

*Final*

# ENVIRONMENTAL IMPACT REPORT FOR THE PREFUMO CREEK COMMONS PROJECT



EIR CASE NO. ER # 7-07  
SCH # 2008021028

city of  
san luis obispo



amec

June 2009

## ACRONYMS

AB	Assembly Bill	LEED	Leadership in Energy and Environmental Design
ACM	Asbestos-containing material	$L_{eq}$	equivalent sound level
ADA	Americans with Disabilities Act	LESA	Land Evaluation and Site Assessment
ADT	average daily trip traffic	LLC	limited liability corporation
afy	acre-feet per year	LOS	Level of Service
ALUC	Airport Land Use Commission	LOVR	Los Osos Valley Road
ALUP	Airport Land Use Plan	MBTA	Migratory Bird Treaty Act
ALUPA	Airport Land Use Planning Area	MCL	maximum contaminant level
APCD	Air Pollution Control District	mgd	million gallons per day
ARC	Architectural Review Commission	mph	miles per hour
ATCM	Airborne Toxics Control Measure	MPO	metropolitan planning organization
BACT	Best Available Control Technology	msl	mean sea level
bgs	below ground surface	MUTCD	Manual on Uniform Traffic Control Devices
BMP	Best Management Practices	MW-hrs/year	megawatt hours per year
C/OS	Conservation/Open Space	NAAQS	National ambient air quality standards
CAA	Clean Air Act	NESHAP	National Emission Standard for Hazardous Air Pollutants
CAAQS	California Ambient Air Quality Standard	NFIP	National Flood Insurance Program
CAC	California Administrative Code	NMFS	National Marine Fisheries Service
Caltrans	California Department of Transportation	NOA	naturally occurring asbestos
CAP	Clean Air Plan	NOI	Notice of Intent
CAPCOA	California Air Pollution Control Officers Association	NOP	Notice of Preparation
CARB	California Air Resources Board	$NO_x$	Nitrogen oxide
CCAA	California Clean Air Act	NPDES	National Pollutant Discharge Elimination System
CDFG	California Department of Fish and Game	NRCS	Natural Resource Conservation Service
CEC	California Energy Commission	$O_3$	ozone
CEQA	California Environmental Quality Act	OES	Occupational Employment Standard
CESA	California Endangered Species Act	OPR	Office of Planning and Research
CFC	chlorofluorocarbon	Pb	lead
CFR	Code of Federal Regulations	PG&E	Pacific Gas and Electric
cfs	cubic feet per second	$PM_{10}$	10-micron particulates
CIPC	California Invasive Plant Council	$PM_{2.5}$	2.5 micron particulates
CNDDDB	California Natural Diversity Database	ppm	parts per million
CNEL	Community Noise Equivalent Level	ROG	reactive organic gas
CNPS	California Native Plant Society	ROW	right-of-way
CO	carbon monoxide	RWQCB	Regional Water Quality Control Board
$CO_2$	carbon dioxide	SCG	Southern California Gas Company
COS	Conservation and Open Space Element	sf	square feet or square foot
CSC	California Species of Special Concern	SLOFD	San Luis Obispo City Fire Department
CSLC	California State Lands Commission	SLOPD	San Luis Obispo Police Department
CWA	Clean Water Act	SLORTA	San Luis Obispo Regional Transit Authority
dB	decibel	$SO_2$	sulfur dioxide
dBA	A-weighted decibel scale	SRTP	Short Range Transit Plan
DC&E	Design, Community and Environment	SWPPP	Stormwater Pollution Prevention Plan
DDM	Drainage Design Manual	SWRCB	State Water Resources Control Board
EDD	Employment Development Department	TAC	toxic air contaminant
EIR	Environmental Impact Report	TDM	Transportation Demand Management
ESA	Environmental Site Assessment	thm	million Therms
FEMA	Federal Emergency Management Agency	TIA	Transportation Impact Analysis
FHWA	Federal Highway Administration	tpd	tons per day
FIRM	Flood Insurance Rate Map	TRB	Transportation Research Board
FSC	Federal Species of Concern	U.S.	United States
GHG	greenhouse gas	USDA	U.S. Department of Agriculture
gpd	gallons per day	USEPA	U.S. Environmental Protection Agency
HAP	hazardous air pollutant	USFWS	U.S. Fish and Wildlife Service
HCM	Highway Capacity Manual	VMT	vehicle miles traveled
HUD	Housing and Urban Development	WMP	Waterways Management Plan
ITE	Institute of Transportation Engineers	WRF	Water Reclamation Facility
KVA	Key Viewing Area	$\mu g/m^3$	micrograms per cubic meter
LA AFB	Los Angeles Air Force Base		
$L_{dn}$	day-night average sound level		

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## EXECUTIVE SUMMARY

### OVERVIEW

This Environmental Impact Report (EIR) evaluates the proposed Prefumo Creek Commons Project, San Luis Obispo County, California. The EIR was prepared by AMEC Earth & Environmental, Inc., in cooperation with City of San Luis Obispo staff. Following hearings on the adequacy of the EIR, it will represent the findings of the City of San Luis Obispo regarding potential impacts of constructing and operating the proposed project. The proposed project would include annexation of approximately 31 acres of agricultural land located at the edge of the City limits of the City of San Luis Obispo and development of 16.7 acres west of Prefumo Creek with a regional shopping center. This proposed regional commercial center would include 188,658 square feet of new retail space with six separate retail buildings along with approximately 838 on-site parking spaces. In order to partially offset development of prime agricultural land, 11.9 acres, the majority of which is east of Prefumo Creek, would be set aside as dedicated to open space. An additional 2.3 acres would be dedicated as right-of-way for the extension of Froom Ranch Way from Los Osos Valley Road (LOVR) to Prefumo Creek and along the project site's LOVR frontage. The project would also include enhancements to the banks of Prefumo Creek to remove non-native species, and revegetate the banks with natural species. The City may complete the bulk of the creek work as part of an ongoing maintenance program that is currently under way for this creek.

The proposed project site is located at 11980 LOVR and is currently undeveloped and was formerly utilized for commercial agriculture. While San Luis Obispo's city limits encompass areas around the project site, the property is currently located in an unincorporated area. Section 8 of the Land Use Element in the City's General Plan (2007) has specific policies that pertain to the project site, which is zoned as Interim Open Space and referred to as the Los Osos Valley Gap. Section 8.7, *Los Osos Valley Gap*, of the Land Use Element states that the project site should be developed if the land in common ownership to the east of Prefumo Creek is permanently preserved as open space. Section 8.7 also identifies possible land uses for future development of the project site such as vehicle sales, multi-family housing, and an open space corridor, trail, or both, to connect Laguna Lake Park and Prefumo Creek with the Irish Hills. In addition, Section 3.1.2, *Locations for Regional Attractions*, states that the City should focus the

location of regional retail developments to the area around U.S. Highway 101 and LOVR, among other areas.

## **PROJECT DESCRIPTION**

### **Project Location**

The proposed project site consists of approximately 31 total acres located at 11980 LOVR within the County of San Luis Obispo. The property, Assessor's Parcel Number 067-242-001, is owned by Madonna Enterprises. The site, also known as the "Los Osos Valley Gap" property, is surrounded by development and represents the last remaining undeveloped parcel along the east side of LOVR. The project site is bordered by the recently developed Irish Hills Plaza shopping center across LOVR to the west and to the north by Pacific Beach High School, a continuation high school with an enrollment of approximately 60 students, and a single-family neighborhood which includes residences located along Cayucos Drive and Oceanaire Drive. The property is bisected by Prefumo Creek, creating a natural division between the area to be developed and the proposed open space. Surrounding properties to the east and southeast are largely undeveloped agricultural open space, including the Dalidio Ranch and the Gearhart Property. Additional open space surrounding the project site includes an approximately 321-acre parcel of undeveloped land located to the southwest across LOVR, at the foot of the Irish Hills. Surrounding properties to the south of the project site include auto dealerships and service facilities located along Autopark Way, such as Coast BMW Nissan, Rancho Grande Motors and Perry Ford.

The project site is located on the east side of LOVR, between the interchange with U.S. Highway 101 to the south and Madonna Road to the north. LOVR is a three-lane roadway at its southern end, but has been widened at parts to five and seven lanes as a result of the recent Irish Hills Plaza development near the project site. LOVR provides access to U.S. Highway 101 for southwestern San Luis Obispo and Los Osos. Major development in the area includes regional commercial centers such as the Irish Hills Plaza and San Luis Obispo Promenade shopping centers. Residential neighborhoods in the area include single-family homes located just north of the project site, and the DeVaul Ranch Planned Development, a 221-acre site consisting of single-family and multi-family housing, farther north. The site is located approximately 1 mile northwest of the San Luis Obispo County Airport, and is located within the airport's approach zone

and noise corridors. Recreational opportunities in the vicinity of the project site include Laguna Lake Park and Open Space and the Irish Hills Nature Preserve. Laguna Lake, located north of the project site, is drained by Prefumo Creek which flows south to its confluence with San Luis Obispo Creek near the interchange of LOVR and U.S. Highway 101. Other creeks in the area include Froom Creek, which drains portions of the Irish Hills. Remaining land uses in the vicinity of the project site include open space and commercial agricultural land used for vegetable crops.

