



INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

For ER # EID-0055-2020

1. Project Title:

862 Aerovista Place Office Building

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:

862 Aerovista Place (APN 053-412-015), San Luis Obispo, CA (project site)

5. Project Sponsor's Name and Address:

Quaglino Properties, LLC
815 Fiero Lane
San Luis Obispo, CA 93401

6. General Plan Designations:

Business Park

7. Zoning:

Business Park (BP)

8. Description of the Project:

The project proposes the development of a new two-story office building consisting of 35,908 square feet of office space and associated site improvements on one 2.41-acre parcel (Assessor's Parcel Number [APN] 053-412-015) located at 862 Aerovista Place in the City of San Luis Obispo (City), California (refer to Figures 1 and 2). Proposed site improvements include parking lots, site access upgrades, landscaping upgrades, and minor realignment and improvements to the unnamed ephemeral drainage that daylight along the north and west property lines. The project requests approval of a Minor Use Permit to allow a medical office use with the Business Park (BP) zone within the Airport Area Specific Plan (AASP) area. The project's proposed development program is found in Table 1, below.

The proposed two-story office building would be located in the center of the project site and surrounded by a surface parking lot that would provide 169 parking spaces (in excess of the 120 spaces required by the City's Municipal Code) (Figure 3). The proposed two-story office building would be a contemporary design with architectural features to provide interesting architectural elements; break up building massing; eliminate monotonous façades; and locate trash enclosures and parking out of sight from Aerovista Place (Figure 4).

Landscaping would be provided throughout the project site in accordance with Municipal Code requirements, with a focus on landscaping along the Aerovista Place frontage. The project proposes a new driveway access and sidewalk along Aerovista Place. The proposed driveway access would result in the permanent loss of approximately four shoulder parking spaces along the north side of Aerovista Place.

Table 1. Project Development Program

Site Details	Proposed	Allowed/Required
Setbacks		
Street to Building	87 feet	16 feet
Street to Parking	15 feet	10 feet
Other Property Lines	>45 feet	0 feet
Maximum Height of Structures	34.5 feet	45 feet
Floor Area Ratio (FAR)	0.34	0.6
Building Coverage	19%	90%
Public Art	Paying In-lieu Fee	Provide or Pay In-lieu Fee
Total No. Parking Spaces	169	120
Electric Vehicle Parking	13 EV Ready, 30 EV Capable	12 EV Ready, 30 EV Capable
Bicycle Parking	24	24

The project site is in the AASP area of the City of San Luis Obispo and is generally surrounded by one- and two-story commercial office uses and a few remaining unimproved parcels, including an unimproved parcel located immediately west/southwest of the project site. The San Luis Obispo Regional Airport is located approximately 500 feet southwest of the project site, while residential subdivisions become more prominent northeast of the project site across Broad Street (e.g. along Goldenrod Lane approximately 700 feet to the northeast). The project site currently consists of an unimproved, unoccupied parcel dominated by ruderal/disturbed habitat comprised of a variety of non-native, often invasive, species. The project site is regularly mowed to control the growth of vegetation for fire control, as required by the City.

A segment of an unnamed ephemeral (i.e., flows during and/or immediately following a rain event) drainage that flows across the site to Acacia Creek daylights along the southwest property line at a 36-inch culvert that flows under Aerovista Place and the Aerovista Business Park. The unnamed ephemeral drainage then flows northwest along the southwest property line for approximately 200 feet before it extends into the adjacent undeveloped parcel to the west. The drainage remains on the adjacent parcel for approximately 185 feet to that property's northwestern property line, where it makes a 90 degree turn to the east and reenters the project site (see Figure 5). The drainage continues east along the northern property line approximately 165 feet where it outlets to a 48-inch concrete box culvert that extends northward under Fiero Lane to Acacia Creek. A small, second segment of the unnamed ephemeral tributary daylights at a culvert at the northeast corner of the project site that flows under 892 Aerovista Place (the parcel immediately adjacent to the northeast). This segment then flows along the northern property line to the southwest for approximately 150 feet before it joins the other segment and outlets at the 48-inch concrete box culvert.

The project proposes to realign a portion of the ephemeral drainage that traverses the project site around the developed area along the southwestern boundary of the project site. An area of existing vegetation at the southwest portion of the project site where the unnamed ephemeral drainage enters the project site via the 36-inch culvert that flows under Aerovista Place supports a dense stand of wetland vegetation including cattails and arroyo willow. Though this area does not meet the requirements for classification as a state or federal wetland (soil test pits determined no hydric soils were present within the project site), it is nevertheless considered a resource within the site. The project proposed to avoid this area to the extent feasible and retain/enhance and protect it (through permanent fencing). Upon exiting this densely vegetated area, flows within the ephemeral drainage would be realigned around the proposed development footprint along the southwestern property boundary, where the drainage would flow northwest until it reconnects with its existing alignment as it crosses the property boundary onto the parcel to the west. The drainage would follow its existing alignment through the 90-degree turn and would

re-enter the project site at the same location as currently exists. The unnamed ephemeral drainage would follow its existing alignment along the northern property boundary until it leaves the project site via the 48-inch concrete box culvert. The new channel would be approximately 7 feet wide from top of bank to top of bank with an approximately 1-foot wide channel and 2:1 slopes. The drainage would continue to enter and exit the project site at its current locations. The new alignment within the project site is proposed to be enhanced as a mitigation area. Additional mitigation opportunity areas have also been identified within the project site (refer to Figure 5).

Since the project site is currently unimproved and allows for the infiltration of groundwater at the site, the project would install 15 bioretention basins throughout the project site, particularly along the periphery of the parking lot. The purpose of these bioretention basins is to maintain pre-development volumes of stormwater runoff, allow the infiltration of collected runoff to groundwater as under existing conditions, and capture pollutants prior to leaving the project site. In accordance with the City's Stormwater Management Plan (SWMP), the bioretention areas have been designed with capacity to accommodate the volume of an 85th percentile 24-hour storm (1.2 inches of rainfall) from the project site.

Project construction would require approximately 2,500 cubic yards (cy) of cut and 1,200 cy of fill for a total of 3,700 cy of earthwork. Construction is anticipated to last approximately 10 months, including 3 weeks of grading and over-excavation and 4 weeks of sub-slab utilities and preparation for the pouring the building foundation.

9. Project Entitlements:

Development Review
Minor Use Permit

10. Surrounding Land Uses and Settings:

Surrounding uses and stories of surrounding buildings are summarized below:

- Northeast – one- and two-story commercial office buildings
- Northwest – two-story commercial office buildings
- Southwest – ephemeral drainage, unimproved field, and one-story commercial office buildings containing a religious use (Mercy Church). The unimproved field immediately southwest of the project site is used as a septic leach field managed by the Fiero Lane Mutual Water Company.
- Southeast – two-story commercial office and restaurant buildings (i.e., Aerovista Business Park)

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).

12. Other public agencies whose approval is required:

Air Pollution Control District (APCD)
CDFW Approval of Section 1600 Lake and Streambed Alteration Agreement (LSAA)
Regional Water Quality Control Board (Central Coast)
U.S. Army Corps of Engineers (USACE)

Figure 1. Project Vicinity Map.



Figure 2. Project Location Map.

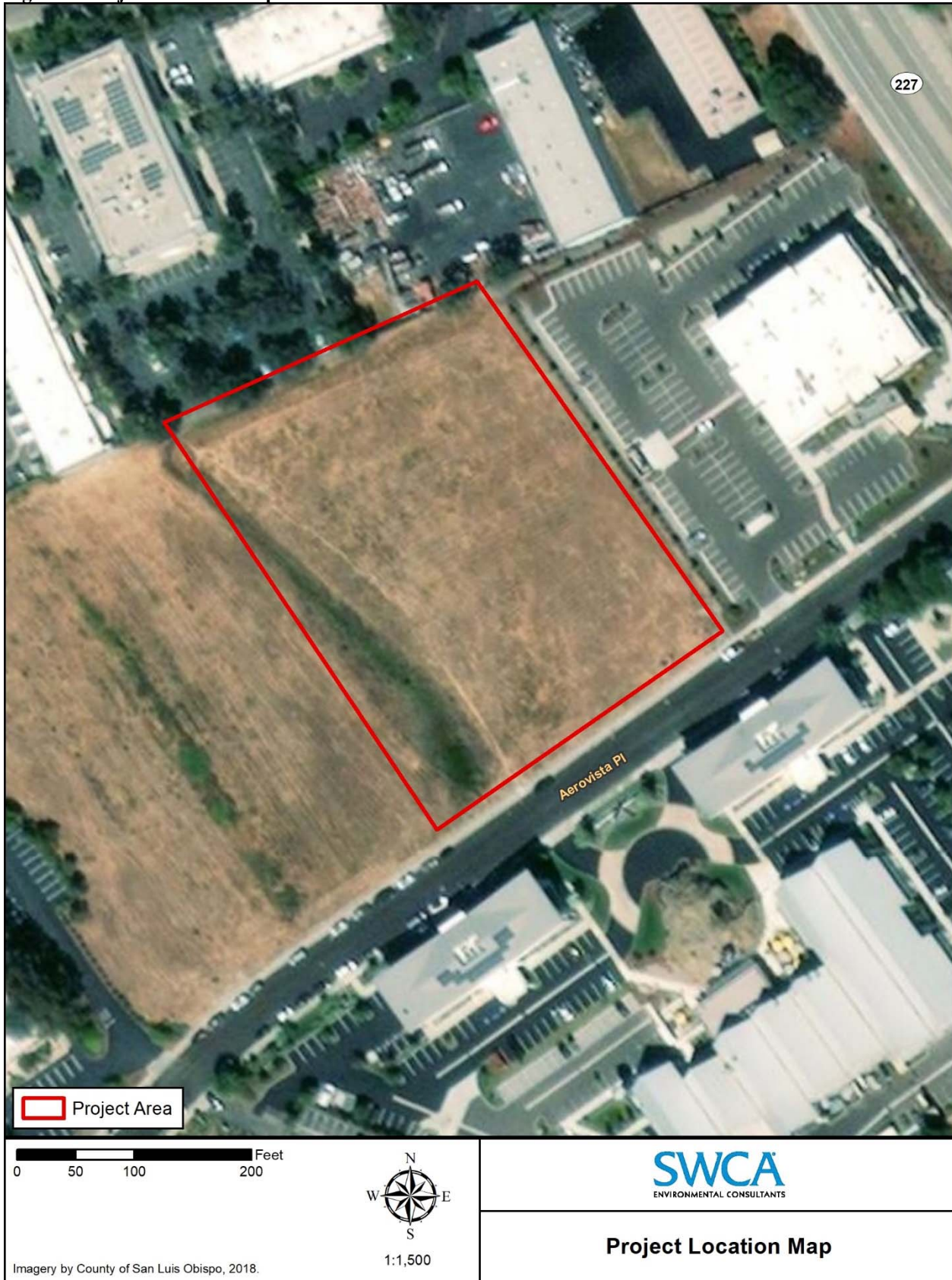


Figure 3. Conceptual Site Plan.

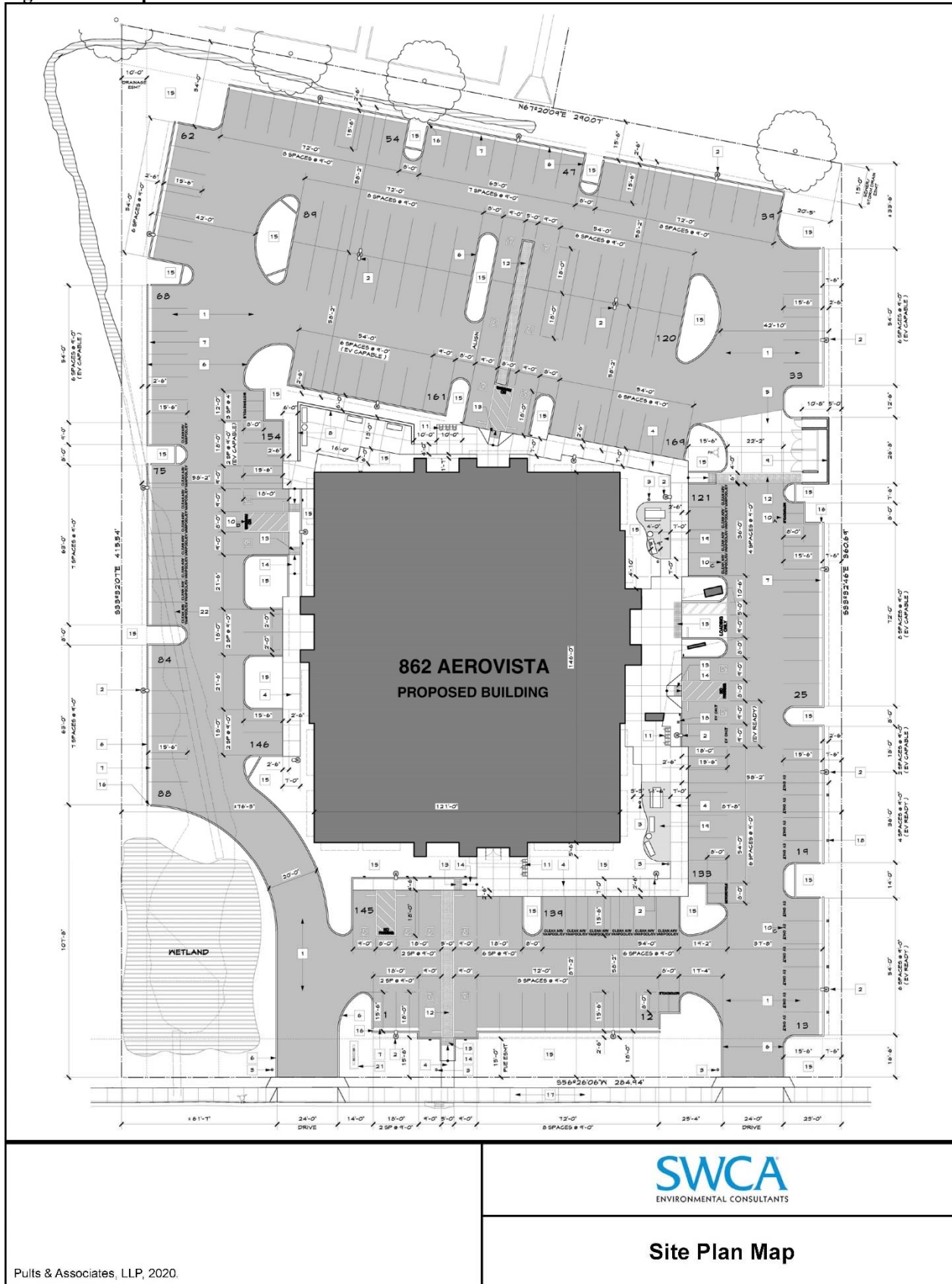


Figure 4. Image of Similar Adjacent Structure.

