shall be scheduled to occur outside of the typical nesting bird season (February to September), to avoid potential impacts to nesting birds. If tree removal or other construction activities are proposed during the nesting season (February 1 to September 1), a nesting bird survey shall be conducted by a biologist determined qualified by the City Community Development Department no more than 3 days prior to construction. If an active nest is found, a qualified biologist shall determine an appropriate buffer and monitoring strategy based on the habits and needs of the species. The buffer area shall be avoided until a qualified biologist has determined that juveniles have fledged.

BIO-2 Prior to issuance of grading permits for any future development on the project site, construction plans shall clearly delineate all trees within the project site and shall show which trees are to be removed or impacted and which trees are to remain unharmed. Construction plans shall also show proposed tree protection measures to protect those trees identified to remain and new trees to be planted, including the placement of protective fencing to be inspected and approved by the City Arborist; identify the location, species, and size of trees to be planted; identify proposed irrigation plans; and show the use of structural soils to enhance the success of new plantings. Tree protection measures shall be implemented prior to any ground-disturbing activities per the approved grading and construction plans, and as approved by the City Arborist. Tree protection measures shall remain in place until final inspection by the City Arborist.

Conclusion

Mitigation Measure BIO-1 is included to minimize potential impacts to nesting migratory birds during construction of any future residential uses. Mitigation Measure BIO-2 has been identified to require identification and protection measures for native trees on the project site to be left intact during construction and site development activities, as well as protection and maintenance measures for new trees to be planted. No other potentially significant impacts were identified. Therefore, with implementation of Mitigation Measures BIO-1 and BIO-2, project impacts to biological resources would be less than significant with mitigation.

5. CULTURAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historic resource pursuant to §15064.5?	17, 19	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	18, 19	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	2, 19	☐	☒	☐	☐

Evaluation

Pre-Historic Setting

Archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years. San Luis Obispo is located within an area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The earliest evidence of human occupation in the region comes from archaeological sites along the coast. The project site is not located within a Burial Sensitivity Area as identified in Figure 1 of the COSE.

Historic Setting

The City COSE identifies Historic Districts and historic listed properties within the city and establishes various policies to balance cultural and historical resource preservation with other community goals. These policies include, but are not limited to, the following:

- Identification, preservation, and rehabilitation of significant historic and architectural resources;
- Prevention of demolition of historically or architecturally significant buildings unless doing so is necessary to remove a threat to health and safety;
- Consistency in the design of new buildings in historical districts to reflect the form, spacing, and materials of nearby historic structures; and

- Identification and protection of neighborhoods or districts having historical character due to the collective effect of Contributing or Master List historic properties.

The project is not located within a Historic District or Historic Preservation Overlay Zone.

a) A Cultural Resource Study was prepared for the project site by Applied Earthworks, Inc. in 2005 for previously proposed development, including additions to the existing residence and possible development of a pool and pool house. The existing single-family residence on the project property was constructed in 1927 and, based on an evaluation of the structure's architectural design, historical context, and structural integrity, was determined to not be considered eligible for listing in the National Register of Historic Places (NRHP) or California Register of Historic Resources (CRHR) or considered a historical resource under CEQA (Cultural Resource Study, August 2019, Applied Earthworks, Inc.). The proposed project does not propose removal or alteration of this existing structure. The project site does not currently contain, nor is it located near, any historic resources identified in the NRHP or CRHR. The project site is not identified on the City's Historical Properties map; therefore, the project would not result in a substantial adverse change in the significance of, or any other adverse impact to, a historical resource and *no impact would occur.*

b) Background research and a records search was conducted at the Central Coast Information Center (CCIC) of the California Historical Resources Information System (CHRIS) and concluded that no previously recorded archaeological resources were recorded within the area; however, three archaeological resources were documented within 0.25 mile of the project area (Cultural Resource Study, August 2019, Applied Earthworks, Inc.). A request was sent to the Native American Heritage Commission (NAHC) to perform a search of the Sacred Lands File. The NAHC responded that the search results were positive and provided a list of local Native American Individuals who might have additional knowledge of the cultural resources. Each of the individuals were contacted through letters and phone calls, and Salinan Tribe was the only individual who provided comments and requested that consultation and monitoring occur during site-disturbing activities. Mitigation Measures CR-1 and CR-2 have been identified to require an archeological monitoring plan for coordination with the Salinan Tribe prior to and during any ground disturbing activities. The archaeological pedestrian survey of the property found no prehistoric or historic cultural material present on the surface of the parcel. Based on the negative results of the pedestrian survey and review of background information, this area has a low sensitivity for prehistoric archaeological resources.

   The project site does not contain any known archaeological resources. The project would include ground disturbance on-site associated with any future development of the new residential parcels. Although the overall sensitivity of the site is low, due to the close proximity of previously recorded archaeological resources, Mitigation Measure CR-3 has been identified to require awareness training be conducted for all construction so that cultural resources can be recognized if unearthed during site-disturbing activities. If previously unidentified cultural materials are unearthed during proposed ground-disturbing activities, Mitigation Measure CR-4 has been identified to require work be halted in that area until a qualified archaeologist can assess the significance of the find. Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant with mitigation*.

c) The project site not located within a Burial Sensitivity Area associated with San Luis Obispo Creek identified in Figure 1 of the City COSE. No human remains are known to exist within the project site; however, the discovery of unknown human remains is always a possibility during ground-disturbing activities. Protocol for properly responding to the inadvertent discovery of human remains is identified in the State of California Health and Safety Code Section 7050.5 and is detailed in Mitigation Measure CR-5. Potential impacts related to disturbance of human remains would be less than significant with incorporation of Mitigation Measure CR-5. Therefore, impacts related to disturbance of human remains would be *less than significant with mitigation.*

Mitigation Measures

CR-1 Archaeological Monitoring Plan. Prior to issuance of grading or building permits, and recordation of the final map, an Archaeological Monitoring Plan shall be prepared. The Plan shall include, but not be limited to, the following:

a. A list of personnel involved in the monitoring activities;

b. Description of Native American involvement;

c. Description of how the monitoring shall occur;

d. Description of location and frequency of monitoring (e.g., full time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of circumstances that would result in the halting of work at the project site;

g. Description of procedures for halting work on the site and notification procedures;

h. Description of monitoring reporting procedures; and

i. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.

CR-2 The applicant shall retain a City-approved archaeologist and local Native American observer from the Salinan Tribe to monitor Project-related ground-disturbing activities that have the potential to encounter previously unidentified archaeological resources, as outlined in the Archaeological Monitoring Plan. Archaeological and tribal monitoring may cease only if the City-approved archaeologist determines in coordination with the Applicant, Community Development Director, and the Native American monitor that Project activities do not have the potential to encounter and/or disturb unknown resources.

CR-3 Cultural Resource Awareness Training. Prior to construction activities, a qualified archaeologist shall conduct a cultural resource awareness training for all construction personnel including the following:

a. Review the types of archaeological artifacts that may be uncovered;

b. Provide examples of common archaeological artifacts to examine;

c. Review what makes an archaeological resource significant to archaeologists and local native Americans;

d. Describe procedures for notifying involved or interested parties in case of a new discovery;

e. Describe reporting requirements and responsibilities of construction personnel;

f. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and

g. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.

CR-4 Halt Work Order in the event of Discovery of Previously Unidentified Cultural Resources. In the event that historical or archaeological remains are discovered during earth disturbing activities associated with the project, an immediate halt work order shall be issued and the City Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume. A Native American representative shall monitor any mitigation excavation associated with Native American materials.

CR-5 Halt Work Order in the event of Discovery of Human Remains. In the event that human remains are exposed during earth disturbing activities associated with the project, an immediate halt work order shall be issued and the Community Development Director shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the NAHC within 24 hours.

Conclusion

With implementation of Mitigation Measures CR-1 through CR-5, residual impacts associated with cultural resources would be less than significant with mitigation.

6. ENERGY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	12, 20, 23	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	19, 20, 21, 22, 23	☐	☐	☐	☒

Evaluation

The City's current electricity provider is Monterey Bay Community Power (MBCP), which provides 100% carbon-free electricity to City government facilities, residences, and private businesses within the city.

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements.

The City has adopted amendments to the 2019 CBC to encourage all-electric new buildings. When paired with MBCP's carbon-free electricity supply, all electric new buildings are carbon free and avoid health and safety issues associated with fossil fuels and GHGs. Unlike some Cities that are banning natural gas entirely, the City's Clean Energy Choice Program will provide options to people who want to develop new buildings with natural gas. New projects wishing to use natural gas will be required to build more efficient and higher performing buildings and offset natural gas use by performing retrofits on existing buildings or by paying an in-lieu fee that will be used for the same purpose.

The City COSE establishes goals and policies to achieve energy conservation and increase use of cleaner, renewable, and locally controlled energy sources. These goals include increasing the use of sustainable energy sources and reducing reliance on non-sustainable energy sources to the extent possible and encouraging the provision for and protection of solar access. Policies identified to achieve these goals include, but are not limited to, use of best available practices in energy conservation, procurement, use and production; energy-efficiency improvements; pedestrian- and bicycle-friendly facility design; fostering alternative transportation modes; compact, high-density housing; and solar access standards.

The City Climate Action Plan also identifies strategies and policies to increase use of cleaner and renewable energy resources in order to achieve the City's GHG emissions reduction target. These strategies include promoting a wide range of renewable energy financing options, incentivizing renewable energy generation in new and existing developments, and increasing community awareness of renewable energy programs (source reference 22).

a) The future development of the new parcels (e.g., development of a single-family residence) would result in a marginal increase in operational energy use through the additional vehicle trips and building energy demand generated by the future development at the project site. Any future residential use would be required to be designed in full compliance of the CBC, including applicable green building standards, ensuring a high standard for energy efficiency in building design, materials, light fixtures, and appliances. The project would rely on the local electricity service provider, MBCP, to supply project electricity needs, who supplies 100% GHG-free sourced electricity. Future development at the project site would also be subject to the City's Clean Energy Choice Program, which would require future proposed structures (e.g., a single-family residence) to be all electric or meet the established high-efficiency standards if use of natural gas is proposed. Lastly, the proposed development would be considered infill development and is located in close proximity to local public transit facilities and bicycle infrastructure. Therefore, through compliance with CBC building energy efficiency standards, clean energy sources, required compliance with local energy standards, and location of the future

development, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources; therefore, impacts would be *less than significant.*

b) Future development within the site would be designed in full compliance with the CBC, including applicable green building standards. The project would be consistent with energy goals and policies in the City COSE associated with the use of best available practices in energy conservation and providing more compact, high-density housing. The project would not conflict with other goals and policies set forth in the City Climate Action Plan associated with renewable energy or energy efficiency. Potential future development at the project site would also be subject to the City's Clean Energy Choice Program, which would require future proposed structures (e.g., a single-family residence) to be all electric or meet the established high-efficiency standards if use of natural gas is proposed. Therefore, the project would not result in a conflict with or obstruction of a state or local plan for renewable energy or energy efficiency, and *no impacts would occur.*

Mitigation Measures

None necessary.