### **Project Objectives**

The project objectives are summarized below.

- Objective #1. Implement Section 8.7 of the City’s General Plan, including appropriate commercial and/or residential development, open space protection, trail development and creek restoration/protection;
- Objective #2. Construct a mid-sized regional shopping mall which incorporates design features and amenities that comply with the City’s General Plan goals and policies and the Community Design Guidelines for large-scale retail projects;
- Objective #3. Increase commercial retail space in the City with associated increases in shopping opportunities and sales tax revenue to the City;
- Objective #4. Reduce regional flooding while offsetting impacts to sensitive resources in Prefumo Creek;
- Objective #5. Offset impacts to 19 acres of prime agricultural land by dedicating 11.9 acres as permanent open space; and
- Objective #6. Phase project construction to minimize increased traffic congestion at the LOVR/U.S. Highway 101 Interchange.

### **Project Characteristics**

The applicant (Irish Hills Plaza East, LLC) proposes annexation of a 31-acre site to the City of San Luis Obispo and an accompanying General Plan Amendment and rezone to enable development of a project known as Prefumo Creek Commons. Approximately 16.7 acres of the site would be zoned for Commercial-Retail (C-R), 11.9 acres would be dedicated to the City as open space, and 2.3 acres would be dedicated as road right-of-way. The retail portion of the site would be developed with approximately 188,658 square feet (sf) of commercial space with six buildings and up to 12 tenant spaces. A total of approximately 838 on-site parking spaces would to serve the commercial

development. Additional improvements include an extension of Froom Ranch Way eastward from Los Osos Valley Road (LOVR) into the site. Access to the project site would be provided from both LOVR as well as from the Froom Ranch Way extension. Although not proposed for construction as part of the shopping center, a bridge would be constructed over Prefumo Creek in the future to provide access to and from the Dalidio property to the east, should the property to the east be developed. Impacts associated with constructing this bridge, including traffic and circulation and biology, are not a part of this Environmental Impact Report (EIR) and will require additional review should future development occur to the east of the project site. The proposed project would include drainage improvements to treat and convey run-off water into Prefumo Creek, including construction of down drains. Restoration and enhancement of Prefumo Creek's riparian corridor would also be provided, including cleanup of creek channel debris in conjunction with the City to improve flows and reduce erosion. The proposed 11.9-acre dedicated open space area would encompass Prefumo Creek and the area to the east, and is anticipated to be used for agricultural purposes over the long-term along with development of an extension of the City's proposed Bob Jones Bike Trail.

## ALTERNATIVES

Three alternatives, in addition to the standard "No-Project" Alternative, were selected for evaluation. Each of these considers the ability of a particular alternative to substantially reduce or eliminate the project's significant environmental impacts while still meeting basic project objectives. In particular, this EIR includes scenarios for development of on-site mixed-use housing, which could assist in helping the City meet long-term housing demands per General Plan Land Use Element Policy LU 8.7. The EIR also includes an analysis of possible alternative sites that may not have the same environmental sensitivity as the selected project site. Alternatives which were considered and discarded are also discussed in the EIR.

### **No-Project Alternative**

The No-Project Alternative assumes continuation of the existing setting. Under this alternative, the existing property may remain a vacant field unless agricultural uses are resumed. Continuation of the former agricultural use at the project site would not generate additional car trips, disturb hydrologic and biological resources, or adversely affect scenic views. Additionally, geology and soils, and public utilities and service

systems would remain as described under the existing setting. Therefore, no changes would occur with regard to agricultural resources, air quality, biological resources, visual resources, hydrology and water quality, land use, noise, utilities and public services, or transportation and traffic. With regard to land use, the No-Project Alternative would delay achievement of goals in the *General Plan Land Use Element*, since provisions for annexation, development, and open space preservation would not occur at this Interim Open Space.

The No-Project Alternative would have fewer impacts on several resource areas than the proposed project. However, it would not meet any of the project objectives.

### **Incorporation of Mixed-Use Alternatives**

The objective of the proposed Incorporation of Mixed-Use Alternative would be to comply with the City's General Plan Land Use Element Policy LU 8.7. This policy recommends that the site be considered for development of multifamily housing, which could assist in helping the City meet long-term housing demands, as well as balancing the substantial new retail commercial developments recently constructed or planned for the southern end of the City (i.e., Irish Hills, Dalidio) with new housing opportunities. Therefore, this alternative reviews development of on-site mixed-use housing, including an analysis of the compatibility of such a development with allowable residential densities included in the San Luis Obispo County Airport Land Use Plan (ALUP). Two scenarios were analyzed for the Incorporation of Mixed-Use Alternative, as discussed below.

#### *Vertical Mixed-Use*

Under this alternative, 16 dwelling units would be provided in two 2- to 3-story, mixed-use buildings located in the eastern portion of the project site's development area. Due to the exceedance of the density allowance, this alternative would be inconsistent with the ALUP.

Each of the mixed-use buildings would contain retail and/or restaurants on the ground floor and residences on the second floor overlooking Prefumo Creek. Approximately 10 residential units and 27,000 square feet (sf) of commercial space would be contained

within the larger mixed-use building whereas the smaller building would contain approximately six units and 16,000 sf of commercial space.

The mixed use-buildings would have a strong orientation to the creek that borders the eastern edge of the proposed development area. A 35-foot city-required setback in addition to a 20- to 30-foot buffer would separate the mixed-use buildings from the Creek, although outdoor areas (e.g., sidewalk cafes) associated with the ground-floor commercial uses could encroach into the outer edge of the buffer to strengthen the connection with the Creek. The pedestrian trail would still be constructed within this buffer area.

The main entrance to the site would encompass a neighborhood-oriented “main street” atmosphere and end in a public space and plaza. The plaza would serve as a significant termination of the pedestrian-oriented main street and provide a significant public open space that engages with the creek amenity. The majority of surface parking would be located between the mixed-use buildings on the eastern side of the development area and the retail buildings on the western side of the development area. Approximately 900 parking spaces would be provided.

Development under this alternative would accommodate a total of 185,000 sf of retail space and 16 dwelling units. Similar to the proposed project, development of the remainder of the site would accommodate necessary drainage improvements along Prefumo Creek, dedication of public open space, and an extension of Froom Ranch Way.

Under this alternative, visual impacts could be slightly greater than those from the proposed project. The increase in square footage of building space immediately fronting LOVR would incrementally reduce the width of the view corridor through the site to the Morros and the Santa Lucia Mountains from LOVR. For both northbound and southbound viewer groups, this alternative would introduce a higher degree of interference in the immediate foreground of the long range viewshed; however, this could be addressed by clustering buildings that front on LOVR to retain this view corridor. Impacts from lighting and glare would be similar to the proposed project.

Impacts to Land Use and jobs/housing balance would be partially reduced through the construction of 16 dwelling units (refer to Impact LU-1). However, excess of four

dwelling units on the site would result in inconsistency with the ALUP; therefore, impacts would be greater under this alternative.

In addition, operational noise impacts associated with maintenance and pickup/delivery activities and noise-generating rooftop equipment such as air conditioners or kitchen ventilation systems would be greater than the proposed project due to the close proximity of proposed residential units on-site. Implementation of mitigation measures would be required to achieve an interior noise level no greater than 45 dB for residential units proposed to be built under this alternative. Traffic and transportation impacts would also be slightly greater than under the proposed project since approximately 9 additional P.M. peak hour trips would occur.

Operational air quality impacts would be incrementally greater than those described for the proposed project due to the additional number of delivery and maintenance trucks generated from adding multifamily housing; however the relatively small number of residential units means that this increase would not be significant. Some operational emission reductions would occur as mixed-use development typically results in fewer automobile trips for residents. Therefore, impacts would be similar to the proposed project.

Impacts to Utilities would slightly increase with 16 dwelling units requiring water, wastewater, solid waste, and police and fire services; however, the overall size of commercial development would slightly decrease, and impacts would remain similar to the proposed project. Impacts to Hydrology, Biological Resources, and Agriculture would also be similar to those described for the proposed project.

#### *Horizontal Mixed-Use Inconsistent with ALUP Density*

This scenario would more fully explore development of the site consistent with direction of the City's General Plan to consider expansion of the existing residential neighborhood to accommodate multifamily housing. However, this alternative would be inconsistent with the ALUP due to exceedance of the density allowance of approximately four units. Under this alternative, approximately 78,000 sf of retail and 97 dwelling units would be constructed.

Retail buildings would be focused on the western side of the site along LOVR. Most or all retail buildings and their associated parking would directly front LOVR. The size and positioning of buildings would allow for views through the site for motorists, bicyclists, and pedestrians traveling along LOVR.

The proposed dwelling units would consist primarily of medium-density attached townhouse buildings that would be on 60-foot by 25-foot parcels. Landscaped alleys would separate the buildings. Residential buildings would be located primarily on the eastern side of the development area in closer proximity to the creek. Ground-floor garages for these residences would be accessed by alleys.

Similar to the proposed project, development of the remainder of the site would accommodate drainage improvements along Prefumo Creek, dedication of public open space, and an extension of Froom Ranch Way.

