INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM

For EID-0790-2021

1. Project Title:

2855 McMillan Avenue Warehouse and Office Building

2. Lead Agency Name and Address:

City of San Luis Obispo
Community Development Department – Planning Division
919 Palm Street
San Luis Obispo, CA 93401-3218

3. Contact Person and Phone Number:

Hannah Hanh, Associate Planner
(805) 781-7432
hhanh@slocity.org

4. Project Location:

2855 McMillan Avenue
San Luis Obispo, CA 93401
(Assessor's Parcel Number 053-212-005)

5. Project Sponsor's Name and Address:

GTW SLO, LLC
Attn: Wade Crosno
5140 Caballeros Avenue
San Luis Obispo, CA 93401

6. General Plan Designations:

Services and Manufacturing

7. Zoning:

Manufacturing (M)

8. Description of the Project:

The proposed project includes the construction and operation of a new two-story office and warehouse building on a vacant and undeveloped 0.4-acre project site located at 2855 McMillan Avenue (Assessor's Parcel Number [APN] 053-212-005) in the City of San Luis Obispo, California (see Figure 1; also see Attachment 1 for Project Applicant Plan Set).

The project site is approximately 0.2 mile east of Broad Street and 0.2 mile north of Orcutt Road in the east-central portion of the city and is bound by McMillan Avenue to the east, light industrial and office uses to the south and west, and a paved alley and light industrial and warehouse uses to the north. The project site is within the Airport Influence Area, within Safety Zone 6. The project site and all surrounding properties are zoned Manufacturing (M). The project requests approval of a

Minor Use Permit to allow office uses within the M zone in accordance with the City of San Luis Obispo (City) Municipal Code Section 17.10.020 (Use Regulations by Zone).

The proposed two-story office and warehouse building would be 8,272 square feet, with 4,788 square feet of warehousing on the ground floor, 2,973 square feet of office uses on the first and second floors, and 511 square feet of storage on the second floor (see Figure 2). The proposed development would provide 13 vehicle parking spaces, including two American Disabilities Act (ADA)-accessible parking spaces, two electric vehicle (EV) parking spaces, one motorcycle parking space, and four bicycle parking spaces. Site improvements would include parking lots, two 3-cubic yard (cy) trash bins located on the southwestern portion of the project site, associated site access and landscaping upgrades, and, as described in more detail below, culverting a portion of Bishop Creek which daylights between two existing culverts along the north and south property lines (see Figure 3).

Design features of the proposed office and warehouse building would consist of metal siding, metal awnings, and concrete blocks. Proposed building colors would be light gray, dark gray, and terracotta. Site development includes the removal of trees that would be compensated consistent with Municipal Code Section 12.24.090.J. Proposed landscaping includes a mix of trees, bushes, and groundcover along the southern and eastern site boundaries. Access to the project site would be provided via a new driveway off of McMillan Avenue. Visual simulations have been prepared for the proposed project (see Figures 4a through 4c).

The project site is in the Manufacturing (M) zone, which allows for a maximum building height of 35 feet, a maximum lot coverage of 75 percent, and a maximum floor area ratio of 1.5 (Municipal Code Section 17.40.020). The proposed development program details are summarized in Table 1.

Table 1. Project Development Program

Site Details	Proposed	Allowed/Required
Maximum Residential Density	N/A	24 units/net acre
Maximum Floor Area Ratio (FAR)	0.48	1.5
Maximum Lot Coverage	35%	75%
Maximum Height of Structures	34 feet 8 inches	35 feet
Minimum Setbacks		
Front	First Floor: 10 feet Second Floor: 15 feet	Where no building adjoins: 5 feet Buildings ≤ 20 feet in height: 10 feet Buildings > 20 feet in height: 15 feet
Interior Side - North	44 feet 5 inches	No setback required
Interior Side – South	43 feet 10 inches	No setback required
Rear	3 feet 6 inches	No setback required
Parking Requirements		
Total Required Parking Spaces	13	13
Electric Vehicle Charging Spaces	2	2
Motorcycle Parking Spaces	1	1
Bicycle Parking Spaces	4	4

Project construction would require grading and drainage improvements that would disturb the 17,250-square-foot site and import of 2,700 cy of fill. Construction is anticipated to last approximately 10 months, including 3 weeks of grading and excavation, and 4 weeks of sub-slab utilities and preparation for the pouring of the building foundation. Construction would result in approximately 6,062 square feet of new impervious surface areas on-site.

The project site is located within the San Luis Obispo Creek watershed, approximately 1.2 miles east of San Luis Obispo Creek (see Figure 5). There is an unnamed drainage located approximately 400 feet west of the project site and a drainage

swale located along the eastern portion of the project site. The on-site drainage swale has been identified as a remnant creek segment of Bishop Creek, which is mapped as a perennial creek (i.e., supports continuous surface flows) by the City; however, the portion of the creek on the project site is better characterized as an intermittent creek (i.e., supports flows during certain times of the year). Bishop Creek originates outside of city limits in the southwestern slope of High School Hill, located between the Johnson Avenue area and Reservoir Canyon, and connects to Acacia Creek downstream of Orcutt Road, near Broad Street, southeast of the project site. The on-site segment of Bishop Creek is approximately 140 feet in length and is characterized by a 5-foot-wide active creek channel that supports a series of small pools and riffles. The creek bank slopes downward toward the creek channel and supports riparian trees and shrubs. In addition, there is an 18-inch-diameter stormwater pipe that outfalls from the eastern side of the bank.

Bishop Creek enters the City limits between Bishop Street and Viewmont Street and flows through a series of underground culverts for approximately 0.5 mile until the creek daylights at Sinsheimer Park, located approximately 0.25 mile northeast of the project site. From Sinsheimer Park, the creek flows under a series of bridges for approximately 0.2 mile until it enters a 48-inch-diameter culvert at McMillan Avenue, located directly north of the project site. The creek daylights on the eastern portion of the project site and extends approximately 140 feet before entering a 48-inch-diameter culvert directly south of the project site. The creek resurfaces on the east side of Garibaldi Avenue, approximately 500 feet southwest of the project site, and flows under a bridge at Orcutt Road and continues to flow south until it connects with other drainages from the east and turns into Acacia Creek, approximately 0.3 mile southeast of the project site. Acacia Creek joins Orcutt Creek to create the East Fork of San Luis Obispo Creek, approximately 2.6 miles southwest of the project site, before joining with the main channel of San Luis Obispo Creek, which empties into the Pacific Ocean at Avila Beach.

The project includes placing the on-site segment of Bishop Creek in an approximately 140-foot-long culvert between the existing culverts located directly north and south of the project site. The proposed culvert would be designed to have a flow rate of 400 cubic feet per second with a channel bottom width of 6 feet and a channel depth of 5 feet. The creek would continue to enter and exit the project site at its current locations. Installation of the culvert would require the removal of 20 riparian trees and shrubs, including three (3) coast live oaks, one (1) red willow, and 16 arroyo willows. This would result in the loss of approximately 4,732 square feet of riparian habitat under California Department of Fish and Wildlife (CDFW), Central Coast Regional Water Quality Control Board (RWQCB), and City jurisdiction and approximately 815 square feet under U.S. Army Corps of Engineers (USACE) jurisdiction.[1]

The project includes restoration of riparian habitat at a minimum 3:1 ratio at an off-site mitigation area located approximately 0.25 mile upstream at Sinsheimer Park (see Figure 5). The off-site mitigation area does not support any special-status plants, sensitive natural communities, or riparian vegetation. The project also includes planting of native trees, including California sycamore, coast live oak, and alder trees at the off-site mitigation area in accordance with the required compensatory planting requirements per Municipal Code Section 12.24.090. The project would require coordination with the CDFW, Central Coast RWQCB, and USACE. Additionally, the project would also require a setback exception from the City for work within 20 feet of the Bishop Creek top-of-bank.

The project site is surrounded by built-up land in all directions but is currently vacant and does not include any site improvements. The property is characterized by flat topography and grassland. The site also supports native trees within and adjacent to the on-site segment of Bishop Creek along the eastern portion of the property. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C1069G (effective date 11/16/2012), the project site is an area with a 1 percent chance of annual flood.

The project includes installation of utility infrastructure to connect to the City's water system and sewer system. Based on the City's Engineering Standards, the project would result in a new estimated potable water and wastewater demand of approximately 436.9 gallons per day. The project site is currently unimproved and allows for the infiltration of stormwater at the site. The project includes installation of a storm drain system, including an underground stormwater retention chamber.

Operation of the project would require approximately 26 new employees on-site, which would result in 60 daily vehicle trips to and from the project area.

[1] The section of culvert within the study area would also be included in each agencies' jurisdiction for an additional area of approximately 60 square feet. Thus, the riparian habitat under CDFW, Central Coast RWQCB, and City jurisdiction would be approximately 4,792 square feet and approximately 875 square feet under USACE jurisdiction (see Attachment 3, p. 22 and Figure 3).

9. Project Entitlements:

Architectural Review (City File ARCH-0599-2021)
Minor Use Permit (City File USE-0598-2021)

10. Surrounding Land Uses and Settings:

Surrounding land uses are summarized below:

- North – one-story warehouse and light manufacturing buildings; surface parking lot
- South – one- and two-story office and light manufacturing buildings
- East – warehouse and light manufacturing buildings and lots; Union Pacific Railroad (UPRR)
- West – one-story warehouse and light manufacturing building; multifamily residential units; drainage swale along the western property boundary

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 on May 17, 2022, consistent with City and State regulations including, but not limited to, Assembly Bill 52. See Section 18, Tribal Cultural Resources, for further information on correspondence and consultation with California Native American Tribes.

12. Other public agencies whose approval is required:

San Luis Obispo Air Pollution Control District (SLOAPCD)
U.S. Fish and Wildlife Service (USFWS), if needed
National Oceanic Atmospheric Administration (NOAA), if needed
California Department of Fish and Wildlife (CDFW)
Regional Water Quality Control Board (Central Coast)
U.S. Army Corps of Engineers (USACE)

Figure 1. Project Location Map

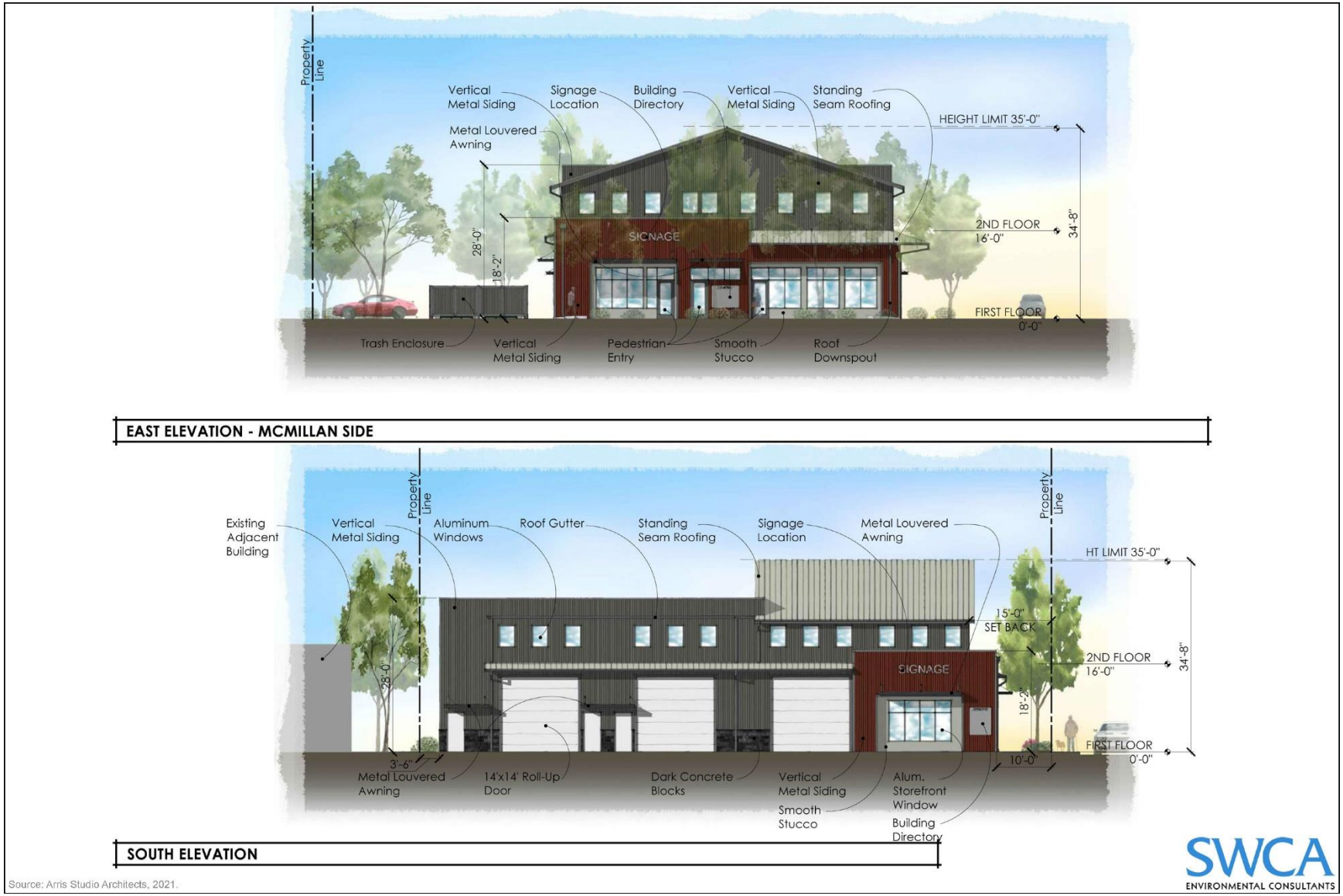
Figure 2. Conceptual Floor Plan

Source: Arris Studio Architects, 2021.

Figure 3. Conceptual Site Plan

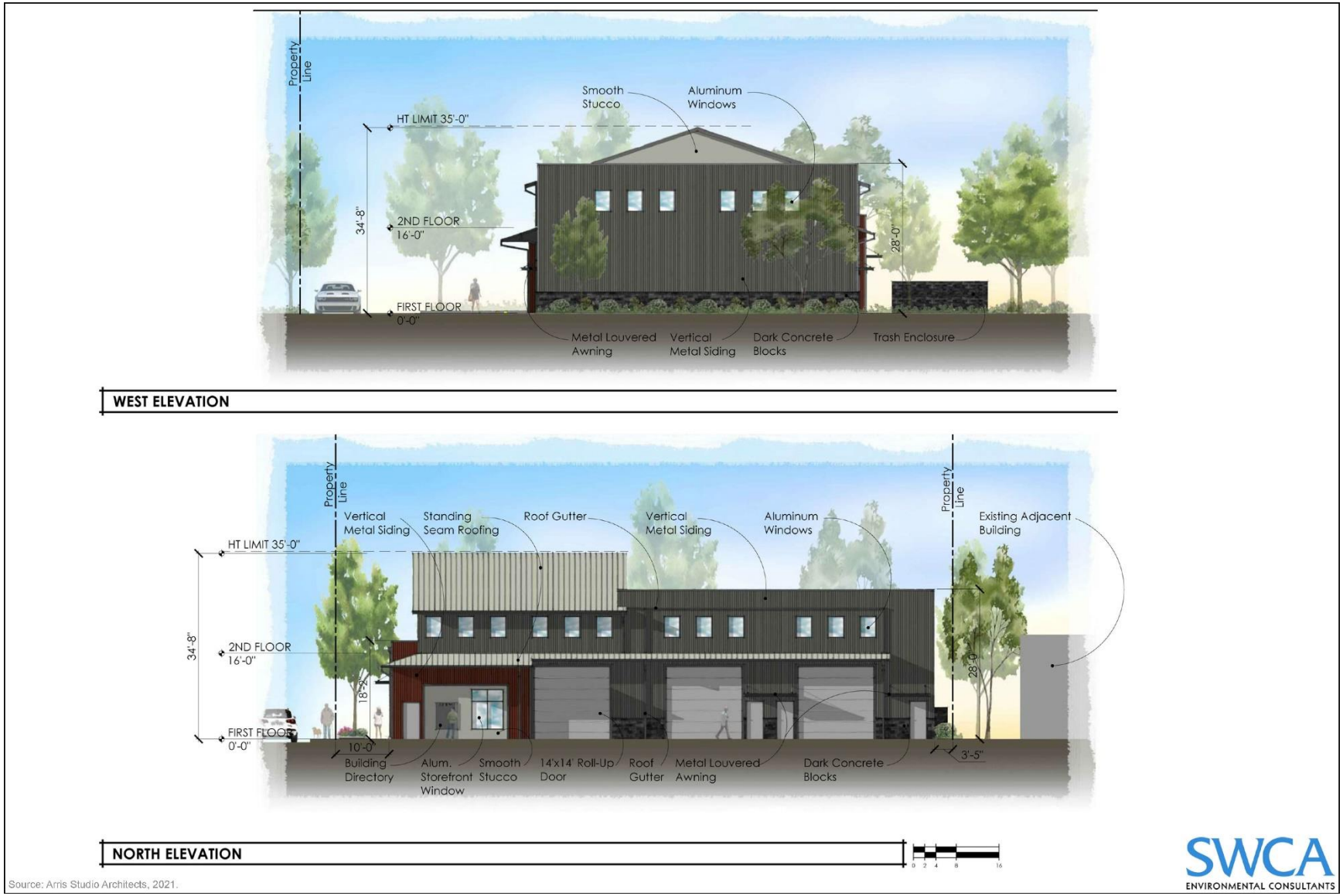
Source: Arris Studio Architects, 2021.

Figure 4a. Visual Simulation



Source: Arris Studio Architects, 2021.

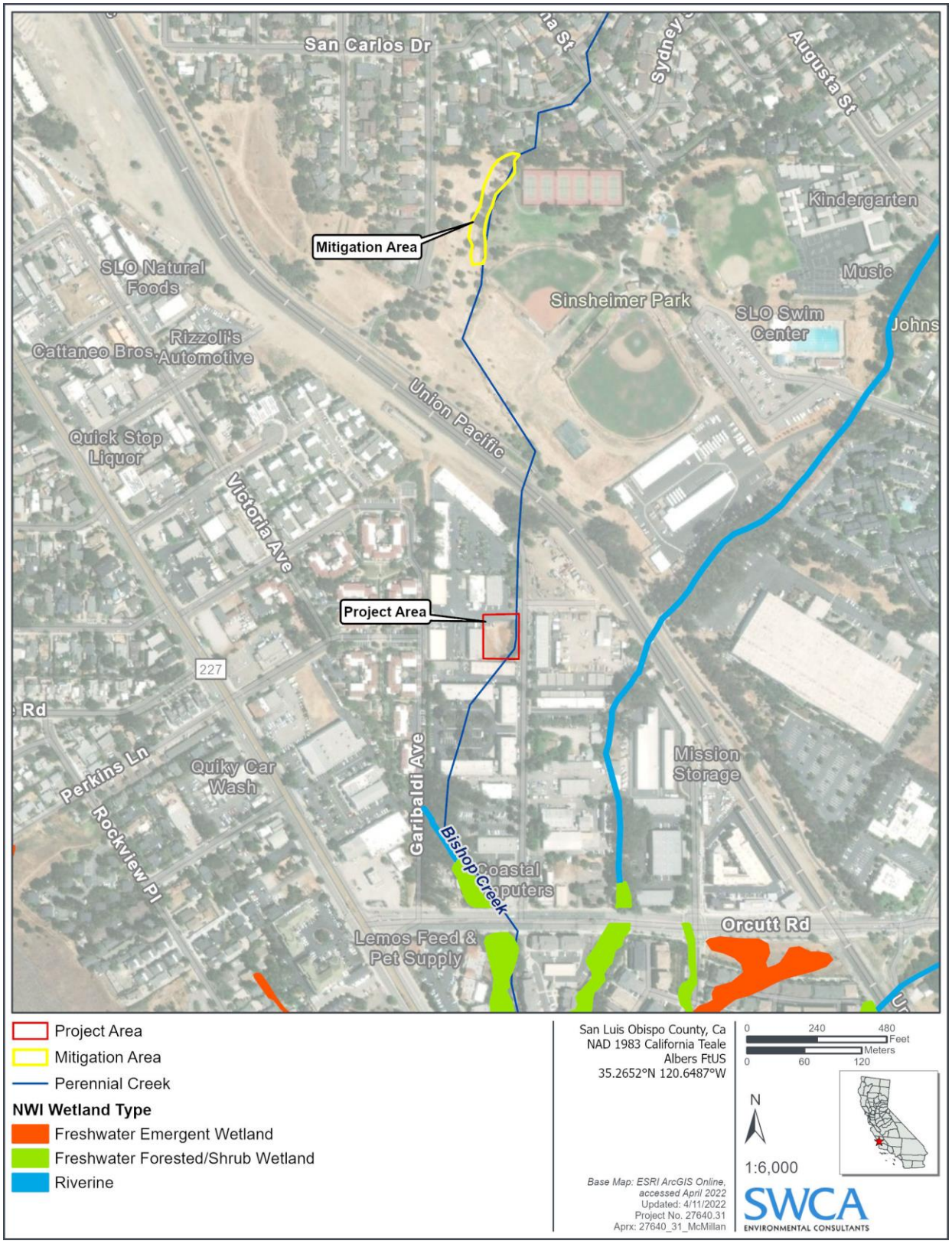
Figure 4b. Visual Simulation



Source: Arris Studio Architects, 2021.