Conclusion

Potential future development of the site would be designed in compliance with CBC energy-efficient standards, would rely on PG&E for electricity service, and would be infill development located in close proximity to transit and bicycle facilities. The project would not result in a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources and would not conflict with applicable state or local energy policies. Potential impacts would be less than significant, and no mitigation is necessary.

7. GEOLOGY AND SOILS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	24, 25	☐	☐	☒	☐
ii. Strong seismic ground shaking?	26	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	23, 25, 26	☐	☐	☒	☐
iv. Landslides?	23, 25, 26	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	26, 28	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	25, 26	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 1802.3.2 of the California Building Code (2013), creating substantial direct or indirect risks to life or property?	25, 26, 28	☐	☒	☐	☐

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 29, 30	☐	☐	☒	☐

Evaluation

The City General Plan Safety Element identifies active, potentially active, and inactive mapped and inferred faults with the potential to affect the City in the event of rupture. The Los Osos Fault, adjacent to San Luis Obispo, is identified under the State of California Alquist-Priolo Fault Hazards Act and is classified as active. The West Huasna, Oceanic, and Edna Faults are considered potentially active and present a moderate fault rupture hazard to developments near them. The San Andreas Fault and the offshore Hosgri Fault, which present the most likely source of ground shaking for San Luis Obispo, have a high probability of producing a major earthquake within an average lifespan. The highest risk from ground shaking is found on deep soils that were deposited by water, are geologically recent, and have many pore spaces among the soil grains. These are typically in valleys.

Faults capable of producing strong ground-shaking motion in San Luis Obispo include the Los Osos, Point San Luis, Black Mountain, Rinconada, Wilmar, Pecho, Hosgri, La Panza, and San Andreas Faults. Engineering standards and building codes set minimum design and construction methods for structures to resist seismic shaking. Based on the DOC Fault Activity Map and the Safety Element Earthquake Faults – Local Area map, the project site is not located within or within the immediate vicinity of an active fault zone (source references 24, 25).

The project site is underlain by two soil units, as described below, based on the San Luis Obispo County Soil Survey (source reference 28):

- **159. Los Osos loam, 9-15% slopes.** This moderately deep, well-drained, rolling soil has slow permeability and surface runoff is medium. The hazard of water erosion is moderate. This soil has high shrink-swell potential in the subsoil and is subject to slippage when saturated. Foundation and footings should be designed to offset the high shrink swell potential of the clay subsoil. The low strength of the subsoil can require that the subgrade be removed and replaced with a more suitable material and that a high degree of compaction and moisture control be maintained before constructing foundations.
- **160. Los Osos loam, 15-30% slopes.** This moderately deep, well-drained, moderately steep soil has slow permeability and surface runoff is rapid. The hazard of water erosion is high. This soil has high shrink-swell potential in the subsoil and is subject to slippage when wet. Foundations and footings should be designed to offset the moderately steep slopes, the high shrink-swell potential, and the low strength of the clay subsoil. These soil characteristics can require that the subgrade be removed and replaced with a more suitable material or that a high degree of compaction and moisture control be maintained. Septic absorption fields do not function properly because of the slope, slow permeability of the subsoil, and the depth to bedrock.

a.i) Based on Figure 3 (Earthquake Faults – Local Area) of the Safety Element and the DOC Fault Activity Map of California, no known fault lines are mapped on or within 0.5 mile of the project site. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be *less than significant.*

a.ii) Based on Figure 3 (Earthquake Faults – Local Area) of the Safety Element and the DOC Fault Activity Map of California, no known fault lines are mapped on or within 0.5 mile of the project site. Due to the highly seismic nature of the region, potential future development on the project site would very likely be subject to strong seismic ground shaking at some point(s) during the life of the project. Potential future development of residential uses (e.g., single-family residences) on-site would be required to be designed in full compliance with seismic design criteria established in the CBC to adequately withstand and minimize the risk associated with the level of seismic ground shaking expected to occur in the project region; therefore, impacts associated with strong seismic groundshaking would be *less than significant.*

a.iii) A Soils Engineering Report was prepared for the project site by Earth Systems Pacific in 2005 for previously proposed development, including additions to the existing residence and possible development of a pool and pool house (source

reference 26). This geotechnical report included an evaluation of on-site soils and potential soil limitations, including expansive soils and liquefaction. Due to the soil density, the presence of clayey soils, and the lack of significant subsurface bedrock, the potential for liquefaction at the site is considered to be low.

In accordance with CBC Chapter 18, any issues identified in the report would be addressed through standard site construction techniques, as required by the CBC. Potential future development on the project site would be required to be designed in compliance with standard seismic design criteria established in the CBC to reduce risk associated with seismic-related ground failure, including liquefaction. Therefore, impacts related to causing substantial adverse effects due to seismic-related ground failure would be *less than significant.*

a.iv) In the late 1990s the driveway below the existing residence was damaged due to a landslide. The landslide occurred in the slope below the driveway and encroached into the driveway area. A study of the landslide was conducted by Earth Systems Pacific and recommendations were developed for repair. The slope was stabilized by removing unstable material and replacing it with structural fill. A subsurface drain system was also installed at the time. No movement of the driveway or slope below has occurred since the stabilization measures were completed.

Based on the probable future development, estimated earthwork would include 172 cubic yards of cut and 20 cubic yards of fill on Parcel 1, 10 cubic yards of cut and 10 cubic yards of fill on Parcel 2, and 427 cubic yards of cut and 45 cubic yards of fill on Parcel 3. The Soils Engineering Report prepared for the project site identified preserving the existing stability of the site as a primary soils engineering concern. Due to the slopes on-site exceeding 30%, future development of foundations for the residence would be constructed using caissons. Installation of caissons include drilling down to the bedrock to maximize foundation stability. Based on historic landsliding on the property and proposed grading and construction activities associated with future development, GEO-1 has been identified to require the preparation of a soils engineering report at the time development is proposed to evaluate the proposed development activities and provide additional specific recommendations to adequately protect future proposed development against soil stability hazards, including landslides. Therefore, potential impacts associated with landslides would be *less than significant with mitigation.*

b) The erosion hazard of the soils underlying the project site is moderate to high. Potential future development of residential uses on-site (e.g., single-family residences) would have the potential to cause the erosion of on-site soils during grading and construction activities involving site disturbance. The City's Municipal Code requires proposed development projects to implement erosion control measures and best management practices (BMPs) through the building permit process, such as scheduling ground disturbance to avoid rain events (if feasible); using hydroseeding, planting, and mulch to stabilize soils; using dust control to stabilize stockpiles, unpaved roads, and graded areas; protecting storm drain inlets; using sediment traps; constructing a stabilized page of aggregate and filter fabric at the construction access entrance; conducting street sweeping; and using silt fencing, sand/gravel bags, and fiber rolls. No substantial permanent changes in existing topography or total area of exposed soil would occur. Therefore, potential impacts related to soil erosion and loss of topsoil would be *less than significant.*

c) The Soils Engineering Report prepared for the project site identified preserving the existing stability of the site and expansivity of the on-site soils as primary soils engineering concerns. Due to the slopes on-site exceeding 30%, future development of foundations for the residence would be constructed using caissons. Installation of caissons include drilling down to the bedrock to maximize foundation stability. Based on historic landsliding on the property, grading and construction activities associated with any future proposed development, and high expansivity of on-site soils, Mitigation Measure GEO-1 has been identified to require the preparation of a soils engineering report at the time development is proposed to evaluate any proposed development activities and provide specific recommendations to adequately protect potential future proposed development against soil stability hazards, including landsliding and expansive soils, which shall be incorporated into the final design and construction plans of future development.

Based on the Safety Element and U.S. Geological Survey (USGS) data, the project is not located in an area of historical or current land subsidence. Based on the Ground Shaking and Landslide Hazards Map in the Safety Element, the project site is located within an area with moderate to high liquefaction potential. Potential future development of Parcel 3 would be required to be designed in compliance with standard seismic design criteria established in the CBC to reduce risk associated with seismic-related ground failure, including liquefaction. Future proposed development would also be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread and liquefaction. Therefore, potential impacts would be *less than significant with mitigation.*

d) Based on the Soil Survey of San Luis Obispo County and Web Soil Survey, the project site is located in an area underlain by soils with moderate to high shrink-swell potential. Based on the 2005 Soils Engineering Report, soil expansivity is a primary concern at the project site. Soil borings conducted in 2005 indicated that the upper sandy fat clay on-site met the criteria to be classified in the "high" expansion category, per CBC Table 18-I-B. The volume changes that soils undergo in this cyclical pattern can stress and damage slabs and foundations. Mitigation Measure GEO-1 has been identified to require the preparation of a soils engineering report to evaluate the proposed development activities and provide specific recommendations to adequately protect potential future proposed development against soil stability hazards, including expansive soils. Typical precautionary measures would likely include premoistening the underlying soil in conjunction with placement of nonexpansive material beneath slabs, and a deepened and more heavily reinforced foundation. Upon implementation of these measures, potential impacts associated with expansive soils would be *less than significant with mitigation.*

e) The project would include a new connection to the City sewer system. No septic tanks or alternative wastewater treatment systems are proposed on-site. Therefore, *no impacts would occur.*

f) The project site is underlain by Franciscan Assemblage composed of a mélange of claystone, graywacke, and blocks of other Franciscan rocks of the Mesozoic era. The Franciscan Assemblage consists of various types of rocks that formed along the Pacific Oceanic and North American Plates; these rocks were subsequently deformed and metamorphosed during subduction of the Pacific Oceanic Plate. Various authors have reported the presence of marine invertebrates in the Franciscan Assemblage throughout California (e.g., Bailey et al. 1964); however, marine invertebrate fossil specimens are generally common, well developed, and well documented. They would generally not be considered a unique paleontological resource. Because of the nature of this rock assemblage (e.g., vertebrate fossils in the original parent material generally would have been destroyed during the subduction and metamorphosis process) and the general lack of previously recorded vertebrate fossil localities, this formation is considered to have a low paleontological sensitivity.