With regard to aesthetics, retail uses and dense clustering of townhouses on the eastern portion of this alternative would eliminate views through the site to the Prefumo Creek riparian corridor. Impacts on long range views from LOVR to the Morros and the Santa Lucia Mountains would be slightly greater than those from the proposed project due to a higher concentration of new building in the viewshed. Lighting and glare impacts would also be somewhat greater due to the increased amount of development in proximity to the existing residential uses to the north of the site.

For land use impacts, job/housing balance would be addressed through the construction of 97 dwelling units and the reduction of the number of new jobs due to smaller retail component. However, excess of four dwelling units on the site would result in inconsistency with the ALUP; therefore, impacts would be greater under this alternative.

Operational noise impacts associated with maintenance and pickup/delivery activities and noise-generating rooftop equipment such as air conditioners or kitchen ventilation systems would also be greater than the proposed project due to the close proximity of proposed residential units onsite. Implementation of mitigation measures would be required to achieve an interior noise level no greater than 45 dB for residential units proposed to be built under this alternative. In addition, demand for utilities would increase somewhat with the adoption of the Horizontal Mixed-Use Alternative due to the

addition of 97 dwelling units which would increase demands on water, wastewater, solid waste, and police and fire services.

Operational air quality impacts would be less than those described for the proposed project due to emission reductions associated with fewer automobile trips for residents. Impacts to biological resources would also be expected to be less than those described for the proposed project. During operation, the residential units would cause fewer disturbances to the Prefumo Creek ecosystem than the retail activities of the proposed project. In addition, the relocation of expansive parking fields farther from the Creek would reduce the impacts of contaminated runoff on the creek ecosystem. Traffic and transportation impacts would also be less than the proposed project because the reduced amount of retail space and emphasis on mixed-use development would eliminate several hundred vehicle trips. This would result in less than significant impacts to transportation and traffic in the project area.

Hydrological and agricultural impacts would be the same as those described for the proposed project.

### **Improved Site Design Alternative**

The primary objective of the Improved Site Design Alternative would be to address potential land use impacts, such as inconsistencies with General Plan policies and Community Design Guidelines (e.g., incorporation of the creek as a site design amenity, breaking up large expanses of parking lots, and improving views through the property to natural features). This alternative also includes the addition of up to four units of affordable housing to partially address jobs-housing balance issue.

Similar to the proposed project, development of the site under the Improved Site Design Alternative would include annexation and development of the 31-acre site. Approximately 19 acres of the site would be developed for Commercial-Retail (C-R) use while 11.9 acres would be designated as open space. Similar to early designs of the proposed project, this design would include approximately 160,000 sf of commercial retail development. However, under this alternative, the site layout would be redesigned to feature the Creek more as a project amenity.

In compliance with General Plan Policy 6.4.3, *Amenities and Access*, “New public or private developments adjacent to the lake, creeks, and wetlands must respect the natural environment and incorporate natural features as project amenities, provided doing so does not diminish natural features. Developments along creeks should include public access across the development site to the creek and along the creek, provided that wildlife habitat, public safety, and reasonable privacy and security of the development can be maintained, consistent with the Conservation and Open Space Element.” Further, per Chapter 3.2 of the Community Design Guidelines, project site planning should provide views through the property to the background hills and/or other natural features. With regard to parking lots, General Plan Policy 2.2.9, *Parking*, and Chapter 3.2 of the City’s Community Design Guidelines, specify that:

- Large parking lots should be avoided.
- Parking lots should be designed to be equally pedestrian and vehicular oriented.
- Parking should not be the dominant visual element of a site.
- Large, expansive paved areas between the building and the street are to be avoided in favor of smaller multiple lots separated by landscaping or buildings, or located to the sides and rear of buildings.

Overall, the Community Design Guidelines for *Large Scale Retail Projects* indicate that “Large-scale, monolithic ‘big-box’ structures surrounded by extensive parking lots are not considered acceptable.” Therefore, this alternative would include a site redesign to incorporate the Creek as a project amenity, to avoid the expansive parking lot layout, and to provide more compatibly sized buildings offering a greater view corridor to the Creek and open space.

*Creek-Focused Site Redesign.* This alternative would establish a strong connection between the proposed development and Prefumo Creek. Possible features that could enhance the interface between the Creek and project include, but are not limited to, a bicycle/pedestrian path, creek side cafes and restaurants, outdoor gathering spaces, benches, overlooks, and educational signage about the Creek’s unique functions and values. These features would serve to provide the development with a physical and visual connection to the Creek as opposed to reducing access to the Creek.

Buildings would be positioned and oriented so that the backs of buildings do not face Prefumo Creek and the four housing units would be located on the second floor of creek side buildings. Appropriate setbacks would be established to ensure protection of the riparian corridor. Any type of fencing or railing intended to limit public access within

the setback zone would be designed so as to aesthetically complement and contribute to overall visibility of creek features. In addition to creek-focused design of structures, the plant community along Prefumo Creek would be enhanced by selective native tree and shrub plantings, and by managing the existing willows.

*Parking Lot Layout Redesign.* This alternative would redesign the site to break up the mass of the parking area. Parking lots would be designed to be equally pedestrian and vehicular oriented. Large, expansive paved areas would be designed to include a clearly defined and comprehensively planned tree-lined pedestrian circulation system connecting all parking spaces to the retail buildings.

*Reduced Building Size and Enhanced View Corridor.* This alternative would include smaller-scale buildings compared to the traditionally sized ‘big-box’ structures, offering a greater view corridor through the project site to Prefumo Creek and open space.

Under this alternative, land use impacts would be greatly reduced due to consistency with several General Plan and Community Design Guideline policies as previously discussed. The inclusion of four affordable housing units would also help reduce land use impacts. In addition, because this alternative would maintain a view corridor from LOVR toward Prefumo Creek, impacts to views of riparian habitats would be less than those described for the proposed project. In addition, provision of creek viewing areas would improve views from within the site toward Prefumo Creek. The lesser quantity of building square footage along LOVR would also reduce the impact on long range views to the east. Impacts resulting from lighting and glare would be expected to be similar to those described for the proposed project.

Construction (short-term) air quality impacts would be less than the proposed project, due to the elimination of the heavy-duty construction equipment associated with the widening of the east bank of Prefumo Creek. This Alternative would also reduce the exposure of toxic diesel particulate matter to nearby sensitive receptors (i.e., Pacific Beach High School). Impacts to utilities and public services would also be slightly reduced due to the smaller building size.

Impacts to traffic could be substantially reduced under this alternative. Initial analysis indicates that elimination of approximately 28,000 sf from the project, particularly when combined with an aggressive Transportation Demand Management (TDM) Program,

would avoid potentially significant impacts to the intersection of LOVR/Madonna Road. Delays and congestion at other area intersections would also be incrementally reduced. In addition, a more pedestrian-focused site design would partially alleviate impacts to pedestrian activity, while reduced employment and the addition of some affordable housing could incrementally reduce long-distance commuting.

Impacts to biological resources from this alternative would be similar to those described for the proposed project. Encouraging public use of the Prefumo Creek area could result in increased risk of trampling or litter in the riparian corridor; however, this risk is not expected to be significant. Likewise, impacts to agriculture, hydrology, and noise would be similar to those described for the proposed project.

### **Other Comparable Sites Alternative**

This alternative involves review of the potential to construct a development of similar size and scale as the proposed Prefumo Creek Commons Project at alternative locations, thereby avoiding site-specific impacts to agricultural, hydrologic, and other resources. Under the Other Comparable Sites Alternative, the proposed project would be located at another large, predominantly vacant property to meet the project's objectives of commercial-retail development. Potential off-site alternative locations were screened for consideration based on size requirements (approximately 19 to 20 acres of developable area) and objectives for a commercial development, similar to the proposed project. As a result, the Froom Ranch East and Dalidio Property sites were determined to be the most feasible sites to be analyzed under this alternative.

#### *Froom Ranch East*

The Froom Ranch East alternative site is bound by the Irish Hills Plaza development on the northwest, LOVR and Auto Row on the northeast, commercial development and the LOVR/U.S. Highway 101 Interchange to the southeast, and Froom Ranch's undeveloped agricultural land on the southwest. The approximately 120-acre site currently consists of undeveloped agricultural land predominantly used for cattle grazing. The majority of the site, comprised of assessor's parcel numbers (APNs) 067-241-023 and 067-241-024, is located outside of the City of San Luis Obispo Urban Reserve Line. The site is known to contain wetland areas and riparian communities, sensitive plant species, and threatened wildlife species, including habitat for the burrowing owl. This property was evaluated

for commercial service and auto park uses in 1989 (Madonna General Plan Amendment) and an EIR was prepared on an 80-acre portion of the 374-acre parcel (including the recently constructed Irish Hills Plaza property).

Under this alternative, impacts to biological resources would be greater than those described for the proposed project due to the more undisturbed current condition of the Froom Ranch East site. Approximately 40 acres of freshwater marsh and approximately 10 acres of transitional wetland areas and riparian communities are located within this alternative site. The project would remove approximately 30 acres of this habitat. In addition, the existing Froom Creek could require realignment, thus disturbing this riparian corridor. Impacts to sensitive plant species and threatened wildlife species would occur, including habitat for the burrowing owl.