Figure 4c. Visual Simulation

Figure 5. Hydrology Map



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

FISH AND WILDLIFE FEES

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

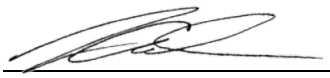
STATE CLEARINGHOUSE

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

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

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



Signature

7/22/2022
Date

Rachel Cohen
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:
    d) the significance criteria or threshold, if any, used to evaluate each question; and
    e) 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, 3	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	1, 2, 4, 8	☐	☐	☒	☐
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, 2, 3, 5, 17	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1, 2, 5	☐	☐	☒	☐

Evaluation

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. The topography of the city is generally defined by several low hills and ridges, such as Islay Hill, Bishop Peak, and Cerro San Luis. These are three (3) of the nine (9) peaks known as the Morros and provide scenic focal points for much of the city. The project area consists of views of South Hills located to the west and distant views of Terrace Hill to the north. The terrain within the project site is relatively flat. Based on the City's Conservation and Open Space Element (COSE) map of scenic roadways and vistas, Broad Street, located 0.2 mile west of the project site, is designated as having high scenic value and Orcutt Road, located 0.2 mile south of the project site, is designated as having moderate scenic value.

The project site is located in the east-central portion of the city and is zoned for Manufacturing (M). The proposed project's consistency with the applicable development standards is evaluated in Table 1 in the Project Description. Surrounding land uses include one- and two-story manufacturing, warehouse, and office spaces in all directions; however, the 0.4-acre project site is currently vacant and unimproved and supports grasslands. A remnant segment of Bishop Creek daylights on the eastern portion of the project site and supports riparian shrubs and trees.

a) A scenic vista is generally defined as a high-quality view 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 site is immediately surrounded by existing one- and two-story manufacturing, warehouse, and office buildings. Other development within the area consists of the Union Pacific Railroad (UPRR) to the east, one- and two-story commercial development and multifamily residences to the west along Broad Street, and one- and two-story commercial and office development to the south along Orcutt Road. According to the City's COSE, the project site is not within the viewshed of a designated scenic vista; however, the portion of Broad Street located approximately 0.2 mile west of the project site is designated as having high scenic value, and Orcutt Road, located approximately 0.2 mile south of the project site, is designated as having moderate scenic value. Implementation of the project would not result in a substantial change to the existing visual character of the project site because the proposed building would be similar in design and scale as existing buildings within the project area. Further, views of the project site from Broad Street and Orcutt Road are blocked by intervening one- and two-story development; therefore, construction and operation of the project would not be visible from these roadways. The project would not change or obstruct views from Broad Street or Orcutt Road and would be consistent with surrounding development; therefore, potential impacts associated with adverse effects on a scenic vista would be *less than significant*.

b) The project site is located approximately 1.45 miles east of U.S. Route 101 (US 101). Based on the California Department of Transportation (Caltrans) California Scenic Highways online mapping tool, this section of US 101 is eligible for State scenic highway designation but is not officially designated. The project site would not be visible from US 101 due to distance from the project site as well as intervening development and topography of South Hills. As described in (a) above, the City's COSE identifies Broad Street, located approximately 0.2 mile west of the project site, as having high scenic value and Orcutt Road, located approximately 0.2 mile south of the project site, as having moderate scenic value. The project site would not be visible to viewers traveling along Broad Street or Orcutt Road due to intervening development. Since the project would not be visible to travelers along US 101 or other local roadways of scenic value, the project would not substantially alter or damage scenic resources within the viewshed of a state or local scenic highway; therefore, potential impacts would be *less than significant.*

c) As discussed previously, the project site is located in an urbanized area of the city, within the Manufacturing zone. The project would be consistent with the allowable height, minimum setbacks, maximum floor to area ratio, and minimum lot area for the Manufacturing zone per the City's Municipal Code Section 17.40.020 (see Table 1 in the Project Description). According to the San Luis Obispo County Regional Airport Land Use Plan (ALUP), the project is located within Safety Zone 6 of the Airport Influence Area (AIA) and consistent with Table 4-5 (Airport Land Use Compatibility Table) in the ALUP. The project would not result in any design features that could create a hazard to existing flight patterns associated with the San Luis Obispo County Regional Airport (i.e., tall buildings, structures, or other architectural features).

The City's COSE states that urban development should reflect its architectural context. It does not necessarily prescribe a specific style, but requires deliberate design choices that acknowledge human scale, natural site features, neighboring urban development, and that are compatible with historical and architectural resources. As described in (a) above, the project would be consistent with the scale and design of development in the project area and would not result in a substantial change to the existing visual character of the project site. The project would also not be visible from Broad Street and Orcutt Road, which are identified as having scenic value in the City's COSE. Thus, the project would be consistent with the protection of scenic resources identified in the City's COSE. Therefore, the project would be consistent with the Zoning Regulations and other policies regarding scenic resources and potential impacts would be *less than significant*.

d) Existing sources of nighttime lighting and glare in the vicinity of the project site include lighting from surrounding warehouse and office buildings and intermittent headlights from vehicles traveling along McMillan Avenue. The project is required to comply with the City's Lighting and Night Sky Preservation Ordinance (Municipal Code Section 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 limitations for hours of lighting operation. Based on required compliance with the City's Municipal Code, potential impacts from new sources of light or glare to the project area would be *less than significant.*

Mitigation Measures

Mitigation measures are not required.

Conclusion

The project is not within a scenic vista or 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 City's Municipal Code, the Community Design Guidelines, and other applicable plans. Therefore, no potentially significant impacts associated with aesthetic resources would occur and mitigation measures are not required.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	6	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	7, 17	☐	☐	☐	☒
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))?	7, 17	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1, 7, 17	☐	☐	☐	☒
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?	7, 17	☐	☐	☐	☒

Evaluation

The California Department of Conservation (CDOC) 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.

The project site is zoned Manufacturing (M) and is not located within or immediately adjacent to land zoned for agricultural uses, land under an active Williamson Act contract, or land currently supporting agricultural uses.

According to Public Resources Code (PRC) 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 and is not surrounded by forest land or timberland.

a) According to the FMMP, the project site and surrounding land uses are designated as Urban and Built-Up land (CDOC 2016). Since the project site is not located on or adjacent to designated Prime Farmland, Unique Farmland, or as Farmland of Statewide Importance, implementation of the project would not result in the conversion of Farmland to non-agricultural use; therefore, no impacts would occur.

b) The project site is not located within an Agricultural zone and is not located within or immediately adjacent to land under an active Williamson Act contract. Additionally, the project site is vacant and does not support any agricultural uses. The project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract; therefore, *no impacts* would occur.

c, d) The project site is within the M zoning designation and does not include zoning for forest land or timberland. Therefore, the project would not conflict with or cause rezoning of forestland or land for timber production. The project site would not be classified as forest land or timberland; therefore, the proposed tree removal would not result in the loss or conversion of forest land or timberland. Additionally, Section 12.24.090(J) requires compensatory planting of removed trees to further avoid permanent native tree loss. The project would not result in the loss of forest land or timberland or convert forest land to non-forest use; therefore, *no impacts* would occur.

e) The project site is surrounded by built-up land used for light industrial and manufacturing uses. The nearest agricultural land uses are approximately 1.6 miles southwest and southeast of the project site. The proposed project would be consistent with surrounding uses and with existing zoning designation for the project 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

Mitigation measures are not required.

Conclusion

The project site is located in an urbanized area and is not within or adjacent to designated Farmland, land zoned for agricultural or forest land use, or land under a Williamson Act contract. Therefore, no impacts to agriculture, forest land, or timberland would occur, and mitigation measures are not required.

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?	9, 11, 12	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	8, 9, 10, 11, 13	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	10, 11, 13	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	9, 14	☐	☒	☐	☐

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 10 microns or less in diameter (PM_{10}). The City's 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 federal and state ambient 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, the *2001 San Luis Obispo County Clean Air Plan* (2001 Clean Air Plan) was prepared and adopted.

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. The CARB has identified the following groups as most likely to be affected by air pollution (i.e., sensitive receptors): children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. The nearest sensitive receptors to the project site are multifamily residential units located approximately 200 feet to the west along Broad Street.

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 to contain NOA.

a) In order to be considered consistent with the 2001 San Luis Obispo County Clean Air Plan (2001 CAP), a project must be consistent with the land use planning and transportation control measures (TCMs) and strategies outlined in the 2001 CAP. TCMs are primarily intended to reduce vehicle use by promoting and facilitating the use of alternative transportation options. The project includes infill development that would be consistent with existing General Plan land use and zoning designation of the site. Implementation of the project would introduce approximately 26 additional employees to the area, which is surrounded by existing commercial retail and commercial service uses. As indicated in the CEQA GHG Emissions Analysis Compliance Checklist (see Attachment 4), the City's Transportation Division determined that the project would generate 60 new daily vehicle trips and not exceed the City's adopted VMT analysis threshold or OPR's significance threshold of 110 trips per day for small development projects. According to the City's Screening Criteria for Land Use Projects Exempt from Vehicle Miles Traveled (VMT) Analysis, small development projects that generate less than 110 daily vehicle trips may be assumed to have a less-than-significant impact related to VMT. Further, the project site would be easily accessible by existing and planned bicycle lanes along Broad Street, Orcutt Road, and McMillan Avenue, identified in the February 2021 *City of San Luis Obispo Active Transportation Plan* (ATP). The proposed project includes bicycle parking in accordance with the City's Municipal Code, which would facilitate biking as an alternative mode of transportation. Further, there are two transit stops located along Broad Street, approximately 0.2 mile southwest of the project site, which would further facilitate the use of alternative modes of transportation. Therefore, the project would be consistent with the land use policies and TCMs identified in the 2001 CAP and impacts would be *less than significant*.

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

Construction Emissions

Project construction would require grading and drainage improvements that would disturb the 17,250-square-foot site and the import of 2,700 cy of fill. This would result in the generation of construction dust as well as short-term construction vehicle emissions, including diesel particulate matter (DPM), ROG, NOx, and PM_{10}. Based on estimated construction

phase length, grading volumes, and other factors, estimated construction-related emissions that would result from the project were calculated and compared to applicable SLOAPCD thresholds (Table 2). The CalEEMod results are included in Attachment 2.

Table 2. Construction Emissions Summary

Criteria Pollutant	Highest Daily/Quarterly Emissions	SLOAPCD Threshold	Exceeds Threshold?
Uncontrolled Daily Construction Emissions – Summer Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	57.73 lbs/day	137 lbs/day	No
Diesel Particulate Matter (DPM)	1.32 lbs/day	7 lbs/day	No
Uncontrolled Daily Construction Emissions – Winter Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	57.77 lbs/day	137 lbs/day	No
Diesel Particulate Matter (DPM)	1.32 lbs/day	7 lbs/day	No
Uncontrolled Quarterly Construction Emissions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	0.67 ton/quarter	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	0.08 ton/quarter	0.13 ton/quarter	No
Fugitive Dust (PM_{10})	0.11 ton/quarter	2.5 tons/quarter	No

Notes: All calculations were made using CalEEMod. See Attachment 2 for model results. DPM is equal to combined exhaust PM_{10} and $PM_{2.5}$, and dust is equal to fugitive PM_{10} from CalEEMod.

1. CalEEMod calculates quarterly emissions of ROG+NOX, but does not generate quarterly emissions for DPM and dust; therefore, maximum annual construction emissions of DPM and dust were divided by 2 (which is conservative given the 10-month construction period).
2. DPM is equal to combined exhaust PM_{10} and $PM_{2.5}$, and dust is equal to fugitive PM_{10} from CalEEMod.

As shown in Table 2, estimated daily and quarterly construction emissions would not exceed SLOAPCD's recommended thresholds of significance. However, SLOAPCD's CEQA Air Quality Handbook recognizes special conditions, such as proximity to sensitive receptors (e.g., residential dwelling units), that require implementation of standard construction mitigation measures to reduce diesel idling (DPM) and fugitive dust. Since the project is located within 1,000 feet of residential dwelling units, , standard measures for reducing DPM and fugitive dust are required and have been included as Mitigation Measures AQ-1 and AQ-2. 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. Long-term operational emissions were also calculated using the CalEEMod and are summarized in Attachment 2. Daily and annual operational emissions of criteria air pollutants are summarized in Table 3.

Table 3. Operational Emissions Summary

Criteria Pollutant	Highest Daily/Annual Emissions (without TDM)	SLOAPCD Threshold	Exceeds Threshold?
Daily Operational Emissions – Summer Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	0.65 lbs/day	25 lbs/day	No
Carbon Monoxide (CO)	1.49 lbs/day	550 lbs/day	No
Diesel Particulate Matter (DPM)	0.007 lb/day	1.25 lbs/day	No
Fugitive Dust (PM_{10})	0.31 lbs/day	25 lbs/day	No
Daily Operational Emissions – Winter Conditions			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	0.66 lbs/day	25 lbs/day	No
Carbon Monoxide (CO)	1.57 lbs/day	550 lbs/day	No
Diesel Particulate Matter (DPM)	0.007 lb/day	1.25 lbs/day	No
Fugitive Dust (PM_{10})	0.31 lbs/day	25 lbs/day	No
Annual Operational Emissions – Year 2023			
Reactive Organic Gases (ROG) + Nitrogen Oxides (NO_x)	0.12 tons/year	25 tons/year	No
Fugitive Dust (PM_{10})	0.68 tons/year	25 tons/year	No

Notes: All calculations were made using CalEEMod. See attachment for model results. Diesel Particulate Matter (DPM) is equal to combined exhaust PM10 and PM2.5, and dust is equal to fugitive PM10 from CalEEMod.

As shown in Table 3, operational emissions of criteria air pollutants would not exceed SLOAPCD's recommended thresholds of significance; therefore, potential air quality impacts from criteria pollutants related to project operation would be *less than significant*.

c) The nearest sensitive receptors to the project site are multifamily residential units located approximately 200 feet west of the project site. 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 nearby sensitive receptors. As previously identified, construction activities within 1,000 feet of sensitive receptors require standard dust and DPM reduction measures, which have been included as Mitigation Measures AQ-1 and AQ-2 to reduce exposure of sensitive receptors to adverse construction vehicle emissions and fugitive dust; therefore, impacts 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. 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 and would not be expected to disturb nearby land uses.

The SLOAPCD Naturally Occurring Asbestos Map indicates the project site is located within an area identified as having a potential for NOA to be present; therefore, proposed ground-disturbing activities have the potential to release NOA if present within soils at the site. Pursuant to SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations Section 93105), the applicant is required to provide geologic evaluation prior to any construction activities and comply with existing regulations regarding NOA, if present. Mitigation Measure AQ-3 has been identified to require the applicant to complete a geologic evaluation and follow all applicable protocol and procedures if NOA is determined to be present on-site. The project would not require

demolition of any on-site structures that could contain asbestos-containing material (ACM). Based on compliance with identified mitigation and existing regulations, potential impacts associated with other emissions would be *less than significant with mitigation.*

Mitigation Measures

AQ-1 At the time of building and/or grading permit submittal, the following idling control techniques shall be shown on all applicable plans and implemented during all construction activities and use of diesel vehicles:

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 to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 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: https://ww2.arb.ca.gov/capp-resource-center/heavy-duty-diesel-vehicle-idling-information.

AQ-2 At the time of building and/or grading permit submittal, the following particulate matter control measures shall be shown on all applicable plans and implemented during all construction and ground-disturbing activities:

1. Reduce the amount of disturbed area where possible.
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo Air Pollution Control District's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a concern, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm.
3. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed.
4. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used.
5. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code Section 23114;
6. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved

area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

7. All fugitive dust mitigation measures shall be shown on grading and building plans.
8. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the San Luis Obispo Air Pollution Control District's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the San Luis Obispo Air Pollution Control District Compliance Division prior to the start of any grading, earthwork or demolition (Contact the Compliance Division at 805-781-5912).
9. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil-disturbing activities.
10. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.
11. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the San Luis Obispo Air Pollution Control District.
12. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.
13. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
14. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

AQ-3 Prior to initiation of demolition and/or 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 for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations Section 93105) and San Luis Obispo Air Pollution Control District (SLOAPCD) requirements. A copy of this geologic evaluation shall be submitted to the City Community Development Department upon completion.

1. If the geologic evaluation determines that the project would not have the potential to disturb naturally occurring asbestos, the applicant must file and obtain an Asbestos Air Toxics Control Measure exemption request with the SLOAPCD; or
2. If the geologic evaluation determines that naturally occurring asbestos is present on-site and would be disturbed, the applicant must file a NOA Construction and Grading Project Form with SLOAPCD. Proposed earthwork and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding naturally occurring asbestos, including the California Air Resources Board Air Toxics Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations Section 93105) and requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (40 Code of Federal Regulations 61, Subpart M – Asbestos; National Emission Standards for Hazardous Air Pollutants). These requirements include, but are not limited to, the following:
    a. Written notification, within at least ten (10) business days of activities commencing, to the SLOAPCD;
    b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
    c. Implementation of applicable removal and disposal protocol and requirements for identified naturally occurring asbestos.

All relevant approvals from SLOAPCD shall be obtained prior to initiation of grading and/or construction activities.

Conclusion

Mitigation Measures AQ-1 through AQ-3 have been identified to address potential impacts associated with sensitive receptors' exposure to air pollutants and potential impacts associated with NOA and materials containing asbestos. Upon implementation of these measures, residual impacts associated with air quality would be *less than significant with mitigation*.

4. BIOLOGICAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 2, 53	☐	☒	☐	☐
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, 5, 53	☐	☒	☐	☐
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?	1, 2, 7, 16, 53	☐	☒	☐	☐
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, 7, 53	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	2, 5, 15	☐	☒	☐	☐
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	☐	☐	☐	☒

Evaluation

This evaluation is based, in part, on the *2855 McMillan Avenue, San Luis Obispo, San Luis Obispo County, California (Assessor's Parcel Number 053-212-005) Biological Resources Assessment* (BRA), prepared by Kevin Merk Associates, LLC (KMA) in October 2021 (included as Attachment 3).

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.

Existing Conditions

The project site consists of a vacant and undeveloped 0.4-acre parcel surrounded by previously developed light industrial, manufacturing, warehouse, and office uses. The property is characterized by flat topography and approximately 11,760 square feet of annual grassland habitat, 3,975 square feet of riparian habitat, 3,050 square feet of developed/ruderal habitat, and 60 square feet of ornamental habitat. The project site is subject to regular mowing, resulting in frequent disturbance of the site. The site also supports native and riparian trees within and adjacent to the on-site segment of Bishop Creek along the eastern portion of the property. Based on aerial imagery of the site, these trees have been previously removed or trimmed for maintenance of the site.

The project includes an off-site mitigation area located approximately 0.25 mile upstream of Bishop Creek near Sinsheimer Park (see Figure 5). The off-site mitigation area does not support any special-status plants, sensitive natural communities, or riparian vegetation.

Wetlands and Surface Waters

A remnant creek segment of Bishop Creek, which is a perennial creek (i.e., supports continuous surface flows, but not on the property), daylights along the eastern portion of the project site. Bishop Creek originates outside of city limits in the southwestern slope of High School Hill, located between the Johnson Avenue area and Reservoir Canyon, and connects to Acacia Creek downstream of Orcutt Road, near Broad Street (see Figure 5). The on-site segment of Bishop Creek is approximately 140 feet in length and is characterized by a 5-foot-wide active creek channel that supports a series of small pools and riffles. The creek bank slopes downward toward the creek channel and supports approximately 3,975 square feet of riparian habitat including coast live oak (*Quercus agrifolia*), arroyo willow (*Salix lasiolepis*), and red willows (*Salix laevigata*), Peruvian pepper tree (*Schinus molle*) seedlings, one small coffeeberry (*Frangula californica*) shrub, and Himalayan blackberry (*Rubus armeniacus*). This riparian area is considered a sensitive natural community by the CDFW, the Central Coast RWQCB, and the City. In addition, there is an 18-inch-diameter stormwater pipe that outfalls from the eastern side of the bank.