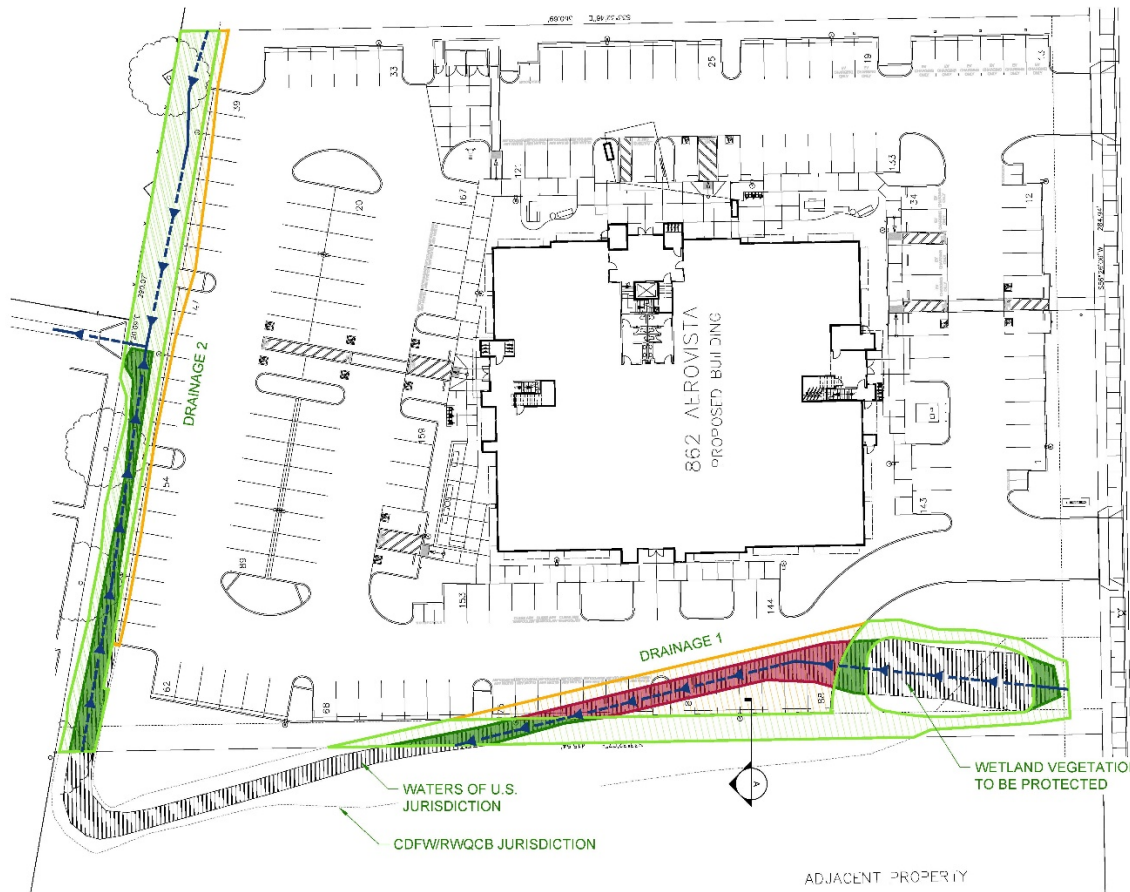



Source: Pults & Associates, LLP, 2019.

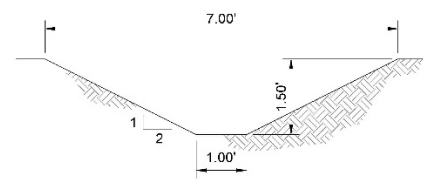
SWCA
ENVIRONMENTAL CONSULTANTS

Project Architectural Rendering

Figure 5. Unnamed Ephemeral Drainage & Jurisdictional Waters.



-  TEMPORARY DISTURBANCE UNDER CDFW/RWQCB JURISDICTION
-  TEMPORARY DISTURBANCE UNDER U.S. JURISDICTION
-  PERMANENT DISTURBANCE UNDER U.S. JURISDICTION
-  PERMANENT DISTURBANCE UNDER CDFW/RWQCB JURISDICTION
-  FLOW LINE



A CHANNEL CROSS SECTION
 H Scale 1" = 1' V Scale 1" = 1'

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These drawings are a collection of sketches and preliminary drawings prepared by the firm of Pultis & Associates, LLP. All design and other information contained herein is for the use of the client and is not to be construed as a contract or any other legal instrument. The client is advised that the drawings are preliminary and subject to change without notice. The client is advised that the drawings are preliminary and subject to change without notice. The client is advised that the drawings are preliminary and subject to change without notice.

Project:
862 AEROVISTA PLACE

SAN LUIS OBISPO
 CA 93401

Client:
QUAGLINO PROPERTIES

815 FIERO LANE
 SAN LUIS OBISPO
 CA 93401
 (805) 543-6560

Consultant:

WALLACE GROUP
 1515 Mission Street
 SAN LUIS OBISPO, CA 93401
 (805) 543-5550
 www.wallacegroup.com

Stamp:


Date: 5/8/2020
 Revised: Feb 14, 2020

JURISDICTIONAL IMPACT
 EXHIBIT

Sheet Contents:
 Sheet:

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.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Agriculture and Forestry Resources	<input checked="" type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Recreation
<input checked="" type="checkbox"/>	Air Quality	<input checked="" type="checkbox"/>	Hydrology and Water Quality	<input checked="" type="checkbox"/>	Transportation
<input checked="" type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Land Use and Planning	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Mineral Resources	<input checked="" type="checkbox"/>	Utilities and Service Systems
<input type="checkbox"/>	Energy	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Wildfire
<input checked="" type="checkbox"/>	Geology and Soils	<input type="checkbox"/>	Population and Housing	<input checked="" type="checkbox"/>	Mandatory Findings of Significance

FISH AND WILDLIFE FEES

<input type="checkbox"/>	The Department of Fish and Wildlife has reviewed the CEQA document and written no effect determination request and has determined that the project will not have a potential effect on fish, wildlife, or habitat (see attached determination).
<input checked="" type="checkbox"/>	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

<input checked="" type="checkbox"/>	This environmental document must be submitted to the State Clearinghouse for review by one or more State agencies (e.g. Cal Trans, California Department of Fish and Wildlife, Department of Housing and Community Development). The public review period shall not be less than 30 days (CEQA Guidelines 15073(a)).
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DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	<input type="checkbox"/>
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.	<input checked="" type="checkbox"/>
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	<input type="checkbox"/>
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	<input type="checkbox"/>
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.	<input type="checkbox"/>

Shawna Scott

December 10, 2020

Signature

Date

Shawna Scott
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	2, 4	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The project site is located in the AASP portion of the City of San Luis Obispo (city) and is generally surrounded by one- and two-story commercial office buildings, with a few remaining unimproved parcels. The project site is currently unimproved and occupied with ruderal/disturbed habitat comprised of a variety of non-native, often invasive, species. A portion of an unnamed ephemeral tributary to Acacia Creek extends along the southwestern and northwestern boundaries of the project site.

The topography of the city is generally defined by several low hills and ridges such as Righetti Hill, Bishop Peak and Cerro San Luis. These peaks are three of the nine peaks known as the Morros and provide scenic focal points for much of the city. The project vicinity exhibits intermittent views of nearby natural landmarks, including Cerro San Luis. The terrain within the project site is relatively flat, with the elevation ranging from 157 to 162 feet above sea level.

Based on the City’s Conservation and Open Space Element (COSE) map of scenic roadways and vistas, Broad Street located approximately 375 feet east of the project site is designated as having high scenic value. The AASP identifies specific goals, policies, and design guidelines and standards intended to protect and enhance the visual quality and character of the AASP area and land uses with the Business Park (BP) land use designation. Policies in the AASP include, but are not limited to, maintaining community character and assuring a desirable setting for the types of businesses that are the primary reason for Business Parks. The BP land use designation is generally intended for well-designed, master-planned, campus-type developments that will contribute to community character and the City’s objective of attracting jobs that can support households within the city. The AASP Design Guidelines and Standards for the physical development and design of new projects within the Airport Area, include, but are not limited to, the following:

- 5.1.1 – Principal buildings shall be oriented parallel to the street.
- 5.1.4 – Buildings shall have architecturally articulated entry features facing the street.
- 5.4.1 – Parking lots shall be located at the rear or side of buildings, rather than between the front facade of the building and the street. Side parking shall not exceed 40% of the frontage of the lot on the primary street.
- 5.4.4 – Parking lots shall be planted with shade trees in a pattern and number that can be reasonably expected to shade at least 50% of the lot surface within ten (10) years of planting, and provide a nearly continuous canopy at maturity.
- 5.6.1 – Loading docks and refuse collection areas are not permitted in the area between the building and the street.
- 5.6.6 – Rooftop mechanical equipment shall be screened by parts of the roof, or architecturally compatible screening features, so the equipment is not visible from the ground outside the site or open space areas to the public. On sites

designated Business Park, such screening shall make rooftop equipment not visible from a viewpoint outside the site and at the same height as the equipment.

- 5.10.1 – Building facades visible from streets shall vary in modules of 20 meters (66 feet) or less. On any building facade, continuous wall planes longer than 30 meters (100 feet) should be avoided. Where interior functions require longer continuous spaces, exterior walls should have architectural features such as columns or pilasters at least every 20 meters. Such architectural features shall have a depth of at least 3 percent of the length of the facade, and shall extend at least 20 percent of the length of the façade.
- 5.10.2 – Facades that face public streets shall use elements such as arcades, awnings, entry features, windows, or other such animating features along at least 60 percent of their horizontal length.
- 5.17.1 – Development in the Airport Area is subject to the requirements of the City’s Public Art ordinance.
- 5.18.1 – Building identity signs shall be limited to major site entries from public roadways. Corporate and business identity signs can be placed on the buildings themselves, as long as they are located near the building entrance and are for identification within the site (i.e., not from public roadways).
- 5.19.1 – Provide minimum levels of lighting consistent with public safety standards along public roadways.
- 5.19.4 – To maintain a pedestrian scale and reduce ambient light levels, streetlights shall not exceed 20 feet on all other streets.
- 5.19.7 – Light fixtures shall be cut-off type fixtures that focus light down toward the ground and shield the light source from surrounding areas not intended to be illuminated.

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. 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 of the AASP area with intermittent views of the Irish Hills to the west and the San Lucia Mountains and Foothills to the east. Based on the AASP, scenic views from major roads within the AASP area should be preserved (Table 5.4, *San Luis Obispo Airport Area Specific Plan, Roadway View Protection*). Broad Street (north of Buckley Road) is identified as the closest roadway from which views should be preserved, though the AASP recognizes that views of the Irish Hills to the west are too distinct for views to be feasibly maintained while allowing reasonable foreground development.

Based on the City’s COSE, the project site is not within the viewshed of a designated scenic vista. Views of the project site from Broad Street would largely be blocked by existing intervening one- and two-story commercial buildings along the frontage of Broad Street. The proposed building would be similar in height and scale as existing adjacent buildings and the proposed building height would be more than 10 feet less than the maximum building height allowed by the AASP. Therefore, the project would not substantially obstruct views of the Irish Hills or San Lucia Mountains from Broad Street and potential impacts associated with adverse effects on a scenic vista would be *less than significant*.

b) The project site is located approximately 2.3 miles east of U.S. Highway 101 (U.S. 101). Based on the California Department of Transportation’s (Caltrans) California Scenic Highways online mapping tool, this section of U.S. 101 is eligible for state scenic highway designation but is not officially designated. The City’s COSE also identifies Broad Street (approximately 375 feet east of the project site) as having high scenic value. The project site would not be visible to viewers travelling along U.S. 101 due to the distance between U.S. 101 and the project site, as well as intervening vegetation and development. Based on the AASP, scenic views from major roads within the AASP area should be preserved, including from Broad Street. Views of the project site from Broad Street would largely be blocked by intervening one- and two-story commercial buildings along the frontage of Broad Street. The proposed building would be similar in height and scale as existing adjacent buildings and the proposed building height would be more than 10 feet less than the maximum building height allowed by the AASP. The project site does not contain trees, rock outcroppings, designated open space, or historic buildings. 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 site and building design have been developed to comply with the City’s AASP Design Guidelines. The proposed two-story office building would be a contemporary design with architectural features to provide interesting

architectural elements; break up building massing; eliminate monotonous façades; and locate trash enclosures and parking out of sight from Aerovista Place. The project is located in an urbanized area and would be similar in height and scale to surrounding development. Therefore, the project would not modify or conflict with applicable zoning or other regulations governing scenic quality and impacts would be *less than significant*.

- d) Existing sources of nighttime lighting in the vicinity of the project site include airport-related lighting, spillover parking lot lighting from nearby commercial office buildings, interior lighting emanating from nearby commercial parking lot lighting, and intermittent vehicle lighting from vehicles travelling along Aerovista Place, Broad Street, and/or parking at the nearby commercial office buildings. The project is required to comply with the City’s AASP Design Guidelines pertaining to lighting and the Night Sky Preservation Ordinance (17.70.100) standards for outdoor lighting and new development, which include, but are not limited to, requirements for new outdoor light sources to be shielded and directed away from adjacent properties and public rights-of-way, requirements for minimum levels of lighting consistent with public safety standards, and limits to hours of lighting operation. Compliance will be verified prior to issuance of building permits. Therefore, impacts from new sources of light or 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 and would not be highly visible from nearby public roadways designated as having high scenic value. The project has been designed to comply with all applicable standards set forth in the AASP and the City’s Community Design Guidelines. 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	2, 6, 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Result in the loss of forest land or conversion of forest land to non-forest use?	2, 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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, 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.

No portion of the project site or immediately surrounding areas support active agricultural uses. The project site is not located within or immediately adjacent to land zoned for agricultural uses. Based on Figure 6 in the City’s COSE, the project site is not located within or immediately adjacent to land under an active Williamson Act contract.

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent 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 not located on land designated as 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 is not located within an Agricultural Zone and the project site is not located within or immediately adjacent to land under an active Williamson Act contract. Therefore, the project would not conflict with existing agricultural zoning or a Williamson Act contract and *no impacts* would occur.
- c-d) 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 *no impacts* would occur.
- e) The project includes construction of a new two-story office building in the City’s AASP area. The project site is surrounded by urbanized commercial uses. The nearest agricultural uses are approximately 0.75 miles west and southeast of the project site. The proposed project would be consistent with surrounding uses and consistent with existing zoning for this site and would not adversely affect agricultural water supplies or other agricultural support facilities. Therefore, the project would not result in substantial changes in the environment that could result in conversion of nearby agricultural land or forest land to non-agricultural or 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 Farmland, land zoned for agricultural or forest land use, or land under a Williamson Act Contract. No potentially significant impacts to agriculture or forest land would occur, 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?	8, 9, 10, 11	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	10, 13, 14	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	10, 14	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The City of San Luis Obispo 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 “nonattainment” for the state standards for ozone, partial nonattainment (in eastern San Luis Obispo County, outside of the project area) for federal ambient standards for ozone, and nonattainment for the state standards for particulate matter greater than 10 microns in diameter (PM₁₀). 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 to encourage 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, a Clean Air Plan (2001) has been adopted by the SLOAPCD.

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. 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 nearest sensitive receptors to the project site are the single-family residences located approximately 700 feet northeast of the project site.

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. 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.

- a) In order to be considered consistent with the 2001 San Luis Obispo County Clean Air Plan (CAP), a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP.

The project proposes infill development within the city’s AASP Area, easily accessible by Class II bicycle lanes on Broad Street, and would include adequate secure bicycle storage, showers onsite, and posting and distribution of public transportation information (consistent with City regulations) to encourage employees to use alternative modes of

transportation. The project would therefore be consistent with the land use policies identified in the 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.

Transportation Control Measures (TCMs) are controls implemented at the local or regional level to reduce emissions resulting from the use of motor vehicles. TCMs are primarily intended to reduce vehicle use by promoting and facilitating the use of alternative transportation options. Many of the TCMs identified within the CAP are not applicable to the project, such as campus trip reduction programs, local and regional public transportation improvements, motor vehicle inspection programs, and maintenance and development of park-and-ride lots throughout the county. The project proposes infill development within the City’s AASP area and would include a variety of features that would be consistent with the TCMs in the CAP, including pedestrian- and bicycle-friendly site design, compact infill development within the City’s existing urban reserve line, and accessibility to an existing San Luis Obispo Transit stop along Broad Street southbound between Fiero Lane and Aerovista Place , approximately 350 feet east of the project site. The project would be consistent with the CAP TCM to promote bicycle use through provision of onsite bicycle parking and connectivity to the regional bicycle network, bicycle storage, showers, lockers, and changing room facilities to encourage project employees to bike to and from work. The project site is located within immediate proximity of Class II bicycle lanes on Broad Street, as identified in City of San Luis Obispo Bicycle Transportation Plan. The project would therefore be consistent with the land use policies and transportation control measures identified in the 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. Potential impacts related to a conflict with an air quality plan would be *less than significant*.

- b) San Luis Obispo County is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG), nitrous oxides (NO_x), and fugitive dust emissions (PM₁₀). During operation, the project would result in emissions of ozone precursors associated with mobile source emissions and other stationary sources.

Construction Emissions

The project would result in the disturbance of approximately 2.41 acres and would require approximately 2,500 cubic yards of cut and 1,200 cy of fill for a total of 3,700 cy of total earthwork. Grading and over-excavation is anticipated to occur over a 3-week period (15 working days) and construction is estimated to occur over a period of ten months. This would result in the generation of construction dust as well as short- and long-term construction vehicle emissions, including diesel particulate matter (DPM), ROG, NO_x, and PM₁₀. Based on CalEEMod emissions modeling, the project has the potential to exceed the quarterly threshold of 2.5 tons/quarter for ROG and NO_x and standard mitigation is required (refer to Table 2, Potential Construction Emissions).