There are no known paleontological resources on the project site and there are no unique geologic features on the property. No significant grading or excavation is proposed or required to complete the land division or subsequent development on the parcel. Based on the low sensitivity of the underlying geologic unit, and the lack of proposed activities that would result in significant cuts into bedrock, the project would not have the potential to result in impacts to a unique paleontological resource or site or unique geologic feature; therefore, potential impacts would be *less than significant.*

Mitigation Measures

GEO-1 Prior to application for construction permits of any development at the project site, the applicant shall retain a qualified soil engineer to prepare a Soils Engineering Report to evaluate on-site soil stability risks, including, but not limited to, landsliding, expansive soils, and post-fire slope instability. This report shall include specific design recommendations to properly safeguard against risks identified. The applicant shall incorporate all recommendations identified in the geotechnical report into the final design and construction plans for the single-family residence and proposed site improvements and utility installations. Submittal of the report shall be required prior to issuance of grading and building permits.

Conclusion

Potential future development at the project site would be required to be designed in compliance with standard seismic design criteria established in the CBC to reduce risk associated with seismic-related ground failure and ground stability. With implementation of Mitigation Measure GEO-1, residual impacts associated with geology and soils would be less than significant with mitigation.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1, 10	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	10, 21, 22	☐	☐	☒	☐

Evaluation

GHGs are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section 3, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. In 2012, the City established a Climate Action Plan that identified measures and implementation strategies in order to achieve the City's GHG reduction target of 1990 emission levels by 2020. In addition, the City is currently developing a plan for achieving carbon neutrality by 2035. The City's 2005 Community Wide GHG Emissions Inventory showed that 50% of the city's GHG emissions came from transportation, 22% came from commercial and industrial uses, 21% came from residential uses, and 7% from waste (source reference 23).

Statewide legislation, rules, and regulations have been adopted to reduce GHG emissions from significant sources. Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and required the CARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40% below 1990 levels by 2030, and 80% below 1990 levels by 2050. Other statewide policies adopted to reduce GHG emissions include Assembly Bill (AB) 32, SB 375, SB 97, Clean Car Standards, Low Carbon Fuel Standard, Renewable Portfolio Standard, CBC, and the California Solar Initiative.

Plans, policies, and guidelines have also been established at the regional and local levels to address GHG emissions and climate change effects within the city. In March 2012, the SLOAPCD approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook and updated in 2017 with a clarification memorandum. The Bright-Line Threshold of 1,150 Metric Tons of CO_2/year ($MTCO_2e$/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the SLOAPCD CEQA Air Quality Handbook (updated November 2017) provides a list of general land uses and the estimated sizes or capacities of those uses expected to exceed the GHG Bight Line Threshold of 1,150 $MTCO_2$/yr. Projects that exceed the criteria or are within 10% of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

It is important to note the Bright-Line Threshold of 1,150 MT CO2/year was developed to meet the state goal of reducing GHG emissions to 1990 levels by 2020; however, construction and operation of the project would occur well beyond 2020. Therefore, the project would be subject to the SB 32-based targets for 2030, which are 40% below the AB 32-based 2020 targets. The SLOAPCD's GHG thresholds have not been updated to comply with SB 32 and the more recent, more stringent GHG reduction goals; therefore, the Bright Line Threshold and SLOAPCD screening thresholds are included for informational purposes only.

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by AB 32. This initial Scoping Plan contained the main strategies to be implemented in order to achieve the target emission levels identified in AB 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementation of the Low Carbon Fuel Standard program, energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems, and a renewable portfolio standard for electricity production.

A key component of the Scoping Plan is the Renewable Portfolio Standard, which is intended to increase the percentage of renewables in California's electricity mix to 33 percent by year 2020, resulting in a reduction of 21.3 $MMTCO_2e$. The Scoping Plan states that land use planning and urban growth decisions will play important roles in the state's GHG reductions because local governments have primary authority to plan, zone, approve, and permit how land is developed to accommodate population growth and the changing needs of their jurisdictions. ARB further acknowledges that decisions on how land is used will have

large impacts on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emissions sectors.

The City has adopted amendments to the 2019 CBC to encourage all-electric new buildings. When paired with MBCP's carbon-free electricity supply, all electric new buildings are carbon free and avoid health and safety issues associated with fossil fuels and GHGs. Unlike some cities that are banning natural gas entirely, the City's Clean Energy Choice Program will provide options to people who want to develop new buildings with natural gas. New projects wishing to use natural gas will be required to build more efficient and higher performing buildings and offset natural gas use by performing retrofits on existing buildings or by paying an in-lieu fee that will be used for the same purpose.

a) Based on Table 1-1 of the SLOAPCD's CEQA Handbook, the size of a single-family residential project expected to exceed SLOAPCD's operational GHG emissions Brightline Threshold would be a project including 76 dwelling units. The potential development that would be allowed by the proposed lot split would be well below this threshold; therefore, the project would not have the potential to exceed the operational (and now purely informational) thresholds established by the SLOAPCD for GHG emissions. Any potential future development at the project site (e.g., a single-family residence) would be required to be designed in full compliance with the CBC, including applicable green building standards, ensuring a high standard for energy efficiency in building design, materials, light fixtures, and appliances. The project would rely on the local electricity service provider, MBCP, to supply project electricity needs, which supplies energy from 100% GHG-free sources.

Lastly, the proposed development would be considered infill development and is located in close proximity to local public transit facilities and bicycle infrastructure, increasing the ability for future occupants to replace vehicle trips with alternative modes of transportation, further reducing its overall potential for GHG emissions. A discussion pertaining to the project's consistency with the 2017 Scoping Plan is provided in Table 2, below.

Table 2. Project Consistency with the 2017 Scoping Plan

Programs and Policies	Primary Objective	Consistency Analysis
SB 350	Reduce GHG emissions in the electricity sector through the implementation of the 50 percent Renewables Portfolio Standard, doubling of energy savings, and other actions as appropriate to achieve GHG emissions reductions planning targets in the Integrated Resource Plan process.	**Consistent**. 100% of the energy MBCP provides to the City of San Luis Obispo is from renewable sources.
Low Carbon Fuel Standard	Transition to cleaner/less-polluting fuels that have a lower carbon footprint.	**Not Applicable**. This Statewide policy establishes carbon reduction standards for transportation fuels and does not directly apply to the project.
Mobile Source Strategy (Cleaner Technology and Fuels)	Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems and reduction of vehicle miles traveled.	**Consistent**. The project would be consistent with the Mobile Source Strategy because it is an infill, project located within the Urban Reserve Line with quick access to alternate modes of transportation, such as walking, biking, and public transportation to reduce emissions associated with automobile use.
SB 1383	Approve and Implement Short-Lived Climate Pollutants strategy to reduce highly potent GHGs.	**Consistent**. This policy addresses methane emissions generated from landfill disposal of organic waste.

		Recycling facilities would be available to the onsite residential uses and a solid waste reduction plan for recycling discarded construction materials is a submittal requirement with the building permit application. Therefore, the project would be in compliance with SB 1383.
California Sustainable Freight Action Plan	Improve freight efficiency, transition to zero emission technologies, and increase competitiveness of California's freight system.	**Not Applicable**. This policy addresses goods movement efficiencies that are not affected by the project.
Post-2020 Cap and Trade Program	Reduce GHGs across largest GHG emissions sources.	**Not Applicable**. This program involves capping emissions from electricity generation and industrial facilities. The project does not include electricity generation or industrial land uses.

The Scoping Plan also describes local planning actions that can further State GHG reduction goals. For example, local governments can develop land use plans with more efficient development patterns that bring people and destinations closer together in more mixed-use, compact communities that facilitate walking, biking, and use of transit. Local governments can also incentivize locally generated renewable energy and infrastructure for alternative fuels and electric vehicles, implement water efficiency measures, and develop waste-to-energy and waste-to-fuel projects. Per the 2017 Scoping Plan, these local actions complement statewide measures and are critical to supporting the State's efforts to reduce emissions. Local efforts can deliver substantial additional GHG and criteria emissions reductions beyond what State policy can alone, and these efforts will sometimes be more cost-effective and provide more benefits than relying exclusively on top-down statewide regulations to achieve the State's climate stabilization goals.

The project proposed infill development within the City's General Plan and within the Urban Reserve Line, consistent with the Scoping Plan's goal of facilitating efficient development patterns. The project would facilitate higher density residential development within an existing neighborhood with access to the City's existing bicycle, pedestrian, and public transportation facilities, consistent with the 2017 Scoping Plan goal of encouraging compact communities that facilitate walking, biking, and use of transit.

Therefore, the project would not generate substantial GHG emissions, either directly or indirectly, that would have a significant impact on the environment, and potential impacts would be *less than significant.*

b) As discussed in threshold a) above, the project would not exceed any of the operational thresholds established by the SLOAPCD for GHG emissions. The project would be consistent with the land use policies identified in the SLOAPCD CAP that encourage cities to develop at higher densities and encourage growth within their respective urban reserve lines to reduce overall vehicle trips and travel distances. The project would be consistent with the ARB Scoping Plan and policies established in the City Climate Action Plan promoting infill development. The project would not conflict with or obstruct implementation of a plan or policy adopted for the purpose of reducing GHG emissions; therefore, impacts would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

The project would be located and designed to minimize GHG emissions and would not result in a conflict with an applicable plan or policy adopted for reducing GHG emissions. No potentially significant impacts associated with GHG emissions have been identified and no mitigation measures are necessary.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	1	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	31, 32, 33	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	34	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	1	☐	☐	☒	☐

Evaluation

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency (Cal/EPA) to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control (DTSC) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board (SWRCB) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the Cal/EPA website: https://calepa.ca.gov/sitecleanup/corteselist/.

Based on a review of the SWRCB Geotracker database and the DTSC EnviroStor database, there are no active hazardous waste cleanup sites within the project site or immediately surrounding areas. The closest cleanup site is located approximately 0.11 mile south of the project site and has been remediated and closed since 1987 (source references 31, 32, and 33).