Bishop Creek enters city limits between Bishop Street and Viewmont Street and flows through a series of underground culverts for approximately 0.5 mile until daylighting at Sinsheimer Park, located approximately 0.25 mile northeast of the project site. From Sinsheimer Park, the creek flows under a series of bridges for approximately 0.2 mile until entering a 48-inch-diameter culvert at McMillan Avenue, located directly north of the project site. The creek daylights on the eastern portion of the project site and extends approximately 140 feet before entering a 48-inch-diameter culvert directly south of the project site. The creek resurfaces on the east side of Garibaldi Avenue, approximately 500 feet southwest of the project site, and flows under a bridge at Orcutt Road and continues to flow south until connecting with other drainages from the east to turn into Acacia Creek, approximately 0.3 mile southeast of the project site. Acacia Creek joins Orcutt Creek to create the East Fork of San Luis Obispo Creek, approximately 2.6 miles southwest of the project site, before joining with the main channel of San Luis Obispo Creek, which empties into the Pacific Ocean at Avila Beach.

According to the BRA, approximately 4,732 square feet of the drainage and associated riparian habitat is under the jurisdiction of the City and the CDFW, and approximately 815 square feet is under the jurisdiction of the USACE. The project would require coordination with CDFW, RWQCB, and USACE. Additionally, the project would also require a setback exception from the City for work within 20 feet of the Bishop Creek top-of-bank.

Special-Status Species

As part of the BRA, desktop-level background review was conducted and included a review of the CDFW California Natural Diversity Database (CNDDB), maps of the project area, and other literature and online resources to identify special-status plant and wildlife species that have been previously documented within the project region. An initial reconnaissance field survey of the project site was conducted on April 8, 2021, during the appropriate blooming period for special-status plant species. A field survey to conduct the watershed conditions of the drainage on surrounding properties took place on April 13, 2021. Additional surveys were conducted on July 7 and September 3, 2021, which included surveys of the off-site mitigation area. Based on the habitat conditions of species known to occur in the region and conditions observed at the project site and the off-site mitigation area, the BRA identified the following special-status plant species and seven special-status wildlife species that have the potential to occur within the project site.

Special-Status Plants

During appropriately timed field surveys, only the following special-status plant species was observed at the project site. According to the BRA, no other special-status plant species known to occur within the region are expected to occur on-site due to the frequent site disturbance and the lack of serpentine derived soils and rock outcroppings.

- **Cambria morning-glory** (*Calystegia subacaulis* ssp. *episcopalis*): This species has a California Rare Plant Rank (CRPR) of 4.2 and typically occurs in clay soils within chaparral, cismontane woodland, coastal prairie, and valley and foothill grassland habitats. Two individuals of this species were observed within the riparian habitat on-site, along McMillan Avenue in the northeastern portion of the property. While the clay soils at the site would provide suitable habitat for this species, no other individuals of this species were observed within the grassland habitat. In addition, the site experiences frequent disturbance (i.e., mowing), which further reduces the potential for this species to occur within the grassland habitat on-site.

Special-Status Animals

According to the BRA, none of the following special-status animal species were observed at the project site; however, potential foraging, roosting, and perching opportunities exist on-site for the following special-status animal species known to occur in the area:

- **monarch butterfly** (*Danaus plexippus*, pop. 1): This species is a candidate species for federal listing by the U.S. Fish and Wildlife Service (USFWS) and is considered a sensitive species by the CDFW. Most overwintering, which is the most vulnerable element in the monarch life cycle, occurs along the coast in the Pismo Beach, Los Osos, and Morro Bay areas where winter temperatures are moderated by the Pacific Ocean. However, there are several records of overwintering populations and autumnal sites within the urban limits of the city. According to the BRA, the riparian habitat on-site is unsuitable for roosting because it is composed of thin, shrubby vegetation; however, there is potential for individuals to periodically fly through the site and feed on flowering plants within the grassland habitat. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.
- **Cooper's hawk** (*Accipiter cooperii*): This species is on the CDFW Watch List for nesting and is considered a species of local concern by the City. This species primarily occurs in dense oak woodland, riparian forest, and mixed coniferous forest habitats near sources of water. However, this species has also been known to occur in tall trees within suburban habitats. Based on the lack of dense woodland habitat for nesting and the lack of a significant prey base for foraging, this species is not anticipated to nest or forage within the project site. However, there is some potential for this species to periodically perch at the site based on known occurrences within the area. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.
- **yellow warbler** (*Setophaga petechia*): This species is a CDFW Species of Special Concern (SSC) for nesting and is also a local species of concern. There are known occurrences of this species within the vicinity of the project site; however, the riparian trees on-site would not provide suitable nesting habitat for this species due to the thin stand structure. There is some potential for this species to periodically perch within the project site but the overall potential for occurrence is considered low. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.
- **pallid bat** (*Antrozous pallidus*): This species is a CDFW SSC and typically forages in grassland, desert, woodland, shrubland, and coniferous forest habitat and roosts in caves, large trees, or other large structures. There is potential for

this species to roost within the culverted creek segments and use the site for foraging. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.

- **Townsend's big-eared bat** (*Corynorhinus townsendii*): This species is a CDFW SSC and is found in a variety of habitats, including dry upland areas, semidesert, coniferous forest, and riparian woodland. Typically, this species forages along the edges of riparian vegetation and roosts in caves, mines, and/or abandoned buildings. There is potential for this species to roost within the culverted creek segments and use the site for foraging. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.
- **western mastiff bat** (*Eumops perotis californicus*): This species is a CDFW SSC and occurs in a variety of habitats, including coniferous and deciduous woodlands, coastal scrub, grasslands, chaparral, desert, and urban areas. Typical roosting habitat includes cliff faces, tunnels, buildings, or in trees. There is potential for this species to roost within the culverted creek segments and use the site for foraging. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.
- **Yuma myotis** (*Myotis yumanensis*): This species does not have a specific listing status but is considered sensitive by the CDFW. This species typically forages in open forests and woodlands near water sources such as ponds and streams and roosts in buildings, mines, caves, crevices, and under bridges. There is potential for this species to roost within the culverted creek segments and use the site for foraging. During field surveys of the site and the off-site mitigation area, no individuals of this species or evidence of this species were observed.

a) The project site consists of an undeveloped and vacant parcel located within the immediate vicinity of previously developed light industrial and office uses. In addition, the site is subject to frequent disturbance as a result of mowing and other site maintenance. The project also includes an off-site mitigation area located approximately 0.25 mile upstream of the site. Based on the habitat conditions of species known to occur in the region and conditions observed at the project site and the off-site mitigation area, there is potential for one special-status insect, two special-status birds, and four special-status bat species to occur within the project site or off-site mitigation area. In addition, two Cambria morning glory individual special-status plant species were observed within the riparian habitat on-site.

Special-Status Plant Species

During field surveys conducted during the appropriate blooming period for special-status plant species, two Cambria morning glory individuals were observed within the riparian habitat on-site. However, no other special-status plant species were observed at the project site or off-site mitigation area. Further, no other special-status plant species known to occur within the region are expected to occur on-site due to the frequent site disturbance and the lack of serpentine-derived soils and rock outcroppings (KMA 2021).

The project includes installation of a culvert along the eastern edge of the project site in order to underground the on-site portion of Bishop Creek, which requires removal of the on-site riparian vegetation. Therefore, implementation of the project would result in loss of these two Cambria morning-glory individuals. While this species' distribution is limited to the Central Coast region, there are numerous occurrences of this species within grassland habitats throughout the city and county. As a result, the loss of two individuals of this species would not result in a significant loss or jeopardize the ability for this species to continue to exist within the project region based on the large number of occurrences and suitable habitat in the city and county (KMA 2021). Implementation of the project would not adversely affect the continued existence of this species within the project region; therefore, mitigation would not be necessary, and impacts would be *less than significant*.

Special-Status Animal Species

As previously identified, based on the habitat conditions of species known to occur in the region and conditions observed at the project site and the off-site mitigation area, there is potential for one special-status insect, two special-status birds, and four special-status bat species to occur within the project site and/or the off-site mitigation area. Potential disturbance to special-status wildlife species would occur if the project were to result in direct take, loss of habitat, and/or indirect disturbance through increased construction-related noise.

Monarch Butterfly

According to the BRA, there is potential for individuals of this species to periodically fly through the site and feed on flowering plants within the grassland habitat; however, individuals are not anticipated to roost within the project site or off-site mitigation area due to the thin, shrubby tree cover which does not provide suitable roosting habitat. As a result,

implementation of the project would not adversely affect roosting individuals or associated habitat. There is some potential for individuals of this species to be feed on flowering plants within the grassland habitat during proposed construction activities. However, due to the mobility of this species, vegetation removal and other construction activities would not result in disturbance to individuals that may periodically fly through the site. Therefore, mitigation would not be necessary, and impacts would be *less than significant*.

Special-Status Birds

There is potential for special-status and/or migratory birds to periodically occur within the project site and off-site mitigation area; however, no active nests were observed during field surveys and conditions at the project site and off-site mitigation area would not be suitable for nesting due to the sparse tree cover and frequent disturbance. Therefore, implementation of the project would not be expected to directly impact special-status bird species as they are not expected to nest within the project area. Proposed construction activities could result in loss of habitat, increased noise or light pollution, or other indirect impacts if special-status birds are present at the time of project construction. Mitigation Measures BIO-1 and BIO-2 have been included to avoid and/or minimize the potential to impact special-status and/or migratory birds that may be present at the project site or off-site mitigation area. Further, the project includes compensatory mitigation/replanting of riparian trees that would be removed for installation of the proposed culvert in order to avoid permanent habitat loss for special-status and/or migratory bird species. Therefore, potential impacts would be *less than significant with mitigation*.

Special-Status Bats

There is potential for special-status bats to utilize the culvert at the project site and/or off-site mitigation area for roosting and there is also some potential for special-status bat species to forage within the grassland habitat on-site (KMA 2021). Proposed construction activities could result in take, loss of habitat, increased noise or light pollution, or other impacts if special-status bats are present within the culvert or grassland habitat at the time of project construction. Mitigation Measure BIO-3 has been included to avoid and/or minimize the potential to impact special-status bats that may be present at the project site or off-site mitigation area. Therefore, potential impacts would be *less than significant with mitigation*.

Conclusion

Although the project would result in loss of two Cambria morning glory individuals, this loss would not result in a significant impact due to the species' vast distribution throughout the city and county. The project site and off-site mitigation area does not support suitable habitat conditions for roosting monarch butterfly; therefore, implementation of the project would not be anticipated to result in direct take or habitat loss for these species. There is potential for migratory bird and roosting or foraging bat species to occur within the project area and proposed construction activities could result in adverse impacts to individuals if present at the time of project construction. As identified above, implementation of Mitigation Measures BIO-1 through BIO-3 would avoid and/or minimize the potential to adversely affect special-status bird and bat species. Therefore, potential impacts to special-status species would be *less than significant with mitigation*.

b) Bishop Creek daylights along the eastern portion of the project site and supports approximately 3,975 square feet of riparian habitat along the creek channel. The riparian habitat primarily includes arroyo willow shrubs, which have been previously modified for maintenance of the site. In addition, the riparian habitat supports coast live oaks, a red willow tree, Peruvian pepper tree seedlings, one small coffeeberry shrub, and Himalayan blackberry. This riparian habitat is considered Central Coast Riparian Scrub Community and Arroyo Willow Thickets alliance, which are sensitive natural communities according to the CDFW and the City. The off-site mitigation area does not support riparian vegetation or other sensitive natural communities.

The project includes placing the on-site segment of Bishop Creek in an approximately 140-foot-long culvert between the existing culverts located directly north and south of the project site. Installation of the culvert would result in the loss of approximately 4,732 square feet of habitat under the City, CDFW, and RWQCB jurisdiction and approximately 815 square feet under USACE jurisdiction and would require the removal of 20 riparian trees and shrubs, including three (3) coast live oak trees, 16 arroyo willow trees, and one (1) red willow tree that occur within the riparian habitat. The project includes restoration of riparian habitat at a minimum 3:1 ratio at an off-site mitigation area located approximately 0.25 mile upstream at Sinsheimer Park. The project also includes planting of native trees, including California sycamore, coast live oak, and alder trees at the off-site mitigation area in accordance with the required compensatory planting requirements (Municipal Code Section 12.24.090). The project would require coordination with the CDFW, the RWQCB, and USACE.

Additionally, the project would also require a setback exception from the City for work within 20 feet of the Bishop Creek top-of-bank. Mitigation Measures BIO-4 and BIO-5 would ensure the project complies with the appropriate permitting requirements and would ensure implementation of a Habitat Mitigation Monitoring Plan to restore riparian habitat at a minimum 3:1 ratio at the off-site mitigation. Off-site restoration would avoid disturbance of the segment of Bishop Creek that flows through the off-site mitigation area.

There is potential for proposed construction activities and ground disturbance to result in increased erosion and other pollutants that could run into Bishop Creek and disturb associated downstream riparian habitats. Mitigation Measure BIO-6 has been included to avoid and/or minimize the potential for runoff to indirectly disturb downstream areas of Bishop Creek and associated riparian habitat. Implementation of Mitigation Measures BIO-4 through BIO-6 would avoid and/or minimize impacts related to the direct loss of on-site riparian habitat and to avoid disturbance to downstream portions of the creek and associated riparian habitat. Therefore, impacts would be *less than significant with mitigation*.

c) Based on the connectivity to San Luis Obispo Creek, Bishop Creek would be considered a jurisdictional waterway. As previously identified, the on-site segment of Bishop Creek and associated riparian habitat is under the jurisdiction of USACE, the RWQCB, the CDFW, and the City. Installation of the proposed culvert and work within the on-site segment of Bishop Creek and associated riparian habitat would require coordination with USACE, the RWQCB, and the CDFW to obtain necessary permits (KMA 2021). Mitigation Measure BIO-4 would ensure the applicant conducts necessary agency coordination and complies with the appropriate permitting requirements related to work within Bishop Creek and the associated riparian habitat. Restoration at the off-site mitigation area would not require work within the segment of Bishop Creek that flows through that location. In addition, Mitigation Measure BIO-6 has been included to avoid and/or minimize the potential for runoff to indirectly disturb downstream areas of Bishop Creek. With implementation of Mitigation Measures BIO-4 and BIO-6, the project would not be expected to have a substantial adverse effect on a jurisdictional wetland; therefore, impacts would be *less than significant with mitigation*.

d) According to the City's COSE, the project site is located near a wildlife corridor associated with Sydney Creek. Bishop Creek, which flows through the project site, connects with Sydney Creek approximately 0.4 mile downstream. However, according to the BRA, the on-site, upstream, and downstream segments of Bishop Creek have experienced previous manipulation (i.e., installation of culverts), are aligned along roadsides and under bridges, are characterized by pollution and other disturbance, and support an inconsistent level of water, which precludes the on-site segment for use as a wildlife corridor (KMA 2021). As such, placing the on-site segment of the creek within a culvert would not constitute a change to the creek's potential for use as a wildlife corridor. Further, due to the inconsistent water level and lack of wildlife connectivity to other areas, the on-site segment of Bishop Creek would not be a suitable nursery site for native or migratory fish. Proposed construction and ground disturbance activities could result in increased erosion and other pollutants that could run into downstream portions of Bishop Creek and other waterways, including Sydney Creek. Mitigation Measure BIO-6 has been included to minimize the potential for increased erosion or other pollutants to run from the site and disturb downstream waterways and interfere with off-site areas that may provide connectivity for wildlife movement.

The 0.4-acre project parcel is subject to frequent disturbance and is immediately surrounded by previously developed light industrial and office uses. Further, the project site is located within 0.25 mile of major roadways, including Broad Street and Orcutt Road, as well as the UPRR. As a result, the project site does not provide connectivity to other natural areas and development of the proposed project would not interfere with any terrestrial wildlife movement or connectivity. With implementation of mitigation to minimize the potential to disturb wildlife connectivity associated with off-site waterways, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Therefore, impacts would be *less than significant with mitigation*.

e) The project would require the removal of 20 riparian trees and shrubs, including three (3) coast live oak, 16 arroyo willow trees, and one (1) red willow tree. Per Municipal Code Section 12.24.090 for compensatory planting requirements, on-site tree replacements are replanted at a minimum 1:1 ratio and off-site tree placements are replanted at a minimum 2:1 ratio. The project includes five (5) on-site tree replacements and a minimum of 30 off-site replacements within the habitat mitigation area. The project includes restoration of riparian habitat at a minimum 3:1 ratio at an off-site mitigation area, which includes replanting a suite of native trees, including California sycamore, coast live oak, and alder trees. Mitigation Measure BIO-5 requires preparation and implementation of a Habitat Mitigation and Monitoring Plan (HMMP) to ensure

riparian habitat restoration, including replanting of native trees. Therefore, the project would be consistent with Municipal Code Section 12.24.090.

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, protecting listed species and Species of Special Concern, preserving existing wildlife corridors, protection of significant trees, and maintaining development setbacks from creeks. Mitigation Measures BIO-1 through BIO-6 have been identified to avoid and/or minimize impacts to sensitive biological resources in accordance with the City's COSE. Upon implementation of the identified mitigation measures, 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 All initial site disturbance at the project site and off-site mitigation area shall be conducted outside of the nesting bird season (September 1 to January 31). The preferred time period for vegetation removal would be September prior to the start of the rainy season. If tree removal and grading cannot be conducted outside the nesting season, then implementation of Mitigation Measure BIO-2 is required.

BIO-2 **Conduct a preconstruction nesting bird survey and avoid active nests**. For any initial construction at the project site and off-site mitigation area scheduled to start between February 1 and August 31, a qualified biologist shall conduct a preconstruction survey for nesting birds within the limits of the property. The survey shall be conducted within seven (7) days before the initiation of construction. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior and inspect all potential nest substrates in the impact area. Any nests identified shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within the construction area, the nest shall be monitored by the qualified biologist until the young have left the nest. A no-disturbance buffer around the nest site shall be established based on species, which would include 50 feet for common songbirds and upwards of 250 feet for raptors. The biologist shall coordinate with the City Biologist and also assess topography and vegetation and other relevant factors in developing the buffer at the site. Once the young are no longer reliant on the nest, work in the area may proceed.

BIO-3 **Conduct a preconstruction survey for roosting bats and install exclusion devices**. Within seven (7) days prior to the start of construction at the project site and off-site mitigation area, a biologist approved by the City shall survey the culverts adjacent to the project site for sign of roosting bats, such as guano piles, urine staining, or prey remains. A night exit survey conducted at sunset shall also be included. If no evidence of bat activity is found, work may proceed. If more than one bat is observed leaving the culvert, the biologist shall determine whether a maternity roost is present by carefully observing individuals on the roost. If young are present, construction shall be delayed until they have matured and can fly on their own. When it has been determined that no young bats are present, the biologist shall monitor the roost in the evening immediately prior to vegetation disturbance in the drainage channel. When the bats leave to forage, the biologist will install bat exclusion netting over the opening of the culvert. The netting shall be inspected the following morning to ensure that no bats have become entangled in the netting and that none remain inside the culvert. The netting shall remain in place until the new culvert is installed and shall be monitored on a daily basis to ensure no impacts to wildlife occur from the netting.

BIO-4 **Obtain necessary permits for permanent impacts on waters of the state and waters of the United States**. The applicant shall prepare and submit applications to obtain a Clean Water Act Section 401 Water Quality Certification from the Central Coast Regional Water Quality Control Board (RWQCB), a California Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW), and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers (USACE). As a component of the application packages to these preceding agencies, Kevin Merk Associates, LLC's Preliminary Delineation of Wetlands and Other Waters will be submitted, along with the Habitat Mitigation and Monitoring Plan (HMMP; see Mitigation Measure BIO-5) describing the methods and techniques to restore and enhance the mitigation area farther upstream. The applicant shall then submit to the City Biologist and Community Development Department proof of permit acquisition or a determination from each agency that a permit is not required prior to the issuance of a grading permit. As a condition

of these permits, a compensatory mitigation plan will be required for impacts on jurisdictional areas. The state agencies may require a mitigation ratio that is greater than that required by the City to ensure no net loss of stream resources. Therefore, the HMMP shall restore and enhance the upstream section of the same creek on Sinsheimer Park at a minimum 3:1 ratio (habitat restored to habitat impacted).