Table 2. Potential Construction Emissions

	ROG + NO_x	DPM	PM₁₀
Daily Threshold	137 lbs/day	7 lbs/day	N/A
Project Emissions (Daily)	135 lbs/day	3.47 lbs/day	N/A
Quarterly Threshold	2.5 tons/quarter	0.13 tons/quarter	2.5 tons/quarter
Project Emissions (Quarterly)	4.38 tons/quarter	0.112 tons/quarter	0.31 tons/quarter

In addition, SLOAPCD’s CEQA Air Quality Handbook recognizes special conditions, such as proximity to sensitive receptors, that require implementation of standard construction mitigation measures to reduce diesel idling (DPM) and fugitive dust. Due to the project’s proximity to surrounding residential areas (less than 1,000 feet), standard measures for

reducing DPM and fugitive dust are required. Therefore, potential air quality impacts associated with project construction would be *less than significant with mitigation*.

Operational Impacts

Implementation of the project would result in an increase in vehicle trips, energy use, and architectural coating off-gassing that would generate criteria pollutant emissions. As shown in Table 3 below, general screening criteria are used by the SLOAPCD to determine the type and scope of projects that would require an air quality assessment and/or potentially mitigation. Based on the SLOAPCD’s operational screening criteria for air quality analyses, the project would not exceed the identified operational thresholds established by the SLOAPCD ozone precursor emissions from medical office building uses.

Table 3. Screening Criteria for Project Air Quality Analysis

Use	Total Proposed Square Footage/Units	Size of Project Expected to Exceed APCD Ozone Precursor Threshold	% of Ozone Precursor Threshold
Commercial (Medical Office Building)	35,908 sf	60,000 sf	59.8%

Table 4. Potential Operational Emissions

	ROG+NOx	DPM	PM10	CO
Daily Threshold	25 lbs/day	1.25 lbs/day	25 lbs/day	550 lbs/day
Project Emissions (Daily)	10.82 lbs/day	0.135 lbs/day	4.98 lbs/day	20.49 lbs/day
Annual Threshold	25 tons/year	N/A	25 tons/year	N/A
Project Emissions (Annual)	1.54 tons/year	N/A	0.6679 tons/year	N/A

In addition, based on the CalEEMod emissions modeling, the project would not exceed daily or annual operational thresholds (refer to Table 4). Operational air pollutant emissions associated with vehicle trips (mobile source emissions) would be minimized through the provision of bicycle amenities and electric vehicle parking stalls, required locker and shower facilities, implementation of a Transportation Demand Management plan, and the construction of infrastructure within the City that would reduce vehicle miles traveled. Lastly, commercial energy use for lighting, heating, and cooling is a significant source of direct and indirect air pollution from buildings nationwide. 100% of the energy Monterey Bay Community Power provides the City is from renewable sources. Through utilization of MBCP energy, and compliance with the California Building Code and new Energy Code requirements, the project’s operational air pollution emissions would be further reduced, and impacts would be *less than significant*. Refer to Initial Study Section 8, Greenhouse Gas Emissions for additional discussion regarding GHG impacts.

- c) The nearest sensitive receptors to the project site are the single-family residences located approximately 700 feet northeast of the project site, across Broad Street. Construction activities such as excavation, grading, vegetation removal, staging, and building construction would result in temporary construction vehicle emissions and fugitive dust that may affect surrounding sensitive receptors. Based on the SLOAPCD CEQA Air Quality Handbook, construction activities within 1,000 feet of sensitive receptors require standard dust and DPM reduction measures. Mitigation measures AQ-1 and AQ-2 have been identified to reduce exposure of sensitive receptors to adverse construction vehicle emissions and fugitive dust; therefore, impacts would be *less than significant with mitigation*.

The SLOAPCD Naturally Occurring Asbestos Map indicates that the project site is located within an area identified as having a potential for NOA to be present. The project would include approximately 3,700 cubic yards of total earthwork, removal of low-lying vegetation, implementation of improvements to the unnamed ephemeral tributary, and construction of the two-story office building. Pursuant to SLOAPCD requirements and CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (93105), the applicant is required to provide geologic evaluation prior to any construction 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 onsite. Based on compliance with identified mitigation and existing regulations, potential impacts associated with other emissions would be *less than significant with mitigation*.

- d) Construction of the proposed project would generate odors associated with construction smoke, dust, and equipment exhaust and fumes. The proposed construction 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. Therefore, potential impacts would be *less than significant*.

Mitigation Measures

AQ-1 During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible;
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
 - c. Use of alternative fueled equipment shall be used whenever possible; and,
 - d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - a. 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,
 - b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

- a. Reduce the amount of disturbed area where possible.
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding Air Pollution Control District's (APCD's) limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour (mph) and cessation of grading activities during periods of winds over 25 mph. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
- 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 one month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
- k. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- l. All PM₁₀ mitigation measures required shall be shown on grading and building plans.
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD's limit of 20% opacity for no greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-3 Prior to initiation of demolition/construction activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property including sampling and testing for naturally occurring asbestos in full compliance with California Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) and SLOAPCD requirements. 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 naturally occurring asbestos (NOA), the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 If naturally occurring asbestos (NOA) are determined to be present onsite, proposed earthwork and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB Asbestos Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) and requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos; NESHAP). These requirements include, but are not limited to, the following:

- 1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
- 2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and,
- 3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

AQ-5 Portable equipment and engines 50 horsepower (hp) or greater require California statewide portable equipment registration (issued by the Air Resources Board) or an Air District Permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive:

- Power screens, conveyors, diesel engines, and/or crushers;

- Portable generators and equipment with engines that are 50 hp or greater;
- Internal combustion engines;
- Unconfined abrasive blasting operations;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and,
- Trommel screens.

AQ-6 The standard mitigation measures and Best Available Control Technology (BACT) for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- Maintain all construction equipment in proper tune according to manufacturer’s specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB’s Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
- Use on-road heavy-duty trucks that meet the ARB’s 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel; and
- Further reduce emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;
- Repower equipment with the cleanest engines available; and
- Install California Verified Diesel Emission Control Strategies.

Conclusion

In addition to compliance with existing regulations, standard mitigation measures have been identified above to address potential project impacts associated with construction activities and sensitive receptors’ exposure to air pollutants and potential impacts associated with naturally occurring asbestos. Upon implementation of these measures, residual impacts associated with air quality would be less than significant.

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?	1, 2, 53, 54, 55	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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?	1, 2, 53, 54	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	2, 16, 25, 53, 54	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	2, 53, 54	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	2, 15	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

This evaluation is based, in part, on a *Biological Survey Results Memorandum for a Proposed Project at 862 Aerovista Place, San Luis Obispo, California*, prepared by Terra Verde Environmental Consulting in February 2020, a supplemental memorandum prepared by Terra Verde on May 20, 2020, a botanical survey memorandum prepared by Terra Verde on May 19, 2020, and a *Wetland Delineation and Jurisdictional Determination Report for 862 Aerovista Place (APN 053-412-015), San Luis Obispo, California*, prepared by Storrer Environmental Services, LLC, in August 2019.

The project site is in a quickly developing portion of the city within the AASP area and is surrounded by commercial office uses, roadways, and one undeveloped parcel to the southwest. The project site itself is unimproved and comprised of ruderal/disturbed habitat with of a variety of non-native, often invasive, species and an unnamed ephemeral drainage that extends along the southwest and northern site boundaries before its confluence with Acacia Creek approximately 0.15 mile north of the project site. The narrow drainage conveys runoff from storms and the adjacent commercial developments, as well as the undeveloped parcel to the southwest. The project site is regularly mowed to control the growth of vegetation for fire control, as required by the City of San Luis Obispo.

The city is generally surrounded by open space, rangeland used for grazing, and other agricultural uses 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’s COSE identifies various goals and policies to maintain, enhance, and protect natural communities within the City’s 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 maintaining development setbacks from creeks.

a,b) Although unimproved, the project site is located in the quickly developing AASP area and is largely surrounded by commercial office uses. The topography, soils, and vegetation of the project site and surrounding areas have been altered considerably through past maintenance activities, land conversion, and construction of adjacent commercial developments. The site has been regularly mowed for fire control, as required by the city of San Luis Obispo. The results of a background literature review and observed site conditions indicated that three special-status botanical species, two special-status wildlife species, and migratory nesting birds and raptors have the potential to occur on the project site or within the project vicinity. In addition to these species, jurisdictional aquatic habitat was observed within the survey area with marginally suitable habitat for vernal pool fairy shrimp and California red-legged frog. No special status species were observed during field surveys conducted in July 2019, January 2020, and April 2020.

Special-Status Botanical Species

Due to the high degree of land manipulation (e.g., placed fill, regular mowing etc.) within the project site, the habitat present is only marginally suitable for supporting special-status botanical species. Low suitability habitat is present for the following species:

- Congdon’s tarplant (*Centromadia parryi subsp. congdonii*), California Rare Plant Rank (CRPR) 1B.1
- Hoover’s button-celery (*Eryngium aristulatum var. hooveri*), CRPR 1B.1
- Adobe sanicle (*Sanicula maritima*), State Rare / CRPR 1B.1

Low suitability habitat is present within the drainage and associated wetland habitat onsite for Congdon’s tarplant, Hoover’s button-celery, and adobe sanicle. In addition, a CNDDDB occurrence for Congdon’s tarplant is recorded in the northeastern corner of the property. Occurrence details indicate that several hundred individuals were observed between Fiero Lane and Aerovista Place sometime in the 2000s, but the exact location and date of observation are not known. If present, Congdon’s tarplant and Hoover’s button-celery would have been detectable at the time of the July 2019 survey; however, no special-status botanical species were observed during the surveys of the project site. An additional botanical survey was conducted in April 2020 during the appropriate blooming period for adobe sanicle and no adobe sanicle was observed within the project site. Therefore, these species are not documented on site.

Special-Status Wildlife Species

The potential for any special-status wildlife species is considered low due to the disturbed nature of existing habitat within the project area and the lack of continuity with areas of adjacent suitable habitat. Additionally, the lack of perennial or intermittent water reduces the suitability for aquatic species. Special-status wildlife species determined to have low potential to occur on site include:

- Vernal pool fairy shrimp (*Branchinecta lynchi*), Federal Threatened
- California red-legged frog (*Rana draytonii*), Federal Threatened, State Species of Special Concern (CSC)

No special-status species were documented during the surveys conducted in July 2019, January 2020, and April 2020. Very low suitability habitat is present within the ephemeral drainage for California red-legged frog (CRLF) and vernal pool fairy shrimp (VPFS). CRLF may temporarily occupy the drainage when water is present; however, the drainage does not provide suitable breeding habitat due to its shallow depth and flashy and ephemeral flows. In addition, the hydroperiod for ponded water within the drainage is not expected to support a breeding population of VPFS. The nearest documented occurrence of CRLF is from 2006 and is over two miles from the project site. Lastly, surrounding projects that have assessed the potential for CRLF have found only bullfrogs present, including protocol-level CRLF surveys at the nearby Tank Farm remediation site. While presence of bullfrogs doesn’t preclude CRLF, it reduces the likelihood that they will occur or persist. As such, it is unlikely that CRLF would be encountered at the project site. Due to the lack of highly suitable habitat and low likelihood of occurrence, impacts to these species are not expected to occur as a result of the proposed project; however, mitigation has been included to ensure potential impacts to CRLF are avoided if present at the time of construction.

Suitable habitat for nesting birds and raptors is present within the project area, particularly in the trees along the northwest corner of the project site. Potential impacts to nesting birds and raptors are considered low because the project site is an infill site located near the airport and experiences a regular level of disturbance from vegetation maintenance and other surrounding land uses. A minimal amount of foraging habitat would be lost as a result of development. Avian species that may occur in or near the project site could be directly impacted if initial clearing, grubbing, grading, and/or construction activities occur during the typical avian nesting season (February 1 – September 15), risking the possibility of nest failure. Indirect impacts could include disturbance associated with noise and dust during nesting activities. Mitigation has been included to ensure potential impacts would be avoided and/or minimized to a less-than-significant level. Therefore, impacts would be *less than significant with mitigation*.

- c) There are no mapped blue line creeks within or immediately adjacent to the proposed area of disturbance. A portion of an unnamed ephemeral drainage extends along the southwest and northwest property boundaries before converging with Acacia Creek north of the project site (Figure 5). The narrow drainage conveys runoff from storms and the adjacent

commercial developments, as well as the undeveloped parcel to the southwest. Because flows are ephemeral, the drainage is infrequently connected to San Luis Obispo Creek (via Acacia Creek and East Fork San Luis Obispo Creek) downstream of the project area, which discharges into the "traditionally navigable waters" of the Pacific Ocean. However, the on-site ephemeral drainage has a defined bed and banks and is periodically connected to downstream waters (i.e., Acacia Creek, San Luis Obispo Creek), and is therefore likely to be considered waters of the U.S. under current federal guidance.

To confirm the presence of wetlands along the ephemeral drainage, a wetland delineation was completed in July 2019 and a supplemental memorandum to clarify the delineation of waters and wetlands at the project site was completed in May 2020. Prior to the field delineation, a previous jurisdictional determination prepared for the project site and available public domain information including the Natural Resources Conservation Service (NRCS) Web Soil Survey of San Luis Obispo County, California, Coastal Part were reviewed. The area of U.S Army Corps of Engineers (USACE)-jurisdictional waters of the U.S. extends to the ordinary highwater mark (OHWM) on the banks of the unnamed ephemeral drainage and encompass approximately 0.15 acre within the project site (Figure 5). None of the sampling points along the drainage met all three federal wetland criteria. Therefore, no federal-defined wetlands are present within the project site.

The State of California Office of Administrative Law recently approved the State Water Resources Control Board (SWRCB) State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), which define state wetlands by a three parameter requirement similar to federal wetlands. Since no hydric soils were found on site during the waters and wetlands assessment, the site lacked all three parameters and therefore no State wetlands were determined to be on site. Other Waters of the State were mapped onsite.

Pursuant to Section 1600 et seq. of the California Fish and Game Code, the extent of California Department of Fish and Wildlife (CDFW) jurisdiction along the unnamed ephemeral drainage was determined based on presence of a defined physical bed, bank, and channel. At the outlet of the 36-inch culvert under Aerovista Place, the drainage supports a stand of broad-leaf cattail (*Typha latifolia*) and arroyo willow (*Salix lasiolepis*). The remainder of the drainage channel contains dense herbaceous vegetation dominated by tall flatsedge (*Cyperus eragrostis*). The upland limit of CDFW jurisdiction along the unnamed drainage was determined based on the top-of-bank (TOB), except at the willow stand where jurisdiction extends to the outer edge of the willow canopy.

Although this specific stand of wetland vegetation was not determined to be a state or federal wetland, it is a resource that will be avoided as a part of the project and is discussed in further detail below.

Table 5. Jurisdictional Acreages Within the Project Site

Location	USACE Jurisdiction (Acres)		RWQCB Jurisdiction (Acres)	
	Non-Wetland Waters of the U.S.	USACE-Defined Wetlands	Waters of the State	State-Defined Wetlands
Unnamed Tributary to Acacia Creek	0.15 ac	0 ac	0.41 ac	0 ac

The project proposes to reroute a portion of the unnamed ephemeral drainage that traverses the project site, resulting in the placement of fill into, and a potential disruption, conversion, or loss of designated waters of the U.S. and the State. A summary of temporary and permanent impacts to jurisdictional waters is provided in Table 6 below.

Table 6. Summary of Jurisdictional Impacts

Jurisdiction	Type of Impact	Area	Total Impacts
Waters of the State	Temporary	0.17 acre / 537 LF	0.25 acre / 897 LF
	Permanent	0.08 acre / 360 LF	
Waters of the U.S.	Temporary	0.04 acre / 216 LF	0.065 acre / 329 LF
	Permanent	0.025 acre / 113 LF	

To remedy this disturbance and potential loss to jurisdictional waters, a portion of the unnamed ephemeral drainage at the southwest corner of the project site would be retained in place and expanded to provide a larger area for development of wetland vegetation. A 6-foot-high fence would be installed around the expanded wetland vegetation area at the southwestern portion of the project site and would remain in place following project construction. The rerouted ephemeral drainage would be planted with native plants to provide additional mitigation opportunities along the drainage within the project site. The retained and enhanced portions of the ephemeral drainage would replace other non-wetland jurisdictional areas that would be converted as a result of project development.