Based on the Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport, the project site is not located within the Airport Land Use Planning Area or noise contours (source reference 34).

a) The project does not propose the routine transport, use, or disposal of hazardous substances. Future construction following the proposed lot split would be required to comply with applicable building, health, fire, and safety codes. Any potentially hazardous substances used within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. Therefore, project impacts associated with the routine transport, use, or disposal of hazardous substances would be *less than significant.*

b) The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of future development following the lot split would be required to use limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant.*

c) The project site is located approximately 1,838 feet (0.35 mile) from the nearest school facility, which is the Mission College Preparatory Catholic High School located at 682 Palm Street. The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, potential impacts would be *less than significant.*

d) Based on a search of the DTSC EnviroStar database, the SWRCB Geotracker database, and Cal/EPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. The closest cleanup site is located approximately 0.11 mile south of the project site and has been remediated and closed since 1987. There are no active hazardous waste cleanup sites within the project site or within close proximity to the project site. Therefore, *no impacts would occur.*

e) The project site is located approximately 3 miles north of the San Luis Obispo County Regional Airport. Based on the San Luis Obispo County Regional Airport ALUP, the project is not located within the airport Land Use Planning Area or noise contours. Therefore, potential impacts associated with safety hazards or excessive noise from aircraft would be *less than significant.*

f) Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Therefore, potential impacts would be *less than significant.*

g) The project site is located in a low-density residential area of San Luis Obispo, adjacent to open space and wildland areas associated with Cerro San Luis. This open space area has been designated a Moderate Fire Hazard Severity Zone by the California Department of Forestry and Fire Protection (CAL FIRE). Although the project is located near the urban/wildland interface, the proposed lot split and potential future development would be infill development, consistent with adjacent uses. Future construction following the proposed lot split would be required to comply with the California Fire Code and would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Therefore, potential impacts would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. The project site is not located within proximity to a school or any known contaminated sites. No potentially significant impacts associated with hazards or hazardous materials have been identified and no mitigation measures are necessary.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	35	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	39	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i. Result in substantial erosion or siltation on or off site;	40, 55	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	40, 55	☐	☐	☒	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	40, 55	☐	☐	☒	☐
iv. Impede or redirect flood flows?	36, 40, 55	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	36, 41	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	35, 37, 38, 39, 40, 42	☐	☐	☒	☐

Evaluation

The project site is located within the San Luis Obispo Creek watershed. The San Luis Obispo Creek watershed is an approximately 53,271-acre coastal basin in southern San Luis Obispo County. It rises to an elevation of about 2,500 feet above sea level in the Santa Lucia Range. San Luis Obispo Creek flows to the Pacific Ocean and has six major tributary basins: Stenner Creek, Prefumo Creek, Laguna Lake, East Branch San Luis Obispo Creek, Davenport Creek, and See Canyon. The creek flows through the city of San Luis Obispo and empties into the Pacific Ocean just west of Avila Beach (source reference 33).

The City is enrolled in the State General Permit National Pollutant Discharge Elimination System (NPDES) permit program governing stormwater. As part of this enrollment, the City is required to implement the Post-Construction Stormwater Management requirements adopted by the Central Coast Regional Water Quality Control Board (RWQCB) through the development review process. The primary objective of these post-construction requirements is to ensure that the permittee is reducing pollutant discharges to the Maximum Extent Practicable and preventing stormwater discharges from causing or

contributing to a violation of receiving water quality standards in all applicable development projects that require approvals and/or permits issued.

The Federal Emergency Management Agency (FEMA) 100-year flood zone identifies areas that would be subject to inundation in a 100-year storm event, or a storm with a 1% chance of occurring in any given year. Based on FEMA's National Flood Hazard Layer (NFHL) Viewer, the project site is not located within a 100-year flood zone (source reference 34).

In 2015, the state legislature approved the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans (source reference 35). The project is located within the San Luis Obispo Valley Groundwater Basin, which has been designated by the California Department of Water Resources (DWR) as a high-priority basin. The County of San Luis Obispo (County) and the City formed Groundwater Sustainability Agencies (GSAs) within their respective jurisdictions to ensure full compliance with SGMA throughout the entire San Luis Obispo Valley Groundwater Basin (source reference 36).

a) Potential future development of the project site following the proposed subdivision would include grading and construction of a single-family residence and associated improvements on a nearly-level to steeply sloping portion of the project site. Proposed future development would require building permits and would be subject to all applicable standards of the CBC and City Municipal Code that require sedimentation and erosion control on-site. The City Municipal Code requires proposed development projects to implement erosion control measures and BMPs through the building permit process, such as scheduling ground disturbance to avoid the rain events (if feasible); using hydroseeding, planting, and mulch to stabilize soils; using dust control to stabilize stockpiles, unpaved roads, and graded areas; protecting storm drain inlets; using sediment traps; constructing a stabilized page of aggregate and filter fabric at the construction access entrance; street sweeping; and using silt fencing, sand/gravel bags, and fiber rolls. An unnamed drainage crosses the western side of the project property within the C/OS zoning and no potential future disturbance within approximately 450 feet of this drainage is anticipated. Compliance with current City standards for erosion control would protect the water quality of offsite sensitive resources and downstream waterways. Based on the relatively small scale of potential future proposed development and compliance with applicable local standards, potential impacts associated with violation of water quality standards would be *less than significant.*

b) The project would be serviced by the City water system, which has four primary water sources, including the Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water (for irrigation), with groundwater serving as a fifth supplemental source. The City no longer draws groundwater for potable purposes as of 2015. Therefore, the project would not deplete groundwater resources, and impacts would be *less than significant.*

c.i-iii) The project site currently has two distinct drainage patterns. The western half of the site slopes from west to east until it reaches an existing unnamed drainage located just west of the existing accessory dwelling unit. No disturbance within approximately 450 feet of this drainage is anticipated. This drainage directs flows from the southwest to the northeast across property lines. The remaining eastern half of the site drains from west to east until it either reaches Broad Street or crosses property lines at the southeast corner. The closest storm drain feature is a curb and gutter located just past the eastern property line along Broad Street which eventually leads to a drain located at the northwest corner at the intersection of Broad Street and Mountain View Street.

Development of the new residential lots would result in the creation of approximately 8,649 square feet of additional impervious surface area. Based on the net increase in impervious surface area and the project's location within the City of San Luis Obispo, RWQCB's Post-Construction Performance Requirement 1 (Site Design and Runoff Reduction) is required to be met onsite. Based on the RWQCB's Post-Construction Stormwater Management Requirements, Performance Requirement 1 requires the following design strategies to be incorporated in the project design (at minimum):

i) Limit disturbance of creeks and natural drainage features;

ii) Minimize compaction of highly permeable soils;

iii) Limit clearing and grading of native vegetation at the site to the minimum area needed to build the project, allow access, and provide fire protection;

iv) Minimize impervious surfaces by concentrating improvements on the least-sensitive portions of the site, while leaving the remaining land in a natural undisturbed state; and

v) Minimize stormwater runoff by implementing one or more of the following site design measures:

1) Direct roof runoff into cisterns or rain barrels for reuse;

2) Direct roof runoff onto vegetated areas safely away from building foundations and footings, consistent with California building code;

3) Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas safely away from building foundations and footings, consistent with California building code;

4) Direct runoff from driveways and/or uncovered parking lots onto vegetated areas safely away from building foundations and footings, consistent with California building code; and

5) Construct bike lanes, driveways, uncovered parking lots, sidewalks, walkways, and patios with permeable surfaces.

Based on the Preliminary Project Drainage Report prepared for the project, the project will be designed to ensure runoff to downstream properties would not increase more than 5 percent over historical runoff rates; increased runoff generated by project development is estimated to increase runoff by 3.3 percent. Based on the City's Waterway Management Plan Drainage Design Manual, all construction projects in the city require the installation, maintenance, routine inspection (i.e. weekly, before predicted rain events, after rain events and during prolonged rain events), and repair or replacement, as needed, of BMPs throughout the course of the construction project in order to protect local water quality. Most BMPs (e.g., concrete/tool washouts, street sweeping) are required year-long and others are specifically required during the rainy season (October 15 through April 15) or prior to a predicted rain event, even if that rain event is predicted during the summer months.

Future development of the project site following subdivision would not result in substantial permanent changes in impervious surface area on-site and would be required to comply with City standards associated with the City Waterway Management Plan Drainage Design Manual, RWQCB Post-Construction Stormwater Management Requirements, as well as applicable engineering standards and building code requirements for erosion control and on-site management of stormwater runoff. Therefore, the project would not result in substantial erosion or siltation on- or off-site, substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems and potential impacts would be *less than significant.*

c.iv) Based on the FEMA NFHL Viewer, the project site is not located within a 100-year flood zone and therefore would not have the potential to impede or redirect flood flows and impacts would be *less than significant.*

d) Based on the FEMA NFHL Viewer, the project site is not located within a 100-year flood zone. Based on the County of San Luis Obispo Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami. The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and potential impacts would be *less than significant.*

e) As discussed in the threshold analysis above, the project would not deplete groundwater supplies, or interfere substantially with groundwater recharge. The project includes stormwater treatment and storage facilities and would not conflict with the Central Coastal Basin Plan, or other water quality control plans. The project would not conflict with SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, potential impacts would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

The project site is not located within a 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses, and is required to comply with City standards associated with the City Waterway Management Plan Drainage Design Manual, RWQCB Post-Construction Stormwater Management Requirements, as well as applicable engineering standards and building code requirements for erosion control and on-site management of stormwater runoff. Therefore, potential impacts related to hydrology and water quality would be less than significant and no mitigation measures are necessary.

11. LAND USE AND PLANNING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	1	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	1, 2	☐	☐	☒	☐

Evaluation

The project site is a 6.42-acre low-density residential parcel, of which 3.16 acres have been dedicated to C/OS. The property is surrounded to the north, east, and south by single-family residential development, and to the west with open space and recreational trails associated with Cerro San Luis.

a) The proposed infill development would not result in a physical division between an established community. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur.*

b) The project includes the division of a 6.42-acre low-density residential parcel into three low-density residential parcels, 4.1 acres (Parcel 1), 1.30 acres (Parcel 2), and 1.03 acres (Parcel 3) in size. The project would be consistent with the property's land use designation and the guidelines and policies for development within the applicable zoning designation, City of San Luis Obispo General Plan Land Use Element, and COSE. The project is consistent with existing surrounding developments' uses and is not located within a site containing sensitive environmental resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects; therefore, potential impacts would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

No potentially significant impacts associated with land use would result from the proposed project; therefore, no mitigation measures are necessary.

12. MINERAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	2	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	2	☐	☐	☐	☒

Evaluation

Based on the COSE, mineral extraction is prohibited within city limits.

a-b) *No impact.* No known mineral resources are present within the project site and future extraction of mineral resources is prohibited by the City's Municipal Code . Therefore, *no impacts would occur*.

Mitigation Measures

None necessary.

Conclusion

No impacts to mineral resources were identified; therefore, no mitigation measures are necessary.

13. NOISE

Would the project result in:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	5, 43	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	1	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	34	☐	☐	☒	☐

Evaluation

The City of San Luis Obispo General Plan Noise Element establishes standards for maximum acceptable noise levels associated with stationary and transportation sources. Noise created by new transportation noise sources are required to be mitigated to not exceed the maximum acceptable noise levels below (Table 3).

Table 3. Maximum Noise Exposure for Noise-Sensitive Uses due to Transportation Noise Sources

Noise-Sensitive Use	Outdoor Activity Areas[1]	Indoor Spaces		
	L_{dn} or CNEL in dB	L_{dn} or CNEL in dB	L_{eq} in dB[2]	L_{max} in dB[3]
Residences, hotels, motels, hospitals, nursing homes	60	45	--	60
Theaters, auditoriums, music halls	--	--	35	60
Churches, meeting halls, office building, mortuaries	60	--	45	--
Schools, libraries, museums	--	--	45	60
Neighborhood parks	65	--	--	--
Playgrounds	70	--	--	--

Note: L_{dn} = day-night average sound level, CNEL = community noise equivalent level, dB = decibels, L_{eq} = equivalent continuous sound level, L_{max} = maximum sound level.

[1] If the location of outdoor activity areas is not shown, the outdoor noise standard shall apply at the property line of the receiving land use.

[2] As determined for a typical worst-case hour during periods of use.

[3] L_{max} indoor standard applies only to railroad noise at locations south of Orcutt Road.

The Noise Element also identifies Policy 1.4 regarding noise created by new transportation sources, including road, railroad, and airport expansion projects, which states noise from these sources shall be mitigated to not exceed the levels specified in Table 3 for outdoor activity areas and indoor spaces of noise-sensitive land uses that were established before the new transportation noise source.

In addition, per City Municipal Code Chapter 9.12 Noise Control, operating tools or equipment used in construction between weekday hours of 7:00 p.m. and 7:00 a.m. or any time on Sundays or holidays is strictly prohibited, except for emergency works of public service utilities or by exception issued by the City Community Development Department. The Municipal Code also states that construction activities shall be conducted in such a manner, where technically and economically feasible, that the maximum noise levels at affected properties will not exceed 75 A-weighted decibels (dBA) at single-family residences, 80 dBA at multi-family residences, and 85 dBA at mixed residential/commercial uses. Based on the City Municipal Code, operating any device that creates vibration that is above the vibration perception threshold of an individual at or beyond 150 feet from the source if on a public space or right-of-way is prohibited (9.12.050.B.7).

a) The project includes the subdivision of a 6.42-acre low-density residential parcel into three low-density residential parcels, 4.1 acres (Parcel 1), 1.30 acres (Parcel 2), and 1.03 acres (Parcel 3) in size. Following the proposed subdivision, potential future development of a single-family residence or other R-1 uses would result in construction noise that may result in a temporary increase in noise. The project site is located within 1,000 feet of multiple sensitive receptors, including single-family residential units to the north, east, and south of the project site, several of which are located within 50 feet of the anticipated future development site. Future development of a new single-family residence would likely include grading, site preparation, and construction activities that would require use of equipment that would generate noise levels of 80 to 85 dBA at 50 feet, which reflect the relative loudness as perceived by the human ear, as shown in Table 4 below.

Table 4. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 ft From Source
Backhoe	80
Compactor	80
Concrete Mixer	85

Concrete Pump	82
Dozer	85
Excavator	85
Heavy Truck	84
Paver	85
Scraper	85

Source reference 44

Based on the equipment to be used and proximity to surrounding single-family residences, construction activities associated with future development of the site have the potential to exceed the construction noise limit of 75 dBA at single-family residences established in the City Municipal Code. Mitigation Measure N-1 has been identified to require that all construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational. In addition, all construction activities would be limited to daytime hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday and would be prohibited on Sundays and federal and state holidays, in accordance with the City Municipal Code Noise Control standards.

Upon completion of construction activities, vehicle noise and other on-site residential noise generated from the new single-family residence would be consistent with the surrounding noise levels and would not result in a substantial increase in ambient noise levels. Therefore, upon implementation of measure N-1, impacts associated with generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance would be *less than significant with mitigation.*

b) Future development of the additional residential lots would require the use of heavy equipment that would generate groundborne noise and vibration, but these activities would be limited in duration and consistent with other standard construction activities and would not be substantial enough to be detected by occupants of surrounding land uses. The development of a single-family residence would not require pile driving or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Therefore, potential impacts would be *less than significant.*

c) The project site is located approximately 3 miles north of the San Luis Obispo County Regional Airport. Based on the San Luis Obispo County Regional Airport ALUP, the project is not located within the airport Land Use Planning Area or noise contours. Therefore, potential impacts associated with safety hazards or excessive noise from aircraft would be *less than significant*.

Mitigation Measures

N-1 Prior to issuance of grading permits for any future development on the project site, the applicant shall ensure that all construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational, and all construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers, shrouding, etc.).

Conclusion

With implementation of Mitigation Measure N-1, residual impacts associated with noise would be less than significant with mitigation.

14. POPULATION AND HOUSING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	45, 46, 47	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	1	☐	☐	☐	☒

Evaluation

San Luis Obispo is the largest city in terms of population in San Luis Obispo County and has grown from 45,119 in 2010 to approximately 46,802 in 2019 according to the City General Plan 2019 Annual Report. The City's housing tenure is approximately 39% owner occupied and 61% renter occupied, which is strongly influenced by California Polytechnic State University, San Luis Obispo (Cal Poly) and Cuesta College enrollment. San Luis Obispo contains the largest concentration of jobs in the county and the city's population increases to an estimated 70,000 persons during workdays (source reference 47).

The City of San Luis Obispo General Plan Housing Element identifies various goals, policies, and programs based on an assessment of the City's housing needs, opportunities, and constraints. The City's overarching goals for housing include ensuring safety and affordability, conserving existing housing, accommodating for mixed-income neighborhoods, providing housing variety and tenure, planning for new housing, maintaining neighborhood quality, providing special needs housing, encouraging sustainable housing and neighborhood design, maximizing affordable housing opportunities for those who live or work in the city, and developing housing on suitable sites.

a) According to the City Housing Element, between 2005 and 2019, the city's population grew by 2,394 persons, a total increase of 5.1% or annual increase of 0.3%. Based on the City General Plan 2019 Annual Plan Report, the city's total buildout population would be 57,200 people. Following the proposed lot split of the project property, the project would result in the addition of two residential lots and would not induce substantial unplanned population growth in the area. Therefore, impacts would be *less than significant.*

b) The potential future development of residential uses on Parcels 1 and 3 would not displace any existing housing or people; therefore, *no impacts would occur.*

Mitigation Measures

None necessary.

Conclusion

The project would not induce substantial unplanned population growth or displace existing housing or people. The project would not result in potentially significant impacts to population or housing; therefore, no mitigation is necessary.

15. PUBLIC SERVICES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	47	☐	☐	☒	☐
Police protection?	47	☐	☐	☒	☐
Schools?	47	☐	☐	☒	☐
Parks?	47	☐	☐	☒	☐
Other public facilities?	47	☐	☐	☒	☐

Evaluation

The project site is located within the existing service area of the San Luis Obispo City Fire Department (SLOFD) and would likely be served by City Fire Station 2. The oldest fire station in the City, Fire Station 2 was built in 1953 and provides primary response to the northern areas of San Luis Obispo and to the Cal Poly Campus. The station is staffed with a three-person paramedic engine company—one captain, one engineer, and one firefighter. The City of San Luis Obispo Police Department (SLOPD), which consists of 85.5 employees, 59 of which are sworn police officers, provides public safety services for the city. The SLOPD operates out of one main police station located at 1042 Walnut Street at the intersection of Santa Rosa (Highway 1) and US 101. The project is located within the San Luis Coastal Unified School District (SLCUSD), and public parks and recreation trails within the city are managed and maintained by the City Parks and Recreation Department.

All new residential and non-residential development within the city is subject to payment of Development Impact Fees, which are administered by and paid through the Community Development Department. Development Impact Fees provide funding for maintaining City emergency services, infrastructure, and facilities. For example, fire protection impact fees provide funding for projects such as the renovation of the City's fire stations and the replacement of fire service vehicles and equipment.

a) **Fire protection:** The project is located in an infill site and would not result in a substantial increase in demand on fire protection services. While potential future development of residential uses at the project site would result in a marginal increase in residents within the city, the project would be consistent with the projected population growth for San Luis Obispo. The project would not result in a substantial increase to the number of units or population in the City and would not result in the need for construction of new or expanded fire protection facilities. In addition, the project would be subject to capital facilities fees for fire protection, which would offset the project's contribution to increased demand on fire protection services. Therefore, impacts associated with the provision of new or physically altered fire protection facilities would be *less than significant.*

Police protection: The project is located in an infill site and would not result in a substantial increase in demand on police protection services. While potential future development of residential uses at the project site would result in a marginal increase in residents within the city, the project would be consistent with the projected population growth for San Luis Obispo. The project would not result in a substantial increase to the number of units or population in the city and would not result in the need for construction of new or expanded police protection facilities. In addition, the project would be subject to development impact fees for police protection, which would offset the project's contribution to increased demand on police protection services. Therefore, impacts associated with the provision of new or physically altered police protection facilities would be *less than significant.*

Schools: The project site would be located within the SLCUSD and potential future development of residential uses at the project site would be subject to payment of SLCUSD developer fees to offset the potential marginal increase in student attendance in the district's schools as a result of the project. These fees would be directed towards maintaining sufficient service levels, which include incremental increases in school capacities. Through participation in this fee program, potential project impacts on schools would be *less than significant.*

Parks: Following the proposed subdivision, potential future development of residential uses at the project site would result in a marginal increase in residents that would lead to an incremental increase in local park usership. Potential future development would not result in a substantial increase to the number of units or population in the City and would

not result in the need for construction of new or expanded public parks or other public recreation facilities. The project would be subject to park development impact fees, which would offset the project's contribution to increased demand on park and recreational facilities. Through participation in this fee program, potential project impacts on parks would be *less than significant.*

Other public facilities: Potential future development of residential uses at the project site would result in a marginal increase in use of other City public facilities, such as roadways and public libraries. Any future development of residential uses would be subject to transportation development impact fees, which would offset the project's contribution to increased use of City roadways. Through participation in this fee program, potential project impacts on schools would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

The project would not result in significant impacts to public services; therefore, no mitigation measures are necessary.