With regard to Land Use and Utilities, impacts would be greater than under the proposed project since the site is located outside of the City of San Luis Obispo Urban Reserve Line. Similar to the proposed project, the property would require annexation in order to connect with existing City infrastructure and receive City services. In addition, because this site is located outside of the ALUP Safety Area, any potential impacts related to airport noise and safety would be eliminated; however, the site's use for commercial development would eliminate the potential use of at least a portion of this property from being developed as housing to partially offset housing demand impacts associated with the project and other area commercial developments.

Development on the Froom Ranch East site would have no effect on views to the riparian corridor from LOVR or long range eastern views because it would be located on the western side of the roadway. However, construction of the project on this site would impact long-range views to the Irish Hills. Impacts from lighting and glare would be reduced because the site would not be bordered by residential uses on any side. In addition, impacts from noise would be reduced for this same reason.

Implementation of proposed project at the Froom Ranch East location would result in impacts to agriculture, air quality, and transportation and traffic that are similar to those described for the proposed project. Without further analysis, the potential hydrological impacts of the Froom Ranch East site alternative are unknown and may be less or greater than the proposed project; however, because the amounts of proposed fill and impervious surfaces are likely to remain unchanged, impacts would likely be similar.

*Dalidio Property*

The 131-acre Dalidio site, comprised of APN 067-121-022, is located within the Urban Reserve area of the City of San Luis Obispo. The site is bound by Madonna Road on the northwest, Dalidio Drive on the northeast, U.S. Highway 101 on the southeast, the proposed project site and Gearhart properties to the southwest, and Prefumo Creek on the west. The site was formerly used for agricultural purposes, primarily for cultivation of dry and partially irrigated row crops but now lies vacant. Broad swales and drainage channels bisect the western portion of the property and drain toward Prefumo Creek at the property's southern edge. The northwestern portion of the property adjacent to Madonna Road consists of a farmhouse and outbuildings used as a produce packing facility. Plans for development of big box stores at the site were originally approved by the City Council in 2004; however, the project was rejected by City voters in 2005. In 2006, the project was revised and approved by 65 percent of County voters under Measure J. However, two groups filed a lawsuit that ultimately ruled Measure J to be invalid in 2008, finding that it should have never gone before the voters. This location was determined to be an alternative site that could sufficiently meet size requirements and objectives similar to the proposed project.

Under this alternative, development would not obstruct views to the Prefumo Creek riparian corridor from LOVR. Portions of development on the Dalidio property would likely be visible within long range views looking east from LOVR. However, due to the spatial separation between the Dalidio property and LOVR and city design guidelines that restrict building height, this development would not obstruct views to the Morros or the Santa Lucia Mountains. However, visual impacts from development would potentially be greater as seen from Madonna Road and U.S. Highway 101. Urbanization of a portion of the Dalidio property would represent a major change of the aesthetic character of the area as seen from a much more heavily traveled view corridor.

Implementation of proposed project at the Dalidio Property location would result in impacts to agriculture, air quality, biological resources, land use, noise, and utilities that are similar to those described for the proposed project. Without further analysis, the potential hydrological impacts of the Dalidio Property site alternative are unknown and may be less or greater than the proposed project; however, because the amounts of proposed fill and impervious surfaces are likely to remain unchanged, impacts would likely be similar. Transportation and traffic impacts would also be similar to those under

the proposed project, but would shift from the LOVR/Madonna Road intersection to a future Prado Road/U.S. Highway 101 interchange and/or the Madonna Road/Dalidio Road intersection.

### **Environmentally Superior Alternative**

The *Improved Site Design Alternative* is considered to be the environmentally superior alternative since impacts would be reduced for most issue areas and all project objectives would be met.

### **SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Tables ES-1 through ES-3 summarize the environmental impacts associated with the proposed project, proposed mitigation measures, and residual impacts. The impacts are organized by the level of impact (i.e., Class I, Class II, or Class III impacts). Class I impacts are defined as significant, unavoidable adverse impacts that require a statement of overriding considerations to be issued per Section 15093 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) if the project is approved. Class II impacts are significant adverse impacts that can be feasibly mitigated to less-than-significant levels and that require findings to be made under Section 15091 of the CEQA Guidelines. Class III impacts are considered less than significant and do not require mitigation. A summary of cumulative environmental impacts is presented in Table ES-4.

**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels**

Impact	Mitigation Measures	Residual Impact
<b>3.3 Air Quality</b>		
<p>AQ-1 Construction activities would result in NO<sub>x</sub> and PM<sub>10</sub> emissions (fugitive dust) in exceedance of APCD pounds per day and tons per quarter construction thresholds, and would potentially result in human exposure to Naturally Occurring Asbestos (NOA), a toxic air contaminant.</p>	<p>MM AQ-1a The following standard air quality mitigation measures shall be implemented during construction activities at the project site:</p> <ul style="list-style-type: none"> <li>• On- and off-road diesel equipment shall not be allowed to idle for more than three minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the three-minute idling limit.</li> <li>• The City shall review the source of fill material before material is transported to the project site.</li> <li>• Water trucks or sprinkler trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would require twice-daily applications. All dirt stock pile areas should be sprayed daily as needed. Increased watering frequency would be required when wind speeds exceed 15 miles per hour (mph). Reclaimed water (non-potable) shall be used when possible.</li> <li>• Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established.</li> <li>• All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.</li> <li>• Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.</li> <li>• All PM<sub>10</sub> mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD</li> </ul>	<p>The projected emissions for the proposed project were found to be above the established CEQA thresholds for construction emissions NO<sub>x</sub> and PM<sub>10</sub>. Implementation of standard APCD-recommended conditions at the project site would minimize construction-related air quality impacts; however, this impact would remain significant and unavoidable, even after mitigation.</p>

**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels (continued)**

Impact	Mitigation Measures	Residual Impact
	<p>prior to land use clearance map recordation and finished grading of the area.</p> <ul style="list-style-type: none"> <li>• The contractor shall ensure that portable equipment, 50 horsepower or greater, used during construction activities have the appropriate California statewide portable equipment registration (issued by CARB) and/or APCD permit. To minimize potential delays, prior to the start of the project, Gary Willey of the District's Engineering Division at (805) 781-5912 shall be contacted for specific information regarding permitting requirements.</li> <li>• On site vehicle speeds shall be 15 mph or less.</li> <li>• Reduce the amount of disturbed area where possible.</li> <li>• All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible unless seeding or soil binders are used.</li> <li>• All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard in accordance with California Vehicle Code Section 23114.</li> <li>• All streets adjacent to the project site shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.</li> <li>• Prior to any grading activities at the site, the applicant shall ensure that a soil and bedrock analysis is conducted to determine if NOA is present within the area that will be disturbed in compliance with the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is identified at the project site, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for review by the APCD. The APCD Enforcement Division (805)781-5912 or the APCD web page (<a href="http://www.slcleanair.org/business/asbestos.asp">http://www.slcleanair.org/business/asbestos.asp</a>) shall be contacted for more information.</li> </ul>	

**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels (continued)**

Impact	Mitigation Measures	Residual Impact
	<ul style="list-style-type: none"> <li>• Maintain all construction equipment in proper tune according to manufacturer's specifications.</li> <li>• Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).</li> <li>• Maximize, to the extent feasible, the use of diesel construction equipment meeting CARB's 1996 and newer certification standard for off-road heavy-duty diesel engines.</li> <li>• No developmental burning of vegetative material shall be conducted without prior approval from the APCD. An application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority must be completed. A study of technical feasibility must be submitted to the APCD at the time of the application submittal. Any questions regarding these requirements should be directed to the APCD Enforcement Division (805)781-5912.</li> <li>• <a href="#"><u>Since APCD construction thresholds are exceeded even after implementation of all feasible emission reduction technologies, offsite mitigation for pollutants (ROG + NOx) over the threshold (185 lb/day), evaluated over the length of the expected exceedance, will be required. The City shall work with the applicant and the APCD to determine the appropriate level of mitigation and shall consider the implementation of Air Quality enhancing projects or the payment of mitigation fees towards such projects.</u></a></li> </ul> <p>MM AQ-1b A Construction Activity Management Plan shall be included as part of project grading and building plans and shall be submitted to the APCD for review and to the City for approval prior to the start of construction. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone of such persons shall be provided to the APCD prior to land use clearance for map recordation and grading. The plan shall include but not be limited to the following elements:</p>	