The project would require the placement of fill into and modification of 0.065 acre of federal jurisdictional waters and the modification to 0.25 acre of state jurisdictional waters. This is considered a potentially significant impact. Mitigation Measure BIO-3 requires the applicant to document compliance with the Clean Water Act (CWA) through obtaining a Section 404 permit from the USACE as well as CWA 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB) prior to the start of construction. Under the CWA, the applicant would be required to adhere to all actions and compensatory mitigation identified in the USACE Section 404 and RWQCB Section 401 permits. In addition, Measure BIO-3 would require documentation of an approved Lake and Streambed Alteration Agreement (LSAA) from the CDFW prior to construction. Additional mitigation is identified (BIO-3 through BIO-8) to ensure impacts to onsite drainages, surface water, and jurisdictional waters would be mitigated per City policy and consistent with regulatory requirements. Based on compliance with identified measures and required regulatory permits, potential impacts associated with the direct removal, filling, and/or hydrological interruption of federal and state wetlands would be *less than significant with mitigation*.

- d) The project is not located within an area designated as a wildlife corridor within the COSE. In general, the project site does not contain habitat features conducive to migratory wildlife species; however, an ephemeral drainage corridor and connectivity with adjacent undeveloped areas may offer limited wildlife movement, particularly when the ephemeral drainage is flowing. Bird species protected by the Migratory Bird Treaty Act (MBTA) may have the potential to pass through the area, but due to lack of suitable foraging habitat and highly active urban environment, particularly from the nearby airport, these species are not expected to nest within the project area. Therefore, the project would not interfere with the movement of resident or migratory fish or wildlife species or wildlife nursery sites and impacts would be *less than significant*.
- e) The project site does not contain any heritage trees or significant native vegetation. The existing mature eucalyptus trees along the northern property boundary would be protected in place and the project would be required to comply with the City’s Tree Ordinance (Chapter 12.24 of the City’s Municipal Code), and mitigation is identified to require the preparation and implementation of a tree protection plan. Additional coast live oaks, California pepper, and other ornamental trees would be planted throughout the project site. Therefore, the project would not adversely affect any heritage trees designated by the Heritage Tree Program or other protected trees.

The COSE includes various goals and policies to maintain, enhance, and protect natural communities within the City’s 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 maintaining development setbacks from

creeks. The project site provides marginal habitat for special status species and potential impacts to these species would be mitigated with standard avoidance measures. The site does not provide significant value as a wildlife corridor and does not contain significant mature or native trees. Per the City's Parcel Viewer Map, the ephemeral drainage on the project site is not a creek subject to the creek setback requirements of the City's COSE or Zoning Regulations.

The project would not result in a conflict with local policies or ordinances protecting biological resources and impacts. Therefore, the potential impacts associated with conflicts with local policies 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 local, regional, or state habitat conservation plan. Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts* would occur.

Mitigation Measures

- BIO-1** Within 48 hours prior to any project activity, including clearing, grubbing, and grading, the project site shall be surveyed for California red-legged frog by a qualified biologist. If any California red-legged frogs are found, work shall not start until the U.S. Fish and Wildlife Service has been contacted and has given approval for work to continue. In addition, the California Department of Fish and Wildlife shall also be contacted within 24 hours.
- BIO-2** To avoid the potential for take of California red-legged frog, construction activities shall be avoided during significant rain events of 0.25 inches or greater, and no night work shall be permitted.
- BIO-3** Prior to construction, the project applicant shall obtain a Section 404 Permit from the United States Army Corps of Engineers, a Section 401 Water Quality Certification from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife for project-related impacts that will occur in areas under state and federal jurisdiction. Proof of all required permits shall be provided to the City Community Development Department prior to issuance of building permits.
- BIO-4** Prior to construction, the project applicant shall prepare a Compensatory Mitigation Plan to effectively offset proposed net impacts to 0.29 acre of jurisdictional waters. Mitigation requirements shall, at minimum, include total mitigation consistent with the Supplemental Information for the Proposed Aerovista Commercial Development Project located at 862 Aerovista Place, San Luis Obispo, California prepared by Terra Verde for the project (Terra Verde 2020; source reference 55). This plan shall be submitted to the City Planning and Building Department for review and approval.
- BIO-5** In order to prevent oils or fuels from entering the drainages, equipment staging areas for vehicle fueling and storage shall be at least 50 feet away from drainages, in a location where fluids or accidental discharges cannot flow into the drainage.
- BIO-6** Any soil stockpile(s) shall be kept a minimum of 50 feet from the top of bank of drainages to prevent material from entering the waterways. At no time shall any stockpiles, waste piles, or debris associated with this project be located within the banks of the drainages where it can be washed into jurisdictional waters.
- BIO-7** Construction best management practices (BMPs) such as silt fencing and wattles shall be on site prior to the start of project activities and kept on site at all times so they are immediately available for installation in anticipation of rain events.
- BIO-8** Erosion and sediment control measures and other BMPs shall be implemented and maintained in accordance with all manufacturer's specifications detailing the installation, operation, and maintenance of the BMPs.
- BIO-9** If any ground disturbances will occur during the nesting bird season (February 1– September 15), prior to any ground disturbing activity, surveys for active nests shall be conducted by a qualified biologist within one week prior to the start of activities. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain

outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work shall be conducted until an appropriate buffer is determined in consultation with the City and the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service.

BIO-10 Prior to issuance of grading and construction permits, the applicant shall provide a tree protection plan for review and approval by the City Arborist. The plan shall include installation of construction fencing, which shall remain in place for the duration of all grading and construction activities.

Conclusion

The project site supports marginal habitat for special status species. Potential impacts would be mitigated through standard avoidance measures, BMPs, and regulatory permit requirements. Mitigation Measures BIO-3 and BIO-4 has also been identified to ensure impacts to existing onsite jurisdictional waters are avoided and/or minimized through restoration along the realigned drainage, protection and enhancement of the wetland vegetation stand in the southwest corner of the project site, and compliance with regulatory permit conditions. The project is not subject to local creek setback requirements and would not conflict with local plans or policies for protection of biological resources. Therefore, potential 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?	2, 5, 17, 18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	2, 17, 18	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	2, 17, 18	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation

This evaluation is based, in part, on the technical study *Archaeological Potential of Volny Property on Hiway 227, San Luis Obispo* (Archeological Evaluation) prepared by Charles E. Dills in October 1989.

Pre-Historic Setting

Archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years. The City is located within the area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The Obispeño Chumash occupied much of San Luis Obispo County; 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 establishes various goals and 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 site is not located within the Historic Preservation (H) Overlay Zone, nor does it contain any built structures which may be considered potentially eligible historic resources.

- a) Neither the project site nor immediate vicinity contain buildings or structures that are old enough to qualify as potentially eligible historic resources. The project site and immediate vicinity primarily consist of recent development that has occurred subsequent to the 1980s. Therefore, the project would not result in a substantial adverse change in the significance of a historic resource pursuant to §15064.5 and potential impacts would be *less than significant*.
- b) The Archaeological Evaluation identified no previously identified archeological sites in the project area, and a field survey of the project site revealed no evidence that the project site was previously occupied or used by a tribe.

The project would include limited ground disturbance (approximately 2,500 cy of cut and 1,200 cy of fill) onsite associated with site preparation (i.e., grading), the installation of utilities and culverts, and the construction of the proposed commercial office building, for a total net of 1,300 cubic yards of proposed earthwork. The project site is not located within a Burial Sensitivity Area identified in “Figure 1: Cultural Resources” of the City COSE. There is a potential to disturb previously unidentified cultural materials during subsurface grading and excavation activities. Mitigation Measure CR-1 has been identified to require cultural resource awareness training of all construction personnel. If unanticipated cultural materials are unearthed during proposed ground-disturbing activities, Mitigation Measure CR-2 has been identified to require work be halted in the area until a City-qualified archaeologist can assess the significance of the find. With implementation of identified measures, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant with mitigation*.

- c) The project site is not located within a Burial Sensitivity Area identified in “Figure 1: Cultural Resources” of the City COSE. No human remains are known to exist within the project site; however, the discovery of unknown human remains is possible 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 would be required to be printed on all building and grading plans per mitigation measure CR-3. Potential impacts related to disturbance of human remains would be less than significant with incorporation of Mitigation Measure CR-3. Therefore, impacts related to disturbance of human remains would be *less than significant with mitigation*.

Mitigation Measures

- CR-1** Prior to construction activities, a City-qualified archaeologist shall conduct 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-2 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. Work shall not continue until a City-qualified archaeologist assesses the find and determines the need for further study. If the find includes Native American affiliated materials, a local Native American tribal representative will be contacted to work in conjunction with the City-approved archaeologist to determine the need for further study. A standard inadvertent discovery clause shall be included in every grading and construction contract to inform contractors of this requirement. Any previously unidentified resources found during construction shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist.

If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan, in conjunction with locally affiliated Native American representative(s) as necessary, that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analysis, prepare a comprehensive report, and file it with the Central Coast Information Center (CCIC), located at the University of California, Santa Barbara, and provide for the permanent curation of the recovered materials.

CR-3 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 and locally affiliated Native American representative(s) (as necessary) 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 Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours. These requirements shall be printed on all building and grading plans.

Conclusion

With implementation of the recommended Mitigation Measures CR-1 through CR-3, the project would have a less-than-significant impact on cultural resources.

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?	1, 17, 19, 21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	1, 17, 19, 21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The Pacific Gas & Electric Company (PG&E) has historically been the primary electricity provider for the City. In October 2018, the City Council committed to joining the Monterey Bay Community Power (MBCP) and, beginning in January 2020, MBCP became the City’s primary electricity provider. In September 2020, MBCP became Central Coast Community Energy (CCCE). CCCE provides 100% carbon-free electricity to utility customers within the city, and provides a rate savings relative to PG&E.

The City recently adopted the Clean Energy Choice Program for New Buildings, which encourages clean, efficient, and cost-effective all-electric new buildings through incentives and local amendments to the California Energy Code. When paired with cost-comparable modern electric appliances and carbon-free electricity from CCCE, all-electric new buildings are operationally greenhouse gas (GHG) emissions free, cost effective, and help achieve the community's climate action goals. Unlike other cities that are banning natural gas entirely, the proposed Clean Energy Choice Program encourages clean, efficient, and cost-effective all-electric new buildings through incentives, local amendments to the California Energy Code, and implementation of the Carbon Offset Program. 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 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 non-residential lighting requirements.

The 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 of San Luis Obispo Climate Action Plan for Community Recovery 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. The Climate Action Plan was updated in August 2020.

- a) During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the city. State and federal regulations in place require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling; therefore, potential impacts associated with construction energy use would be *less than significant*.

Operation of the project would result in an overall increase in consumption of energy resources associated with vehicle trips, electricity, and (possibly) natural gas usage by project occupants. The project would rely on the local electricity service provider, MBCP, to supply project electricity needs. MBCP provides 100 percent carbon-free electricity. The project would be designed in full compliance with the CBC, including applicable green building standards which include thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), nonresidential ventilation requirements, and non-residential lighting requirements. Compliance with existing building codes would ensure the project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, and through use of 100% greenhouse gas (GHG)-free electricity resources, project energy use would not result in a significant environmental impact; therefore, impacts would be *less than significant*.

- b) The project 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 COSE associated with use of best available practices in energy conservation, encouraging energy-efficient building design and the use of pedestrian- and bicycle-friendly design. The project would not conflict with other goals and policies set forth in the City's CAP associated with renewable energy or energy efficiency. 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 impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project has been located and designed in full compliance with applicable energy efficiency standards and would not conflict with state or local plans for renewable energy or energy efficiency. No potentially significant impacts related to energy would occur and no mitigation measures are 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.	22, 23, 24, 25, 26	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	22, 23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	23, 24,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	25, 26	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	23	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	23, 24	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	23, 26	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	27	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The City’s 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 the city of 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 soils are typically found in valleys.

Faults capable of producing strong ground shaking motion in San Luis Obispo include the Los Osos, Point San Luis, Black Mountain, Riconada, 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 Department of Conservation Fault Activity Map and the City Safety Element Earthquake Faults – Local Area map, the project site is not located within or within the immediate vicinity of an active fault zone.

Seismic-related ground failure

Settlement is defined as the condition in which a portion of the ground supporting part of a structure or facility lowers more than the rest or becomes softer, usually because ground shaking reduces the voids between soil particles, often with groundwater rising in the process. Liquefaction is the sudden loss of the soil’s supporting strength due to groundwater filling and lubricating the spaces between soil particles as a result of ground shaking. Soils with high risk for liquefaction are typically sandy and in creek floodplains or close to lakes. In extreme cases of liquefaction, structures can tilt, break apart, or sink into the ground. The likelihood of liquefaction increases with the strength and duration of an earthquake. Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with high liquefaction potential.

Slope instability and landslides

Slope instability can occur as a gradual spreading of soil, a relatively sudden slippage, a rockfall, or in other forms. Causes include steep slopes, inherently weak soils, saturated soils, and earthquakes. Improper grading and manmade drainage can be contributing factors. Much of the development in San Luis Obispo is in valleys, where there is low potential for slope instability. Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with low landslide potential.

Subsidence

Land subsidence is a gradual settling or sudden sinking of the Earth’s surface due to subsurface movement of earth materials. Primary causes are ground-water withdrawal, in which water is removed from pore space as the water table drops, causing the ground surface to settle; tectonic subsidence, where the ground surface is warped or dropped lower due to geologic factors such as faulting or folding; and earthquake-induced shaking that causes sediment liquefaction, which in turn can lead to ground-surface subsidence. Based on the USGS Areas of Land Subsidence in California Map, the project site is not located in an area of known subsidence.

Soil limiting factors

The project site is underlain by the Salinas silty clay loam (0–2 percent slopes) soil unit. This very deep, well drained, gently sloping soil has moderately slow permeability and a surface runoff of slow. The hazard of water erosion is slight. Many areas of this soil are used for urban development; roads, buildings, and other structures need to be designed with consideration of the soil’s low strength and moderate shrink-swell potential.

- a.i) Based on Figure 3 (Earthquake Faults – Local Area) of the Safety Element of the City’s General Plan and the Department of Conservation 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) Due to the highly seismic nature of the region, the project would very likely be subject to strong seismic ground shaking at some point(s) during the life of the project. The proposed development 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 ground shaking would be *less than significant*.

- a.iii) Based on the Ground Shaking and Landslide Hazards Map in the City's Safety Element, the project site is located within an area with high liquefaction potential. Development of the project within this area may have the potential to result in adverse effects due to seismic-related ground failure. A soils report prepared by a qualified engineer is required upon review of the building permit to address the nature of the subsurface soils in response to liquefaction potential, in accordance with the California Building Code Chapter 18. Any issues identified in the report will be addressed through standard site construction techniques, as required by the Code. This report would also ensure consistency with Policy 4.7 of the City Safety Element which states proposed development may be located in high liquefaction potential areas only after completion of a site-specific investigation for risk of damage from liquefaction. In addition, the proposed development 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, based on compliance with existing regulations, impacts related to substantial adverse effects due to seismic-related ground failure would be *less than significant*.
- a.iv) Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is not located within an area of high or moderate landslide potential. The project site and surrounding areas are predominantly flat. Therefore, the project would not result in significant adverse effects associated with landslides and *no impacts* would occur.
- b) The project would require approximately 2,500 cy of cut and 1,200 cy of fill for a net of 1,300 cy of earthwork. The project site is predominantly flat and no substantial vegetation removal or permanent changes in existing topography would occur. Projects that disturb one acre of soil or more are required to obtain National Pollutant Discharge Elimination System (NPDES) coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (General Permit), Order No. 2009-0009-DWQ. The General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which includes BMPs to protect stormwater runoff, including measures to prevent soil erosion. Because more than one acre of land would be disturbed during the construction phase, the applicant would be required to prepare a SWPPP and obtain a storm water permit from the RWQCB. Compliance with permit conditions would require implementation of erosion control BMPs. Based on the relatively short period of time that soils would be susceptible to erosion, and because construction activities would require implementation of erosion control measures as required by the SWPPP, USACE Section 404 permit, RWQCB Section 401 permit, CDFW LSAA, and standard mitigation measures identified in BIO-7 and BIO-8, impacts associated with erosion during construction would be reduced to less than significant.
- Following project completion, the project site would be developed by buildings, hardscapes, or landscaping, precluding the potential for substantial long-term erosion or loss of topsoil. Therefore, impacts related to soil erosion and loss of topsoil would be *less than significant with mitigation*.
- c) Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is not located within an area with high or moderate landslide potential. Based on the County Safety Element and 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 City Safety Element, the project site is located within an area with high liquefaction potential. A soils report prepared by a qualified engineer is required upon review of the building permit to address the nature of the subsurface soils in response to liquefaction potential, in accordance with the California Building Code Chapter 18. Any issues identified in the report will be addressed through standard site construction techniques, as required by the Code. The project would also be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread and liquefaction. Therefore, based on compliance with existing regulations, potential impacts related to location on a geologic unit or soil unit that is unstable would be *less than significant*.
- 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 a moderate shrink well potential. The volume changes that soils undergo in this cyclical pattern can stress and damage slabs and foundations. A soils report prepared by a qualified engineer is required upon review of the building permit to evaluate the proposed development activities and provide specific recommendations to adequately protect future proposed development against soil stability hazards, including expansive soils. Typical precautionary measures would likely include premoistening of the underlying soil in conjunction with placement of non-expansive material beneath slabs,

and a deepened and more heavily reinforced foundation. Therefore, based on compliance with existing regulations, potential impacts associated with expansive soils would be *less than significant*.