BIO-5 Prepare and implement a Habitat Mitigation and Monitoring Plan to be implemented at the City-approved off-site area. Early consultation with the City Biologist, Mr. Freddy Otte, confirmed that an upstream portion of the subject drainage on the City-owned and managed Sinsheimer Park can be used as the compensatory mitigation site for this project. The total area of habitat restoration shall be established at a minimum 3:1 ratio to ensure state requirements are met. This equates to restoring and enhancing approximately 420 linear feet of drainage channel assuming approximately 140 linear feet of culvert will be installed. The HMMP will propose to create a roughly 50-foot-wide riparian corridor (i.e., 25 feet on each side of the channel) for a total area of 0.42 acre to ensure a minimum of 14,196 square feet of disturbed area is restored to intact native riparian habitat. The proposed 0.42-acre area would equate to approximately 18,295 square feet to ensure sufficient area is restored, and this would be well over the City's 2:1 ratio. Additional requirements may be required by the Central Coast Regional Water Quality Control Board (RWQCB), the California Department of Fish and Wildlife (CDFW), and the U.S. Army Corps of Engineers (USACE) as part of the permitting process and shall be incorporated into the HMMP accordingly. The HMMP shall be reviewed and approved by the City prior to issuance of a grading permit. The HMMP will at a minimum include the following components:

1. Description of restoration site, including its location, size, current environmental conditions, ownership, and measures to ensure its long-term protection.
2. Overall goals and measurable objectives to create a self-sustaining riparian habitat that requires minimal maintenance. A description of how habitat enhancement work in the creek corridor and buffer area will promote the ecological integrity of the restoration site and compensate for the loss of onsite stream channel.
3. An implementation plan, including schedule, site preparation (including non-native invasive species removal), planting plan (species and number of each, propagule type, seeding/planting density), and responsible party.
    a. The implementation plan shall prohibit removal of coast live oak (*Quercus agrifolia*) trees at the off-site mitigation area.
4. A maintenance plan detailing activities to be conducted during the establishment period (irrigation, non-native species removal) and schedule for implementation. The maintenance plan shall also address the long-term guidelines and constraints to maintaining the vegetation in the mitigation area. No pesticides, herbicides, or fertilizers shall be used in a manner in which these substances can affect the creek habitat and biota. Guidelines should be provided for the maintenance of planted trees, such as trimming or replacement.
5. A monitoring plan, including data collection methodology, how success criteria will be measured, and monitoring/maintenance schedule for a period of at least five (5) years. Monitoring/maintenance activities shall be conducted by the contractor or developer over the minimum five-year monitoring/maintenance period. Monitoring will include establishing photo points that will aid in tracking the success of the planted propagules during each annual monitoring period. The vegetative density, cover, and species richness of the mitigation site will be assessed.
6. Final success criteria based on the goals and measurable objectives to ensure that a viable riparian community is established consistent with the requirements established by the City and other involved regulatory agencies.
7. Contingency measures, such as supplemental planting, seeding or herbivore control, if success criteria are not being met.
8. Reporting requirements and notification of completion to responsible agencies.

As part of the HMMP, the applicant or developer shall execute a Right-of-Entry or other agreement(s) with the City that includes, but is not limited to, conditions of the implementation, maintenance, and monitoring plans over the minimum five-year monitoring/maintenance period, and obtain all necessary City permits for work within the off-site mitigation area.

BIO-6 Install appropriate erosion and sediment controls during construction. At the time of building and/or grading permit application, the following erosion and sedimentation control methods shall be shown on all applicable plans and implemented during the construction phases of the project:

1. If possible, the potential for erosion and sedimentation shall be minimized by scheduling construction activities associated with culvert installation to occur when the drainage is dry and no flowing or ponded water is present.
2. Sediment and erosion control measures shall be developed by a qualified engineer to protect water quality and comply with appropriate local and state regulations. Measures may include the use of silt fence, straw wattles, erosion control blankets, straw bales, sandbags, fiber rolls, and other appropriate techniques employed to protect the drainage feature on and farther downstream of the property. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection best management practices installed to prevent erosion potential. All sediment and erosion control measures shall be installed per the engineer's requirements.
3. Spill kits shall be maintained on the site, and a Spill Response Plan shall be in place.
4. Equipment shall be refueled in designated areas with appropriate spill containment. Equipment storage shall use drip pans or ground covers as appropriate to ensure leaks are contained. All equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
5. Concrete washout shall be conducted in specified areas and with appropriate containment measures to ensure washout does not leave the site and enter the City's storm drain system. Washing of equipment, tools, etc., should occur in specified locations where the tainted water will not affect the drainage or City's storm drain system.
6. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.
7. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.

Conclusion

Although the project would result in loss of two Cambria morning glory individuals, this loss would not result in a significant impact due to the species' vast distribution throughout the city and county. Implementation of Mitigation Measures BIO-1 through BIO-3 would avoid and/or minimize the potential to adversely affect special-status bird and bat species. In addition, Mitigation Measures BIO-4 through BIO-6 would avoid and/or minimize the potential to adversely affect Bishop Creek and associated sensitive riparian habitat. Therefore, upon implementation of the identified mitigation measures, potential impacts to biological resources would be reduced to less than significant.

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, 18, 54	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	2, 18, 54	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	2, 18, 54	☐	☒	☐	☐

Evaluation

This evaluation is based, in part, on the *Cultural Resource Study of 2855 McMillan Avenue, City of San Luis Obispo, California*, prepared by Alex E. Morrison of Applied Earthworks, Inc., in August 2021. The Cultural Resource Study includes the results of a records search conducted at the Central Coast Information Center (CCIC) of the California Historical Resources Information

System (CHRIS) at the University of California, Santa Barbara. The records search identified 18 previous archaeological studies within 0.25 mile of the project site; however, those studies did not reveal any known resources within the project area. A pedestrian field survey was conducted at the site on June 11, 2021, and no prehistoric or historic artifacts were identified during the survey.

Archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years. The city of San Luis Obispo is located within the area historically occupied by the Obispeño Chumash, the northernmost of the Chumash people of California. The Obispeño Chumash occupied much of San Luis Obispo County, and the earliest evidence of human occupation in the region comes from archaeological sites along the coast.

The City's COSE establishes various goals and policies to balance cultural and historical resource preservation with other community goals. According to Figure 1: Cultural Resources of the City's COSE, the project site is not located within a Burial Sensitivity Area, historic district, or Historic Preservation (H) Overlay Zone. The project site is currently undeveloped and does not contain any built structures that are historic resources or may be considered potentially eligible historic resources.

a) The project site is undeveloped and does not contain any structures that could be considered a historic resource. Based on the Cultural Resource Study, the records search and field survey did not reveal any previously unrecorded historic or prehistoric resources within the project site or immediate project vicinity (Applied Earthworks, Inc. 2021). The project site and surrounding area do not contain buildings, structures, or other resources that may be eligible for listing as historic resources. Therefore, the project would not result in a substantial adverse change in the significance of a historic resource pursuant to Section 15064.5 and *no impacts* would occur.

b) Based on the Cultural Resource Study, no archaeological resources are known to occur within the project site (Applied Earthworks, Inc. 2021). However, there would be some potential for inadvertent discovery of unknown archaeological resources during ground-disturbing activities. Mitigation Measures CR-1 and CR-2 have been included to address inadvertent discovery during project construction to ensure potential impacts would be *less than significant with mitigation*.

c) The project site is not located within a Burial Sensitivity Area identified in Figure 1 of the City's 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 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, potential impacts related to disturbance of human remains would be *less than significant with mitigation.*

Mitigation Measures

CR-1 Prior to initiation of grading and/or construction activities, a City-qualified archaeologist shall conduct cultural resource awareness training for all construction personnel including the following:

1. Review the types of archaeological artifacts that may be uncovered;
2. Provide examples of common archaeological artifacts to examine;
3. Review what makes an archaeological resource significant to archaeologists and local Native Americans;
4. Describe procedures for notifying involved or interested parties in case of a new discovery;
5. Describe reporting requirements and responsibilities of construction personnel;
6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and
7. 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 At the time of building and/or grading permit submittal, the following measure shall be shown on all applicable plans and implemented if cultural resources are encountered during all construction and ground-disturbing activities:

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 At the time of building and/or grading permit submittal, the following measure shall be shown on all applicable plans and implemented if human remains are exposed during construction and ground-disturbing activities:

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 City Community Development Director and locally affiliated Native American representative(s) (as necessary) shall be notified. California Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours.

Conclusion

No archaeological or historic resources are known or expected to occur within the project site. However, Mitigation Measures CR-1 through CR-3 have been identified in the event that archaeological resources or human remains are unearthed during ground-disturbing activities; therefore, potential impacts on cultural resources would be *less than significant impact with mitigation*.

6. ENERGY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	1, 19, 20, 21, 62, 63	☐	☒	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	1, 19, 20, 21	☐	☒	☐	☐

Evaluation

Pacific Gas & Electric Company (PG&E) has historically been the primary electricity provider for the City. PG&E sources 31 percent of its energy from renewable energy sources and 69 percent of its energy from greenhouse gas-free energy sources (PG&E 2020). In October 2018, the City Council committed to joining Central Coast Community Energy (3CE, formerly Monterey Bay Community Power) and, beginning in January 2020, 3CE became the City's primary electricity provider. 3CE is striving to provide 100 percent carbon-free electricity to the City by 2030.

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 City recently developed local amendments to encourage all-electric new buildings. When paired with 3CE's carbon-free electricity supply, all electric new buildings will be carbon free and would avoid health and safety issues associated with fossil fuels and greenhouse gases (GHGs). At its meeting on September 3, 2019, the City Council adopted the Clean Energy Choice Program. 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 City's 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* (2020 CAP Update) was updated in August 2020. It 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.

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 and electricity usage by project occupants. As indicated in the CEQA GHG Emissions Analysis Compliance Checklist prepared by the applicant and reviewed by the City (see Attachment 4), the project includes an all-electric building and provides bicycle and electric vehicle (EV) facilities. Natural gas connections are not proposed for on-site use; however, if constructed, natural gas would be provided by SoCalGas, which has committed to replacing 20 percent of its traditional natural gas supply with renewable natural gas by 2030 (Sempra Energy 2019). The City's CAP acknowledges that certain industrial or manufacturing uses (e.g., commercial kitchens, manufacturing processes, gas line extensions for emergency generators, etc.) require fossil fuels to operate and may be exempt from all-electric building requirements. If future uses require natural gas to operate because no electric alternative is available, Mitigation Measure ENG-1 has been identified to limit use of those natural gas connections. Additionally, implementation of Mitigation Measure GHG-1, as noted under Section 8, Greenhouse Gas Emissions, would require the project use electricity from 3CE and participate in 3Cprime, which ensures that 100 percent of the project's electricity is sourced from renewable resources such as solar and wind. Proposed building design would also be required to comply with Title 24 of the California Energy Code and CBC 2019 Building Energy Efficiency Standards to further reduce operational energy use through implementation of green building and energy-efficient building design. 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. Through the use of GHG-free electricity resources and implementation of Mitigation Measures ENG-1 and GHG-1, project energy use would not result in a significant environmental impact; therefore, impacts would be *less than significant with mitigation.*

b) The project would be designed in full compliance with the 2019 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. With implementation of Mitigation Measures ENG-1 and GHG-1, which require the project limit use of fossil fuels to specific exemptions and participate in 3Cprime, the project would be consistent with goals and policies set forth in the City's 2020 CAP Update 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 with mitigation*.

Mitigation Measures

Implement Mitigation Measures ENG-1 and GHG-1.

ENG-1 If the project requires use of fossil fuels (i.e., natural gas) as a source of energy, the following requirements shall apply as conditions at the time of building permit submittal to limit fossil fuel consumption:

1. The use of a natural gas connection shall be limited to supporting specific industrial/manufacturing processes and end products that are found to be exempt from the all-electric building requirements as provided in the City's 2020 Climate Action Plan Update (or the most recent Climate Action Plan in effect at the time of building permit submittal);
2. The use of a natural gas connection may only be permitted in cases where there is no commercially available or viable electric alternative; and
3. Approved gas connections cannot be used, extended, or expanded to serve operations outside of specific exemptions to all-electric building requirements provided in the City's 2020 Climate Action Plan (or the most recent Climate Action Plan in effect at the time of building permit submittal).

The appropriateness of a gas connection shall be reviewed and verified by the City's Community Development Department at the time of building permit submittal.

Conclusion

Upon implementation of Mitigation Measures ENG-1 and GHG-1, the project would be compliant with applicable energy efficiency standards and not conflict with state or local plans for renewable energy or energy efficiency. Therefore, potential impacts related to energy would be *less than significant with mitigation*.

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, 27	☐	☐	☐	☒
ii. Strong seismic ground shaking?	21, 22, 23, 27	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	21, 23, 27	☐	☐	☒	☐
iv. Landslides?	21, 23, 27	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	25	☐	☒	☐	☐
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?	21, 24, 25, 27	☐	☒	☐	☐

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?	21, 27	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	26, 27	☐	☒	☐	☐

Evaluation

The following evaluation is based, in part, on the Geotechnical Engineering Report prepared for the project by Beacon Geotechnical, Inc. (see Attachment 5). The Geotechnical Engineering Report includes the results of field reconnaissance; drilling, sampling, and logging to investigate soils and groundwater conditions; laboratory testing of soils from the site; and recommendations for project design based on site conditions.

Seismic Hazards

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 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, Rinconada, Wilmar, Pecho, Hosgri, La Panza, and San Andreas Faults. Engineering standards and building codes set minimum design and construction methods for structures to resist seismic shaking. Based on the California Department of Conservation (CDOC) Fault Activity Map, the City's Safety Element Earthquake Faults – Local Area map, and the Geotechnical Engineering Report prepared for the project, the project site is not located within or in the immediate vicinity of an active fault zone. The closest fault is the Los Osos Fault, located approximately 3.9 miles northwest of the site.

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's Safety Element, the project site is located within an area with high liquefaction potential. According to the Geotechnical Engineering Report prepared for the project, although the project site is located in an area with high potential for liquefaction, existing soil conditions and the absence of groundwater indicate soils at the site have a low potential for liquefaction.

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 human-made 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's Safety Element and the Geotechnical Engineering Report prepared for the project, 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 groundwater 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 U.S. Geological Survey (USGS) Areas of Land Subsidence in California map (USGS 2022), the project site is not located in an area of known subsidence.

Soil Limiting Factors

The project site is underlain by Cropley Clay, 0 to 2 percent slopes, MLRA 14. This moderately well drained soil has a medium runoff class and a depth to restrictive feature of more than 80 inches. The soil profile consists of clay and sandy clay loam. Based on the Geotechnical Engineering Report, soils at the site consist of brown silty, clayey sand with gravel overlain by dark brown and brown silty, clayey sand. These soils are considered to have moderate potential for expansion.

Paleontological Resources

The project site is underlain by Quaternary Alluvium (Qa). Qa contains fluvial sediments, which are considered too young to contain fossils. Therefore, paleontological sensitivity at the project site is considered low.

a.i) Fault rupture refers to the displacement of ground surface along a fault trace that typically occurs during earthquakes of a magnitude 5 or higher. Based on Figure 3 (Earthquake Faults – Local Area) of the City's Safety Element, the CDOC Fault Activity Map of California, and the Geotechnical Engineering Report prepared for the project, there are no known fault lines mapped directly below 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 because fault rupture would not occur at the site. Therefore, *no impact* would occur.

a.ii) Due to the highly seismic nature of the region, it is highly likely that the project would 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 section 1613 of the 2019 CBC to adequately withstand and minimize the risk of loss, injury, or death 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; therefore, there is potential for development of the project within this area to result in adverse effects due to seismic-related ground failure. Policy 4.7 of the City's Safety Element, states that proposed development may be located in high liquefaction potential areas only after completion of a site-specific investigation for risk of damage from liquefaction. After further investigation of soil conditions at the project site, the quality of in-place soils and absence of groundwater indicate that the potential for liquefaction at the project site is low (Beacon 2020). In addition, the proposed development would be required to be designed in compliance with standard seismic design criteria established in Section 1613 of the CBC to further reduce risk of loss, injury, or death 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's Safety Element, the project site is located in an area with low risk for landslide to occur. In addition, the project site and surrounding areas are predominantly flat, which further reduces the risk for a landslide to occur. Proposed development would be required to be designed in compliance with design criteria established in the CBC, which would reduce potential substantial adverse effects associated with landslides; therefore, the project would not result in risk of loss, injury, or death associated with landslides, and impacts would be *less than significant.*

b) The project would require approximately 17,250 square feet (0.37 acre) of ground disturbance and the import of 2,700 cubic yards of fill. Ground-disturbing construction activities have the potential to result in erosion or loss of topsoil. In accordance with the City's Municipal Code, the project would be required to prepare and implement a stormwater pollution prevention plan (SWPPP) with construction BMPs for erosion control, including, but not limited to, silt fencing, straw wattles, and berms. Mitigation Measure BIO-6 would ensure implementation of erosion control measures during project construction. Addition of erosion control measures and standard construction BMPs would minimize the amount of erosive runoff from the site during ground-disturbing activities. During operation, the project would be required to comply with the Central Coast RWQCB requirements set forth in their Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. Following project completion, the project site would be developed with buildings, hardscapes, and landscaping, which would preclude the potential for substantial long-term erosion or loss of topsoil at the project site. Therefore, based on implementation of Mitigation Measure BIO-6 and required

compliance with existing requirements, potential impacts related to increased erosion would be *less than significant with mitigation*.

c) The potential for landslides to occur increases in areas with steep slopes or escarpments. Based on the Ground Shaking and Landslide Hazards Map in the City's Safety Element, the project site is located on relatively flat land within an area with low landslide potential. Based on the City's Safety Element and USGS data, the project site 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 in an area with high liquefaction potential; however, after further investigation of soil conditions at the project site, the potential for liquefaction at the project site was determined to be low. The project would be required to comply with CBC requirements to address potential ground failure, including lateral spread and liquefaction. In addition, the project would be required to implement Mitigation Measure GEO-1, which requires that all recommendations from the Geotechnical Engineering Report are included on final project plans and implemented into the final project design. Implementation of these recommendations would reduce the potential for damage due to unstable soil conditions. Therefore, based on compliance with existing regulations and implementation of the identified mitigation, potential impacts related to location on a geologic unit or soil unit that is unstable would be *less than significant with mitigation.*

d) Based on the Soil Survey of San Luis Obispo County and Web Soil Survey, the project site contains Cropley Clay, 0 to 2 percent slopes, major land resource area (MLRA) 14. Typically, soils that consist of clay or clay materials have a higher shrink-swell potential than soils without clay or clay materials. Soils at the project site are composed of clay and clay materials. Based on the Geotechnical Engineering Report, soils at the site have a moderate shrink-swell potential. The volume changes that expansive soils undergo can stress and damage slabs and foundations. The Geotechnical Engineering Report includes recommendations for foundational and other design features that would reduce the effects of expansive soils on the proposed development. Mitigation Measure GEO-1 has been included to require that all recommendations from the Geotechnical Engineering Report be included on final project plans and implemented into the final project design. Therefore, following implementation of the foundational and other design features, potential impacts associated with expansive soils would be *less than significant with mitigation.*

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

f) The project site is underlain by Quaternary Alluvium (Qa), which has a low paleontological sensitivity. There are no known fossils or other paleontological resources in the project area. Further, the project would not require excavation into steep slopes or disturbance of bedrock that may result in the discovery of unknown fossils at the project site. In the event an unknown paleontological resource is identified on-site, the project would be required to comply with PRC Section 5097.5, which prohibits the removal or disturbance of paleontological resources without permission of the jurisdictional agency. In addition, implementation of Mitigation Measures CR-1 and CR-2 included in Section 5, Cultural Resources, would avoid or minimize the potential to disturb previously unidentified paleontological resources through identification of the proper protocol to be implemented in the event of inadvertent discovery of resources. Based on the low paleontological sensitivity of the project site, required compliance with the PRC, and implementation of Mitigation Measures CR-1 and CR-2, the project is not anticipated to result in the disturbance of known or unknown paleontological resources. Therefore, impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures BIO-6, CR-1, CR-2, and GEO-1.

GEO-1 Geotechnical Engineering Report. At the time of building permit submittal, an updated Geotechnical Engineering Report, prepared by a qualified consultant, shall be required. The updated report shall include analysis of the Stormwater Control Plan, proposed culvert extension, and new street improvements. All design measures and recommendations provided in the updated Geotechnical Engineering Report shall be included on the building plans for review and approval by the City Community Development Department.