16. RECREATION

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	1, 48	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	1, 48	☐	☐	☒	☐

Evaluation

Existing City recreation facilities consist of 28 parks and recreational facilities, in addition to 10 designated natural resources and open space areas and two bike trails. The City of San Luis Obispo General Plan Recreation Element identifies goals, policies, and programs to help plan, develop, and maintain community parks and recreation facilities. The City's statement of overall department goals is for the City Parks and Recreation facilities and programs to enable all citizens to participate in fun, healthful, or enriching activities that enhance the quality of life in the community. As demand for recreation facilities and activities grow and change, the City intends to focus its efforts in the following areas: continuing development of athletic fields and support facilities, providing parks in underserved neighborhoods, providing a multi-use community center and therapy pool, expanding paths and trails for recreational use, linking recreation facilities, and meeting the special needs of disabled persons, at-risk youth, and senior citizens (source reference 48).

a, b) Following the proposed subdivision, potential future development of residential uses at the project site would result in a marginal increase in local park usership. Potential future development would not result in a substantial increase to the number of units or population in the City and would not result in the need for construction of new or expanded park or recreation facilities. The project would be subject to parkland in-lieu fees, which would offset the project's contribution to increased demand on park and recreational facilities and contribute to helping the City achieve its goal service ratio of 10 acres of parkland per 1,000 residents. Through participation in this fee program, potential project impacts associated with accelerated deterioration of existing facilities or construction of new park facilities would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

Any future development of residential uses at the project site would be subject to payment of development impact fees for parks and recreation facilities, which would offset potential project impacts associated with the incremental increase of demand on these facilities. No potentially significant impacts to parks or recreation facilities would occur, and no mitigation measures are necessary.

17. TRANSPORTATION

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	1, 12, 21, 49	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	1, 12	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	1	☐	☐	☒	☐
d) Result in inadequate emergency access?	1, 52	☐	☐	☒	☐

Evaluation

The City of San Luis Obispo General Plan Circulation Element identifies current traffic levels and delays of public roadways and transportation goals and policies to guide development and express the community's preferences for current and future conditions. Goals included in the plan include, but are not limited to, maintaining accessibility and protecting the environment throughout San Luis Obispo while reducing dependence on single-occupant use of motor vehicles, reducing use of cars by supporting and promoting alternative transportation, such as walking, riding buses and bicycles, and carpooling; promoting the safe operation of all modes of transportation; and widening and extending streets only when there is a demonstrated need and when the projects would cause no significant, long-term environmental problems.

Level of Service (LOS) is a term used to describe the operating conditions of an intersection or roadway based on factors such as speed, travel time, queuing time, and safety. LOS designations range between A and F, with A representing the best operating conditions and F the worst. The Circulation Element establishes the minimum acceptable LOS standard for vehicles in the downtown area of the city as LOS E.

The City 2013 Bicycle Transportation Plan outlines the City's official policies for the design and development of bikeways within the city and in adjoining territory under County jurisdiction but within the City's Urban Reserve and includes specific objectives for reducing vehicle use and promoting other modes.

In 2013, SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new

metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts was required to be implemented statewide.

SLO Transit operates transit service within the city of San Luis Obispo and San Luis Obispo Regional Transit Authority (SLORTA) operates transit service throughout San Luis Obispo County and adjacent areas.

a) Following subdivision of the project property, future development of a single-family residence on-site would result in a marginal increase of temporary construction traffic and long-term vehicle trips. Neither temporary construction vehicle traffic nor operational vehicle trips from the single-family residence would generate enough vehicle trips to substantially affect surrounding roadway and interchange LOS, and the project would not impact surrounding bicycle infrastructure or transit services. Therefore, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, and impacts would be *less than significant.*

b) The City Council adopted revised thresholds of significance for analysis of transportation impacts pursuant to Senate Bill 743 on June 16th, 2020. The revised thresholds of significance replaced Level of Service (LOS) with Vehicle Miles Travelled (VMT) as the City's performance measure for CEQA analysis of transportation impacts. These revised thresholds include a screening threshold for small development projects, stating that projects anticipated to generate less than 110 daily vehicle trips may be assumed to cause a less than significant impact unless substantial evidence indicates that the project would generate a potentially significant level of VMT or create inconsistency with the San Luis Obispo Council of Governments (SLOCOG) Sustainability Communities Strategy (SCS).

Based on the size and scope of potential future development of R-1 uses on Parcel 3, the estimated new vehicle trips generated by the project would fall below the suggested VMT screening threshold of 110 trips/day identified in the City's recommended VMT screening criteria and State guidance (Technical Advisory on Evaluating Transportation Impacts in CEQA; Office of Planning & Research, December 2018). In addition, based on State CEQA Guidelines Section 15064.3(b), projects located within 0.5 mile of either an existing major transit stop or along an existing high-quality transit corridor should be presumed to cause a less-than-significant transportation impact. The project would be infill development and is located within 0.5 mile of the San Luis Obispo Downtown Transit Center and approximately five other public transit stops. Therefore, the project would be consistent with the standards set forth in State CEQA Guidelines Section 15064.3(b) and impacts would be *less than significant.*

c-d) Following subdivision of the project property, potential future development of residential uses at the project site would likely include widening of the existing driveway on-site and construction of a driveway extension to access the proposed residential development site. No changes to the existing driveway entrance would be required, and future residential development would not require modification of any surrounding roadways. These potential improvements would be designed and constructed in compliance with City Public Works standards to provide adequate vehicle and emergency vehicle access to the residence. The project would not substantially increase hazards due to a geometric design feature or incompatible uses or result in inadequate emergency access; therefore, potential impacts would be *less than significant.*

Mitigation Measures

None necessary.

Conclusion

Potential future development of residential uses at the project site would not result in a reduction in LOS on surrounding intersections and would be consistent with State CEQA Guidelines Section 15064.3(b) regarding VMT. Any future development at the project site would be required to meet City Public Works safety design standards and would maintain adequate emergency access. Therefore, no potentially significant impacts related to transportation would occur and no mitigation measures are necessary.

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	17, 18, 19	☐	☒	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	17, 18, 19	☐	☒	☐	☐

Evaluation

Approved in 2014, AB 52 added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the CRHR; or
    b. Included in a local register of historical resources as defined in PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

Native American Tribes were notified about the project consistent with City and State regulations including, but not limited to, Assembly Bill 52. A representative from the Salinan Tribe of San Luis Obispo and Monterey Counties requested to be notified in the event of unanticipated discoveries, and this measure has been included as a mitigation requirement.

a-b.) A Cultural Resource Study was prepared for the project site by Applied Earthworks, Inc. in 2005 for previously proposed development, including additions to the existing residence and possible development of a pool and pool house. During preparation of the cultural resources study, a request was sent to the NAHC to perform a search of the Sacred Lands File. The NAHC responded that the search results were positive, and provided a list of local Native American Individuals who might have additional knowledge of the cultural resources. Each of the individuals were contacted through letters and phone calls, and Salinan Tribe provided comments and requested that consultation and monitoring occur during site disturbance activities. Based on the negative results of the pedestrian survey and review of background information, this area has a low sensitivity for prehistoric archaeological resources.

The City has provided notice of the opportunity to consult to appropriate tribes per the requirements of AB 52 and received one response requesting the results of the property's records search. Upon receiving the results of the records search, the Salinan Tribe of San Luis Obispo and Monterey Counties requested to be kept informed if any resources are unearthed during project development. The tribe's request has been identified as a mitigation requirement of the project. The project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Mitigation Measures CR-1 through CR-5 have been identified to require an archeological monitoring plan, cultural resource awareness training, and cessation of work if a discovery is made until a qualified archaeologist can assess the significance of the find. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resource would be *less than significant with mitigation*.

Mitigation Measures

TCR-1 A representative from the Salinan Tribe shall be notified prior to any ground disturbing activities to provide for on-site monitoring. If cultural resources are encountered during subsurface earthwork activities, all ground disturbing activities within a 25-foot radius of the find shall cease and the City shall be notified immediately consistent with the requirements of Mitigation Measure CR-4. If the find includes Native American affiliated materials, a Native American tribal representative from local tribes, including the yak tityu tityu yak tiłhini Northern Chumash Tribe and the Salinan Tribe of San Luis Obispo and Monterey Counties, shall be notified as requested during the project's AB 52 tribal consultation process.

Implement measures CR-1 through CR-5.

Conclusion

With implementation of Mitigation Measures CR-1 through CR-5, and TCR-1, the project would have a less-than-significant impact with mitigation on tribal cultural resources.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	1	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	39, 54	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	39	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	50, 51	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	50, 51	☐	☐	☒	☐

Evaluation

The City Utilities Department is the sole water provider within the city, provides potable and recycled water to the community, and is responsible for water supply, treatment, distribution, and resource planning. The City's Water Resource Recovery Facility (WRRF) treats all of the wastewater from the city, Cal Poly, and the County airport. The facility treats 4.5 million gallons of wastewater per day. The WRRF manages and treats wastewater in accordance with standards established by the State Water Resources Control Board (SWRCB) to remove solids, reduce the amount of nutrients, and eliminate bacteria in treated wastewater. A portion of the treated water is recycled for irrigation use within the City and the remaining flow is discharged to San Luis Obispo Creek.

a) Following subdivision of the property, the project includes removal/abandonment of the existing water and sewer lines serving the existing residence and installation of new water and sewer lines to service the existing and future residence location. These components have been evaluated for their potential to result in adverse environmental effects throughout this document. Mitigation Measures AQ-1 through AQ-4, BIO-1 and BIO-2, CR-1 through CR-5, GEO-1, N-1, and TCR-1 would reduce potentially significant environmental impacts resulting from installation and establishment of new utility connections associated with air quality, biological resources, cultural resources, geology, noise, and tribal cultural resources to less than significant. Therefore, potential environmental impacts associated with construction or extension of existing utilities would be *less than significant with mitigation.*

b) The project would be serviced by the City water system, which has four primary water sources, including Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water (for irrigation), with groundwater serving as a fifth supplemental source. The City no longer draws groundwater for potable purposes as of 2015. As of November 2019, both the Whale Rock and Salinas Reservoirs are at above 85% storage capacity, and Nacimiento is at 45% storage capacity. During water year 2019, the City's total water demand was 4,762 acre-feet, and the total water availability for 2019 was 10,136-acre feet. Therefore, based on the City's 2019 Water Resources Status Report, the City maintains a robust water supply portfolio with greater than five years of water available.