- e) The project would include a new connection to the City sewer system. No septic tanks or alternative wastewater treatment systems are proposed onsite. Therefore, *no impacts* would occur.
- f) The project site is underlain by Holocene-age alluvial gravel and sand of stream channels. Holocene age units, particularly those younger than 5,000 years old, are generally too young to contain fossilized material. The project would result in approximately 2,500 total cubic yards of cut and would not require deep excavations, as the commercial office building would be constructed on a concrete slab foundation and does not propose subterranean parking. Therefore, potential impacts on paleontological resources would be *less than significant*.

Mitigation Measures

Implement Mitigation Measures BIO-3, BIO-7, and BIO-8.

Conclusion

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

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?	11, 20, 52, 57, 58	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	11, 19, 20, 52, 57, 58	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

Greenhouse gases (GHGs) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. In 2012, the City of San Luis Obispo 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. The City’s Climate Action Plan is currently being updated. In addition, the City is currently developing a plan for achieving carbon neutrality by 2035. The City of San Luis Obispo 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.

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 California Air Resources Board (CARB) to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. Other statewide policies adopted to reduce GHG emissions include AB 32, SB 375, SB 97, Clean Car Standards, Low Carbon Fuel Standard, Renewable Portfolio Standard, California Building codes, and the California Solar Initiative. The City recently updated its Climate Action Plan (CAP). The plan establishes a community-wide goal of carbon neutrality by 2035, adopts sector specific goals, and provides foundational actions to establish a trajectory towards achieving those goals.

In October of 2018, the City Council committed to joining Monterey Bay Community Power, now Central Coast Community Energy (C3E). C3E is an existing community choice energy program that serves the counties of Santa Cruz, San Benito, and Monterey and provides 100 percent carbon free electricity with a rate savings relative to PG&E. Additionally, the City recently adopted the Clean Energy Choice Program for New Buildings, which encourages clean, efficient, and cost effective all-electric new buildings through incentives and local amendments to the California Energy Code. When paired with cost comparable modern electric appliances and carbon-free electricity from C3E, all-electric new buildings are operationally greenhouse gas emissions-free, cost effective, and help achieve the community’s climate action goals.

- a) Construction-related activities that would generate GHG emissions include worker trips and hauling trips to and from the project site, and off-road construction equipment (i.e. dozers, loaders, excavators). Impacts related to GHG emissions occur on a global scale and are, therefore, cumulative in nature. Short-term construction-related emissions rarely result in a considerable contribution to GHG emissions. Due to the limited nature and duration of construction activities, construction related GHG impacts would be *less than significant*.

Based on CalceMod emissions modeling, the project would generate 1,118 MT of GHG per year (amortized construction emissions and annual operational emissions). However, operational GHG emissions associated with vehicle trips (mobile source emissions) would be reduced through the provision of bicycle amenities, provision of shower and locker facilities, provision of EV chargers for vehicles, the project’s location near Class II bicycle lanes and a SLO Transit stop on Broad Street, implementation of a Transportation Demand Management Plan, and the construction of infrastructure that would reduce vehicle miles traveled. Lastly, commercial energy use for lighting, heating, and cooling is a significant source of direct and indirect GHG emissions from buildings nationwide. Through compliance with the CBC in conjunction with City-provided 100 percent carbon-free electricity through MBCP, the project’s GHG emissions associated with these building components would be further reduced.

The project has been evaluated for consistency with CARB’s 2017 Scoping Plan, which provides a framework for achieving the State’s 2030 GHG target. A discussion pertaining to the project’s consistency with the 2017 Scoping Plan is provided in Table 7, below.

Table 7. 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.

		Several strategies have been incorporated into the project design to encourage alternative modes of transportation, including provision of secure on-site bicycle parking, storage, lockers, and showers for employees and patrons. In addition, the project would implement a Transportation Demand Management program and contribute to City infrastructure that would reduce vehicle miles traveled.
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. To help reduce the waste stream generated by this project, consistent with the City’s Conservation and Open Space Element policies to coordinate waste reduction and recycling efforts (COSE 5.5.3), and the City’s Development Standards for Solid Waste Services, recycling facilities have been accommodated into the project site 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 AASP area and within the Urban Reserve Line, consistent with the Scoping Plan’s goal of facilitating efficient development patterns. The project would also include infrastructure to

encourage alternative modes of transportation (e.g., provision of bicycle parking, storage, lockers, and showers onsite, proximity to existing bike lanes and transit stops, and would contribute to or construct infrastructure that reduces vehicle miles traveled), consistent with the 2017 Scoping Plan goal of encouraging compact communities that facilitate walking, biking, and use of transit. The project proposes to construct 13 EV Ready parking spaces (including 1 accessible EV space), and an additional 30 EV Capable parking spaces, consistent with the Scoping Plan goals of incentivizing infrastructure for alternative fuels and electric vehicles.

Appendix B of CARB's 2018 Scoping Plan includes operational measures that support the State's climate goals. The proposed project would be consistent with the following Scoping Plan measures:

- Comply with lead agency's standards for mitigating transportation impacts under SB 743.
- Require on-site EV charging capabilities for parking spaces serving the project to meet jurisdiction-wide EV proliferation goals.
- Provide adequate, safe, convenient, and secure on-site bicycle parking and storage in multi-family residential projects and in non-residential projects.
- Provide on- and off-site safety improvements for bike, pedestrian, and transit connections, and/or implement relevant improvements identified in an applicable bicycle and/or pedestrian master plan.
- Require low-water landscaping in new developments (see CALGreen Divisions 4.3 and 5.3 and the Model Water Efficient Landscape Ordinance [MWELo], which is referenced in CALGreen). Require water efficient landscape maintenance to conserve water and reduce landscape waste in compliance with the City's Municipal Code Section 17.70.220 (Water-Efficient Landscaping Standards).
- Require electric vehicle charging station (conductive/inductive) and signage for non-residential developments.

In addition, consistent with the City's CAP, the project would be required to comply with the Clean Energy Choice Program for New Buildings (Municipal Code Section 15.04.110), the project complies with the City Municipal Code Chapter 17.72 by providing required bicycle facilities and EV charging stations, the project is consistent with the City's Bicycle Transportation Plan, no trees are proposed for removal, and the project would require the planting of trees within the site. Based on the Vehicle Miles Traveled (VMT) analysis for the project, project related 19.09 VMT per employee is greater than the City's significance threshold (12.45 work VMT per employee), and mitigation is required (refer to Section 17, Transportation). Consistent with the CAP, such mitigation includes implementation of a Transportation Demand Management Plan and the construction of infrastructure improvements within the City that would reduce VMT below the City's threshold of significance. Implementation of these measures would ensure the project's VMT generation would not exceed identified thresholds and would also further reduce greenhouse gas generation.

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

- b) The project would be consistent with the land use policies identified in the 2017 Scoping Plan 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 also be consistent with the policies related to promoting bicycle use through provision of secure bicycle parking, storage, showers, locker and changing room facilities, and connection to the regional bicycle network to encourage project employees to bike to and from work. In addition, as described above, the project would be consistent with the goals and policies identified in the City's CAP.

The project would not conflict with or obstruct implementation of a plan or policy adopted for the purpose of reducing greenhouse gas emissions; therefore, impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project would be 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 greenhouse gas 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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	28, 29, 30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	31	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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. Government Code section 65962.5 requires the California EPA (CalEPA) 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’s (DTSC’s) 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’s (SWRCB’s) 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 CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>.

Based on a review of the SWRCB's GeoTracker database and the DTSC's EnviroStor database, the project site is not an active hazardous waste cleanup site. The closest investigation site is located two parcels to the southwest (approximately 300 feet away), at 710 Aerovista Place, discussed below. The project site is located within the San Luis Obispo Regional Airport Land Use Planning Area.

- a) The project does not propose the routine transport, use or disposal of hazardous substances. Any commonly used hazardous substances 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 activities associated with the project are anticipated to require use of 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 the Federal Occupational Safety and Health Administration (OSHA) Process Safety Management Standard (California Code of Regulations 29.1910.119), which includes requirements for preventing and minimizing the consequences of accidental release of hazardous materials. Any commonly used hazardous substances during operation of the project (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.

Further, as introduced in Section 3, Air Quality, the project site is within an area identified as having a potential for NOA to occur (reference 9). Pursuant to SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations, the applicant is required to provide a geologic evaluation prior to any construction 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 onsite. Therefore, potential impacts would be *less than significant with mitigation*.

- c) The project site is not located within 0.25 mile of an existing or proposed school. The closest school is Los Ranchos Elementary School, located approximately 2 miles southeast of the project site. As a result, there would be *no impact* associated with hazardous emissions within 0.25 mile of school facilities.
- d) Based on a search of the DTSC's EnviroStor database, the SWRCB's GeoTracker database, and CalEPA's Cortese List website, one hazardous waste site is under investigation within the immediate project vicinity. As introduced above, the parcel at 710 Aerovista Place, located approximately 300 feet southwest of the project site, was previously occupied by EG&G coating, a former electronic assembly and manufacturing facility that operated on that parcel between 1975 and 1995.

Although EG&G Coating never reported or was suspected of causing an unreported release of hazardous materials into groundwater, in response to growing concern from the public over the presence of halogenated solvents, specifically trichloroethane (TCA) and dichloroethane (DCE) found in nearby drinking water wells, the Central Coast RWQCB submitted a Request for Information to the current owner of the parcel in June of 2016 as part of a broader effort to identify the source of the contaminants. The property owner submitted a summary of the site history and included two Phase I Environmental Site Assessments (Phase I ESAs) from 1993 and 2001.

The only halogenated solvents identified as being used at 710 Aerovista Place were TCA and dichlorofluoroethane, but other hazardous materials identified as being used on the parcel include tin and lead, polyurethane paint, isopropyl alcohol, and an acid solution containing chromium (also known as chromic acid solution, which is hexavalent chromium and water). The Phase I ESAs state that hazardous materials appear to have been properly stored on-site and had retained regulatory approval to transport the waste. The Phase I ESAs further concluded that there was no evidence that the parcel was not in compliance with applicable environmental regulations at the time and that no violations or spills were on-file with local and state regulatory agencies.

In a letter dated October 26, 2016, the Central Coast RWQCB requested a workplan to investigate groundwater and soil vapor at the parcel. In December 2016, a consultant for the property owner submitted a workplan for a site investigation to the RWQCB detailing the proposed investigation. As of the most recent EnviroStor update on July 11, 2018, the workplan is pending review and response by the RWQCB. It is suspected that the RWQCB's review and approval of the investigation is no longer a high priority since the City of San Luis Obispo ceased the withdraw of groundwater for potable water uses in 2015. Thus, although the RWQCB is overseeing the activities at the 710 Aerovista Place parcel, it is not currently categorized as an active case and, as such, is not listed in GeoTracker, the RWQCB's online project database.

Project construction would require excavation and ground disturbing activities associated with site preparation (grading); realignment of the unnamed ephemeral drainage; and the installation of utility connections. Excavation activities are not expected to extend downward to the groundwater. In addition, a Pre-Screening Assessment prepared for the EPA under Cooperative Agreement with DTSC for the site at 710 Aerovista Place notes that the prevailing groundwater flow in the project vicinity is to the southwest, away from the project site. As a result, it is unlikely that project construction would create a significant hazard to the public during construction or operation and potential impacts would *be less than significant*.

- e) The project site is located approximately 1,000 feet north of the San Luis Obispo County Regional Airport and within the airport's ALUP. The project site is in ALUP Safety Area S-1c and within the projected 60 dB airport noise contour. As the ALUP was prepared in accordance with Public Utilities Code Section 21675, the height, use, noise, safety, and density criteria established in the ALUP must, by State law, be adhered to in approving or denying any individual project, whether or not such project is referred to the Airport Land Use Commission (ALUC) for a determination of consistency. The Public Utilities Code does not mandate review by the ALUC of individual development projects in the city when such projects do not require adoption of or amendments to a general or specific plan, zoning ordinance, or building regulation. Per ALUP Table 5.3, *Land Use Compatibility Table*, office buildings are a compatible use within Safety Area S-1c, provided that the maximum non-residential density of use is not exceeded. The project would be developed consistent with the height and density limitations of the AASP and the site's BP zoning designation, and would not exceed the allowable development intensities, densities, or building footprints. The ALUC reviewed and approved the AASP and determined it was consistent with the ALUP. Per ALUP Table 5.3, offices and office buildings are allowed in the 60dB noise contour only if the specific noise levels required by ALUP Table 4 are incorporated. Table 4 identifies a maximum interior aviation noise level for offices and office buildings of 60 dB.

Advancements in construction methods, coupled with energy conservation practices, have had a vast performance impact on the way buildings are constructed. Interior noise levels are substantially reduced through compliance with existing building code requirements. At the most conservative level, a typical structure covered with siding will have a Sound Transmission Class (STC) rating of 39 dBa based on current methods. Basic dual-pane vinyl windows will achieve an STC rating of 28 dBa. Averaged out, this results in a combined STC rating of approximately 33 dBa, meaning a typical exterior wall assembly will reduce 33 decibels of sound transfer. These numbers are based off of a 2-inch by 4-inch wall cavity with insulation and the rating improves with increased wall thickness and/ or stucco or other siding materials. In using more current conventional building standards, double, or even triple the noise reduction can be achieved. Therefore, impacts related to the generation of a substantial temporary or permanent increase in ambient noise levels would be less than significant with standard construction techniques. Therefore, potential impacts associated with safety hazards or excessive noise from aircraft would be *less than significant*.

- f) Project construction would result in periodic restrictions on the use of the roadway shoulder for parking along Aerovista Place; however, no road closures would be necessary. Therefore, project implementation would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. Any construction-related detours/lane closures would include proper signage and notification and would be short-term and limited in nature and duration. Emergency vehicles have mechanisms to safely traverse areas of congestion, such as the use of sirens and the ability to travel in opposite lanes of travel. The project design plans will be reviewed and approved by the Fire Marshall prior to the start of construction. Therefore, potential impacts would be *less than significant*.
- g) The project is not located within or adjacent to a wildland area. The project is located within a developing area of the city of San Luis Obispo. The project site is currently unimproved and requires routine mowing to prevent the growth of brush that could result in a fire hazard to adjacent properties. The project would improve the site with commercial development,

which may slightly reduce the potential for fire hazard in the immediate project vicinity. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

Mitigation Measures

Refer to Mitigation Measures AQ-3 and AQ-4.

Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. Although located within proximity of an identified hazardous materials site investigation, construction activities are not anticipated to encounter hazardous materials. The project site is not within proximity to school facilities. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Potential impacts associated with hazards and hazardous materials would be less than significant and no mitigation is 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?	1, 2, 54	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	1, 33, 34	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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;	1, 2, 26, 54	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	1, 2, 26, 54	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	1, 2, 26, 54	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	1, 26, 32	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	1, 2, 32, 35	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	1, 2, 34, 36	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

The project site includes an unnamed ephemeral drainage that is a tributary to Acacia Creek (a tributary to East Branch San Luis Obispo Creek) and 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 just west of Avila Beach and has six major tributary basins: Stenner Creek, Prefumo Creek, Laguna Lake, East Branch San Luis Obispo Creek, Davenport Creek, and See Canyon.

The City is enrolled in the State General Permit NPDES permit program governing stormwater. As part of this enrollment, the City is required to implement the Central Coast RWQCB's adopted Post-Construction Stormwater Management requirements 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 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 the City's Parcel Viewer Map, the project site is not located within a 100-year flood zone.