Conclusion

To reduce the risk associated with seismic-related and other ground failure, the project will comply with CBC seismic design and other requirements as well as design recommendations included in the updated Geotechnical Engineering Report prepared for the project. Mitigation Measure GEO-1 has been included to ensure design recommendations included in the Geotechnical

Engineering Report are incorporated into the final project design. To minimize erosion and loss of topsoil at the site, the project would be required to implement Mitigation Measure BIO-6 and comply with existing City and RWQCB regulations. Additionally, implementation of Mitigation Measures CR-1 and CR-2 would avoid or minimize the potential to disturb previously unidentified paleontological resources through identification of the proper protocol to be implemented in the event of inadvertent discovery of resources. With implementation of the identified mitigation measures and required compliance with existing requirements and regulations, potential impacts related to geology and soils would be considered *less than significant with mitigation*.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	12, 20	☐	☒	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	12, 20, 21, 52	☐	☒	☐	☐

Evaluation

GHGs are any gases that absorb infrared radiation in the atmosphere and are different from the criteria pollutants discussed in Section 3, Air Quality. The primary GHGs that are emitted into the atmosphere as a result of human activities are CO_2, methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. In 2012, the City established a Climate Action Plan that identified measures and implementation strategies in order to achieve the City's GHG reduction target of 1990 emission levels by 2020. In 2020, the City prepared an updated *Climate Action Plan for Community Recovery*, which outlines a strategy for achieving carbon neutrality by 2035, adopts sector-specific goals, and provides foundational actions to establish a trajectory toward achieving those goals. In 2018, the City prepared a community-wide inventory of GHG emissions for the 2016 calendar year. In 2016, San Luis Obispo's total GHG emissions were estimated to be 339,290 metric tons of carbon dioxide equivalence ($MTCO_2e$). As in 2005, transportation was the largest contributor to the City's total GHG emissions with an estimated 212,980 $MTCO_2e$ or 63 percent of the City's total emissions. Commercial and Industrial energy was the second largest sector with GHG emissions of 44,270 $MTCO_2e$ or 13 percent of the City's total emissions. The sectors of residential energy and solid waste account for the remaining 26 percent of the City's total 2016 GHG emissions. Due to lagging data availability, 2016 is the most recent year for complete GHG inventory data. Statewide legislation, rules, and regulations have been adopted to reduce GHG emissions from significant sources. Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the State's GHG reduction goals and required the CARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. Other statewide policies adopted to reduce GHG emissions include Assembly Bill (AB) 32, SB 375, SB 97, Clean Car Standards, Low Carbon Fuel Standard, Renewable Portfolio Standard, California Building Codes, and the California Solar Initiative.

Appendix C of the *City of San Luis Obispo Climate Action Plan for Community Recovery* (2020 CAP Update) includes thresholds and guidance for the preparation of a GHG emissions analysis under the CEQA for projects within the city. To support progress toward the City's long-term aspirational carbon neutrality goal, plans and projects within the city that undergo CEQA review will need to demonstrate consistency with targets in the CAP, a Qualified GHG Emissions Reduction Plan, consistent with CEQA Guidelines Section 15183.5. According to the adopted SLOAPCD guidance, if a project is consistent with a qualified GHG reduction strategy, such as the City's 2020 CAP Update, the project would not result in a significant impact.

In October 2018, the City Council committed to joining 3CE, 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 3CE, all-electric new buildings are operationally GHG emissions-free, cost effective, and help achieve the community's climate action goals.

a) As discussed previously, the proposed project would be consistent with the City's Manufacturing land use and zoning designation. As such, the project is expected to be consistent with the demographic and land use assumptions used for development of the City's 2020 CAP Update.

During construction, fossil fuels and natural gas would be used by construction vehicles and equipment. The project would be required to comply with federal and state regulations in place that require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as idling of diesel-fueled vehicles. The project's short-term emissions were quantified using CalEEMod, version 2020.4.0 (see Attachment 2), based on estimated acreage and building square footage provided for the proposed project. Based on the modeling conducted, construction-related GHG emissions would total approximately 393.69 $MTCO_2e$. Amortized GHG emissions, when averaged over the assumed 25-year life of the project, would total approximately 15.75 $MTCO_2e$/year.

Buildout of the project would result in the operation of an 8,272-square-foot manufacturing and office building and would generate approximately 26 new employees. The project's operational GHG emissions have also been quantified using CalEEMod, version 2020.4.0 (see Attachment 2). As shown in Table 4 below, the project would result in approximately 77.95 $MTCO_2e$/year of operational and amortized construction GHG emissions without mitigation.

Table 4. GHG Emissions Summary

Source	Total $MTCO_2e$
Construction Emissions	
Total Construction Emissions (2022–2023)	393.69
Amortized Construction Emissions (over 25 years)	15.75
Operational Emissions	
Annual Operational Emissions	62.2
Total Operational Emissions with Amortized Construction Emissions	77.95
Service Population (employees)	26
$MTCO_2e$ / Service Population	3.0
2020 CAP Threshold (per employee)	0.7/employee (18.2)
Reduction Required to Meet CAP Threshold ($MTCO_2e$)	59.75
Reduction Required to Meet CAP Threshold ($MTCO_2e$/Service Population)	2.3

As depicted in Table 4, operational GHG emissions for the proposed project, with the inclusion of amortized construction GHGs, would total approximately 77.95 $MTCO_2e$. Based on a service population of 26 employees, the project's GHG emissions would exceed the GHG threshold of 0.7 $MTCO_2e$ per employee (18.2 $MTCO_2e$ based on a service population of 26) as established by the 2020 CAP Update. However, as described in detail in threshold (b), the proposed project would implement design features to reduce operational GHG emissions, including all-electric building design and provision of bicycle and electric vehicle parking. The City's Transportation Division determined that the project would generate 60 new daily vehicle trips and not exceed the City's adopted VMT analysis threshold or OPR's significance threshold of 110 trips per day (see Attachment 4). Further, Mitigation Measure AQ-1 has been included to ensure compliance with diesel idling and other restrictions, which would reduce construction-related GHG emissions during project construction. As such, GHG emissions generated by the project would be expected to fall below the City's threshold and impacts would be *less than significant with mitigation*.

b) The San Luis Obispo Council of Governments (SLOCOG) was assigned a GHG-reduction target of 11 percent from transportation sources by 2035. SLOCOG adopted the 2019 Regional Transportation Plan/Sustainable Community Strategies (RTP/SCS) in June 2019, which includes the region's SCS and meets the requirements of SB 375. In

September 2018, the City Council directed City staff to develop a climate action plan with a reduction target of carbon neutrality by 2035. A carbon neutrality by 2035 target would require achieving a far greater reduction than the SB 32 requirements by 2030, as identified in the State's 2017 Scoping Plan. On July 20, 2020, SLOCOG issued a letter that determined the City's 2020 CAP Update was consistent with the GHG reduction noted in the SCS for meeting the State's 2030 GHG-reduction target. As a result, determination of consistency with the City's 2020 CAP Update would ensure consistency with the GHG-reduction targets identified in the RTP/SCS.

The City's 2020 CAP Update identifies six pillars, each of which include long-term goals, measures, and foundational actions for reducing GHG emissions throughout the city. The pillars include:

1. Leading by Example: Create a Municipal Action Plan by 2020 and achieve carbon neutral government operations by 2030.
2. Clean Energy Systems: Achieve 100 percent carbon-free electricity by 2020.
3. Green Buildings: Generate no net new building emissions from on-site energy use by 2020 and achieve a 50 percent reduction in existing building on-site emissions (after accounting for 3CE) by 2030.
4. Connected Community: Achieve the General Plan mode split objective by 2030 and have 40 percent VMT by electric vehicles by 2030.
5. Circular Economy: Achieve 75 percent diversion of landfilled organic waste by 2025 and 90 percent by 2035.
6. Natural Solutions: Increase carbon sequestration on the San Luis Obispo Greenbelt and Urban Forest through compost application-based carbon farming activities and tree planting to be ongoing through 2035.

Projects that are consistent with the demographic forecasts and land use assumptions used in the 2020 CAP Update can utilize the City's CEQA GHG Emissions Analysis Compliance Checklist to demonstrate consistency with the 2020 CAP Update's GHG emissions reduction strategy. The demographic forecasts and land use assumptions of the 2020 CAP Update are based on the City's Land Use and Circulation Elements. If a plan or project is consistent with the existing 2014 General Plan land use and zoning designations of the project site, then the project would be considered consistent with the demographic forecasts and the land uses assumptions of the applicable Climate Action Plan. The project is consistent with the City's land use and zoning designation and would be consistent with the demographic and land use assumptions used for the development of the 2020 CAP Update. The proposed project would not result in an increase in employment or population estimates that would conflict with those used for development of the City's 2020 CAP Update or SLOCOG's RTP/SCS.

As indicated in the CEQA GHG Emissions Analysis Compliance Checklist prepared for the project (see Attachment 4), the City's Transportation Division determined the project would generate 60 new daily vehicle trips and not exceed the City's adopted VMT analysis threshold of 110 trips per day. Proposed development would also be generally similar to existing uses within the project area (i.e., density, mix of uses, access to multimodal transportation). Therefore, the project is not anticipated to generate VMT at a rate that is inconsistent with adopted plans.

As identified below in Table 5, upon implementation of Mitigation Measure GHG-1, the project would be consistent with the 2020 CAP Update and other applicable plans and policies. Therefore, potential impacts associated with a conflict with a plan or policy adopted for the purpose of reducing GHG emissions would be *less than significant with mitigation.*

Table 5. Project Consistency with the City's Climate Action Plan

Climate Action Plan Measures	**Project Consistency**
Clean Energy Systems	
Does the Project include an operational commitment to participate in Central Coast Community Energy?	**Consistent with mitigation**. Mitigation has been included to require participation in Central Coast Community Energy.
Green Buildings	
Does the Project exclusively include "All-electric buildings"? For the purpose of this checklist, the following definitions and exemptions apply:	**Consistent with mitigation**. The project includes the development of an all-electric building and would be required to be in full compliance with the City's Energy Reach Code. Natural gas connections for on-

	All-electric building. A new building that has no natural gas plumbing installed within the building and that uses electricity as the source of energy for all space heating, water heating, cooking appliances, and clothes drying appliances. An All-Electric Building may be plumbed for the use of natural gas as fuel for appliances in a commercial kitchen. Specific exemptions to the requirements for all-electric buildings include: Commercial kitchens a. The extension of natural gas infrastructure into an industrial building for the purpose of supporting manufacturing processes (i.e., not including space conditioning). b. Accessory Dwelling Units that are attached to an existing single-family home. Essential Service Buildings including, but not limited to, public facilities, hospitals, medical centers and emergency operations centers. c. Temporary buildings. d. Gas line connections used exclusively for emergency generators. e. Any buildings or building components exempt from the California Energy Code. f. Residential subdivisions in process of permitting or constructing initial public improvements for any phase of a final map recorded prior to January 1, 2020, unless compliance is required by an existing Development Agreement. If the proposed project falls into an above exemption category, what measures are applicants taking to reduce onside fossil fuel consumption to the maximum extent feasible? If not applicable (N/A), explain why this action is not relevant.	site use are not proposed; however, the City's 2020 CAP Update acknowledges that some uses may require fossil fuels to operate and may be exempt from all-electric building requirements (e.g., commercial kitchens, manufacturing processes, gas line extensions for emergency generators, etc.). If future uses require natural gas to operate because no electric alternative is available, Mitigation Measure ENG-1 has been identified to limit use of those natural gas connections.
	Connected Community	
	Does the Project comply with requirements in the City's Municipal Code with no exceptions, including bicycle parking, bikeway design, and EV charging stations?	**Consistent**. The project has been designed to comply with the City's Municipal Code for bicycle parking, bikeway design, and EV charging stations requirements. The project includes two EV parking spaces and four bicycle parking spaces.
	Is the estimated Project-generated Vehicle Miles Traveled (VMT) within the City's adopted thresholds, as confirmed by the City's Transportation Division?	**Consistent.** The City's Transportation Division determined that the project would generate 60 new daily vehicle trips and not exceed the City's adopted VMT analysis threshold or OPR's significance threshold of 110 trips per day (see Attachment 4).
	If "No," does the Project/Plan include VMT mitigation strategies and/or a Transportation Demand Management (TDM) Plan approved by the City's Transportation Division?	
	Does the Project demonstrate consistency with the City's Bicycle Transportation Plan?	**Consistent**. The project would provide four bicycle parking spaces, which is consistent with City

	requirements. In addition, the project site is located in close proximity to a mixed of land uses, transit stops, and bicycle lanes that would encourage the use of alternative modes of transportation.
Circular Economy	
Will the Project subscribe all units and/or buildings to organic waste pick up and provide the appropriate on-site enclosures consistent with the provisions of the City of San Luis Obispo Development Standards for Solid Waste Services? Please provide a letter from San Luis Garbage company verifying that the project complies with their standards and requirements for organic waste pick up.	**Consistent**. Limited, if any, organic waste is anticipated during operation of the site. In addition, San Luis Garbage would provide solid waste services to the project in accordance with applicable solid waste standards and requirements.
Natural Solutions	
Does the Project comply with Municipal Code requirements for trees?	**Consistent**. The project would provide compensatory planting consistent with Section 12.24.090 (Tree Removal) of the City's Municipal Code.

Mitigation Measures

Implement Mitigation Measures AQ-1, ENG-1, and GHG-1.

GHG-1 The project shall be provided electricity by Central Coast Community Energy. At the time of building permit submittal, connection to Central Coast Community Energy for 3Cprime, a 100 percent renewable energy service, shall be shown on building plans for review and approval by the City. Compliance shall be verified by the Community Development Department prior to project occupancy.

Conclusion

The proposed project would generate GHG emissions during and after construction in quantities that may exceed the threshold established by the City's 2020 CAP Update. However, proposed features, including the project's proximity to a mixed of land uses and transit, bicycle, and pedestrian facilities, would reduce operational GHG emissions. Mitigation Measure AQ-1 would reduce construction-related GHG emissions, and Mitigation Measures ENG-1 and GHG-1 would reduce operational GHG emissions consistent with the six pillars of the 2020 CAP Update. Therefore, impacts related to GHG emissions would be *less than significant with mitigation.*

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	1	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1	☐	☐	☒	☐

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	28, 29, 30	☐	☐	☐	☒
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	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	23	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	23, 51	☐	☐	☒	☐

Evaluation

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency (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 (DTSC) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal Superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board (SWRCB) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/. Based on a review of the SWRCB GeoTracker database and the DTSC EnviroStor database, the project site is not an active hazardous waste cleanup site. Based on the SWRCB GeoTracker database, there are two closed LUST sites within 1,000 feet. One closed LUST site is located approximately 870 feet southeast and the other is located approximately 975 feet southwest of the project site.

a) The project does not include the routine transport, use, or disposal of hazardous substances. Construction of the project is anticipated to require the use of commonly used hazardous substances within the project site, including cleaners, solvents, oils, paints, etc. Any hazardous substances that are used during project construction would be transported, stored, and used according to federal, state, and local regulatory requirements and existing procedures for the handling of hazardous materials. In addition, implementation of Mitigation Measure BIO-6 would ensure any accidental construction-related spills would be properly cleaned in order to avoid indirect impacts to Bishop Creek. Implementation of the project would result in the operation of a warehouse and office building, which may result in the long-term use of commonly used hazardous substances. Operation of the project would also be required to comply with federal, state, and local requirements for the transportation, storage, and use of hazardous materials. Therefore, based on implementation of Mitigation Measure BIO-6 and required compliance with existing regulations, potential impacts associated with the routine transport, use, or disposal of hazardous substances would be *less than significant with mitigation.*

b) The project does not include 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, and paints, which would be used in accordance with existing regulatory requirements related to proper use of hazardous substances. Construction contractors would be also 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 (CCR 29.1910.119), which includes requirements for preventing and minimizing the consequences of accidental release of hazardous materials. Further, implementation of

Mitigation Measure BIO-6 would ensure any accidental construction-related spills would be properly cleaned in order to avoid indirect impacts to Bishop Creek.

As introduced in Section 3, Air Quality, the project site is within an area identified as having a potential for NOA to occur. 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 Measure AQ-3 has been identified to require the applicant to complete a geologic evaluation and follow all applicable protocols and procedures if NOA is determined to be present on-site. In addition, the project site is currently undeveloped and does not consist of any buildings or structures that could release asbestos-containing material (ACM) during demolition. The project site does not contain any paved roadways that may have released aerially deposited lead (ADL) into soils at the project site that could be released during ground-disturbing activities. Therefore, potential impacts would be *less than significant with mitigation.*

c) The closest school in the San Luis Coastal Unified School District is Sinsheimer Elementary School, located approximately 0.3 mile northeast of the project site. In addition, the Central California School of Continuing Education is located approximately 0.15 mile south of the project site. Although the project site is located in close proximity to an identified school, implementation of the project would not result in the long-term use of acutely hazardous materials, substances, or waste. Construction and operation of the project may result in the use of commonly used hazardous substances (i.e., gasoline, fuels, solvents, paint, etc.), which would be used, stored, and transported according to existing regulatory requirements to avoid accidental spill or release. Therefore, potential impacts would be *less than significant*.

d) There are no previously identified hazardous materials sites within or adjacent to the project site. Based on a search of the DTSC EnviroStor database, SWRCB GeoTracker database, and CalEPA Cortese List website, the nearest hazardous materials sites are two closed LUST sites within 1,000 feet. One closed LUST site is located approximately 870 feet southeast and the other is located approximately 975 feet southwest of the project site. Hazardous materials associated with the sites are not anticipated to be present within the soils on-site. Therefore, *no impacts* would occur.

e) The project site is located approximately 1.6 miles northeast of the San Luis Obispo County Regional Airport and within the airport influence area and Safety Zone 6 as depicted in the City's Airport Land Use Plan (ALUP). The project site is not located within the Airport Area Specific Plan (AASP). Based on the airport's ALUP, low-hazard manufacturing and processing, warehousing, and office buildings are allowable uses within Safety Zone 6; therefore, the project would be an allowable use. Further, implementation of the project would not result in new buildings or structures that could impede the runway protection zone, would not result in an exceedance of density for non-residential development within the airport influence area, would not impair ingress or egress of the area, and would not generate a significant use of hazardous materials, which is consistent with the ALUP. Therefore, potential impacts associated with safety hazards or excessive noise from aircraft would be *less than significant.*

f) Project construction may result in temporary traffic controls on McMillan Avenue for installation of a sidewalk and associated infrastructure. However, no full road closures would be necessary; therefore, emergency access and public circulation would be maintained in the project area. Therefore, project implementation would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans and impacts would be *less than significant*.

g) The project site is located within a developed portion of the city and is not located within or adjacent to a wildland area. The project site is currently undeveloped but is directly surrounded by existing development in all directions, which reduces the risk of wildland fire to occur in the project area. 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

Implement Mitigation Measures AQ-3 and BIO-6.

Conclusion

The project does not propose the routine transport, use, handling, or disposal of acutely hazardous materials, substances or waste that could result in significant accident or upset conditions. Implementation of Mitigation Measure BIO-6 and required compliance with existing regulations would reduce impacts related to use of construction-related materials and accidental construction-related spills to less than significant. Any hazardous substances used during operation of the project would be required to comply with federal, state, and local requirements. The project would not be located on or adjacent to an active hazardous materials site. Mitigation Measure AQ-3 has been identified to address the potential for NOA. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation of or interfere with any adopted emergency response or evacuation plan. Upon implementation of the identified mitigation measures, potential impacts associated with hazards and hazardous materials would be considered less than significant.

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, 5, 36, 64	☐	☒	☐	☐
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, 49	☐	☐	☒	☐
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:					
v. Result in substantial erosion or siltation on or off site;	1, 2, 5, 32, 36, 61, 64	☐	☒	☐	☐
vi. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	1, 2, 5, 32, 36, 61, 64	☐	☒	☐	☐
vii. 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, 5, 32, 36, 61, 64	☐	☒	☐	☐
viii. Impede or redirect flood flows?	1, 2, 5, 32, 36, 59, 61, 64	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	1, 35	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	1, 2, 5, 36, 49	☐	☐	☒	☐

Evaluation

The project site is located within the San Luis Obispo Creek watershed and a remnant segment of Bishop Creek daylights along the eastern portion of the project site. Bishop Creek provides connectivity to San Luis Obispo Creek. 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 Fork San Luis Obispo Creek, Davenport Creek, and See Canyon.

The City is enrolled in the State General Permit National Pollutant Discharge Elimination System (NPDES) permit program governing stormwater. As part of this enrollment, the City is required to implement the Central Coast RWQCB's adopted Post-Construction Stormwater Management requirements (PCR's) 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 percent chance of occurring in any given year. According to FEMA Flood Insurance Rate Map (FIRM) 06079C1069G (effective date 11/16/2012), the project site is an area with a 1 percent chance of annual flood.