**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels (continued)**

Impact	Mitigation Measures	Residual Impact
	<ul style="list-style-type: none"> <li>Schedule construction truck trips during non-peak hours (as determined by the Public Works Director) to reduce peak hour emissions.</li> <li>Obtain fill from the closest possible location.</li> <li>Limit the length of the construction work-day period, if necessary.</li> </ul>	
<p>AQ-3 Operation of the proposed project would result in significant unavoidable air pollutant emissions of ROG, NO<sub>x</sub> and PM<sub>10</sub> at levels that exceed the County of San Luis Obispo APCD pounds per day operational thresholds and would result in potentially significant emissions of CO.</p>	<p>MM AQ-3a The applicant shall ensure that all equipment utilized in operational activities has the necessary APCD permits when appropriate. To minimize potential delays, prior to the start of the project, Gary Wiley of the APCD's Engineering Division at (805) 781-5912 shall be contacted for specific information regarding permitting requirements.</p> <p><u>MM AQ-3b Since APCD operational thresholds are exceeded even after implementation of all feasible emission reduction technologies, offsite mitigation per multi-pollutant (ROG + NO<sub>x</sub>) over the threshold (25 lb/day), evaluated over the length of the expected exceedance, will be required. The applicant will either implement the approved offsite mitigation, or provide mitigation fees to the APCD for implementation. The City shall have authority on the final mitigation amount.</u></p> <p>MM AQ-<del>3b</del>3c Construction impact fees for each retail store shall include a fair-share contribution to local and/or regional transit systems to increase bus ridership and provide air pollution reduction benefits. The amount and allocation of these funds between regional and local transit shall be at the discretion of the Public Works Director.</p> <p>MM AQ-<del>3e</del>3d On-site banking (automatic teller machine) and postal services (drop boxes) shall be provided at the project site.</p> <p>MM AQ-<del>3d</del>3e Information on public transit, bicycle parking, carpooling and local transportation management organizations, such as the County's Transportation Choices Coalition, shall be provided to patrons of the proposed commercial development.</p> <p>MM AQ-<del>3e</del>3f The following measures shall be implemented to reduce impacts from vehicle emissions:</p> <ul style="list-style-type: none"> <li><u>Implement a City-approved Trip Reduction Program coordinated with the County's Transportation Choices Program and submitted</u></li> </ul>	<p>Air emission impacts from ROG, NO<sub>x</sub> and PM<sub>10</sub> as a result of motor vehicle trips associated with the proposed project are significant and unavoidable. In accordance with the San Luis Obispo APCD's CEQA Air Quality Handbook, all standard mitigation measures and feasible discretionary mitigation measures must be incorporated into the project. Implementation of these measures cannot be quantified in terms of reduction of air pollutant emissions; however, the residual impacts would remain above the significance threshold identified in the San Luis Obispo APCD's CEQA Air Quality Handbook.</p>

**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels (continued)**

Impact	Mitigation Measures	Residual Impact
	<p><u>to the APCD for review and comment. The program should include, but is not limited to the designation of a Transportation Coordinator who will manage transportation programs for the site and shall promote alternative modes of transportation, transit subsidies for both City and Regional transit systems, and information regarding parking and transportation options available to employees and customers. The project applicant will be required to submit an implementation plan to the City Transportation Division, for review and approval or amendment, which demonstrates how this mitigation measure will be achieved.</u><del>Implement an APCD-approved Trip Reduction Program.</del></p> <ul style="list-style-type: none"> <li>• Provide on-site bicycle parking consistent with City General Circulation Element Policy 3.4 and ordinance requirements.</li> <li>• Provide preferential carpool and vanpool parking spaces.</li> <li>• Provide shower and locker facilities for employees.</li> </ul> <p>MM AQ-<del>3f3g</del> The following measures shall be implemented to reduce area source emissions:</p> <ul style="list-style-type: none"> <li>• Energy efficient interior lighting shall be installed, where feasible.</li> <li>• The applicant shall ensure building energy efficiency ratings exceed Title 24 requirements by a minimum of 15 percent. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, etc.).</li> <li>• Use roof material with a solar reflectance value meeting the Environmental Protection Agency/Department of Energy Star® rating to reduce summer cooling needs.</li> <li>• Unless not feasible due to the installation of solar panels or other features designed to reduce area source emissions, skylights and windows designed to increase natural light shall be installed in each building.</li> </ul>	
<p>AQ-5 The proposed project is potentially inconsistent with the County of San Luis Obispo APCD's 2001 Clean Air Plan.</p>	<p>In addition to traffic improvement measures identified in Section 3.8, Transportation, mitigation measures MM AQ-<del>3b3c</del>, MM AQ-<del>3e3d</del>, MM AQ-<del>3d3e</del>, MM AQ-<del>3e3f</del>, and MM AQ-4a above would apply to this impact.</p> <p>No additional mitigation measures would be required.</p>	<p>The design of the proposed project would require relatively substantial changes (e.g., inclusion of mixed-use, housing, etc.) to reduce inconsistency with overall land use planning principles contained in the CAP to</p>

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**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels (continued)**

Impact	Mitigation Measures	Residual Impact
		less than significant (see Section 6, <i>Alternatives</i> , for potential project redesign needed to fully address this impact). Therefore, impacts would remain significant and unavoidable, even after mitigation.
<b>3.7 Noise</b>		
<p>NO-1 Short-term construction activities would temporarily generate significant unavoidable noise levels that would exceed thresholds established in the City of San Luis Obispo, <i>General Plan Noise Element and Noise Guidebook</i>.</p>	<p>MM NO-1a Except for emergency repair of public service utilities, or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur on Monday through Saturday between the hours of 7:00 P.M. and 7:00 A.M., or any time on Sundays or holidays, such that the sound creates a noise disturbance across a residential or commercial property line.</p> <p>MM NO-1b Where technically and economically feasible, construction activities shall be conducted so that the maximum noise levels at affected properties will not exceed 80 dBA for multi-family residential and 85 dBA for mixed residential/commercial land uses, restaurants, and meeting places, including schools.</p> <p>MM NO-1c For all construction activity at the project site, additional noise attenuation techniques shall be employed as needed 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:</p> <ul style="list-style-type: none"> <li>• Sound blankets on noise-generating equipment.</li> <li>• 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.</li> <li>• All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.</li> <li>• The movement of construction-related vehicles, with the exception of 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</li> </ul>	<p>Even with implementation of mitigation measures, City noise standards for residential uses may be temporarily exceeded during grading and construction activities. Standard mitigation measures restricting hours of construction would minimize impacts; however, due to the location of sensitive land uses adjacent to the project site, noise standards may be periodically exceeded.</p>

**Table ES-1. Class I Impacts - Significant, Unavoidable Impacts That May Not Be Fully Mitigated to Less Than Significant Levels (continued)**

Impact	Mitigation Measures	Residual Impact
	<p>(e.g., Thanksgiving, Labor Day).</p> <ul style="list-style-type: none"> <li>• Temporary sound barriers shall be constructed between construction sites and affected uses.</li> </ul> <p>MM NO-1d In addition to MM NO-1a, the applicant shall ensure that construction of the 6-foot high wall proposed along the northern edge of the project site and Froom Ranch Way would not occur on Saturdays. The applicant shall also ensure that the wall be constructed during early stages of on-site improvements in order to provide additional sound reduction for residences and Pacific Beach High School during the majority of construction activities.</p> <p>MM NO-1e The contractor shall inform residents, Pacific Beach High School administrators and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Noise-related complaints shall be directed to the City of San Luis Obispo's Community Development Department.</p>	
<p>NO-3 Long-term operational noise impacts associated with the project could result in the exceedance of thresholds in the City of San Luis Obispo, <i>General Plan Noise Element and Noise Guidebook</i>.</p>	<p>MM NO-3a All noise-generating rooftop building equipment, such as air conditioners and kitchen ventilation systems, shall be installed away from existing and proposed noise-sensitive receptors (i.e., residences) or be placed behind adequate noise barriers.</p> <p><u>MM NO-3b The applicant shall submit a truck traffic plan to the City Public Works Department which will address timing, noise, location, and number of deliveries for each project component. The applicant shall cooperate with the City to ensure that impacts to noise-sensitive receptors are mitigated to the maximum extent feasible.</u></p>	<p>Long-term operational noise levels associated with truck delivery and trash pickup activities would exceed exterior noise limits at adjacent residences and result in significant impacts even after mitigation.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels**