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.

- a) The project does not include substantial vegetation removal and would result in minimal earthwork (approximately 3,700 cy). Other than realignment and minor improvements to the unnamed ephemeral drainage, no substantial permanent changes in existing topography would occur. Additionally, projects that disturb one acre of soil or more are required to obtain NPDES coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activity (General Permit), Order No. 2009-0009-DWQ. The General Permit requires the development and implementation of a SWPPP, which includes BMPs to protect stormwater runoff, including measures to prevent soil erosion. Because more than one acre of land would be disturbed during the construction phase, the applicant would be required to prepare a SWPPP and obtain a storm water permit from the RWQCB.

Following project construction, the project site would be developed with buildings, hardscapes, or otherwise landscaped, precluding the potential for substantial erosion or loss of topsoil. The City's Public Works, Utilities, and Community Development Departments are responsible for coordinating the implementation of the City's SWMP. This comprehensive program is required under the Phase II Stormwater Regulations regulated by Central Coast RWQCB. The primary goal of the program is to minimize urban runoff that enters the municipal storm drain system and carries bacteria and other pollutants into the local creeks, watershed, and to the ocean. As part of these requirements, the City has been mandated to establish a set of minimum designated BMPs and Pollution Prevention Methods (PPMs). BMPs are steps taken to minimize or control the amount of pollutants and runoff. PPMs are strategies to eliminate the use of polluting materials and/or exposure of potential pollutants to rainwater or other runoff.

To meet the requirements of the City's SWMP, the project proposes 15 bioretention basins throughout the project site, particularly along the periphery of the parking lot. The purpose of these bioretention basins is to maintain pre-development volumes of stormwater runoff, allow the infiltration of collected runoff to groundwater similar to existing conditions, and capture pollutants prior to leaving the project site. The project would also modify the unnamed ephemeral drainage in a manner that would maintain pre-construction flow conditions. Implementation of standard SWPPP conditions, BMPs and PPMs, standard mitigation measures identified in BIO-5 through BIO-8, and compliance with the City of San Luis Obispo Engineering Standards related to stormwater management would ensure the project would not substantially affect surface water or groundwater quality. Therefore, potential impacts would be *less than significant with mitigation*.

b) The project would be serviced by the City's 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 of San Luis Obispo no longer draws groundwater for potable purposes as of 2015. Stormwater flows within the project site would be detained within the site to allow for percolation back into the groundwater table; therefore, the increase in impervious surface area would not decrease groundwater supplies or interfere substantially with groundwater recharge in the project vicinity. Therefore, the project would not deplete groundwater resources, and impacts would be *less than significant*.

c.i-iii) The project site is generally flat and does not pose a substantial risk of downslope runoff, sedimentation, or erosion. The project would realign a portion of and enhance the unnamed ephemeral drainage along the southwest and northern boundaries of the project site. As discussed above, the proposed rerouting of the unnamed ephemeral tributary would be completed in accordance with approved federal and state permits. The new channel will be approximately 7 feet wide from top of bank to top of bank with an approximately 1-foot wide channel and 2:1 slopes. Based on the topography of the adjacent site being higher in elevation than the property and the design of the reconstructed section of channel, flooding is not expected to occur on adjacent properties. City of San Luis Obispo Engineering Standards related to stormwater management would further ensure the proposed drainage realignment would not substantially affect surface water flows or allow channel migration, sedimentation, or flooding offsite.

As discussed above, in accordance with the SWMP, the project proposes 15 bioretention basins throughout the project site and would also include plantings of native vegetation along the rerouted existing drainage and protection and enhancement of onsite wetland vegetation. In accordance with the SWMP, the bioretention areas and realigned course of the unnamed ephemeral drainage and wetland area would be designed to accommodate the volume of an 85th percentile 24-hour storm event (1.2 inches of rainfall) from the project site. The unnamed ephemeral drainage would continue to enter and exit the project site at its current locations, thus maintaining the existing regional drainage pattern. In addition, the project would be subject to review by the City for consistency with the City Waterway Management Plan, including the Drainage Design Manual. The Drainage Design Manual identifies core requirements for the design and modification of drainage structures for creeks and waterways within the city including, but not limited to, discharge locations, on-site conveyance design, off-site runoff analysis, floodplain management, and erosion control requirements in order to ensure that waterways remain relatively stable, stormwater is managed in a way that does not increase flood water surface elevations, and water quality and biological resources along waterways are preserved and protected.

Through the use of proposed bioretention basins, and in compliance with existing City regulations and identified measures in the required federal and state permits, the project would not alter the exiting drainage pattern such that substantial erosion or siltation or an increase in the amount of surface runoff would occur. Compliance with regulatory permit conditions would require implementation of erosion control BMPs and the restoration of the unnamed ephemeral drainage to its pre-construction performance standards and biological function. Based on the relatively short period of time that soils would be susceptible to erosion, and because construction activities would require implementation of erosion control measures as required by the SWPPP, existing regulatory permit requirements, BMPs and PPMs, standard mitigation measures identified in BIO-5 through BIO-8, and compliance with the City of San Luis Obispo Water Management Plan Engineering Standards, potential impacts associated with alteration of the existing drainage pattern of the site would be *less than significant with mitigation*.

c. iv) Based on the City's Parcel Viewer Map, the project site is not located within a 100-year flood zone. Therefore, potential impacts associated with impeding or redirection of flood flows would be *less than significant*.

d) Based on the San Luis Obispo County 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, there would be *no impacts* associated with tsunami, seiche zones, or risk of pollutant release due to project inundation.

e) As discussed 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, *no impacts* would occur.

Mitigation Measures

Implement Mitigation Measures BIO-3 and BIO-5 through BIO-8.

Conclusion

With implementation of Mitigation Measures BIO-3, and BIO-5 through BIO-8, standard BMPs, PPMs, and City Engineering Standards, the project would not substantially impede or redirect flood flows, alter drainage patterns, or degrade surface water quality. The project would retain the pre-construction infiltration rates and volume currently occurring on the unimproved project site. Therefore, potential impacts related to hydrology and water quality would be less than significant with mitigation.

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?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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, 5	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The project site is located in the BD zone of the AASP and is generally surrounded by one- and two-story commercial office uses, with a few remaining unimproved parcels, as summarized below:

- Northeast – one- and two-story commercial office buildings
- Northwest – two-story commercial office buildings
- Southwest – unimproved field, and one-story commercial office buildings containing a religious use (i.e., Mercy Church). The unimproved field immediately southwest of the project site serves as a septic leach field managed by the Fiero Lane Mutual Water Company.
- Southeast – two-story commercial office and restaurant buildings (i.e., Aerovista Business Park)

- a) The project 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 project would not physically divide an established community and *no impacts* would occur.
- b) The project would be consistent with the property’s land use designation and the guidelines and policies for development within the applicable zoning designation, AASP, Land Use Element, and COSE. The project is consistent with existing surrounding development and proposes a compatible land use. The COSE includes various goals and policies to maintain, enhance, and protect natural communities within the City’s 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 maintaining development setbacks from creeks. The project site is largely disturbed and does not support highly sensitive environmental resources. A portion of the unnamed ephemeral drainage at the southwest corner of the project site would be retained in place and expanded to provide a larger area for development of wetland vegetation. The site does not provide significant value as a wildlife corridor and does not contain significant mature or native trees, and the eucalyptus trees would be protected and retained. Per the City’s Parcel Viewer Map, the ephemeral drainage on the project site is not a creek subject to the creek setback requirements of the City’s COSE or Zoning Regulations. The project would not result in a conflict with local policies or ordinances protecting biological resources and impacts.

Therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects.

Planning Commission review is required for projects which include more than 10,000 square feet of nonresidential space and to allow a medical office use within the BP zone. Medical office uses are only permitted in the BP zone with approval of a Minor Use Permit. With City approval of a Minor Use Permit to allow a medical office use with the BP zone within the AASP area, the project would be consistent with existing land uses and designations for the project site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. Potential impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

No potentially significant impacts associated with land use would result from the 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

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

a-b) No known mineral resources are present within the project site and future extraction of mineral resources is very unlikely due to the urbanized nature of the area. 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, 37, 38	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	38, 39, 40	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	31	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The project site is located in an area where airport operations and roadway traffic dominate the existing noise environment. Commercial office uses are not considered a sensitive land use in the City’s General Plan Noise Element. 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 prohibited, except for emergency works of public service utilities or by exception issued by the 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 85 dBA at mixed residential/commercial uses. Based on the City Municipal Code (9.12.050.B.7), operating any device that creates vibration which 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.

- a) The project includes site preparation and construction of the proposed office building. During project construction, noise from construction activities may intermittently dominate the noise environment in the immediate area. Typical noise levels produced by equipment commonly used in construction projects are shown in Table 8, below:

Table 8. 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
Crane, Mobile	83
Dozer	85
Excavator	85
Heavy Truck	84
Jackhammer	85

Man Lift	85
Paver	85
Scraper	85

As shown above, construction equipment would not exceed the 85-dB goal for mixed residential/commercial uses. Further, the nearest sensitive receptors (i.e., the single-family homes across Broad Street) are located approximately 700 feet northeast of the project site, with the direct line of sight obstructed by existing development. Thus, construction noise, which would be short-term, intermittent, and would only occur during daytime hours per the Municipal Code (when ambient noise levels are higher), would be largely undetectable at proximate sensitive receptors.

The project does not include components that would significantly add to long-term ambient noise in the project vicinity. Upon completion of construction activities, the project would include the use of heating, ventilation, and air conditioning (HVAC) systems that would have the potential to contribute additional noise to the existing noise environment, as well as mobile noise from project related traffic. The additional noise generated by the project’s HVAC systems would not result in a noticeable increase in ambient noise levels. Typically, a doubling of traffic is needed to produce a noise increase that is audible to the human ear. The project would not result in a doubling of traffic trips; therefore, no substantial increase in mobile source noise would occur. Potential impacts associated with generation of a substantial temporary or permanent increase in ambient noise levels in the project vicinity in excess of standards established would be *less than significant*.

- b) The project does not propose pile driving or other high impact activities that would generate substantial noise or groundborne vibration during construction. Use of heavy equipment would generate groundborne noise and vibration; however, there are no buildings that surrounding the project site (i.e., historical buildings and occupants of surrounding buildings) that would be substantially affected by this groundborne vibration. Based on the proposed construction activities, groundborne vibration is expected to be imperceptible at adjacent properties. Therefore, potential impacts would be *less than significant*.
- c) The project site is located within the San Luis Obispo Regional ALUP Area, within the projected 60 dB airport noise contour. As discussed above in Section 9, Hazards and Hazardous Materials, airport operations would not expose project worker or occupants to excessive noise levels from aircraft and impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project would not exceed City Municipal Code construction and operational noise standards for commercial development. Further, the project’s commercial uses are consistent with the ALUP allowable uses within the 60dB noise contour. No potentially significant impacts associated with noise would occur, and no mitigation measures are necessary.

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)?	41, 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Evaluation</u></p> <p>a) The project is consistent with the site’s General Plan land use designation and underlying BP zone. Thus, any indirect population growth resulting from an increase in on-site employment has been planned for. The project would be consistent with the projected population growth for the city of San Luis Obispo. The project would not result in substantial unplanned population growth; therefore, potential impacts would be <i>less than significant</i>.</p> <p>b) The project would not result in the displacement of any existing or proposed housing; therefore, <i>no impacts</i> would occur.</p> <p><u>Mitigation Measures</u></p> <p>None necessary.</p> <p><u>Conclusion</u></p> <p>The project would be consistent with the City’s projected population growth. No potentially significant impacts would occur, and no mitigation measures are necessary.</p>					

15. PUBLIC SERVICES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	1, 43	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	1, 43	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	1, 43	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	1, 43, 44	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	1, 43	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<p><u>Evaluation</u></p> <p>The project site is located within the existing service area of the City Fire Department. The City’s Fire Department deploys resources and personnel from four fire stations in order to maintain the response time goal of 4 minutes travel time to 95% of all emergencies. The nearest City fire station to the project site is City Fire Station 3, located at 1280 Laurel Lane, approximately 1.6 miles north of the project site. City Fire Station 3 provides primary response to the southern portion of the city. This station is staffed by a 3-person paramedic engine company. County Fire Airport Station 21 is located at 4671 Broad Street, approximately 0.4 mile southeast of the project site. County Airport Station 21 provides additional fire protection through an automatic aid agreement with the City of San Luis Obispo.</p> <p>The City’s Police Department (SLOPD) provides public safety services for the city and is comprised of 85.5 employees, 59 of which are sworn police officers. The SLOPD operates out of one main police station which is located at 1042 Walnut Street at</p>					
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the intersection of Santa Rosa (Highway 1) and U.S. Highway 101. The project site 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's Department of Parks and Recreation.

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 would be served by the City's Fire Department; the closest station is Fire Station 3, located at 1280 Laurel Lane. The project proposes medical office uses consistent with those identified in the AASP, and the proposed level of development would be compatible with surrounding commercial developments. While the project would not directly result in the need for construction of new fire service facilities, development of new office uses would result in a marginal cumulative increase in demand on City services, including fire protection. The project would be required to participate in the City's system of required developer impact fees and dedications established to address direct demand for new facilities associated with new development. Potential increases in property tax revenue associated with valuation of the new businesses and other revenues (e.g., sales tax) would also help offset the increased ongoing cost of provision of public services to the new commercial building. Therefore, impacts associated with the provision of new or physically altered police protection facilities would be *less than significant*.

Police protection: The project would be served by the SLOPD. Project development of new office uses would result in a marginal increase in demand on City services, including police protection. The project proposes uses generally consistent with the surrounding AASP area and the proposed level of development would be similar to surrounding commercial development. As discussed above, the project would be subject to required developer impact fees established to address direct demand for new facilities associated with new development. Potential increases in property tax revenue associated with valuation of the new businesses and other revenues (e.g., sales tax) would also help offset the increased ongoing cost of provision of public services to new commercial uses. Therefore, a new or physically altered police protection facility would not be required to accommodate the project and impacts would be *less than significant*.

Schools: The project site is located within the SLCUSD and 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. The proposed project would not induce population growth. Through participation in the existing fee program, potential project impacts on schools would be *less than significant*.

Parks: Project development of new office uses is not anticipated to result in a material increase of demand on local parks and recreational facilities in the area because employees are likely to come from the local work force. The project would not induce population growth and would not result in a significant increase in demand on local parks and recreational facilities. The project is consistent with the General Plan designation, AASP, and underlying zoning; any indirect population growth resulting from the project would be consistent with the projected population growth for the city. As discussed above, the project would be subject to required developer impact fees established to address direct demand for new facilities associated with new development. Therefore, potential project impacts on parks would be *less than significant*.

Other public facilities: The project would not induce substantial population growth and would result in a negligible effect on use of other public facilities, such as roadways and public libraries. The project would be subject to the City's standard development fees, which would offset the project's marginal contribution to increased use of city facilities. Therefore, potential project impacts on public facilities 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

	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, 43, 44	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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, 43, 44	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

Existing City recreational 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’s Parks and 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 which 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: continued 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, link recreation facilities, and meeting the special needs of disabled persons, at-risk youth, and senior citizens. Parks and Recreation Element Policy 3.13.1 establishes the City’s goal to develop and maintain a park system at the rate of 10 acres of parkland per 1,000 residents, 5 of which shall be dedicated as neighborhood parks.

a-b) Project development of new office uses would not result in a significant increase in demand on local parks and recreational facilities in the area. The project would not generate population growth and would utilize employees from the local work force. As the project is consistent with the General Plan designation and underlying zoning, any indirect population growth resulting from the project would be consistent with the projected population growth for the City. As discussed above, the project would be subject to required developer impact fees established to address direct demand for new facilities associated with new development. Therefore, 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

The project would not result in 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?	12, 45	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	1, 12, 45, 56, 57	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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, 23, 45	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	1, 23, 45	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The City’s Circulation Element identifies current traffic levels and delays of public roadways and identifies 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 alternatives such as walking, riding buses and bicycles, and using car pools, promotion of the safe operation of all modes of transportation, and widening and extending streets only when there is a demonstrated need and when the widening would cause no significant, long-term environmental problems.

The City’s 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. This plan identifies existing Class II bike path(s) within the vicinity of project site along Broad Street.