In 2015, the state legislature approved the Sustainable Groundwater Management Act (SGMA), which 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 the SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans.

a) The project would require approximately 17,250 square feet (0.37 acre) of ground disturbance on a previously unimproved 0.4-acre parcel and the import of 2,700 cubic yards of fill. The City has adopted additional requirements for projects that are subject to an SWRCB General Permit. Per Chapter 12.08 of the City's Municipal Code, prior to issuance of City permits, the applicant must submit a SWPPP, which includes detailed information describing the potential sources of pollution from project activities and the recommended BMPs to address potential pollutants. Implementation of Mitigation Measure BIO-6 would reduce the potential for erosion or an accidental construction-related spill to enter into Bishop Creek. Additionally, the project would be required to prepare an erosion and sediment control plan for short- and long-term erosion control in compliance with the City's stormwater requirements.

   The project is required to comply with the Central Coast RWQCB requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. Physical improvement of the project site is required to comply with the drainage requirements of the City's Waterways Management Plan. This plan was adopted for the purpose of ensuring water quality and proper drainage within the City's watershed. As part of these requirements, the City has been mandated to establish a set of minimum designated BMPs and Pollution Prevention Methods. BMPs are steps taken to minimize or control the number of pollutants and runoff. Pollution Prevention Methods are strategies to eliminate the use of polluting materials and/or exposure of potential pollutants to rainwater or other sources of runoff. Following project construction, the project site would be developed with buildings, hardscapes, or otherwise landscaped areas, precluding the potential for substantial long-term erosion or loss of topsoil. Therefore, based on required compliance with existing requirements, i.e., development of a SWPPP and erosion and sediment control plan, and implementation of Mitigation Measure BIO-6, potential impacts related to violation of water quality standards would be *less than significant with mitigation*.

b) The project site is located in the San Luis Obispo Valley Groundwater Basin (SLO Basin). The project site is primarily undeveloped and supports natural areas for groundwater recharge, including an on-site segment of Bishop Creek. Implementation of the project would result in approximately 15,000 square feet of new impervious surface area on the 17,250-square-foot project site, which would reduce natural areas for groundwater recharge at the site. The project also includes placing the on-site segment of Bishop Creek in a culvert. The project includes construction of a new stormwater drainage system and underground retention chamber at the site to allow for percolation back into the groundwater table. In addition, the proposed box culvert for Bishop Creek would continue to allow for water flows to connect to other waterways within the city, which would allow for recharge into the SLO Basin. Further, the SLO Basin encompasses approximately 12,700 acres and supports a vast amount of area that allows for groundwater recharge; therefore, new impervious surfaces within the project site would not substantially decrease the ability for groundwater recharge within the SLO Basin. The project would connect to the City's water supply, which comprises surface water, groundwater, and recycled water, and would not rely solely on groundwater. Therefore, the project would not substantially interfere with groundwater recharge at the site or deplete groundwater resources, and impacts would be *less than significant*.

c.i-iii) The project would result in the undergrounding of the on-site segment of Bishop Creek located on the eastern portion of the project site through construction of a box culvert. The proposed box culvert would have a channel width of 6 feet and a channel depth of 5 feet, which would retain 100-year flow rates (see Attachment 6). The project would also result in the addition of approximately 15,000 square feet of impervious surface area on-site. Stormwater flows would be retained through the construction of a new stormwater drainage system and underground retention chamber at the project site.

In accordance with the City's Municipal Code (Chapter 12.08), the project would be required to develop and implement a SWPPP that includes BMPs to protect stormwater runoff, including measures to prevent soil erosion during project construction. In addition, implementation of Mitigation Measure BIO-6 would reduce the potential for erosion or an accidental construction-related spills to enter into Bishop Creek during project construction. The project is required to comply with the Central Coast RWQCB requirements set forth in the Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region and the City's Waterways Management Plan for long-term maintenance of drainages at the project site. 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. Implementation of Mitigation Measure BIO-6, proposed stormwater facilities, and adherence to existing City and RWQCB regulations would minimize potential impacts to drainages during construction and operation of the project; therefore, project impacts would be *less than significant with mitigation*.

c.iv) According to FEMA Flood Insurance Rate Map (FIRM) 06079C1069G (effective date 11/16/2012), the project site is an area with a 1 percent chance of annual flood. Implementation of the project would result in approximately 15,000 square feet of new impervious surfaces. Due to an increase of impervious surface area on-site, the project includes implementation of a stormwater drainage system and underground stormwater retention chamber to catch any increased flood or storm flows. The stormwater retention chamber would collect stormwater allowing it to infiltrate and, when full, direct it toward the proposed box culvert. In addition, the project would include undergrounding the portion of Bishop Creek at the project site and installing a culvert, sidewalk, curb, and gutter. Bishop Creek has a 100-year flow rate of 400 cubic feet per second. The proposed culvert would be designed with a 6-foot-wide and 5-foot-deep channel in order to contain a 100-year flood event to avoid impacts related to flood flows. At the time of building permit submittal, a final project drainage report, in accordance with the City's Drainage Design Manual (DDM) and other City requirements, is required and will include analysis of the existing and proposed safe overflow drainage path for a case where the capacity of the storm drain piping/culvert system(s) is exceeded or the on-site or downstream private system(s) have failed. 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) Per the City's 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 (for irrigation). Groundwater serves as a fifth supplemental source. The project includes the construction of stormwater facilities and would not conflict with the City's Waterways Management Plan or other water quality control plans. The project would be supplied water by the City of San Luis Obispo, which has ample water supply based on diversification of its water resources. Water supply analysis is further discussed in Section 19, Utilities and Service Systems. In addition, the project would not substantially interfere with groundwater recharge of the SLO Basin. The project would not conflict with the SGMA because the City has moved away from using groundwater as a primary water supply source, which is consistent with the San Luis Valley Groundwater Sustainability Plan. The project would not conflict with the SGMA, Central Coast Basin Plan, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, impacts would be *less than significant.*

Mitigation Measures

Implement Mitigation Measure BIO-6.

Conclusion

Through project design, implementation of Mitigation Measure BIO-6, standard BMPs, Pollution Prevention Methods, and City Engineering Standards, the project would not substantially impede or redirect flood flows, alter existing drainage patterns,

degrade surface water quality, decrease groundwater supplies, or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project would retain the preconstruction water infiltration rates and flow volumes 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?		☐	☐	☐	☒
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	☐	☒	☐	☐

Evaluation

The project site consists of a single 0.4-acre parcel in the east-central portion of the city, approximately 0.2 mile east of Broad Street and 0.2 mile north of Orcutt Road. The property and all surrounding properties are zoned Manufacturing (M). The project site is within Safety Zone 6 of the ALUP Airport Influence Area. The surrounding properties are summarized as follows:

- North: one-story warehouse and light manufacturing buildings; surface parking lot
- South: one- and two-story office and light manufacturing buildings
- East: warehouse and light manufacturing buildings and lots; UPRR
- West: one-story warehouse and light manufacturing building; multifamily residential units; drainage swale along the western property boundary

a) The project would result in the construction and operation of an 8,272-square-foot manufacturing and office building within a currently undeveloped site in the city of San Luis Obispo. The project would be infill development within the Manufacturing zone and would be surrounded by other light industrial warehouse and office land uses. The project does not include features that would physically divide an established community. The project would be consistent with the scale of surrounding 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 Manufacturing land use designation and the guidelines and policies for development within the applicable zoning designation, Land Use Element, and COSE. The project is consistent with existing surrounding development and proposes a compatible land use. Based on the airport's ALUP, low-hazard manufacturing and processing, warehousing, and office buildings are allowable uses within Safety Zone 6; therefore, the project would be an allowable use. 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.

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. With implementation of Mitigation Measures BIO-1 through BIO-6, potential impacts related to the on-site segment of Bishop Creek and associated riparian habitat as well as special-status species resulting from construction activities would be avoided and/or minimized. Implementation of the identified mitigation measures would also ensure the project would be consistent with local policies or ordinances protecting biological resources. Therefore, the project would not conflict with policies or regulations adopted to avoid or mitigate environmental effects and impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures BIO-1 through BIO-6.

Conclusion

The proposed project would not physically divide an established community and would be consistent with surrounding land uses. The project would be consistent with the existing Manufacturing zoning designation. Implementation of Mitigation Measures BIO-1 through BIO-6 would avoid and/or minimize the potential to impact jurisdictional aquatic and riparian habitat, special-status species, and nesting migratory birds and would ensure the project would not result in a conflict with local policies or ordinances protecting biological resources. With implementation of the identified mitigation measures, potential impacts would be less than significant.

12. MINERAL RESOURCES

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

Evaluation

Based on the City's 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

Mitigation measures are not required.

Conclusion

No impacts to mineral resources were identified; therefore, mitigation measures are not required.

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, 39	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	5, 38, 39, 40	☐	☐	☒	☐

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	☐	☐	☒	☐

Evaluation

The City's Noise Element establishes standards for maximum acceptable noise levels associated with stationary and transportation sources. Noise created by new transportation noise sources is required to be mitigated to not exceed the maximum acceptable noise levels identified in Table 6.

Table 6. Maximum Noise Exposure for Noise-Sensitive Uses due to Transportation Noise Sources

Noise-Sensitive Use	Outdoor Activity Areas*	Indoor Spaces		
	Ldn or CNEL, in dB	Ldn or CNEL, in dB	Leq in db†	Lmax in dB‡
Residences, hotels, motels, hospitals, nursing homes	60	45	–	60
Theaters, auditoriums, music halls	–	–	35	60
Churches, meeting halls, office building, mortuaries	60	–	45	--
Schools, libraries, museums	–	–	45	60
Neighborhood parks	65	–	–	–
Playgrounds	70	–	–	–

Notes: CNEL = Community Noise Equivalent Level; Ldn = day-night average sound level; Leq = equivalent continuous sound level; Lmax = maximum sound level; dB = decibels.
* If the location of outdoor activity areas is not shown, the outdoor noise standard shall apply at the property line of the receiving land use.
† As determined for a typical worst-case hour during periods of use.
‡ Lmax indoor standard applies only to railroad noise at locations south of Orcutt Road.

Outdoor activity areas are not defined in the City's Noise Element but are defined in the *City of San Luis Obispo, Noise Guidebook, Measurement & Mitigation Techniques*. The guidebook states that outdoor activity areas are "patios, decks, balconies, outdoor eating areas, swimming pool areas, yards of dwellings, and other areas commonly used for outdoor activities and recreation."

The City's Noise Element also identifies Policy 1.4 regarding noise created by new transportation sources, including road, railroad, and airport expansion projects, which states noise from these sources shall be mitigated to not exceed the levels specified in Table 6 for outdoor activity areas and indoor spaces of noise-sensitive land uses. The project site is located in an area where existing warehouse uses, UPRR operations, and roadway traffic dominate the existing noise environment.

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 are 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 80 dBA for nearby multifamily residential uses to the west. 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) During project construction, noise from construction activities may intermittently dominate the noise environment in the immediate area. The project would require the use of typical construction equipment (dozers, excavators, etc.) for land preparation and development of the new building. Typical noise levels produced by equipment commonly used in construction projects are shown in Table 7.

Table 7. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 feet from Source
Concrete mixer, dozer, excavator, jackhammer, man lift, paver, scraper	85
Heavy truck	84
Crane, mobile	83
Concrete pump	82
Backhoe, compactor	80

Source: Federal Highway Administration (2017)

As shown above, construction equipment that would be used during project construction would not exceed 85 dB and would be similar to other construction activity within the city. However, the nearest sensitive noise receptors are located approximately 200 feet west from the western property boundary. Due to the project's proximity to nearby sensitive receptors (e.g., residential dwelling units), mitigation has been included to reduce construction-related noise. Mitigation Measures N-1 through N-4 have been included to require construction noise BMPs during all construction activities and for approved construction hours, truck routes, and all construction noise BMPs to be included on all project plans.

Project operations would be consistent with surrounding manufacturing, warehousing, and office uses and do 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 a heating, ventilation, and air conditioning (HVAC) system; however, the HVAC would not result in a noticeable increase in ambient noise levels due to compatibility with the existing noise environment. 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 with mitigation.*

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 surround 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) According to the ALUP, the project site is located within the Airport Influence Area, within Safety Zone 6. The project is consistent with existing surrounding development and proposes a compatible land use within Safety Zone 6. As discussed above, the project does not include components that would significantly add to long-term ambient noise in the project vicinity. Operational noise is anticipated to be limited to the use of an HVAC system and limited operational traffic. These uses, combined with noise associated with nearby airport operations, are not anticipated to expose people residing or working in the project area to excessive noise levels; therefore, impacts would be *less than significant.*

Mitigation Measures

N-1 At the time of building and/or grading permit submittal, the following noise reduction measures shall be shown on all applicable plans and adhered to during all grading and construction activities:

1. Stationary construction equipment that generates noise that exceeds 60 A-weighted decibels (dBA) at the project boundaries shall be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures).
2. Impact tools (e.g., jackhammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools.

3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.
4. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

N-2 At the time of building and/or grading permit submittal, the construction plans shall note construction hours and truck routes for review and approval by the City Community Development Department. The construction contractor shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and shall maintain these signs throughout the construction phase of the project. All construction workers shall be briefed at a preconstruction meeting on construction hour limitations and how, why, and where noise reduction measures are to be implemented.

N-3 At the time of building and/or grading permit submittal, the noise attenuation techniques shall be shown on all applicable plans and employed as needed during all grading and construction activities to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include, but are not limited to, the following:

1. Sound blankets shall be used on noise-generating equipment;
2. Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with a barrier that meets a sound transmission class (a rating of how well noise barriers attenuate sound) of 25;
3. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers;
4. The movement of construction-related vehicles, except for passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day); and
5. Temporary sound barriers shall be constructed between construction sites and affected uses.

N-4 Prior to initiation of grading and/or construction activities, the project contractor shall inform residents and business operators at properties within 300 feet of the project site of proposed construction timelines and noise compliant procedures to minimize potential annoyance related to construction noise. Signs shall be in place prior to and throughout grading and construction activities informing the public that noise-related complaints shall be directed to the construction manager prior to the City's Community Development Department.

Conclusion

Since the project is located within 1,000 feet of sensitive receptors, Mitigation Measures N-1 through N-4 are included to reduce potential construction-related impacts. In addition, the project would not expose project occupants to excessive airport noise. Impacts related to noise would be *less than significant with mitigation*.

14. POPULATION AND HOUSING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	41, 42	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	1	☐	☐	☐	☒

Evaluation

According to the City's *General Plan 2021 Annual Report*, the average annual growth rate between 2015 and 2021 was 0.81 percent, which is in compliance with the 1 percent maximum average annual residential growth rate (City LUE Policy 1.11.2). San Luis Obispo contains the largest concentration of jobs in the county. During workdays, the city's population increases to an estimated 70,000 persons.

The City's Housing Element identifies various goals, policies, and programs based on an assessment of the City's housing needs, opportunities, and constraints. The City's overarching goals for housing include safety, affordability, conservation of existing housing, accommodation for mixed-income neighborhoods, providing housing variety and tenure, planning for new housing, maintaining neighborhood quality, providing special needs housing, encouraging sustainable housing and neighborhood design, maximization of affordable housing opportunities for those who live or work in the City, and developing housing on suitable sites. On November 17, 2020, City Council adopted the 6th Cycle Housing Element that includes housing policies and programs for 2020–2028. The City's Housing Element was updated in compliance with State requirements.

a) The project does not include the construction of new residential land uses that could directly contribute to population growth within the city. The project includes construction of a new manufacturing warehouse and is anticipated to generate 26 employees. It is expected that a majority of these jobs would be filled by the local workforce; however, there is still some potential for a marginal permanent increase in the city's population through creation of new employment opportunities. The proposed project would be infill development and would be consistent with the project site's Manufacturing land use and zoning designation. Thus, any indirect population growth resulting from implementation of the project would be consistent with the projected population growth for the city. Short-term construction activities may increase temporary construction-related employment opportunities; however, temporary employment opportunities generated by the project are anticipated to be filled by the local workforce and would not result in a substantial population increase within the city. Based on consistency with the zoning designation of the site and the nature and limited scale of proposed development, the project would not induce substantial or unplanned population growth; therefore, potential impacts would be *less than significant*.

b) The project would not result in the displacement of any existing or proposed housing; therefore, *no impacts* would occur.

Mitigation Measures

Mitigation measures are not required.

Conclusion

The project would be consistent with the City's projected population growth. No potentially significant impacts would occur, and mitigation measures are not required.

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, 56	☐	☐	☒	☐
Police protection?	1, 43, 57	☐	☐	☒	☐
Schools?	1, 43	☐	☐	☒	☐

Parks?	1, 43, 44	☐	☐	☒	☐
Other public facilities?	1, 43	☐	☐	☒	☐

Evaluation

The project site is located within the existing service area of the San Luis Obispo Fire Department. The 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 percent of all emergencies. The nearest City fire station to the project site is City Fire Station 3, located at 1280 Laurel Lane, 0.5 mile east of the project site. City Fire Station 3 provides primary response to the southern portion of the city. This station is staffed by a three-person paramedic engine company.

The City of San Luis Obispo Police Department (SLOPD) provides public safety services for the city. The SLOPD has approximately 91 employees, 60 of which are sworn police officers. The SLOPD operates out of one main police station, located at 1042 Walnut Street at the intersection of Santa Rosa (Highway 1) and US 101, approximately 1.75 miles northwest of the project site.

The project site is located within the San Luis Coastal Unified School District, and public parks and recreation trails within the city are managed and maintained by the City's Parks and Recreation Department.

All new residential and non-residential development within the city is subject to payment of Development Impact Fees, which are administered by and paid through the City's 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 result in development of a new manufacturing building and would marginally increase demand on fire protection services provided by the San Luis Obispo Fire Department. The project would be infill development within the Manufacturing zone and would be consistent with the projected population growth for the city. In addition, the project would be subject to the payment of Development Impact Fees to address the marginal increase in demand on fire protection services associated with new development. Based on the limited population growth and required payment of Development Impact Fees, implementation of the project would not increase demand on existing fire protection services in a manner that would require expansion or construction of new fire protection facilities. Therefore, potential impacts would be *less than significant.*

Police protection: Development of a new manufacturing building would marginally increase demand on existing police protection services provided by the SLOPD. The project would be infill development within the Manufacturing zone and would be consistent with the projected population growth for the city. In addition, the project would be subject to the payment of Development Impact Fees to address the marginal increase in demand on police protection services associated with new development. As such, implementation of the project would have a marginal increase in demand on existing police protection services and would not directly result in the need for expansion of existing or the construction of new police facilities. Therefore, potential impacts would be *less than significant*.

Schools: The project would be limited to the development of a new warehouse and office building and does not include development of residential or other land uses that could result in a substantial increase in the number of school-aged children within the city. Implementation of the project would not be expected to increase demand on the San Luis Coastal Unified School District and would not directly result in the need for new or physically altered public school facilities; therefore, potential impacts would be *less than significant*.

Parks: The project would be limited to the development of a new warehouse and office building and does not include development of residential or other land uses that could result in a substantial increase in the use of existing public recreational facilities. The project has the potential to marginally increase population growth within the city by establishing new employment opportunities; however, the project would be consistent with the Manufacturing zoning designation for the site and any indirect population growth generated the project would be consistent with the projected population growth for the city. Based on the limited population growth, the project would not increase the use of public parks in a manner that would require new or physically altered facilities and therefore, potential impacts would be *less than significant.*

Other public facilities: The project would not induce unplanned 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 Impact Fees, which would offset the project's marginal contribution to increased use of City facilities. Therefore, potential impacts on public facilities would be *less than significant.*

Mitigation Measures

Mitigation measures are not required.

Conclusion

The project would not induce unplanned population growth. Operation of the project may result in a marginal cumulative increase in demand on City services and facilities, including fire protection, police protection, parks and recreational facilities, and other public facilities; however, construction of new facilities is not anticipated to be required. The project is subject to payment of Development Impact Fees, which provide funding to maintain existing City emergency services, infrastructure, and facilities. The project would not result in significant impacts to public services; therefore, mitigation measures are not required.

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	☐	☐	☒	☐
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	☐	☐	☐	☒

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 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,
- linking recreation facilities, and
- meeting the special needs of disabled persons, at-risk youth, and senior citizens.

City 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, five of which shall be dedicated as neighborhood parks.

a) Due to the type of proposed development, implementation of the project is not anticipated to result in a significant increase in demand on local parks and recreational facilities in the area. The approximately 26 new employees generated by the project are anticipated to come from the local workforce and would not result in a substantial increase in population size that could increase demand on local recreational facilities. As the project is consistent with the City's 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. Therefore, implementation of the project would not generate substantial

population growth or increase the use of existing public recreational facilities in a manner that would result in substantial physical deterioration of existing facilities, and potential impacts would be *less than significant.*

b) The project does not include, nor would it require, the construction of new or expanded recreational facilities; therefore, *no impacts* would occur.

Mitigation Measures

Mitigation measures are not required.