Impacts	Mitigation Measures	Residual Impacts
<b>3.1 Aesthetics and Visual Resources</b>		
<p>VIS-1 The proposed project would potentially obstruct scenic vistas from a locally designated scenic corridor, resulting in a significant impact to the character or quality of the site and its surroundings.</p>	<p>MM VIS-1a Landscaping in the View Mitigation Corridor shall be defined by gradually increasing species heights from west to east, from low, decorative shrubbery and more widely spaced street trees at LOVR frontage to large-scale screen trees within the proposed parking areas and fronting Anchor E.</p> <p>MM VIS-1b Final design of the landscape plan shall balance conflicting goals of view preservation and site screening, fostering a moderately pedestrian-oriented streetscape and breaking up the project's large uninterrupted surface parking lots, to the maximum extent feasible.</p>	<p>Proposed mitigation measures would help retain key distant views from LOVR and reduce project impacts to a scenic view corridor to an adverse but not significant level.</p>
<p>VIS-2 The proposed project would create a substantial increase in vicinity nighttime lighting from 88 new pole-mounted parking lot and roadway lights, which would have the potential to significantly impact to the character or quality of the nighttime sky, especially within the adjacent residential neighborhood.</p>	<p>MM VIS-2a Light fixtures on the north side of Anchor C shall be minimized to the number necessary to provide adequate lighting for security and nighttime access and circulation. Hooded light fixtures shall be used and positioned downward so as to minimize the transfer of lighting to neighboring, residential properties to the north of the site.</p> <p>MM VIS-2b The proposed landscaping plan for the north side of the Froom Ranch Way extension shall be revised to eliminate three gaps in the proposed row of 15-gallon incense cedars.</p> <p>MM VIS-2c All roadway lighting along the proposed extension of Froom Ranch Way shall be automatically controlled by a Street Smart System. The project applicant shall fund the installation of necessary check points and access points for the system. The system shall be designed to reduce the level of lights on the public right of way by 50 percent between the hours of 10:00 pm and 5:00 am. On-site, pole-mounted lighting shall be significantly reduced after 10:00 pm and prior to 5:00 am. Only sufficient lighting for security purposes shall be permitted between the hours of 10:00 pm and 5:00 am.</p>	<p>Mitigation measures to address nighttime lighting would reduce impacts to less than significant.</p>
<b>3.2 Agricultural Resources</b>		
<p>AG-2 The lack of irrigation water available to sustain cultivated agriculture on the 10-acre dedicated open space area east of Prefumo Creek would substantially diminish the historic agricultural value and</p>	<p>MM AG-2 The applicant shall ensure the provision of adequate amounts of irrigation water for agricultural production on the proposed 10-acre open space either through construction of an on-site water well or ensuring provision of a long-term supply of irrigation water at agricultural rates from other sources.</p>	<p>Implementation of mitigation measures would reduce residual impacts to less than significant levels.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
productivity of this area, reducing the effectiveness of this set-aside as mitigation for loss of historically cultivated agricultural land.		
AG-3 Development of the proposed regional shopping center would create potential land use conflicts with continued agricultural operations to the east of Prefumo Creek.	<p>MM AG-3a Construction of the proposed regional shopping center shall incorporate mitigation measures to reduce potential excess dust from earth moving and other heavy equipment activities.</p> <p>MM AG-3b In order to address potential land use conflicts, the applicant shall coordinate with the City's Natural Resources Manager to identify and incorporate appropriate measures (e.g., fencing, signs, etc.) to reduce public access (e.g., from the future Bob Jones Bike Trail) to environmentally sensitive areas and areas proposed for long-term cultivation.</p>	Implementation of mitigation measures would reduce residual impacts to less than significant levels.
<b>3.3 Air Quality</b>		
AQ-2 Release of toxic diesel emissions during construction and operational activities would occur in an area of human exposure.	<p>MM AQ-2 The applicant shall implement the following Best Available Control Technology (BACT) for diesel-fueled construction equipment, where feasible, <u>to minimize the exposure of diesel exhaust to sensitive receptors</u>:</p> <ul style="list-style-type: none"> <li>• Mitigation measures in MM AQ-1a pertaining to construction equipment also apply to this impact. <u>In addition, locate all queuing, staging and stockpiling areas, as far from the school and residential areas as possible. Identify staging area, queuing and stockpile locations on all site plans.</u></li> <li>• Maximize to the extent feasible, the use of on-road heavy-duty equipment and <u>haul</u> trucks that meet the CARB's <u>1998-2003</u> or newer certification standard for on-road heavy-duty diesel engines;</li> <li>• <u>Retrofit all onsite off-road construction equipment that is not 2003 or newer with diesel particulate filters (CDPF) or diesel oxidation catalysts.</u></li> <li>• Install diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other District approved emission reduction retrofit devices (the number of catalysts or filters required and the equipment on which they should be installed shall be determined in consultation with the Community Development Department with guidance from APCD);</li> </ul>	Impacts due to the close proximity of sensitive receptors to diesel emissions during construction and operations are potentially significant, but mitigable. As recommended by the APCD as a mitigation measure, the applicant would work with the APCD to develop the appropriate level of diesel particulate control technology to apply to construction equipment.