   At the time of submittal of future development plans and application for a building permit, the applicant would be required to pay a Water Impact fee to offset the project's marginal impact on the City's water resources. Therefore, based on the City's current surplus of water supplies and payment of Water Impact Fees to offset use, potential impacts associated with having sufficient water supplies during normal, dry, and multiple dry years would be *less than significant.*

c) The project would be served by the City's sewer system and would include the installation of a new sewer pipe to connect to existing City sewer infrastructure. The project would result in an incremental increase in wastewater demand on the City's WRRF. Impact fees are collected at the time building permits are issued to accommodate the project's contribution to the City's WRRF capacity. Therefore, impacts associated with the wastewater treatment provider's capacity to serve the project's wastewater needs would be *less than significant.*

d) Based on the California Department of Resources Recycling and Recovery (CalRecycle), the project would result in the generation of approximately 20 to 24 pounds of solid waste generation per day. This represents an incremental increase in demand on San Luis Garbage Company, the local solid waste service provider. Waste generated from the project site would likely be disposed of at the Cold Canyon Landfill. The Cold Canyon Landfill has approximately 13,100,000 cubic yards of remaining capacity as of February 2020 and is expected to reach capacity in 2040. Therefore, potential impacts would be *less than significant*.

e) Background research for the Integrated Waste Management Act of 1989 (AB 939) shows that Californians dispose of roughly 2,500 pounds of waste per month. Over 90% of this waste goes to landfills, posing a threat to groundwater, air quality, and public health. Future development of a single-family residence or other R-1 uses would be required to adhere to the standards set forth in the City's Development Standards for Solid Waste Services for trash, green waste, and recycling. Therefore, the project would be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste, and impacts would be *less than significant.*

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-4, BIO-1 and BIO-2, CR-1 through CR-5, GEO-1, N-1, and TCR-1.

Conclusion

With implementation of Mitigation Measures AQ-1 through AQ-4, BIO-1 and BIO-2, CR-1 through CR-5, GEO-1, N-1, and TCR-1 potential impacts to utilities and service systems would be less than significant with mitigation.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	52	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	1, 53	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	1	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	26	☐	☒	☐	☐

Evaluation

The project is located in an urban area within San Luis Obispo. Urban fire hazards result from the materials, size, and spacing of buildings, and from the materials, equipment, and activities they contain. Additional factors are access, available water volume and pressure, and response time for fire fighters. Based on the City Local Hazard Mitigation Plan, the risk of wildland fires is greatest near the City limits where development meets rural areas of combustible vegetation. Most of the community is within 1 mile of a designated High or Very High Fire Hazard Severity Zone, which indicates significant risk to wildland fire. The City has decided not to create Wildland-Urban Interface Fire Zones within its jurisdiction.

The Safety Element identifies four policies to address the potential hazards associated with wildfire, which include approving development only when adequate fire suppression services and facilities are available, classifying Wildland fire hazard severity zones as prescribed by CAL FIRE, prohibiting new subdivisions located within "Very High" wildland fire hazard severity zones, and continuing enhancement of fire safety and construction codes for buildings.

a) The project site is located in an existing residential neighborhood and future development of a single-family residence or other R-1 uses within the project site would be considered infill. Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation; therefore, the project would not substantially impair an adopted emergency response plan or evacuation plan and impacts would be *less than significant.*

b) The project site is located in a low-density residential area of San Luis Obispo adjacent to open space and wildland areas associated with Cerro San Luis. This open space area has been designated a Moderate Fire Hazard Severity Zone

by CAL FIRE. Future construction following the proposed subdivision would be required to comply with the California Fire Code and would not exacerbate existing fire conditions. Therefore, potential impacts would be *less than significant.*

c) Following subdivision of the property, the project includes removal/abandonment of the existing water and sewer lines serving the existing residence and installation of new water and sewer lines to service the existing and future residence location. These proposed infrastructure components would occur within existing developed land and would be required to be installed in full compliance with applicable CBC and California Fire Code regulations; therefore, potential impacts associated with exacerbation of fire risk from installation of new infrastructure would be *less than significant.*

d) The project site is located on a parcel where historical landsliding has been known to occur. The project has since then been stabilized through removal of unstable material and replacement with structural fill. In the event of a wildfire, there could be potential for the existing slope to become unstable. Mitigation Measure GEO-1 has been identified to require the preparation of a soils engineering report to evaluate the proposed development activities and provide specific recommendations to adequately protect future proposed development against soil stability hazards, including landsliding. The applicant shall incorporate all recommendations made in the geotechnical report to adequately address potential impacts associated with landsliding. Therefore, potential impacts associated with exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, or post-fire slope instability would be *less than significant with mitigation.*

Mitigation Measures

Implement Mitigation Measure GEO-1.

Conclusion

With implementation of Mitigation Measure GEO-1, the project's potential impacts associated with wildfire would be less than significant with mitigation.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	N/A	☐	☒	☐	☐

The project would allow for the future development of a new single-family residence or other R-1 uses within the project site, which would result in the removal of two coast live oak trees. Mitigation Measure BIO-1 is included to minimize potential impacts to nesting migratory birds during construction of a future single-family residence. Future development of the site may require additional tree removal and may have the potential to impact the health of surrounding oak trees that would not be removed. Mitigation Measure BIO-2 has been identified to require identification and protection measures for native trees on the project site to be left intact during construction and site development activities, as well as protection and maintenance measures for new trees to be planted.

Mitigation Measure CR-3 has been included to require awareness training be conducted for all construction crew members so that cultural resources can be recognized if unearthed during site disturbance activities. If previously unidentified cultural materials are unearthed during proposed ground-disturbing activities, Mitigation Measure CR-4 has been included to require work be halted in that area until a qualified archaeologist can assess the significance of the find. Mitigation Measure CR-5 has

been included to identify the appropriate protocol for properly responding to the inadvertent discovery of human remains and determining most likely ancestry, as identified in the State of California Health and Safety Code Section 7050.5. Lastly, Mitigation Measure TCR-1 has been identified to minimize impacts associated with the unanticipated disturbance of subsurface resources. With implementation of the recommended mitigation measures, potential impacts would be less than significant with mitigation.

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	N/A	☐	☒	☐	☐

When project impacts are considered along with or in combination with other reasonably foreseeable impacts, the project's potential cumulative impacts may be significant. Mitigation measures have been incorporated into the project to reduce project-related impacts to a less-than-significant level. Based on implementation of identified project-specific mitigation measures and the relatively limited number and extent of potential impacts, the cumulative effects of the proposed project would not be cumulatively considerable and would be less than significant with mitigation.

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	N/A	☐	☒	☐	☐

The project has the potential to result in significant impacts associated with air quality and noise that could result in substantial adverse effects on human beings. Mitigation measures have been identified to reduce these potential impacts to less than significant, including, but not limited to, standard idling restrictions, dust control measures, preparation of a geologic investigation for ACM, and implementation noise control measures. With incorporation of mitigation measures identified in this Initial Study, potential environmental effects of the project would not directly or indirectly result in any substantial adverse effects on human beings and this impact would be less than significant with mitigation.

22. EARLIER ANALYSES

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D). In this case a discussion should identify the following items:
a) **Earlier analysis used.** Identify earlier analyses and state where they are available for review.
N/A
b) **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
N/A
c) **Mitigation measures.** For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.
N/A

23. SOURCE REFERENCES

1.	Project Plans, June 9, 2020
2.	City of San Luis Obispo Conservation & Open Space Element (COSE), 2006.
3.	City of San Luis Obispo Community Design Guidelines, June 2010
4.	California Scenic Highways, February 2017
5.	City of San Luis Obispo Municipal Code, May 2019
6.	California Department of Conservation Farmland Mapping and Monitoring Program, 2016
7.	City of San Luis Obispo Interactive Parcel Viewer, January 2015
8.	California Air Resources Board Area Designation Maps / State and National, December 2018
9.	San Luis Obispo County Air Pollution Control Board Naturally Occurring Asbestos Mapping Tool, 2017
10.	San Luis Obispo County Air Pollution Control District CEQA Air Quality Handbook, April 2012 (revised November 2017)
11.	San Luis Obispo County Clean Air Plan, December 2001
12.	City of San Luis Obispo Bicycle Transportation Plan, 2013
13.	San Luis Obispo Heritage Trees Map, 2019
14.	Biological Resources Survey Report Proposal, 281 Broad Street, San Luis Obispo, CA, May 3, 2019
15.	U.S. Fish and Wildlife Service National Wetlands Inventory Map, 2019
16.	City of San Luis Obispo Ordinance No. 1544, 2010
17.	Historic Properties in San Luis Obispo, California (A SLO Story Map), accessed November 15, 2019
18.	County of San Luis Obispo Cultural Resource Maps, 2019.
19.	Cultural Resource Study for the Proposed Development at 281 Broad Street, San Luis Obispo, California, August 2019
20.	Pacific Gas and Electric webpage: Delivering low emission energy, accessed September 2019
21.	San Luis Obispo Transit 2019-20120 User Guide, June 17, 2019
22.	City of San Luis Obispo Climate Action Plan, August 2012
23.	California Building Code, 2019
24.	California Department of Conservation Fault Activity Map of California, 2010
25.	City of San Luis Obispo Safety Element, 2014