State Senate Bill 743, codified in Public Resources Code section 21099, required changes to the CEQA Guidelines regarding the analysis of transportation impacts. Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” (Id., subd. (b)(1); see generally, adopted CEQA Guidelines, §15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) To that end, in developing the criteria, Office of Planning and Research (OPR) has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project’s transportation impacts. The OPR Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) recommends screening criteria to identify types, characteristics, or locations of projects that would not result in significant impacts to VMT. Of land use projects, residential, office, and retail projects tend to have the greatest influence on VMT. For that reason, OPR recommends quantified thresholds for these land uses for purposes of analysis and mitigation. Lead agencies, using more location-specific information, may develop their own more specific thresholds, which may include other land use types. In June 2020, the San Luis Obispo City Council adopted local VMT thresholds to be applied in analyzing transportation impacts of land use and transportation projects under CEQA.

The project site would be accessed by Aerovista Place. Aerovista Place is a two-way local roadway that, in combination with Aero Drive, provides a two-lane loop in the study area, with both the northern and southern termini ending at an intersection with Broad Street. At the project site, the General Plan Circulation Element designates Aerovista Place as a Residential Local road. Striping to denote the opposite lanes of travel is only present at the southern portion of the Aerovista Place loop, where Aerovista Place provides access to Aero Drive and the San Luis Obispo Regional Airport terminal. Based on the City’s Traffic

County & Speed Surveys Map, the average daily motor vehicle trip volume (ADT) on Aerovista Place west of Broad Street is 2,656. Average daily pedestrian volume is 100 trips, and average daily bicycle volume is 36 trips. On Broad Street adjacent to the project site, ADT volume is 19,739 trips for motor vehicles, 19 trips for pedestrians, and 63 trips for bicycles.

All roadways in the immediate project vicinity have curbs, gutters, sidewalks, and on-street parking. Broad Street in the project vicinity is a north-south roadway designated as a Highway (Hwy 227) and provides two lanes of travel in each direction with a center turn lane. The northern intersection of Broad Street and Aerovista Place is a three-way intersection with stop sign control for drivers on Aerovista turning onto Broad Street. A dedicated left-turn lane is provided on northbound Broad Street. The southern intersection of Broad Street and Aero Drive is a signalized four-legged intersection that serves as the primary access to the San Luis Obispo Regional Airport terminal. Broad Street has a designated Class II bike lanes in both directions.

- a) The project proposes infill development in the AASP area of the city, in an area surrounded by similar commercial office uses. The project site would be accessed by a new driveway off Aerovista Place. The project site is also located within immediate proximity of Class II bicycle lanes on Broad Street, as identified in the City’s Bicycle Transportation Plan. The project would require the payment of the City’s standard Traffic Impact Fees (TIF). The project does not include any changes to the underlying zone or land use designation, or associated development standards as identified in the AASP, and is consistent with the AASP Certified EIR. The project is consistent with the 2017 General Plan Circulation Element and no off-site road improvements are required, aside from VMT reduction measures identified below. Therefore, the proposed project would not conflict with applicable transportation plans including the City’s Circulation Element, and this impact would be *less than significant*.
- b) The *862 Aerovista Place VMT Analysis Technical Memorandum* includes a discussion and analysis of the project’s effect on regional vehicle miles traveled (VMT) consistent with the requirements of CEQA Guidelines section 15064.3(b). Consistent with the methodologies described in the City’s 2020 Transportation Impact Study Guidelines (TISG), the City’s Travel Demand Model was used to estimate VMT with and without the project. The City’s TDM is a travel demand forecasting model that utilizes existing and future land use information, demographic data, existing traffic volume data, and transportation network information to model existing and future travel behavior within the City and greater San Luis Obispo County region. The model is calibrated and validated based on existing traffic volume and origin-destination trip data and is used for projected changes in traffic volume and VMT data associated with proposed changes in land use and transportation systems. In June 2020, the San Luis Obispo City Council adopted local VMT thresholds to be applied in analyzing transportation impacts of land use and transportation projects under CEQA. The TISG summarizes these thresholds and provides more detailed direction for evaluating a variety of project types. The City’s VMT impact threshold, which was derived from the Travel Demand Model to be 15 percent below baseline (existing baseline model scenario from the 2020 Travel Demand Model) regional VMT is 12.45 VMT per employee for office land uses.

The proposed project would generate 130.3% of the average regional VMT; therefore, mitigation is required to reduce project related VMT by 34.8%. The applicant is required to prepare and implement a Transportation Demand Management Plan and Monitoring Program (TR-1). In addition, the applicant is required to contribute a fair share mitigation fee of \$50,198 towards the construction of off-site VMT-reducing infrastructure, or the applicant may construct the improvements in accordance with City-approved design plans (TR-2). The infrastructure is required to be constructed and operational prior to occupancy of the project.

Therefore, with implementation of mitigation, the project would not generate VMT exceeding the City’s threshold and would be consistent with CEQA Guidelines section 15064.3(b). The impact would be *less than significant with mitigation*.

- c) During the construction phase, the project would result in the periodic restriction in the use of shoulders and parking along Aerovista Place. Additionally, the new driveway on Aerovista Place would result in the permanent loss of approximate four shoulder parking spaces on Aerovista Place. Based on review of the project by the City’s Transportation Division, proposed restrictions on the use of shoulders and use and transport of construction vehicles and equipment would not substantially affect local traffic on Aerovista Drive. The project proposes a driveway entrance on a straight segment of Aerovista Place that does not contain dangerous curves, short sight distance, or other dangerous design features. The driveway would be designed in accordance with the City’s Public Works safety design standards, including the use of red “no parking” curb paint on either side of the driveway entrance to allow for safe turning movements and provide motorist

an adequate line of sight from the driveway. Therefore, project impacts associated with increased hazards due to a geometric design feature would be *less than significant*.

- d) The project has been designed to comply with the City and State Fire Code and the project would be subject to review by the City Fire Marshal to ensure adequate emergency access has been provided. The Transportation and Engineering Division reviewed the project in January 2020 and had no comments. Therefore, potential impacts related to inadequate emergency access would be *less than significant*.

Mitigation Measures

TR-1 (Transportation Demand Management): The Applicant shall prepare a Transportation Demand Management (TDM) Plan and Monitoring Program to the satisfaction of the City Transportation Division. The TDM Plan shall identify a series of TDM strategies that are anticipated to reduce the project-generated single-occupant vehicle trips and corresponding VMT to within the City’s adopted thresholds. TDM program elements may include, but are not limited to:

- Participate in SLO Regional Rideshare’s Back ‘N’ Forth Club
- Work with SLO Regional Rideshare to educate occupants with alternative transportation and smart commute information (e.g. information board, electronic kiosk, new hire packets, etc.)
- Identify a dedicated transportation information coordinator for each building/tenant
- Provide on-site employee lockers and showers to promote bicycle and pedestrian use
- Provide secure long-term bicycle parking for employees
- Provide an on-site bicycle-share program for employees and/or reserve a dedicated area for a future City bikeshare dock
- Provide reserved parking for carpools and vanpools
- Allow and encourage telecommuting
- Organize a carpool/vanpool program
- Provide on-site carshare vehicle(s)
- Provide free/subsidized transit passes for employees
- Implement an employee parking cash-out program, providing a cash incentive for employees who choose to carpool, walk, bike or ride transit to work
- Improve amenities at nearest transit stop (i.e. install transit shelter, lighting, seating)

The TDM Plan shall establish a measurable target (i.e. vehicle trips generated, mode share of project tenants, or both) and identify a proposed monitoring plan that would provide sufficient data to measure progress towards meeting established targets. The TDM Plan and Monitoring Program shall be developed and conducted by a qualified transportation professional.

Plan Requirements and Timing: The Applicant shall submit a proposed TDM Plan and Monitoring Program for City review prior to issuance of building permits. City approval of a Final TDM Plan and Monitoring Program is required prior to issuance of occupancy permits. The applicant shall submit a TDM Performance Monitoring Report at 12 months and 24 months after first occupancy, and agree to annual TDM compliance inspections by the City Transportation Division. If the TDM Performance Monitoring Report shows that the targeted trip/VMT reduction has not been achieved, the applicant is responsible for increasing the level of TDM actions to the satisfaction of the City Transportation Division, which may include increasing information, incentives or subsidies to encourage employees to use alternative modes of transportation, or providing a direct fair share financial contribution to the City to be used towards programmed off-site VMT-reducing capital projects. The final approved TDM program shall be implemented in perpetuity as a condition of the use permit for this development, unless otherwise approved by the City Transportation Division.

TR-2 (VMT Mitigation Fee): The Applicant shall contribute a fair share mitigation fee of \$50,198 towards construction of off-site VMT-reducing infrastructure, such as installation of protected bike lanes. Applicable VMT-reducing projects anticipated to be constructed by the City as part of the 2021-23 Capital Improvement Program include, but are not limited to:

- Anholm Neighborhood Greenway Phase 2 (0.9 miles of new protected bike lanes)
- 2021 & 2022 Roadway Sealing Projects (1.6 miles new protected bike lanes considered)
- South Broad Street Protected Bike Lanes (0.8 miles of new protected bike lanes)

- Active Transportation Plan Quick-Build Installation (1-2 miles of new protected bike lanes considered)

Plan Requirements and Timing: The Applicant shall pay applicable VMT mitigation fees prior to issuance of building permits. A total of 0.8 miles of new protected bikeway shall be installed prior to issuance of occupancy permits to provide the required VMT reduction needed to mitigate the project related VMT impact. Alternately, the Applicant may choose to fund design and construction of an equivalent mileage (0.8 miles) of protected bike lanes prior to occupancy in lieu of pay VMT mitigation fees.

Conclusion

The project would not result in a reduction in level of service on surrounding intersections and with implementation of mitigation measures would be consistent with the City’s Circulation Element and CEQA Guidelines Section 15064.3 subdivision (b) regarding VMT. The project would be required to meet City Public Works safety design standards and would maintain adequate emergency access. Therefore, potential impacts associated with transportation would be *less than significant*.

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)?	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation

Approved in 2014, Assembly Bill 52 (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 California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.
- 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 subdivision (c) of California Public Resources Code Section 5024.1. 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 under AB 52. A representative of the Salinan Tribe reviewed the project materials and requested that they be kept informed if any resources are unearthed during project development. No other comments or requests for consultation were received from noticed tribes.

a-b) 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 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-3 have been identified to require 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 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-2. If the find includes Native American affiliated materials, a local Native American tribal representative from the Salinan Tribe shall be notified as requested during the project’s AB 52 tribal consultation process.

Conclusion

With implementation of Mitigation Measures CR-1 through CR-3, and TCR-1, the project would have a less-than-significant impact 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?	46, 49, 50	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	48, 49	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	46, 49	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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?	47, 48, 49	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	2, 48, 49	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The City’s 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) The project includes the installation of new water, wastewater, stormwater, and energy extensions and connections to city infrastructure. An existing water line, gravity sewer line, storm drain system, utility lines, and electrical lines are located within the Aerovista Place right of way. Necessary connections would be along the property site frontage and would not require offsite utility extensions or improvements. 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 through BIO-10, and CR-1 through CR-3 would reduce potentially significant environmental impacts resulting from installation and establishment of new utility connections associated with air quality, biological resources, and cultural resources to a less-than-significant level. Therefore, potential environmental impacts associated with construction of utility connections would be *less than significant with mitigation*.

b) The project would require an estimated 1.3 million gallons of water per year for the interior uses and landscape watering. Per the *General Plan Water and Wastewater Management Element*, Policy A2.2.1, the City has four primary water supply sources, including Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water. Groundwater serves as a fifth supplemental source, which was suspended by the City from potable uses in April 2015. 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 development plans and application for a building permit, the applicant would be required to pay development impact fees to offset the project’s direct demand on the City’s water and wastewater resources. Therefore, based on the city’s current surplus of water supplies and payment of development impact fees to offset the project’s incremental increase in demand, 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 wastewater system and would include the installation of a new wastewater pipe to connect to existing City wastewater infrastructure along Aerovista Place. The project would result in the generation of an estimated 707,500 gallons of wastewater per year (2.17 acre-feet per year). Thus, the project would result in an incremental increase in demand on the City’s WRRF and wastewater conveyance infrastructure. The project is consistent with the general level of growth anticipated in the City’s General Plan and AASP and would be required to pay standard development impact fees to offset the project’s incremental contribution to demand on the City’s WRRF. 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 215.4 pounds of solid waste per day (see Table 9, below).

Table 9. Estimated Project Solid Waste Generation

Use	Generation Rate	Project	Pounds Solid Waste Per Day
Office	0.006 lb/sf/day	35,908 sf	215.4
Total			215.4

Project construction and operational solid waste materials would likely be disposed of at the Cold Canyon Landfill. The Cold Canyon Landfill has approximately 14,500,000 cubic yards of remaining capacity as of March 2020, with a maximum daily permitted intake capacity of 1,650 tons per day. Based on these capacities, the Cold Canyon Landfill is expected to remain operational through at least 2040. Therefore, potential impacts solid waste reduction goals and capacity 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 percent of this waste goes to landfills, posing a threat to groundwater, air quality, and public health. To help reduce the waste stream generated by this project, consistent with the City’s COSE policies to coordinate waste reduction and recycling efforts (COSE 5.5.3), and the City’s Development Standards for Solid Waste Services, recycling facilities have been incorporated into the project design and a solid waste reduction plan for recycling discarded construction materials is a submittal requirement with the building permit application in compliance with Title 24 Chapter 11 of the 2016 Green Building Code. Therefore, the project would comply 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 through BIO-10, and CR-1 through CR-3.

Conclusion

With implementation of the recommended mitigation measures, the project’s potential impacts associated with utilities and service systems would be less than significant.

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?	1, 23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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, 23, 51	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	1, 23	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

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 one mile of a designated High or Very High Fire Hazard Severity Zone which indicates significant risk to wildland fire.

The City Safety Element identifies four policies to address the potential hazards associated with wildfire, including approving development only when adequate fire suppression services and facilities are available, classification of wildland fire hazard severity zones as prescribed by the California Department of Forestry and Fire Protection (CAL FIRE), prohibition of new subdivisions located within “Very High” wildland fire hazard severity zones, and continuation of enhancement of fire safety and construction codes for buildings.