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**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<ul style="list-style-type: none"> <li>• Develop and implement a Diesel Emission Control Plan (DECP) that describes the diesel emission controls to be used during construction and specifies the use of DOCs and CDPFs, in consultation with <a href="#">and for review and approval by the</a> APCD prior to start of construction;</li> <li>• Substitute gasoline for diesel powered equipment, where feasible;</li> <li>• Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel, or electrify equipment where feasible;</li> <li>• <a href="#">Design all loading facilities associated with the proposed stores as far away from the school and residential development as possible;</a></li> <li>• <a href="#">Post signs at all loading zones to limit idling to no more than 3 minutes;</a></li> <li>• <a href="#">Plant conifer trees between the development and the school and residential development as a particulate matter control measure; and</a></li> <li>• <del>Use equipment that has Caterpillar pre-chamber diesel engines.</del></li> <li>• If any of the above BACTs are considered infeasible, the applicant shall notify the Community Development Department, by letter, and clearly state why any of the measures are considered infeasible. The Community Development Department, in consultation with the San Luis Obispo County APCD would then make a final determination as to whether the measure is infeasible.</li> </ul>	
<p>AQ-4 <a href="#">Implementation-Operation</a> of the proposed project would result in significant impacts to global climate change from the emissions of greenhouse gases.</p>	<p>MM AQ-4a The following measures shall be implemented to reduce impacts from vehicle emissions:</p> <ul style="list-style-type: none"> <li>• Mitigation measures MM AQ-<del>3b3c</del>, MM AQ-<del>3e3d</del>, MM AQ-<del>3d3e</del>, and MM AQ-<del>3e3f</del> also apply to this impact.</li> <li>• Provide incentives to employees to carpool/vanpool, use public transportation, telecommute, walk, bike, etc. by implementing the Transportation Choices Program. The applicant shall Contact SLO Regional Rideshare at (805) 541-2277 to receive free consulting services on how to start and maintain a program. <a href="#">Further, priority parking shall be signed for car-and van-pooling</a></li> </ul>	<p>The proposed project could partially reduce its impact on global climate change as a result of electricity consumption, through the use of photovoltaic arrays. Based on the results of other recent projects that have incorporated the use of solar panels, installation of a photovoltaic array over 75 percent of the proposed project’s 4.33 acres of roof space could supply approximately one-third of the project’s projected energy</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<p><u>employees.</u></p> <ul style="list-style-type: none"> <li>Limit idling time for commercial vehicles, including delivery and construction vehicles (OPR 2008).</li> </ul> <p>MM AQ-4b The applicant shall include the implementation of the following Green building techniques:</p> <ul style="list-style-type: none"> <li>Planting of native, drought resistant landscaping.</li> <li>Plant trees and vegetation near structures to shade buildings and reduce energy requirements for heating/cooling (OPR 2008).</li> <li>Incorporate on-site renewable energy production <u>and/or other power production or conservation measures to reduce or partially offset project power demand by a minimum of 50 percent, including, but not limited to a combination of the following measures; including the installation of photovoltaic panels on 75 percent of the total building roof area in order to partially offset project power demand (OPR 2008).</u> <ul style="list-style-type: none"> <li><u>installation of photovoltaic panels on approximately 75 percent of the total building roof area);</u></li> <li><u>installation of elevated photovoltaic panels over parking areas outside of view corridors and setback from public roads;</u></li> <li><u>installation of energy efficient appliances and energy efficient building installations.</u></li> </ul> </li> <li><u>Parking areas located outside of the view corridor, at a minimum of 100 feet onto the project site from LOVR and 50 feet from Froom Ranch Way, shall be considered for raised photovoltaic covered parking to provide project power and shaded parking.</u></li> <li><u>A minimum of 15-percent of parking spaces per structure shall have electric plug-in charging stations. An additional 10 percent shall be signed for hybrid or electric or compact vehicles only. These shall be preferentially placed near store fronts.</u></li> <li><u>Energy-efficient LED light fixtures shall be considered for parking area lighting.</u></li> </ul>	<p>needs. This could potentially eliminate 2,736 lb/day of indirect CO<sub>2</sub> emissions, as the proposed project would be partially utilizing a renewable energy supply. This measure in addition to mitigation measures MM AQ-4a and MM AQ-4b, would reduce the project’s impacts on global climate change to a less than significant level.</p>
<p><b>3.4 Biological Resources</b></p>		
<p>BIO-1 Project construction and major alteration of the project site has the potential to create short-term direct and</p>	<p>MM BIO-1a Prior to and during construction, the applicant shall implement erosion and spill control best management practices as presented in a biological resources protection plan. This plan shall</p>	<p>When combined with standard regulatory measures, the inclusion of additional recommended mitigation measures would</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
<p>indirect significant impacts to the biological resources of Prefumo Creek located on-site and downstream from the project.</p>	<p>include provisions for appropriate environmental monitoring of all construction activities. This plan shall be subject to review and approval by the City's Natural Resources Manager. Compliance with the provisions of this plan shall be verified by the project Environmental Monitor through submission of compliance reports.</p> <p>MM BIO-1b Construction equipment and vehicles shall be stored away from riparian areas and all construction vehicle maintenance shall be performed in a designated vehicle storage and maintenance area.</p> <p>MM BIO-1c Prior to and throughout the construction period, the edge of the <u>grading area, set back a minimum of 50 feet from</u> Prefumo Creek <del>riparian corridor</del> shall be <u>marked with high visibility orange fencing fenced</u> and signed to prohibit entry of construction equipment and personnel. Silt fencing, straw waddles or other acceptable erosion control devices shall be installed along the perimeter of the riparian area and all drainage directed to sediment basins.</p> <p>MM BIO-1d Construction activities shall be limited to the hours of 7am to 7pm daily. No construction night lighting shall be permitted within 100 yards of the top of the creek bank.</p> <p>MM BIO-1e Prior to initiation of construction, the applicant shall fund a site survey for Congdon's tarplant with the goal to collect seeds from identified specimens for use in restoration projects in the project vicinity.</p> <p><u>MM BIO 1f The applicant shall fund a pre-construction survey for the California red-legged frog. If the species is identified, the applicant shall work with the USFWS to ensure the proposed project minimizes impacts to the maximum extent feasible and to identify suitable conservation strategies for those impacts determined to be unavoidable.</u></p> <p><u>MM BIO-1g Project construction activities shall be regularly monitored by a City environmental monitor for the duration of project construction. Environmental monitors shall be trained by a qualified biologist to detect the potential presence of California red-legged frog and shall conduct a biological resources education program for all construction workers prior to the initiation of any clearing or construction activities. The educational program shall include a description of the California red-legged frog, its habits, what constitutes take, penalties for take, and the guidelines that</u></p>	<p>reduce project impacts to insignificance.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<p><u>would be followed by all construction personnel to avoid take of species during construction activities. The construction crew foreman shall be responsible for ensuring that crew members comply with the guidelines and that all new personnel receive the training before partaking in construction activities. The work area boundaries and other off-limit areas will be identified by the onsite monitor. Any vegetation clearing activities will be monitored by the onsite monitor.</u></p> <p><u>MM BIO-1h If creek pumps are utilized, intakes should be completely screened with wire mesh (0.2 inch or smaller) to prevent California red-legged frogs from entering the pump system.</u></p> <p><u>MM BIO-1i Concrete truck and tool washout should occur in a designated location such that no runoff will reach the creek.</u></p>	
<p>BIO-2 Habitat restoration and drainage improvement work within Prefumo Creek's riparian woodland has the potential to create significant impacts to biological resources.</p>	<p>MM BIO-2a Revegetation plans shall be reviewed and approved by the City prior to implementation. Implementation shall be coordinated with the City's Natural Resources Manager.</p> <p>MM BIO-2b Revegetation and restoration plans shall conform to the City's Waterway Management Plan, Volume III- Drainage Design Manual.</p> <p>MM BIO-2c Down drain or culvert replacement work shall minimize or avoid removal of riparian vegetation. All such work shall be conducted under the guidance of the City's Natural Resources Manager and/or the project Environmental Monitor.</p> <p><u>MM BIO-2d All work associated with proposed project activities within the riparian area shall occur in the dry season (May through October) unless otherwise approved by the City's Natural Resource Manager in consultation with appropriate agencies.</u></p> <p><u>MM BIO-2e Any land clearing, tree removal, or other surface disturbance associated with proposed actions shall be timed to avoid potential destruction of bird nests or birds that breed in the area. If a seasonal restriction is not feasible, a qualified biologist or trained environmental monitor should survey the area for nests or evidence of nesting prior to the commencement of activities in the riparian area. If nests or other evidence of nesting are observed, a protective buffer should be delineated and the entire area shall be avoided to prevent destruction or disturbance to nests until they are not longer active.</u></p>	<p>When combined with standard regulatory measures, the inclusion of additional recommended mitigation measures would reduce project impacts to insignificance.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
<p>BIO-3 Long-term operation of the proposed project has the potential to create significant impacts to terrestrial biological resources including sensitive and migratory species which utilize Prefumo Creek.</p>	<p>MM BIO-3a All exterior building lights facing Prefumo Creek shall be hooded to prevent light spillover into the creek; all parking lot lights over 10 feet in height shall be setback a minimum of 100 feet from the top of the creek bank and hooded and/or directed away from the Creek. Any night lighting adjacent to the Creek (e.g., walkway lights) shall be of low voltage and hooded downward. Artificial light levels within 20 feet of the top of the creek bank shall not exceed 1-foot candle.</p> <p>MM BIO-3b Creek restoration/enhancement plantings shall include tall trees (e.g., oaks, alders, sycamores, etc.) the entire length of the project's creek frontage in order to minimize light spillover into the Creek.</p> <p>MM BIO-3c Split-rail fencing shall be installed at the edge of the riparian landscape buffer with entry restricted to the proposed walking path.</p> <p>MM BIO-3d All loading docks and trash storage areas shall be setback a minimum of 150 feet from the top of bank. No outdoor storage or larger trash receptacles shall be permitted within this setback area. All trash and outdoor storage areas shall be operated to reduce potential impacts to riparian areas, including the following:</p> <ul style="list-style-type: none"> <li>• Runoff shall be directed away from trash and loading dock areas;</li> <li>• Trash and loading dock areas shall be screened or walled to minimize off-site transport of trash;</li> <li>• Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes;</li> <li>• Trash and loading dock areas shall be paved;</li> <li>• Impermeable berms, drop inlets, trench catch basin, or overflow containment structures around docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system and Prefumo Creek; and,</li> <li>• The developer or acceptable maintenance organization shall complete inspections of the site to ensure compliance with BMPs and water quality requirements on a semi-annual basis (May 15 and October 15 of each year). A detailed summary report prepared by a licensed Civil Engineer shall be submitted to the City of San Luis Obispo Public Works Department and/or</li> </ul>	<p>When combined with standard regulatory measures, the inclusion of additional recommended mitigation measures would reduce project impacts to insignificance. However, the loss of wildlife dispersal and foraging areas would remain an adverse, but less than significant impact for which no mitigation is available.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	Natural Resources Manager. The requirements for inspection and report submittal shall be recorded against the property.	
BIO-4 Long-term operation of the proposed project has the potential to create significant water pollution impacts to biological resources.	MM BIO-4 The applicant shall fund monthly parking lot sweeping to remove and clean excess trash and dirt. Prior to the onset of the rainy season in September, the applicant shall fund parking lot, trash area, and loading dock steam cleaning or other City-approved methods to remove all excess oil and grease.	When combined with standard regulatory measures, the inclusion of additional recommended mitigation measures would reduce project impacts to insignificance.
<b>3.5 Hydrology and Water Quality</b>		
HYD-1 Upon construction of the regional shopping mall, the project could expose people and property to flood hazards on-site and downstream of the project site due to: a) increased runoff due to increased impervious surface area, and b) loss of floodplain storage. The project could result in increased flood water surface elevations across the Los Osos Gap Property, adjacent properties, and within Prefumo Creek.	<p>MM HYD-1a Raise Buildings Above BaseFlood Elevation. The finish floor of project buildings shall be raised at least 1 foot above the 100-year peak flood elevation consistent with the City's Floodplain Management Regulations (17.84.101 San Luis Obispo Municipal Code) and the Special Floodplain Management Zone Regulations of the Zone 9 Drainage Design Manual.</p> <p>MM HYD-1b Compliance with <a href="#">Flood-Waterway Management Policy Book Program</a>. All bridges, culverts, <u>outfalls</u>, and modifications to the existing creek channels must be in compliance with the City's Drainage Design Manual (DDM) and approved by the City Engineer, U.S. Army Corps of Engineers, <del>and</del> California Department of Fish and Game <a href="#">and Central Coast Regional Water Quality Control Board</a>, and must meet city standards and policies.</p> <p>MM HYD-1c Permit Requirements. Clearing of existing creek and drainage channels within project limits, including any tree pruning or removals, and any necessary erosion repairs shall be to the satisfaction of the City Engineer and may require permits from the California Department of Fish and Game and/or the U.S. Army Corps of Engineers.</p>	Implementation of flood control measures would reduce project impacts to less than significant.
HYD-2 The proposed project would result in short-term, potentially significant impacts to surface water quality, including indirect impacts to beneficial uses such as threatened and endangered species habitat, due to polluted runoff during construction activities.	<p>MM HYD-2a Notice of Intent. Prior to beginning construction, the applicant shall file a Notice of Intent (NOI) for discharge from the proposed development site.</p> <p>MM HYD-2b Storm Water Pollution Prevention Plan. The applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City forty-five (45) days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and</p>	Implementation of water quality protection measures would reduce project impacts to less than significant.