26.	Soils Engineering Report Volk Residence Additions Pool and Pool House 281 Broad Street, August 2005
27.	Areas of Land Subsidence in California, USGS, Accessed September 2019
28.	NRCS Web Soil Survey, 2019
29.	Geologic Map of the San Luis Obispo Quadrangle, San Luis Obispo County, California, 2004
30.	San Francisco VA Medical Center Long Range Development Plan Final Environmental Impact Statement – Section 3.6 Geology and Soils, June 2015
31.	California Department of Toxic Substances Control, Envirostor Accessed November 18, 2019
32.	State Water Resources Control Board, Geotracker Accessed November 18, 2019
33.	California Environmental Protection Agency, Cortese List Data Resources Accessed November 18, 2019
34.	County of San Luis Obispo Airport Land Use Plan, May 2005
35.	SLO Watershed Project, San Luis Obispo Creek Description, 2014
36.	Federal Emergency Management Agency's National Flood Hazard Layer (NFHL) Viewer, accessed November 4, 2019
37.	SGMA Groundwater Management, California Department of Water Resources Webpage, 2019
38.	San Luis Obispo Valley Groundwater Basin, County of San Luis Obispo Webpage, 2019
39.	Water Sources, City of San Luis Obispo Utilities Webpage, Accessed November 2019
40.	Preliminary Project Drainage Report for 281 Broad Street Subdivision, June 9, 2020
41.	Department of Conservation (DOC) Tsunami Inundation Map for Emergency Planning Port San Luis Quadrangle, 2009
42.	Water Quality Control Plan for the Central Coast Basin, 2019
43.	City of San Luis Obispo Noise Element, 1996
44.	Construction Noise Handbook: Construction Equipment Noise Levels and Ranges, Federal Highway Administration, September 2017
45.	City of San Luis Obispo General Plan Annual Report, 2019
46.	City of San Luis Obispo 2014-2019 General Plan Housing Element, January 2015
47.	Community Development Department Development Impact Fees, 2018
48.	City of San Luis Obispo Parks and Recreation Element, 2015
49.	City of San Luis Obispo Circulation Element, October 2017
50.	SWIS Facility Detail Cold Canyon Landfill, Inc., California Department of Resources Recycling and Recovery, Accessed September 16th, 2019
51.	Estimated Solid Waste Generation Rates, California Department of Resources, Recycling, and Recovery (CalRecycle), accessed November 2019
52.	Diablo Canyon Emergency Planning Zone Map, accessed November 2019
53.	California Department of Forestry and Fire Protection Fire Hazard Severity Zones Maps, San Luis Obispo County, March 2009
54.	2018 Water Resources Status Report, 2018
55.	Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, July 12, 2013

Attachments

1. Proposed Project Plans

REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

AQ-1 Prior to issuance of grading, demolition, and construction permits for any future development at the project site, the following measures shall be shown on proposed plans. To reduce the sensitive receptor emissions impact of diesel vehicles and equipment used to construct the project and export soil from the site, the applicant shall implement the following idling control techniques:

a. California Diesel Idling Regulations

1. On-road diesel vehicles shall comply with 13 CCR 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and

ii. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

2. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the CARB's In-Use Off-Road Diesel regulation.

3. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.

b. Diesel Idling Restrictions Near Sensitive Receptors (residential homes). In addition to the state-required diesel idling requirements, the project applicant shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:

1. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors.

2. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted.

3. Use of alternative fueled equipment is recommended.

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

5. Soil and Material Transport. The final volume of soil and material that will be hauled off-site, together with the fleet mix, hauling route, and number of trips per day, will need to be identified for the SLOAPCD. Specific standards and conditions will apply.

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

AQ-2 During construction/ground-disturbing activities of any potential future development on-site, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on grading and building plans prior to issuance of grading, demolition, and construction permits. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, modify practices as necessary, and prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the City Community Development and Public Works Departments prior to commencement of construction.

a. Reduce the amount of disturbed area where possible.

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. Please note that since water use is a concern due to drought conditions, the contractor or builder shall consider the use of a SLOAPCD-approved dust suppressant where feasible to reduce the amount of water used for dust control. Please refer to the following link for potential dust suppressants to select from to mitigate dust emissions: http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm.

c. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.

e. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.

f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.

g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.

i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.

j. "Track Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code Section 13304. To prevent track out, designate access points and require all employees, subcontractors, and others to use them. Install and operate a "track-out prevention device" where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

l. All PM_{10} mitigation measures required should be shown on grading and building plans.

m. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the SLOAPCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.

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

AQ-3 Prior to initiation of ground-disturbing activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb ACM, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

Monitoring Program: Compliance shall be verified through review of the geologic evaluation or Asbestos ATCM exemption request by the City, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary.

AQ-4 If ACM are determined to be present on-site, proposed earthwork, demolition, and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding ACM, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;

b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and

c. Implementation of applicable removal and disposal protocol and requirements for identified ACM.

AQ-5 Prior to initiation of demolition/construction activities, the applicant shall implement the following measures to reduce the risk associated with disturbance of ACM and lead-coated materials that may be present within the existing infrastructure onsite:

a. Disturbance of existing built components shall comply with the procedures required by the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos) for the control of asbestos emissions during demolition activities. SLOAPCD is the delegated authority by the U.S. EPA to implement the Federal Asbestos NESHAP. Prior to disturbance of existing infrastructure, SLOAPCD shall be notified, per NESHAP requirements. The project applicant shall submit proof that SLOAPCD has been notified prior to disturbance of any facilities with the potential to contain ACM or lead to the City Community Development Department.

b. If during construction activities, paint is separated from existing infrastructure (e.g., chemically or physically), the paint waste shall be evaluated independently from the building material by a qualified hazardous materials inspector to determine proper management. All hazardous materials shall be handled and disposed of in accordance with local, state, and federal regulations. If required, all lead work plans shall be submitted to SLOAPCD at least 10 days prior to the start of demolition. The applicant shall submit proof that paint waste has been evaluated by a qualified hazardous waste materials inspector and handled according to their recommendation to the City Community Development Department.

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

Biological Resources

BIO-1 If feasible, tree removal associated with any future residential (or accessory) development at the project site shall be scheduled to occur outside of the typical nesting bird season (February to September), to avoid potential impacts to nesting birds. If tree removal or other construction activities are proposed during the nesting season (February 1 to September 1), a nesting bird survey shall be conducted by a biologist determined qualified by the City Community Development Department no more than 3 days prior to construction. If an active nest is found, a qualified biologist

shall determine an appropriate buffer and monitoring strategy based on the habits and needs of the species. The buffer area shall be avoided until a qualified biologist has determined that juveniles have fledged.

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

BIO-2 Prior to issuance of grading permits for any future development on the project site, construction plans shall clearly delineate all trees within the project site and shall show which trees are to be removed or impacted and which trees are to remain unharmed. Construction plans shall also show proposed tree protection measures to protect those trees identified to remain and new trees to be planted, including the placement of protective fencing to be inspected and approved by the City Arborist; identify the location, species, and size of trees to be planted; identify proposed irrigation plans; and show the use of structural soils to enhance the success of new plantings. Tree protection measures shall be implemented prior to any ground-disturbing activities per the approved grading and construction plans, and as approved by the City Arborist. Tree protection measures shall remain in place until final inspection by the City Arborist.

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

Cultural Resources

CR-1 Archaeological Monitoring Plan. Prior to issuance of grading or building permits, and recordation of the final map, an Archaeological Monitoring Plan shall be prepared. The Plan shall include, but not be limited to, the following:

a. A list of personnel involved in the monitoring activities;

b. Description of Native American involvement;

c. Description of how the monitoring shall occur;

d. Description of location and frequency of monitoring (e.g., full time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of circumstances that would result in the halting of work at the project site;

g. Description of procedures for halting work on the site and notification procedures;

h. Description of monitoring reporting procedures; and

i. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.

CR-2 The applicant shall retain a City-approved archaeologist and local Native American observer from the Salinan Tribe to monitor Project-related ground-disturbing activities that have the potential to encounter previously unidentified archaeological resources, as outlined in the Archaeological Monitoring Plan. Archaeological and tribal monitoring may cease only if the City-approved archaeologist determines in coordination with the Applicant, Community Development Director, and the Native American monitor that Project activities do not have the potential to encounter and/or disturb unknown resources.

CR-3 Cultural Resource Awareness Training. Prior to construction activities, a qualified archaeologist shall conduct a cultural resource awareness training for all construction personnel including the following:

a. Review the types of archaeological artifacts that may be uncovered;

b. Provide examples of common archaeological artifacts to examine;

c. Review what makes an archaeological resource significant to archaeologists and local native Americans;

d. Describe procedures for notifying involved or interested parties in case of a new discovery;

e. Describe reporting requirements and responsibilities of construction personnel;

f. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and

g. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance through review of the archeological monitoring plan and cultural resources awareness training reports and signature sheets documenting compliance with required mitigation measures.

CR-4 Halt Work Order in the event of Discovery of Previously Unidentified Cultural Resources. In the event that historical or archaeological remains are discovered during earth disturbing activities associated with the project, an immediate halt work order shall be issued and the City Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume. A Native American representative shall monitor any mitigation excavation associated with Native American materials.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance through initial and regular inspections.

CR-5 Halt Work Order in the event of Discovery of Human Remains. In the event that human remains are exposed during earth disturbing activities associated with the project, an immediate halt work order shall be issued and the Community Development Director shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the NAHC within 24 hours.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance through initial and regular inspections.

Geology and Soils

GEO-1 Prior to application for construction permits of any development at the project site, the applicant shall retain a qualified soil engineer to prepare a Soils Engineering Report to evaluate on-site soil stability risks, including, but not limited to, landsliding, expansive soils, and post-fire slope instability. This report shall include specific design recommendations to properly safeguard against risks identified. The applicant shall incorporate all recommendations identified in the geotechnical report into the final design and construction plans for the single-family residence and proposed site improvements and utility installations. Submittal of the report shall be required prior to issuance of grading and building permits.

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

Noise

N-1 Prior to issuance of grading permits for any future development on the project site, the applicant shall ensure that all construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational, and all construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers, shrouding, etc.).

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

Tribal Cultural Resources

TCR-1 A representative from the Salinan Tribe shall be notified prior to any ground disturbing activities to provide for on-site monitoring. If cultural resources are encountered during subsurface earthwork activities, all ground disturbing activities within a 25-foot radius of the find shall cease and the City shall be notified immediately consistent with the requirements of Mitigation Measure CR-4. If the find includes Native American affiliated materials, a Native American tribal representative from local tribes, including the yak tit^{y}u tit^{y}u yak tiłhini Northern Chumash Tribe and the Salinan Tribe of San Luis Obispo and Monterey Counties, shall be notified as requested during the project's AB 52 tribal consultation process.

Monitoring Program: This measure shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance through initial and regular inspections.