Conclusion

Implementation of the project would not result in the construction of new recreational facilities and would not increase the use of existing public recreational facilities in a manner that would result in substantial physical deterioration of existing facilities. The project would not result in significant impacts to recreational facilities, and mitigation measures are not required.

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, 58	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	1, 55	☐	☐	☒	☐
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	☐	☐	☒	☐
d) Result in inadequate emergency access?	1, 23	☐	☐	☒	☐

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, the following:

- 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 carpooling;
- promoting the safe operation of all modes of transportation; and
- widening and extending streets only when there is a demonstrated need and when the projects would cause no significant, long-term environmental problems.

Level of Service (LOS) is a term used to describe the operating conditions of an intersection or roadway based on factors such as speed, travel time, queuing time, and safety. LOS designations range between A and F, with A representing the best operating conditions and F the worst. The City's Circulation Element establishes the minimum acceptable LOS standard for vehicles in the downtown area of the city as LOS E and LOS D for all other areas and states any degradation of the LOS below these standards shall be interpreted as transportation operations deficiency under local policy thresholds. While LOS deficiencies are evaluated for local policy conformity, LOS or other measures of automobile congestion/delay are not applied when evaluating transportation impacts under CEQA.

In 2013, SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). In June 2020, the City formally adopted the transition from LOS to VMT for the purposes of CEQA evaluation and also established local VMT thresholds of significance.

The February 2021 *City of San Luis Obispo Active Transportation Plan* (ATP) outlines goals and policies to promote walking, biking, and other forms of active transportation throughout the city. The ATP provides a blueprint for creating a safe, connected, and efficient citywide active transportation network. It lays out policies, funding strategies, supporting programs, infrastructure projects, and implementation priorities to improve active transportation options and access for all community members.

The project site is approximately 0.2 mile east of Broad Street and 0.2 mile north of Orcutt Road in the east-central portion of the city and is bound by McMillan Avenue to the east, light industrial and office uses to the south and west, and a paved alley and light industrial and warehouse uses to the north. The project site would be accessed by McMillan Avenue, a two-way local roadway that is not designated a LOS in the City's Circulation Element. McMillan Avenue connects with Orcutt Road south of the project site. The City's Traffic County & Speed Surveys Map does not identify the average daily motor-vehicle trip volume (ADT) on McMillan Avenue; however, it identified the ADT on Orcutt Road to the south of the project site as 14,590. Average daily pedestrian volume is 141 trips, and average daily bicycle volume is 69 trips. According to the City's ATP, Broad Street, Orcutt Road, and McMillan Avenue have existing and proposed bicycle facilities. There are transit stops located along Orcutt Road, approximately 0.35 mile southeast, and along Broad Street approximately 0.2 mile west of the project site.

a) The project includes the development of a warehouse and office building within a developed portion of the city. The project site would be accessed by a proposed driveway off of McMillan Avenue, which would be constructed in accordance with the City's Public Works safety design standards. The project would result in a limited number of new vehicle trips along McMillan Drive and other nearby roadways as a result of 26 additional employees in the area. As indicated in the CEQA GHG Emissions Analysis Compliance Checklist (see Attachment 4), the City's Transportation Division determined the project would generate 60 new daily vehicle trips. The project would be subject to the payment of the City's standard Traffic Impact Fees for maintenance of roads and other transportation infrastructure. As noted, there are transit stops within a 0.35-mile radius of the site along Orcutt Road and Broad Street and existing or proposed bicycle facilities on Broad Street, Orcutt Road, and McMillan Avenue. These features would be consistent with the City's ATP. Therefore, with the payment of standard Traffic Impact Fees, project impacts associated with conflicts with any program, plan, ordinance, or policy addressing transportation facilities would be *less than significant*.

b) The 2018 OPR SB 743 Technical Advisory on Evaluating Transportation Impacts in CEQA states that absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact. As indicated in the CEQA GHG Emissions Analysis Compliance Checklist (see Attachment 4), the City's Transportation Division determined the project would generate 60 new daily vehicle trips and would not exceed the City's adopted VMT analysis threshold or OPR's significance threshold of 110 trips per day. Proposed development would also be generally similar to existing uses within the project area (i.e., density, mix of uses, access to multimodal transportation). Therefore, the project is not anticipated to generate VMT at a rate that is inconsistent with adopted plans. Therefore, the project is not anticipated to generate VMT at a rate that is inconsistent with local and regional thresholds pursuant to CEQA Guidelines section 15064.3(b). Impacts would be *less than significant*.

c) The project includes construction of a driveway entrance on a straight segment of McMillan Avenue 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 motorists an adequate line of sight from the driveway. The project will be reviewed by the Transportation and Engineering divisions prior to approval of any building permits. Therefore, project impacts associated with increased hazards due to a geometric design feature would be *less than significant.*

d) During construction of the proposed sidewalk, curb, and gutter along McMillan Avenue, the project would likely result in temporary traffic controls. However, the project site and surrounding areas would remain accessible to emergency and other vehicles. The project includes the construction of a new driveway entrance and internal parking lots, which would be required to be designed in compliance with the State and City Fire Codes and would be subject to review by the City Fire Marshal to ensure adequate emergency access has been provided. Therefore, potential impacts related to inadequate emergency access would be *less than significant.*

Conclusion

The project would be subject to the payment of the City's standard Traffic Impact Fees for maintenance of roads and other transportation infrastructure. The project would be consistent with the City's ATP and would not exceed the City's established thresholds for 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, 54	☐	☒	☐	☐
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, 54	☐	☒	☐	☐

Evaluation

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

1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
   a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
   b. Included in a local register of historical resources as defined in subdivision (k) of California PRC 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 PRC 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 State and City regulations under AB 52 on May 17, 2022. No requests for consultation have been received as of the publication date of this IS/MND.

a, b) The City has provided notice of the opportunity to consult to appropriate tribes per the requirements of AB 52. No requests for consultation have been received as of the publication date of this IS/MND.

The project site does not contain any known tribal cultural resources that have been listed in 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

Implement Mitigation Measures CR-1 through CR-3.

Conclusion

With implementation of Mitigation Measures CR-1 through CR-3, potential impacts related to tribal cultural resources would be *less than significant with mitigation*.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	1	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	49, 50	☐	☐	☒	☐
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, 48, 60	☐	☐	☒	☐
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	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	47	☐	☐	☒	☐

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, California Polytechnic State University, and the 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 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.

Water service for the project would be provided by the City's Utilities Department and the project would be served by the City's sewer system. There are existing buried water and sewer lines within McMillan Avenue. The project site has existing utility infrastructure on-site, including a storm drain line, a storm drain manhole, a storm drain catch basin, a sewer cleanout, a water valve, a fire hydrant, a water meter, an electrical line, and a gas line.

a) The project includes the installation of new water, emergency water, wastewater, stormwater, and energy extensions and connections to City infrastructure. Necessary connections would be along the property's frontage on McMillan Avenue and would not require off-site 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-3, BIO-1 through BIO-6, CR-1 through CR-3, and GEO-1 would reduce potentially significant environmental impacts resulting from installation and establishment of new utility connections associated with air quality, biological resources, cultural resources, and geotechnical considerations to a less-than-significant level. Therefore, potential environmental impacts associated with construction of utility connections would be *less than significant with mitigation.*

b) Per the City's 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 (for irrigation). Groundwater serves as a fifth supplemental source. The City's diversification of water sources in the last several decades has allowed the City to maintain sufficient water supplies even following the driest years on record. The total water available for the City in the 2021 to 2022 water year (July 1, 2021, to June 30, 2023) was 10,140 af/year, which included 248 af/year of recycled water. As this availability was adjusted following years of drought and updates to the City's safe annual yield model, the availability is considered a reasonable long-term safe yield value for the purposes of this analysis. The City's potable water demand for 2020 was 4,587 af/yr. The project would generate a new water demand of approximately 436.9 gallons per day. The project's incremental increase in water demand would be accommodated by the City's water supply. Water for any additional short-term use for construction activities or site revegetation will consist of recycled water, or another non-potable water source. Development of this site is consistent with the City's long-range planning documents and, thus, has been anticipated by the City's water supply planning. The City has adequate water supply to provide potable and other water to the proposed project. Therefore, potential impacts related to water supply 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 pipeline along McMillan Avenue Street to connect to the City's system. Based on the City's wastewater generation factors by land use, the project would generate wastewater flows of approximately 436.9 gallons per day. 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 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 117.46 pounds of solid waste per day (Table 8).

Table 8. Estimated Project Solid Waste Generation

Use	Generation Rate	Project	Pounds Solid Waste Per Day
Manufacturing/Warehouse	1.42 lbs/100 square feet/day	8,272 square feet	117.46 lbs
Total			**117.46 bs**

Operational solid waste and recycling would be serviced by San Luis Garbage Company and disposed of at Cold Canyon Landfill. Short-term construction-related waste would also likely be disposed of at the Cold Canyon Landfill. The Cold Canyon Landfill has a maximum daily permitted intake capacity of 1,650 tons per day and a remaining capacity of 13,000,000 cy as of August 31, 2020. The project would be consistent with the projected buildout of the Manufacturing zone and is not anticipated to generate an excessive amount of solid waste. Based on these capacities, the Cold Canyon Landfill is expected to remain operational through at least 2040. Therefore, potential impacts related to solid waste reduction goals and capacity would be *less than significant*.

e) The project includes the installation of two 3-cubic yard waste bins for solid waste and recycling. In addition, business that generate greater than 2 cubic yards of waste would be required to comply with AB 1826 and local waste management plans, which require participation in organic material recycling to reduce GHG-emissions (e.g., requirements for trash enclosures to have the capacity to store trash bin sizes for waste, recycling, and organics). The proposed garbage and recycling plan has been reviewed and approved by San Luis Garbage Company in compliance 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. Upon submittal of a building permit, the applicant will be required to provide bins for the three waste streams (trash, recycling, and organics) in compliance with AB 1826. 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-3, BIO-1 through BIO-6, CR-1 through CR-3, and GEO-1.

Conclusion

With implementation of the identified 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, 21, 23, 51	☐	☐	☒	☐
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, 21	☐	☐	☒	☐
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, 21	☐	☐	☒	☐

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, 21, 23	☐	☐	☒	☐

Evaluation

Urban fire hazards result from the materials, size, and spacing of buildings, and from the materials, equipment, and activities they contain. Additional factors include access, available water volume and pressure, and response time for fire fighters. Based on the City Local Hazard Mitigation Plan, the risk of wildland fires is greatest near the city limits where development meets rural areas of combustible vegetation. Most of the community is within 1 mile of a designated High or Very High Fire Hazard Severity Zone, which indicates significant risk to wildland fire.

The City's 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.

According to the CAL FIRE fire hazard severity zones viewer, the project site is located within a Local Responsibility Area. Based on the City's Safety Element Maps, the project site is located within a developed portion of the city and has a low risk of wildfire.

a) Implementation of the project would not result in a significant temporary or permanent impact to any adopted emergency response plans or emergency evacuation plans. The project may require temporary traffic control along McMillan Avenue during construction; however, public ingress and egress would be maintained during implementation of the project. Breaks in utility service may be necessary during connection to the City's infrastructure. Any breaks in utility service would be temporary and would not conflict with any emergency plans. The project would construct a new driveway in accordance with City Public Works requirements to provide fire and other emergency vehicles adequate long-term access to the project site. Therefore, the project would maintain adequate public and emergency access during project activities and would not conflict with emergency plans; impacts would be *less than significant*.

b) The project area is located in a developed portion of the city and is directly adjacent to existing development and otherwise developed areas. The project site is currently undeveloped and primarily consists of annual grassland and riparian trees and shrubs along the eastern property boundary. The site has been regularly mowed and maintained to reduce risk of wildfire ignition. The project would result in the development of an 8,272-square-foot office and warehouse building on a flat parcel. The proposed project would be required to meet all applicable standards for fire prevention pursuant to the CBC and California Fire Code. 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 includes 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 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

Mitigation measures are not required.

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* and mitigation measures are not required.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	1, 2, 18, 53, 54	☐	☒	☐	☐

The project site consists of a vacant and undeveloped 0.4-acre parcel and is directly surrounded by existing light manufacturing, warehouse, and office land uses in all directions. Although the project site is unimproved, it is routinely mowed for fire protection, as required by the City. A remnant segment of Bishop Creek daylights along the eastern portion of the property and supports riparian habitat along its bank. There is potential for special-status insect, bat, and bird species to occur on-site and at the off-site mitigation area and mitigation measures have been incorporated to avoid and minimize potential impacts to these resources. Mitigation Measures BIO-1 through BIO-3 have been identified to avoid potential impacts to special-status species should they occur at the project site or off-site mitigation area and Mitigation Measures BIO-4 through BIO-6 have been identified to avoid and/or minimize impacts to Bishop Creek and associated riparian habitat.

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 implementation of identified mitigation measures and standard 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 *less than significant with mitigation*.

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	N/A	☐	☒	☐	☐
The project would be infill development for manufacturing and office uses within the Manufacturing zone, and would be consistent with the General Plan and zoning designation for the site. Therefore, associated growth would be consistent with the City's General Plan. 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 Traffic Impact Fees and Development Impact Fees, the individual effects of the project would be limited and cumulative effects of the project would not be cumulatively considerable. Therefore, potential impacts would be *less than significant with mitigation.*					

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	N/A	☐	☒	☐	☐
The project has the potential to result in significant impacts associated with air quality 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 BMPs, and compliance with the CARB Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations to avoid impacts related to naturally occurring asbestos. Mitigation has also been identified to reduce the potential for construction-related hazardous substances to degrade off-site areas (Mitigation Measure BIO-6) and to ensure implementation of proper foundational design component (Mitigation Measure GEO-1). With incorporation of identified project-specific mitigation and the payment of the City's standard Traffic Impact Fees and 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 *less than significant with mitigation.*					

22. EARLIER ANALYSES

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

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

The potential environmental effects of developing the project site with uses consistent with the Manufacturing (M) zoning designation were previously evaluated in the Certified General Plan Program Environmental Impact Report (EIR) (State Clearinghouse [SCH] #2013121019), which was certified by the City Council in 2014. The Certified EIR is available on the City's website at:
<https://www.slocity.org/government/department-directory/community-development/planning-zoning/general-plan>.

Additionally, potential impacts related to GHG emissions for plans or projects with pre-2030 buildout or initial operation years were evaluated in the Final Initial Study/Negative Declaration (IS/ND) (SCH #2020060438) for the 2020 Climate Action Plan (CAP) for Community Recovery, which was adopted by the City Council on August 18, 2020. The Final IS/ND is available on the City's website at:

<https://www.slocity.org/government/department-directory/city-administration/office-of-sustainability/climate-action/climate-action-plan-1949/-fsiteid-1>.

e) **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.

In general, the Certified General Plan EIR analyzes the environmental effects of developing the project site with uses permitted under the M zoning designation. Due to project-specific baseline conditions and improvements to regulatory requirements and standard of analysis under CEQA, regulatory planning documents, and standards of mitigation, environmental impacts were evaluated on a project-specific basis within the IS/MND and did not solely rely on the General Plan EIR.

Per Section 15183.5(b) of the CEQA Guidelines, a qualified GHG Emissions Reduction Plan or Climate Action Plan may be used for tiering and streamlining the analysis of GHG emissions. This IS/MND tiers off of the previously adopted Final IS/ND for the 2020 CAP, which is a qualified GHG Emissions Reduction Plan for projects with pre-2030 buildout or initial operation years. Since the project is consistent with demographic forecasts and land use assumptions that are based on the Land Use and Circulation Elements of the 2014 General Plan, the project may utilize the CEQA GHG Emissions Analysis Compliance Checklist to demonstrate consistency with the 2020 CAP's GHG emissions reduction strategy. As a result, this IS/MND incorporated information and findings from the 2020 CAP IS/ND, where appropriate, and evaluated impacts at the project level with project-specific mitigation measures.

f) **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.

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 IS/MND are consistent with and build upon information in the 2014 General Plan EIR and 2020 CAP IS/ND.

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Attachments

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2. California Emissions Estimator Model version 2020.4.0 Emissions Modeling Report (April 2022)
3. Kevin Merk Associates, LLC, Biological Resources Assessment (October 2021)
4. CEQA GHG Checklist (February 2020)
5. Beacon Geotechnical, Inc., Geotechnical Engineering Report (December 2020)
6. Ashley & Vance Engineering, Inc., Preliminary Hydrology Letter (July 2021)

REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

AQ-1 At the time of building and/or grading permit submittal, the following idling control techniques shall be shown on all applicable plans and implemented during all construction activities and use of diesel vehicles:

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 to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 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: https://ww2.arb.ca.gov/capp-resource-center/heavy-duty-diesel-vehicle-idling-information.

AQ-2 At the time of building and/or grading permit submittal, the following particulate matter control measures shall be shown on all applicable plans and implemented during all construction and ground-disturbing activities:

1. Reduce the amount of disturbed area where possible.
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo Air Pollution Control District's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. When drought conditions exist and water use is a concern, the contractor or builder should consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control. Please refer to the following link from the San Joaquin Valley Air District for a list of potential dust suppressants: http://www.valleyair.org/busind/comply/PM10/Products%20Available%20for%20Controlling%20PM10%20Emissions.htm.
3. All dirt stockpile areas should be sprayed daily and covered with tarps or other dust barriers as needed.
4. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding, soil binders or other dust controls are used.
5. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code Section 23114;
6. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in California Vehicle Code Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

7. All fugitive dust mitigation measures shall be shown on grading and building plans.
8. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the San Luis Obispo Air Pollution Control District's limit of 20 percent opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the San Luis Obispo Air Pollution Control District Compliance Division prior to the start of any grading, earthwork or demolition (Contact the Compliance Division at 805-781-5912).
9. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil-disturbing activities.
10. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast-germinating, non-invasive grass seed and watered until vegetation is established.
11. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the San Luis Obispo Air Pollution Control District.
12. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site.
13. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
14. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary

AQ-3 Prior to initiation of demolition and/or 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 for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations Section 93105) and San Luis Obispo Air Pollution Control District (SLOAPCD) requirements. A copy of this geologic evaluation shall be submitted to the City Community Development Department upon completion.

1. If the geologic evaluation determines that the project would not have the potential to disturb naturally occurring asbestos, the applicant must file and obtain an Asbestos Air Toxics Control Measure exemption request with the SLOAPCD; or
2. If the geologic evaluation determines that naturally occurring asbestos is present on-site and would be disturbed, the applicant must file a NOA Construction and Grading Project Form with SLOAPCD. Proposed earthwork and construction activities shall be conducted in full compliance with the various regulatory jurisdictions regarding naturally occurring asbestos, including the California Air Resources Board Air Toxics Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations Section 93105) and requirements stipulated in the National Emission Standards for Hazardous Air Pollutants (40 Code of Federal Regulations 61, Subpart M – Asbestos; National Emission Standards for Hazardous Air Pollutants). These requirements include, but are not limited to, the following:
    a. Written notification, within at least ten (10) business days of activities commencing, to the SLOAPCD;
    b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
    c. Implementation of applicable removal and disposal protocol and requirements for identified naturally occurring asbestos.

All relevant approvals from SLOAPCD shall be obtained prior to initiation of grading and/or construction activities.

Monitoring Program: Mitigation Measures AQ-1 and AQ-2 shall be shown on building and grading permits submitted for review and approval by the City Community Development Department, and control measures implemented during all construction activities. Compliance shall be verified by the City, in coordination with the SLOAPCD Compliance Division, during inspections, as necessary. In addition, the applicant shall submit the geologic evaluation detailed in Mitigation Measure AQ-3 and obtain all necessary approvals from SLOAPCD prior to initiation of demolition and/or construction activities. A copy of the geologic evaluation and proof of permit acquisition or a determination from SLOAPCD that a permit is not required shall be submitted to the City Community Development Department upon completion.

Biological Resources

BIO-1 All initial site disturbance at the project site and off-site mitigation area shall be conducted outside of the nesting bird season (September 1 to January 31). The preferred time period for vegetation removal would be September prior to the start of the rainy season. If tree removal and grading cannot be conducted outside the nesting season, then implementation of Mitigation Measure BIO-2 is required.

BIO-2 **Conduct a preconstruction nesting bird survey and avoid active nests**. For any initial construction at the project site and off-site mitigation area scheduled to start between February 1 and August 31, a qualified biologist shall conduct a preconstruction survey for nesting birds within the limits of the property. The survey shall be conducted within seven (7) days before the initiation of construction. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior and inspect all potential nest substrates in the impact area. Any nests identified shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within the construction area, the nest shall be monitored by the qualified biologist until the young have left the nest. A no-disturbance buffer around the nest site shall be established based on species, which would include 50 feet for common songbirds and upwards of 250 feet for raptors. The biologist shall coordinate with the City Biologist and also assess topography and vegetation and other relevant factors in developing the buffer at the site. Once the young are no longer reliant on the nest, work in the area may proceed.