- a) Implementation of the 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 would occur as a result of project implementation. During operation, the project would result in an increase in the number of employees in the AASP and, therefore, would result in an increase in the number of evacuees traveling on evacuation routes such as Broad Street (Highway 227) and U.S. Highway 101. This increase would be marginal and would not result in substantial impairment of the applicable evacuation plans and/or routes; therefore, potential impacts would be *less than significant*.
- b) The project is located in a quickly developing area of the city. The project site is currently unimproved and requires routine mowing to prevent the growth of brush that could result in a fire hazard to adjacent properties. The project would not substantially change the existing topography of the project site. The project would replace the existing undeveloped site with a commercial development, which would reduce wildfire fuels onsite and may marginally reduce the potential for fire hazard in the immediate project vicinity. The project would be required to meet all applicable standards for fire prevention pursuant to the CBC and California Fire Code. For instance, the project would include the installation of a new 6-inch fire main that would wrap around the office building and connect to a new fire hydrant installed at the back side of the building. A fire sprinkler system would also be installed within the building. Therefore, the project would not exacerbate wildfire risks or expose project occupants to substantial pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Potential impacts would be *less than significant*.
- c) The project would include the installation of new water, emergency water, wastewater, stormwater, and energy extensions and connections to City infrastructure. These proposed infrastructure components would occur within an urbanized area and would be required to be installed in full compliance with applicable CBC and California Fire Code regulations. As discussed above, construction of this infrastructure would not result in substantial temporary or ongoing impacts on the environment. Therefore, potential impacts associated with exacerbation of fire risk or environmental impacts from installation of new infrastructure would be *less than significant*.
- d) The project site is generally flat and is not located near slopes or other areas subject to downstream flooding or landslides. The project does not include any design elements that would 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. Therefore, impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. Therefore, potential impacts associated with wildfire would be *less than significant*.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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?</p>	1, 2, 15, 16, 18, 25	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The project is proposed in the quickly developing AASP area of the city of San Luis Obispo and the project vicinity generally contains low habitat value for protected plant and animal species. Similarly, although the project site is unimproved, it is routinely mowed for fire protection, as required by the City. A small wetland in the southwest corner of the site where the unnamed ephemeral drainage enters the site would be avoided and protected/enhanced. No special status plant species were identified within the project site and within the unnamed ephemeral drainage, the lack of perennial or intermittent water reduces the suitability for aquatic-related species.</p> <p>As discussed in Section 4, <i>Biological Resources</i>, appropriately timed surveys conducted at the site did not reveal the presence of protected plant or animal species. CRLF may temporarily occupy the drainage when water is present; however, the drainage does not provide suitable breeding habitat due to its flashy and ephemeral nature. Mitigation Measures BIO-1 and BIO-2 have been identified to avoid potential impacts to CRLF should they occur within the ephemeral drainage. There are no known historic or prehistoric resources within the project site and Mitigation Measures CR-1 through CR-3 would reduce potential inadvertent discovery of these resources to less than significant. With the implementation of identified mitigation measures, standard requirements, and regulatory permit requirements, the project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of 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. Potential impacts would be <i>less than significant with mitigation</i>.</p>					
	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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)?</p>	N/A	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The project proposes the development of a commercial office building that is consistent with the AASP land use designation and the project site's BP zoning. The AASP area would continue to be developed in accordance with the allowable development permitted in the AASP. When project impacts are considered in combination with other reasonably foreseeable impacts, the project's potential cumulative impacts may be significant. Mitigation measures have been identified to reduce project-related impacts to a less-than-significant level. With the implementation of identified project-specific mitigation measures and payment of the City's standard development impact fees, the individual effects of the project would be marginal and cumulative effects of the project would not be cumulatively considerable. Therefore, potential impacts would be <i>less than significant with mitigation</i>.</p>					

	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	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The project has the potential to result in significant impacts associated with air quality that, if left unmitigated, could result in substantial adverse effects on human beings. Standard 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, implementation of best management practices, and compliance with the California Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations to avoid impacts related to naturally occurring asbestos. With incorporation of identified project-specific mitigation and the payment of the City’s standard development impact fees, potential environmental effects of the project would not directly or indirectly result in any substantial adverse effects on human beings. Therefore, potential impacts would be <i>less than significant with mitigation</i>.</p>					

22. EARLIER ANALYSES

<p>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:</p>
<p>a) Earlier analysis used. Identify earlier analyses and state where they are available for review.</p>
<p>The potential environmental effects of developing the project site with uses consistent with the BP zoning designation were previously evaluated in the Certified EIR for the AASP (SCH # 2000051062), which was certified by the City Council in September 2003. The Certified EIR is available on the City’s Community Development Department website at: <https://www.slocity.org/government/department-directory/community-development/documents-online/environmental-review-documents/-folder-719></p>
<p>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.</p>
<p>This Initial Study/Mitigated Negative Declaration incorporated information and findings from the Certified EIR where appropriate, but also evaluated the project’s potential environmental impacts at the project level, with project-specific mitigation measures.</p>
<p>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.</p>
<p>As discussed above, project-specific mitigation measures have been developed for the project to address a more stringent regulatory environment and more complex analysis methodology. All project-specific mitigation measures recommended in this Initial Study/Mitigated Negative Declaration are consistent with and build upon the programmatic mitigation measures identified in the Certified EIR.</p>

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Attachments

1. Pults & Associates, LLP Conceptual Design Plans (February 2020)
2. Terra Verde Environmental Consulting Biological Survey Results Memorandum (February 13, 2020)
3. Storrer Environmental Services Wetland Delineation and Jurisdictional Determination Report (August 2019)
4. Terra Verde Environmental Consulting Biological Survey Results Memorandum (May 2020)
5. Terra Verde Environmental Consulting Biological Survey Supplemental Information (May 2020)
6. Michael Baker International, 862 Aerovista Place VMT Analysis Technical Memorandum (November 5, 2020)

Attachments are available online at:

<http://www.slocity.org/government/department-directory/community-development/documents-online/environmental-review-documents>

REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

AQ-1 During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

3. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible;
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
 - c. Use of alternative fueled equipment shall be used whenever possible; and,
 - d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.
4. California Diesel Idling Regulations. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - a. 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,
 - b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

- a. Reduce the amount of disturbed area where possible.
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding Air Pollution Control District's (APCD's) limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour (mph) and cessation of grading activities during periods of winds over 25 mph. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
- 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 one month after initial grading shall be sown with a fast germinating, non-invasive, grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders or soil binders are used.

- h. Vehicle speed for all construction vehicles shall not exceed 15 m.p.h. on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials, are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
- k. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
- l. All PM₁₀ mitigation measures required shall be shown on grading and building plans.
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the APCD's limit of 20% opacity for no greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-3 Prior to initiation of demolition/construction activities, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property including sampling and testing for naturally occurring asbestos in full compliance with California Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) and SLOAPCD requirements. 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 naturally occurring asbestos (NOA), the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-4 If naturally occurring asbestos (NOA) are determined to be present onsite, proposed earthwork and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB Asbestos Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (93105) and requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (40 CFR 61, Subpart M – Asbestos; NESHAP). These requirements include, but are not limited to, the following:

- 1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
- 2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and,
- 3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

AQ-5 Portable equipment and engines 50 horsepower (hp) or greater require California statewide portable equipment registration (issued by the Air Resources Board) or an Air District Permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive:

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater;
- Internal combustion engines;
- Unconfined abrasive blasting operations;
- Concrete batch plants;
- Rock and pavement crushing;
- Tub grinders; and,
- Trommel screens.

AQ-6 The standard mitigation measures and Best Available Control Technology (BACT) for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

- Maintain all construction equipment in proper tune according to manufacturer's specifications;
- Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
- Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- Electrify equipment when feasible;
- Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel; and
- Further reduce emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;
- Repower equipment with the cleanest engines available; and
- Install California Verified Diesel Emission Control Strategies.

Monitoring Program: Measures AQ-1 through AQ-6 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 to the City Community Development Department upon completion.

Biological Resources

- BIO-1** Within 48 hours prior to any project activity, including clearing, grubbing, and grading, the project site shall be surveyed for California red-legged frog by a qualified biologist. If any California red-legged frogs are found, work shall not start until the U.S. Fish and Wildlife Service has been contacted and has given approval for work to continue. In addition, the California Department of Fish and Wildlife shall also be contacted within 24 hours.
- BIO-2** To avoid the potential for take of California red-legged frog, construction activities shall be avoided during significant rain events of 0.25 inches or greater, and no night work shall be permitted.
- BIO-3** Prior to construction, the project applicant shall obtain a Section 404 Permit from the United States Army Corps of Engineers, a Section 401 Water Quality Certification from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife for project-related impacts that will occur in areas under state and federal jurisdiction. Proof of all required permits shall be provided to the City Community Development Department prior to issuance of building permits.
- BIO-4** Prior to construction, the project applicant shall prepare a Compensatory Mitigation Plan to effectively offset proposed net impacts to 0.29 acre of jurisdictional waters. Mitigation requirements shall, at minimum, include total mitigation consistent with the Supplemental Information for the Proposed Aerovista Commercial Development Project located at 862 Aerovista Place, San Luis Obispo, California prepared by Terra Verde for the project (Terra Verde 2020; source reference 55). This plan shall be submitted to the City Planning and Building Department for review and approval.
- BIO-5** In order to prevent oils or fuels from entering the drainages, equipment staging areas for vehicle fueling and storage shall be at least 50 feet away from drainages, in a location where fluids or accidental discharges cannot flow into the drainage.

- BIO-6** Any soil stockpile(s) shall be kept a minimum of 50 feet from the top of bank of drainages to prevent material from entering the waterways. At no time shall any stockpiles, waste piles, or debris associated with this project be located within the banks of the drainages where it can be washed into jurisdictional waters.
- BIO-7** Construction best management practices (BMPs) such as silt fencing and wattles shall be on site prior to the start of project activities and kept on site at all times so they are immediately available for installation in anticipation of rain events.
- BIO-8** Erosion and sediment control measures and other BMPs shall be implemented and maintained in accordance with all manufacturer's specifications detailing the installation, operation, and maintenance of the BMPs.
- BIO-9** If any ground disturbances will occur during the nesting bird season (February 1– September 15), prior to any ground disturbing activity, surveys for active nests shall be conducted by a qualified biologist within one week prior to the start of activities. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged or the nest is no longer deemed active. A non-disturbance buffer of 50 feet will be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work shall be conducted until an appropriate buffer is determined in consultation with the City and the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service.
- BIO-10** Prior to issuance of grading and construction permits, the applicant shall provide a tree protection plan for review and approval by the City Arborist. The plan shall include installation of construction fencing, which shall remain in place for the duration of all grading and construction activities.

Monitoring Program: The survey requirements of Mitigation Measure BIO-1 shall be incorporated into the project grading and building plans for review and approval by the City Community Development Department and verified through submittal of a CRLF survey report to the City Community Development Department. The applicant shall secure the approved USACE, RWQCB, and CDFW permits prior to submitting the final grading plans to the City Community Development Department. The City Community Development Department shall confirm that all requirements of the approved USACE Section 404 permit, RWQCB Section 401 permit, and CDFW LSAA are incorporated into the grading plans prior to approval. Compliance shall be verified by the City prior to the start of construction and during regular inspections, in coordination with the approved Section 404 permit, Section 401 permit, and LSAA, as necessary.

Cultural Resources

- CR-1** Prior to construction activities, a City-qualified archaeologist shall conduct 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-2** 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. Work shall not continue until a City-qualified archaeologist assesses the find and determines the need for further study. If the find includes Native American affiliated materials, a local Native American tribal representative will be contacted to work in conjunction with the City-approved archaeologist to determine the need for further study. A standard inadvertent discovery clause shall be

included in every grading and construction contract to inform contractors of this requirement. Any previously unidentified resources found during construction shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified archaeologist.

If the resource is determined significant under CEQA, the qualified archaeologist shall prepare and implement a research design and archaeological data recovery plan, in conjunction with locally affiliated Native American representative(s) as necessary, that will capture those categories of data for which the site is significant. The archaeologist shall also perform appropriate technical analysis, prepare a comprehensive report, and file it with the Central Coast Information Center (CCIC), located at the University of California, Santa Barbara, and provide for the permanent curation of the recovered materials.

CR-3 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 and locally affiliated Native American representative(s) (as necessary) 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 Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours. These requirements shall be printed on all building and grading plans.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

Geology and Soils

Implement Mitigation Measures BIO-3, BIO-7, and BIO-8.

Monitoring Program: The City Community Development Department shall confirm that all requirements of the approved USACE Section 404 permit, RWQCB Section 401 permit, CDFW LSAA, erosion and sediment control measures, and BMPs are incorporated into the grading plans prior to approval. Compliance shall be verified by the City prior to the start of construction and during regular inspections, in coordination with the approved Section 404 permit, Section 401 permit, and LSAA, as necessary.

Hydrology and Water Quality

Implement Mitigation Measures BIO-3, BIO-5 through and BIO-8.

Monitoring Program: The City Community Development Department shall confirm that all requirements of the approved USACE Section 404 permit, RWQCB Section 401 permit, CDFW LSAA, erosion and sediment control measures, and BMPs are incorporated into the grading plans prior to approval. Compliance shall be verified by the City prior to the start of construction and during regular inspections, in coordination with the approved Section 404 permit, Section 401 permit, and LSAA, as necessary.

Transportation

TR-1 (Transportation Demand Management): The Applicant shall prepare a Transportation Demand Management (TDM) Plan and Monitoring Program to the satisfaction of the City Transportation Division. The TDM Plan shall identify a series of TDM strategies that are anticipated to reduce the project-generated single-occupant vehicle trips and corresponding VMT to within the City's adopted thresholds. TDM program elements may include, but are not limited to:

- Participate in SLO Regional Rideshare's Back 'N' Forth Club
- Work with SLO Regional Rideshare to educate occupants with alternative transportation and smart commute information (e.g. information board, electronic kiosk, new hire packets, etc.)
- Identify a dedicated transportation information coordinator for each building/tenant
- Provide on-site employee lockers and showers to promote bicycle and pedestrian use
- Provide secure long-term bicycle parking for employees

- Provide an on-site bicycle-share program for employees and/or reserve a dedicated area for a future City bikeshare dock
- Provide reserved parking for carpools and vanpools
- Allow and encourage telecommuting
- Organize a carpool/vanpool program
- Provide on-site carshare vehicle(s)
- Provide free/subsidized transit passes for employees
- Implement an employee parking cash-out program, providing a cash incentive for employees who choose to carpool, walk, bike or ride transit to work
- Improve amenities at nearest transit stop (i.e. install transit shelter, lighting, seating)

The TDM Plan shall establish a measurable target (i.e. vehicle trips generated, mode share of project tenants, or both) and identify a proposed monitoring plan that would provide sufficient data to measure progress towards meeting established targets. The TDM Plan and Monitoring Program shall be developed and conducted by a qualified transportation professional.

Plan Requirements and Timing: The Applicant shall submit a proposed TDM Plan and Monitoring Program for City review prior to issuance of building permits. City approval of a Final TDM Plan and Monitoring Program is required prior to issuance of occupancy permits. The applicant shall submit a TDM Performance Monitoring Report at 12 months and 24 months after first occupancy, and agree to annual TDM compliance inspections by the City Transportation Division.

If the TDM Performance Monitoring Report shows that the targeted trip/VMT reduction has not been achieved, the applicant is responsible for increasing the level of TDM actions to the satisfaction of the City Transportation Division, which may include increasing information, incentives or subsidies to encourage employees to use alternative modes of transportation, or providing a direct fair share financial contribution to the City to be used towards programmed off-site VMT-reducing capital projects. The final approved TDM program shall be implemented in perpetuity as a condition of the use permit for this development, unless otherwise approved by the City Transportation Division.

Monitoring Program: City staff shall review and approve the final TDM Plan and Monitoring Program. City staff shall work with the Applicant to ensure that these strategies are implemented. The City shall conduct annual site visits and/or outreach to the property owners to ensure ongoing compliance.

TR-2 (VMT Mitigation Fee): The Applicant shall contribute a fair share mitigation fee of \$50,198 towards construction of off-site VMT-reducing infrastructure, such as installation of protected bike lanes. Applicable VMT-reducing projects anticipated to be constructed by the City as part of the 2021-23 Capital Improvement Program include, but are not limited to:

- Anholm Neighborhood Greenway Phase 2 (0.9 miles of new protected bike lanes)
- 2021 & 2022 Roadway Sealing Projects (1.6 miles new protected bike lanes considered)
- South Broad Street Protected Bike Lanes (0.8 miles of new protected bike lanes)
- Active Transportation Plan Quick-Build Installation (1-2 miles of new protected bike lanes considered)

Plan Requirements and Timing: The Applicant shall pay applicable VMT mitigation fees prior to issuance of building permits. A total of 0.8 miles of new protected bikeway shall be installed prior to issuance of occupancy permits to provide the required VMT reduction needed to mitigate the project related VMT impact. Alternately, the Applicant may choose to fund design and construction of an equivalent mileage (0.8 miles) of protected bike lanes prior to occupancy in lieu of pay VMT mitigation fees.

Monitoring Program: The City shall ensure that applicable VMT mitigation fees are collected and that related VMT-reducing infrastructure improvements are completed prior to issuance of occupancy permits. If the Applicant chooses to directly fund and install equivalent infrastructure improvements, the City shall review and approve applicable public improvement plans, and verify that the Applicant installs the improvements in accordance with the approved design plans prior to occupancy.

Tribal Cultural Resources

TCR-1 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-2. If the find includes Native American affiliated materials, a local Native American tribal representative from the Salinan Tribe shall be notified as requested during the project's AB 52 tribal consultation process.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

Utilities and Service Systems

Implement Mitigation Measures AQ-1 through AQ-4, BIO-1 through BIO-10, and CR-1 through CR-3.

Monitoring Program: Measures AQ-1 and AQ-2 shall be incorporated into project grading and building plans for review and approval by the City Community Development Department. Compliance shall be verified by the City during regular inspections, in coordination with the County of San Luis Obispo Air Pollution Control District, as necessary. The applicant shall submit the geologic evaluation detailed in measure AQ-3 to the City Community Development Department upon completion. The City Community Development Department shall confirm that all requirements of the approved USACE Section 404 permit, RWQCB Section 401 permit, CDFW LSAA, erosion and sediment control measures, and BMPs are incorporated into the grading plans prior to approval. Compliance shall be verified by the City prior to the start of construction and during regular inspections, in coordination with the approved Section 404 permit, Section 401 permit, and LSAA, as necessary. CR and TCR conditions shall be noted on all grading and construction plans. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines.

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