BIO-3 **Conduct a preconstruction survey for roosting bats and install exclusion devices**. Within seven (7) days prior to the start of construction at the project site and off-site mitigation area, a biologist approved by the City shall survey the culverts adjacent to the project site for sign of roosting bats, such as guano piles, urine staining, or prey remains. A night exit survey conducted at sunset shall also be included. If no evidence of bat activity is found, work may proceed. If more than one bat is observed leaving the culvert, the biologist shall determine whether a maternity roost is present by carefully observing individuals on the roost. If young are present, construction shall be delayed until they have matured and can fly on their own. When it has been determined that no young bats are present, the biologist shall monitor the roost in the evening immediately prior to vegetation disturbance in the drainage channel. When the bats leave to forage, the biologist will install bat exclusion netting over the opening of the culvert. The netting shall be inspected the following morning to ensure that no bats have become entangled in the netting and that none remain inside the culvert. The netting shall remain in place until the new culvert is installed and shall be monitored on a daily basis to ensure no impacts to wildlife occur from the netting.

BIO-4 **Obtain necessary permits for permanent impacts on waters of the state and waters of the United States**. The applicant shall prepare and submit applications to obtain a Clean Water Act Section 401 Water Quality Certification from the Central Coast Regional Water Quality Control Board (RWQCB), a California Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement from California Department of Fish and Wildlife (CDFW), and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers (USACE). As a component of the application packages to these preceding agencies, Kevin Merk Associates, LLC's Preliminary Delineation of Wetlands and Other Waters will be submitted, along with the Habitat Mitigation and Monitoring Plan (HMMP; see Mitigation Measure BIO-5) describing the methods and techniques to restore and enhance the mitigation area farther upstream. The applicant shall then submit to the City Biologist and Community Development Department proof of permit acquisition or a determination from each agency that a permit is not required prior to the issuance of a grading permit. As a condition of these permits, a compensatory mitigation plan will be required for impacts on jurisdictional areas. The state agencies may require a mitigation ratio that is greater than that required by the City to ensure no net loss of stream resources. Therefore, the HMMP shall propose to restore and enhance the upstream section of the same creek on Sinsheimer Park at a minimum 3:1 ratio (habitat restored to habitat impacted).

BIO-5 **Prepare and implement a Habitat Mitigation and Monitoring Plan to be implemented at the City-approved off-site area**. Early consultation with the City Biologist, Mr. Freddy Otte, confirmed that an upstream portion of the subject drainage on the City-owned and managed Sinsheimer Park can be used as the compensatory mitigation site for this project. The total area of habitat restoration shall be established at a minimum 3:1 ratio to ensure state requirements are met. This equates to restoring and enhancing approximately 420 linear feet of drainage channel assuming approximately 140 linear feet of culvert will be installed. The HMMP will propose to create a roughly 50-foot-wide riparian corridor (i.e., 25 feet on each side of the channel) for a total area of 0.42 acre to ensure a minimum of 14,196 square feet of disturbed area is restored to intact native riparian habitat. The proposed 0.42-acre area would equate to approximately 18,295 square feet to ensure sufficient area is restored, and this would be well over the City's 2:1 ratio. Additional requirements may be required by the Central Coast Regional Water Quality Control Board

(RWQCB), the California Department of Fish and Wildlife (CDFW), and the U.S. Army Corps of Engineers (USACE) as part of the permitting process and shall be incorporated into the HMMP accordingly. The HMMP shall be reviewed and approved by the City prior to issuance of a grading permit. The HMMP will at a minimum include the following components:

1. Description of restoration site, including its location, size, current environmental conditions, ownership, and measures to ensure its long-term protection.
2. Overall goals and measurable objectives to create a self-sustaining riparian habitat that requires minimal maintenance. A description of how habitat enhancement work in the creek corridor and buffer area will promote the ecological integrity of the restoration site and compensate for the loss of onsite stream channel.
3. An implementation plan, including schedule, site preparation (including non-native invasive species removal), planting plan (species and number of each, propagule type, seeding/planting density), and responsible party.
    a. The implementation plan shall prohibit removal of coast live oak (*Quercus agrifolia*) trees at the off-site mitigation area.
4. A maintenance plan detailing activities to be conducted during the establishment period (irrigation, non-native species removal) and schedule for implementation. The maintenance plan shall also address the long-term guidelines and constraints to maintaining the vegetation in the mitigation area. No pesticides, herbicides, or fertilizers shall be used in a manner in which these substances can affect the creek habitat and biota. Guidelines should be provided for the maintenance of planted trees, such as trimming or replacement.
5. A monitoring plan, including data collection methodology, how success criteria will be measured, and monitoring/maintenance schedule for a period of at least five (5) years. Monitoring/maintenance activities shall be conducted by the contractor or developer over the minimum five-year monitoring/maintenance period. Monitoring will include establishing photo points that will aid in tracking the success of the planted propagules during each annual monitoring period. The vegetative density, cover, and species richness of the mitigation site will be assessed.
6. Final success criteria based on the goals and measurable objectives to ensure that a viable riparian community is established consistent with the requirements established by the City and other involved regulatory agencies.
7. Contingency measures, such as supplemental planting, seeding or herbivore control, if success criteria are not being met.
8. Reporting requirements and notification of completion to responsible agencies.

As part of the HMMP, the applicant or developer shall execute a Right-of-Entry or other agreement(s) with the City that includes, but is not limited to, conditions of the implementation, maintenance, and monitoring plans over the five-year monitoring/maintenance period, and obtain all necessary City permits for work within the off-site mitigation area.

BIO-6 Install appropriate erosion and sediment controls during construction. At the time of building and/or grading permit submittal, the following erosion and sedimentation control methods shall be shown on all applicable plans and implemented during the construction phases of the project:

1. If possible, the potential for erosion and sedimentation shall be minimized by scheduling construction activities associated with culvert installation to occur when the drainage is dry and no flowing or ponded water is present.
2. Sediment and erosion control measures shall be developed by a qualified engineer to protect water quality and comply with appropriate local and state regulations. Measures may include the use of silt fence, straw wattles, erosion control blankets, straw bales, sandbags, fiber rolls, and other appropriate techniques employed to protect the drainage feature on and farther downstream of the property. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection best management practices installed to prevent erosion potential. All sediment and erosion control measures shall be installed per the engineer's requirements.
3. Spill kits shall be maintained on the site, and a Spill Response Plan shall be in place.
4. Equipment shall be refueled in designated areas with appropriate spill containment. Equipment storage shall use drip pans or ground covers as appropriate to ensure leaks are contained. All equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.
5. Concrete washout shall be conducted in specified areas and with appropriate containment measures to ensure washout does not leave the site and enter the City's storm drain system. Washing of equipment, tools, etc., should occur in specified locations where the tainted water will not affect the drainage or City's storm drain system.

6. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.
7. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.

Monitoring Program: The survey requirements of Mitigation Measures BIO-2 and BIO-3 shall be incorporated into building and grading permits submitted for review and approval by the City Community Development Department and verified through submittal of a preconstruction nesting bird survey report and a roosting bat survey report to the City Biologist and Community Development Department. Prior to issuance of the grading permit, the applicant shall submit proof of coordination with and obtainment of permits from California Department of Fish and Wildlife (CDFW), Central Coast Regional Water Quality Control Board (RWQCB), and U.S. Army Corps of Engineers (USACE) included in Mitigation Measure BIO-4 to the City Biologist and Community Development Department. Permitting requirements shall be included on all grading and building permits for review and approval by the City Community Development Department. The Habitat Mitigation and Monitoring Plan (HMMP) of Mitigation Measure BIO-5 shall be submitted to the City Biologist and Community Development Department for review and approval prior to issuance of the grading permit. Compliance shall be required through an executed agreement with the City and confirmed through regular monitoring reports submitted to the City Biologist and Community Development Department for a minimum five-year monitoring/maintenance period. The City Community Development Department shall confirm that all BMPs included in Mitigation Measure BIO-6 to avoid impacts to aquatic resources are incorporated into the grading permit prior to approval. Compliance shall be verified by the City during inspections as necessary.

Cultural Resources

CR-1 Prior to initiation of grading and/or construction activities, a City-qualified archaeologist shall conduct cultural resource awareness training for all construction personnel including the following:

1. Review the types of archaeological artifacts that may be uncovered;
2. Provide examples of common archaeological artifacts to examine;
3. Review what makes an archaeological resource significant to archaeologists and local Native Americans;
4. Describe procedures for notifying involved or interested parties in case of a new discovery;
5. Describe reporting requirements and responsibilities of construction personnel;
6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and
7. 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 At the time of building and/or grading permit submittal, the following measure shall be shown on all applicable plans and implemented if cultural resources are encountered during all construction and ground-disturbing activities:

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 At the time of building and/or grading permit submittal, the following measure shall be shown on all applicable plans and implemented if human remains are exposed during construction and ground-disturbing activities:

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 City Community Development Director and locally affiliated Native American representative(s) (as necessary) shall be notified. California Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours.

Monitoring Program: Mitigation Measures CR-1 through CR-3 shall be shown on all building and grading permits submitted for review and approval by the City Community Development Department. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines. Upon completion of the awareness training detailed in Mitigation Measure CR-1, a copy of the training materials and attendance sign-in sheet shall be submitted to the Community Development Department. Compliance with Mitigation Measures CR-2 and CR-3 shall be verified by the Community Development Department, in coordination with the Native American Tribes and/or County Coroner, as necessary.

Energy

Implement Mitigation Measures ENG-1 and GHG-1.

ENG-1 If the project requires use of fossil fuels (i.e., natural gas) as a source of energy, the following requirements shall apply as conditions at the time of building permit submittal to limit fossil fuel consumption:

1. The use of a natural gas connection shall be limited to supporting specific industrial/manufacturing processes and end products that are found to be exempt from the all-electric building requirements as provided in the City's 2020 Climate Action Plan Update (or the most recent Climate Action Plan in effect at the time of building permit submittal);
2. The use of a natural gas connection may only be permitted in cases where there is no commercially available or viable electric alternative; and
3. Approved gas connections cannot be used, extended, or expanded to serve operations outside of specific exemptions to the all-electric building requirements provided in the City's 2020 Climate Action Plan (or the most recent Climate Action Plan in effect at the time of building permit submittal).

The appropriateness of a gas connection shall be reviewed and verified by the City's Community Development Department at the time of building permit submittal.

Monitoring Program: Mitigation Measures ENG-1 and GHG-1 shall be reviewed at the time of building permit submittal and compliance shall be verified by the Community Development Department prior to project occupancy.

Geology and Soils

Implement Mitigation Measures BIO-6, CR-1, CR-2, and GEO-1.

GEO-1 Geotechnical Engineering Report. At the time of building permit submittal, an updated Geotechnical Engineering Report, prepared by a qualified consultant, shall be required. The updated report shall include analysis of the Stormwater Control Plan, proposed culvert extension, and new street improvements. All design measures and recommendations provided in the updated Geotechnical Engineering Report shall be included in the building permit submitted for review and approval by the City Community Development Department.

Monitoring Program: Mitigation Measure GEO-1 shall be incorporated into and shown on building permits submitted for review and approval by the City Community Development Department. The City shall confirm that all BMPs included in Mitigation Measure BIO-6 to avoid impacts to aquatic resources are incorporated into the grading plans prior to approval. Compliance shall be verified by the City during regular inspections, as necessary. Mitigation Measures CR-1 and CR-2 shall be shown on all building and grading permits submitted for review and approval by the City Community Development Department. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines. Upon completion of the awareness training detailed in Mitigation Measure CR-1, a copy of the training materials and attendance sign-in sheet shall be submitted to the Community Development Department. Compliance

with Mitigation Measures CR-2 shall be verified by the Community Development Department, in coordination with the Native American Tribes, as necessary.

Greenhouse Gas Emissions

Implement Mitigation Measures AQ-1, ENG-1, and GHG-1.

GHG-1 The project shall be provided electricity by Central Coast Community Energy. At the time of building permit submittal, connection to Central Coast Community Energy for 3Cprime, a 100 percent renewable energy service, shall be shown on building plans for review and approval by the City. Compliance shall be verified by the Community Development Department prior to project occupancy.

Monitoring Program: Mitigation Measures ENG-1 and GHG-1 shall be reviewed at the time of building permit submittal and compliance shall be verified by the Community Development Department prior to project occupancy. Mitigation Measure AQ-1 shall be shown on building and grading permits submitted for review and approval by the City Community Development Department, and control measures implemented during all construction activities. Compliance shall be verified by the City, in coordination with the SLOAPCD Compliance Division, as necessary.

Hazards and Hazardous Materials

Implement Mitigation Measures AQ-3 and BIO-6.

Monitoring Program: The applicant shall submit the geologic evaluation detailed in Mitigation Measure AQ-3 and obtain all necessary approvals from SLOAPCD prior to initiation of demolition and/or construction activities. A copy of the geologic evaluation and proof of permit acquisition or a determination from SLOAPCD that a permit is not required shall be submitted to the City Community Development Department upon completion. The City Community Development Department shall confirm that all BMPs included in Mitigation Measure BIO-6 to avoid impacts to aquatic resources are incorporated into the grading permit prior to approval. Compliance shall be verified by the City during inspections, as necessary.

Hydrology and Water Quality

Implement Mitigation Measure BIO-6.

Monitoring Program: The City Community Development Department shall confirm that all BMPs included in Mitigation Measure BIO-6 to avoid impacts to aquatic resources are incorporated into the grading permit prior to approval. Compliance shall be verified by the City during inspections, as necessary.

Land Use and Planning

Implement Mitigation Measures BIO-1 through BIO-6.

Monitoring Program: The survey requirements of Mitigation Measures BIO-2 and BIO-3 shall be incorporated into building and grading permits submitted for review and approval by the City Community Development Department and verified through submittal of a preconstruction nesting bird survey report and a roosting bat survey report to the City Biologist and Community Development Department. Prior to issuance of the grading permit, the applicant shall submit proof of coordination with and obtainment of permits from California Department of Fish and Wildlife (CDFW), Central Coast Regional Water Quality Control Board (RWQCB), and U.S. Army Corps of Engineers (USACE) included in Mitigation Measure BIO-4 to the City Biologist and Community Development Department. Permitting requirements shall be included on all grading and building permits for review and approval by the City Community Development Department. The Habitat Mitigation and Monitoring Plan (HMMP) of Mitigation Measure BIO-5 shall be submitted to the City Biologist and Community Development Department for review and approval prior to issuance of the grading permit. Compliance shall be required through an executed agreement with the City and confirmed through regular monitoring reports submitted to the City Biologist and Community Development Department for a minimum five-year monitoring/maintenance period. The City Community Development Department shall confirm that all BMPs included in Mitigation Measure BIO-6 to avoid impacts to aquatic resources are incorporated into the grading permit prior to approval. Compliance shall be verified by the City during inspections as necessary.

Noise

N-1 At the time of building and/or grading permit submittal, the following noise reduction measures shall be shown on all applicable plans and adhered to during all grading and construction activities:

1. Stationary construction equipment that generates noise that exceeds 60 A-weighted decibels (dBA) at the project boundaries shall be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures).
2. Impact tools (e.g., jackhammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools.
3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.
4. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

N-2 At the time of building and/or grading permit submittal, the construction plans shall note construction hours and truck routes for review and approval by the City Community Development Department. The construction contractor shall provide and post signs stating these restrictions at construction entry sites prior to commencement of construction and shall maintain these signs throughout the construction phase of the project. All construction workers shall be briefed at a preconstruction meeting on construction hour limitations and how, why, and where noise reduction measures are to be implemented.

N-3 At the time of building and/or grading permit submittal, the noise attenuation techniques shall be shown on all applicable plans and employed as needed during all grading and construction activities to ensure that noise levels are maintained within levels allowed by the City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control). Such techniques shall include, but are not limited to, the following:

1. Sound blankets shall be used on noise-generating equipment;
2. Stationary construction equipment that generates noise levels above 65 dBA at the project boundaries shall be shielded with a barrier that meets a sound transmission class (a rating of how well noise barriers attenuate sound) of 25;
3. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers;
4. The movement of construction-related vehicles, except for passenger vehicles, along roadways adjacent to sensitive receptors shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday. No movement of heavy equipment shall occur on Sundays or official holidays (e.g., Thanksgiving, Labor Day); and
5. Temporary sound barriers shall be constructed between construction sites and affected uses.

N-4 Prior to initiation of grading and/or construction activities, the project contractor shall inform residents and business operators at properties within 300 feet of the project site of proposed construction timelines and noise compliant procedures to minimize potential annoyance related to construction noise. Signs shall be in place prior to and throughout grading and construction activities informing the public that noise-related complaints shall be directed to the construction manager prior to the City's Community Development Department.

Monitoring Program: Mitigation Measures N-1 through N-4 shall be incorporated into building and grading permits submitted for review and approval by the City Community Development Department. Prior to initiation of construction activities, the City shall conduct an inspection to verify compliance with required onsite signage detailed in Mitigation Measure N-2 Compliance with noise reduction techniques and construction hours detailed in Mitigation Measures N-1 and N-3 shall be verified by the Community Development Department and/or Police Department as necessary. Upon completion of the required notifications detailed in Mitigation Measure N-4, a copy of the informational flyer and mailing list of residents and business operators located within 300 feet of the project site shall be submitted to the Community Development Department.

Tribal Cultural Resources

Implement Mitigation Measures CR-1 through CR-3.

Monitoring Program: Mitigation Measures CR-1 through CR-3 shall be shown on all building and grading permits submitted for review and approval by the City Community Development Department. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines. Upon completion of the awareness training detailed in Mitigation Measure CR-1, a copy of the training materials and attendance sign-in sheet shall be submitted to the Community Development Department. Compliance with Mitigation Measures CR-2 and CR-3 shall be verified by the Community Development Department, in coordination with the Native American Tribes and/or County Coroner, as necessary.

Utilities and Service Systems

Implement Mitigation Measures AQ-1 through AQ-3, BIO-1 through BIO-6, CR-1 through CR-3, and GEO-1.

Monitoring Program: Mitigation Measures AQ-1 and AQ-2 shall be shown on building and grading permits submitted for review and approval by the City Community Development Department, and control measures implemented during all construction activities. Compliance shall be verified by the City, in coordination with the SLOAPCD Compliance Division, during inspections, as necessary. In addition, the applicant shall submit the geologic evaluation detailed in Mitigation Measure AQ-3 and obtain all necessary approvals from SLOAPCD prior to initiation of demolition and/or construction activities. A copy of the geologic evaluation and proof of permit acquisition or a determination from SLOAPCD that a permit is not required shall be submitted to the City Community Development Department upon completion. The survey requirements of Mitigation Measures BIO-2 and BIO-3 shall be incorporated into building and grading permits submitted for review and approval by the City Community Development Department and verified through submittal of a preconstruction nesting bird survey report and a roosting bat survey report to the City Biologist and Community Development Department. Prior to issuance of the grading permit, the applicant shall submit proof of coordination with and obtainment of permits from California Department of Fish and Wildlife (CDFW), Central Coast Regional Water Quality Control Board (RWQCB), and U.S. Army Corps of Engineers (USACE) included in Mitigation Measure BIO-4 to the City Biologist and Community Development Department. Permitting requirements shall be included on all grading and building permits for review and approval by the City Community Development Department. The Habitat Mitigation and Monitoring Plan (HMMP) of Mitigation Measure BIO-5 shall be submitted to the City Biologist and Community Development Department for review and approval prior to issuance of the grading permit. Compliance shall be required through an executed agreement with the City and confirmed through regular monitoring reports submitted to the City Biologist and Community Development Department for a minimum five-year monitoring/maintenance period. The City Community Development Department shall confirm that all BMPs included in Mitigation Measure BIO-6 to avoid impacts to aquatic resources are incorporated into the grading permit prior to approval. Compliance shall be verified by the City during inspections, as necessary. Mitigation Measures CR-1 through CR-3 shall be shown on all building and grading permits submitted for review and approval by the City Community Development Department. The City shall review and approve the City-qualified archaeologist consistent with the Archaeological Resource Preservation Program Guidelines. Upon completion of the awareness training detailed in Mitigation Measure CR-1, a copy of the training materials and attendance sign-in sheet shall be submitted to the Community Development Department. Compliance with Mitigation Measures CR-2 and CR-3 shall be verified by the Community Development Department, in coordination with the Native American Tribes and/or County Coroner, as necessary. Mitigation Measure GEO-1 shall be incorporated into and shown on building permits submitted for review and approval by the City Community Development Department.