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<p>implemented for all construction activity on the project site in excess of one (1) acre. The SWPPP shall include specific BMPs to control the discharge of material from the site. BMP methods may include, but would not be limited to, the use of temporary detention basins, straw bales, sand bagging, mulching, erosion control blankets, silt fencing, and soil stabilizers. Additional BMPs should be implemented for any fuel storage or fuel handling that could occur on-site during construction. The SWPPP must be prepared in accordance with the guidelines adopted by the State Water Resources Control Board (SWRCB). The SWPPP shall be also submitted to the City along with grading/development plans for review and approval.</p> <p>MM HYD-2c Notice of Completion of Construction. The applicant shall file a notice of completion of construction of the development, identifying that pollution sources were controlled during the construction of the project and implementing a closure SWPPP for the site.</p> <p>MM HYD-2d All required actions shall be implemented pursuant to a stormwater management plan submitted by the City of San Luis Obispo to the RWQCB in early 2007 under the NPDES Phase II program.</p> <p>MM HYD-2e All required actions shall be implemented pursuant to the programs developed under the City of San Luis Obispo General Plan Water and Wastewater Management Element, Section 13 and the City of San Luis Obispo Waterways Management Plan.</p>	
<p>HYD-3 The proposed project would result in potentially significant impacts to surface water quality due to polluted urban runoff or water discharged during dewatering activities. During long-term operation of the proposed project, runoff from the site could affect the water quality of Prefumo and San Luis Obispo creeks.</p>	<p>MM HYD-3a The project shall be designed to provide adequate facilities to direct all contaminated water from operational uses to the sanitary sewer system per Chapter 13.08 of the Municipal Code. Likewise, all restaurants on the project site shall comply with the grease/trap interceptor requirements in Chapter 13.08 of the Municipal Code.</p> <p>MM HYD-3b NPDES Permit. The applicant shall procure a National Pollution Discharge Elimination System (NPDES) permit that adheres with all requirements of the federal Clean Water Act. Additionally, certain occupants of the General Retail component may require individual NPDES permits due to the processes or materials they use.</p> <p>MM HYD-3c Storm Water Quality Treatment Controls. Best</p>	<p>Implementation of water quality protection measures would reduce project impacts to less than significant.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<p>Management Practice (BMP) devices shall be incorporated into the project Final Master Drainage Plan (Appendix H). The devices shall be sited and sized to intercept and treat all dry weather surface runoff, the runoff from 28 percent of the 2-year storm event, and accommodate the first flush (1 inch) during 24-hour storm events. The storm water quality system must be reviewed and approved by the City.</p> <p>The draft Master Drainage Plan (Wallace Group 2008) contains the following BMP's:</p> <ul style="list-style-type: none"> <li>• Vegetated Swales reduce sediment and particulate forms of metals and other pollutants along corridors of planted grasses. Two vegetated swales are proposed for the project, one parallel to the project northern boundary, along the extension of Froom Ranch Way, and another parallel to the southern project boundary, both discharging to Prefumo Creek.</li> <li>• Vegetated Filter Strips are 15-foot wide vegetated buffer strips that also reduce sediment and particulate forms of metals and nutrients. Sheet flows from the project site will be uniformly distributed along the length of the vegetated filter strips for conveyance to a collection point at the southeastern corner of the property for discharge to Prefumo Creek.</li> <li>• Hydrodynamic Separation Products to reduce suspended solids greater than 240 microns, trash and hydrocarbons will be installed in-line with the storm drain network prior to discharge to Prefumo Creek. Two hydrodynamic separation products are proposed for water quality treatment of parking lot runoff. These hydrodynamic separators must be sized to handle peak flows from the site consistent with applicable regulatory standards.</li> </ul> <p>MM HYD-3d Stormwater BMP Maintenance Manual. A development maintenance manual for the project shall include detailed procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer's maintenance specifications. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., October 15th) and immediately after the end of the rainy season (i.e., May 15th). The</p>	

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<p>manual shall also require that all devices be checked after major storm events.</p> <p>MM HYD-3e Stormwater BMP Semi-Annual Maintenance Report. The developer or acceptable maintenance organization shall submit to the City of San Luis Obispo Public Works Department a detailed report prepared by a licensed Civil Engineer addressing the condition of all private stormwater facilities, BMPs, and any necessary maintenance activities on a semi-annual basis (October 15th and May 15th of each year). The requirement for maintenance and report submittal shall be recorded against the property.</p> <p>MM HYD-3f Mitigation measure MM BIO-3d also applies.</p>	
<p><b>3.6 Land Use</b></p>		
<p>LU-1 The proposed project's regional shopping center component would create approximately 566 new jobs, primarily for workers of low or very-low incomes, increasing demand for affordable housing and potentially worsening the City's jobs/housing balance.</p>	<p>MM LU-1a The proposed project shall <u>comply with the City's Inclusionary Housing Ordinance requirements (SLOMC 17.91). In addition, the project shall contribute to the City's housing in lieu fee program to fund construction of affordable housing units off-site to reduce the project housing demand offset and</u> meet the goals of Land Use Element Policies 1.4 and 8.7, and Housing Element Policy 3.21.1. <u>by implementing. As an option, the applicants may choose to one or more of the following options:As an option, the applicants may choose to incorporate affordable housing units on-site, subject to the Airport Land Use Plan density restrictions.</u></p> <ol style="list-style-type: none"> <li><u>1. Meet the Inclusionary Housing Ordinance by providing a combination of low and very-low income units instead of moderate income units.</u></li> <li><u>2. Increase the total number of affordable units provided through the Inclusionary Housing Ordinance requirements, including units that meet the full range of affordability (Low, Very Low and Moderate), consistent with MM LU 1-c.</u></li> </ol> <p>MM LU-1b The applicant shall submit to the City an employee survey/study, including information such as where employees lived prior to hire and where employees have relocated since hire, in order to provide the City with data on impacts associated with in-migration for larger commercial projects.</p> <p>MM LU-1c The applicant should work with the City to determine whether on-site housing would be feasible to help offset project-related increased demand for affordable housing. If</p>	<p>Implementation of mitigation measures would ensure consistency with all General Plan, Zoning Ordinance, and ALUP goals, policies, and programs, and would reduce land use impact to less than significant levels.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	provision of on-site housing is not feasible, the applicant should work with the City to negotiate additional exaction of fees paid to the City Housing Authority and/or an acceptable local private non-profit housing provider sufficient to offset project-related increased demand for affordable housing.	
<b>3.7 Noise</b>		
NO-2 Long-term noise impacts from traffic associated with the project could result in the exceedance of thresholds in the City of San Luis Obispo, General Plan Noise Element and Noise Guidebook.	MM NO-2 In order to achieve indoor noise levels below 45 CNEL along the frontage road on LOVR between Madonna Road and Froom Ranch Way, the applicant shall implement noise reduction measures, including but not limited to: <ul style="list-style-type: none"> <li>• construct sound barriers or offer to retrofit existing residences with noise-reducing features; and</li> <li>• establish a developer fee program to pay for trip reduction programs.</li> </ul>	Potential interior noise level impacts for residences located along the frontage road on LOVR could be mitigated to less than significant levels through retrofitting of existing residences or construction of sound barriers; however, the City’s General Plan was adopted with overriding considerations with respect to noise impacts to the outside areas of residences on LOVR. For example, while a sound barrier is the standard approach to mitigation, it was determined that the aesthetic impacts of a sound barrier for the recent and nearby Costco Project would have exceeded the advantages of reducing traffic noise and no mitigation was proposed (City of San Luis Obispo 2003). In addition, establishment of a developer fee program to pay for trip reduction programs (as recommended in MM TT-1a to reduce traffic impacts) would help to reduce sound levels; however, this measure would not be expected to reduce impacts to less than significant on its own.
<b>3.8 Transportation</b>		
TT-1 The proposed project would potentially cause LOS at the LOVR/Madonna Road intersection to deteriorate from acceptable to unacceptable levels during the P.M. peak hour.	MM TT-1a <a href="#">Prior to occupancy, the applicant shall design and construct the installation of three westbound through lanes on LOVR and any associated intersection improvements (e.g., signal equipment relocation) as described under mitigation Option 3. Portions of this work may be eligible for Transportation Impact Fee (TIF) credits or reimbursement subject to City approval.</a>  or The proposed project shall be <a href="#">phased or</a> reduced in size <a href="#">to not</a>	With the implementation mitigation measures, impacts to LOS at the LOVR/Madonna Road intersection would be reduced to less than significant levels.  It should be noted that although mitigation measures have been provided to reduce impacts to the LOVR/Madonna Road intersection, recommended mitigation to

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<p><u>exceed approximately 160,658 square feet</u> and required to implement a trip reduction programs to reduce the number of project trips that would travel through this intersection by at least 10 percent (equal to 19 P.M. peak hour vehicle trips). <u>Based on review of project trip generation characteristics, this would require a reduction in project size by a minimum of 28,000 square feet. If this measure is implemented, additional traffic analysis</u> <u>Monitoring of the trip reduction plan</u> would be required to verify the exact reduction necessary to meet the decrease in trips.</p> <p>MM TT-1b All businesses leasing space in Prefumo Creek Commons shall implement TDM <u>identified the Project Trip Reduction Program per MM AQ-3fmeasures including providing free bus passes to their employees (similar to the SLO Transit Gold Pass program or the Home Depot Flash Pass program).</u></p> <p>MM TT-1c Pedestrian, bicycle, and transit facilities shall be improved in the proposed project area, such as providing bicycle parking. <u>Employer participation in the Transportation Choices Program promoted by SLO Regional Rideshare should be required.</u></p>	<p>both reduce project size and/or implement intersection improvements may be considered infeasible. First, intersection improvements would require acquisition of considerable ROW, tree removal, potential for interference with pedestrian circulation, and would raise potential conflicts with adopted City policies. Second, the proposed project would need to be reduced in size by at least 28,000 sf in order to reduce project generated traffic sufficiently to avoid significant impacts to this intersection. Such a reduction in project size would require elimination of Anchor C and/or the equivalent reduction in square footage throughout the project.</p>
<p>TT-2 The proposed project would create adverse but not significant increases in side street delays and associated declines in LOS at the intersections of LOVR with Auto Park Way and Los Verdes Drive.</p>	<p>MM TT-2a The City of San Luis Obispo should continue to monitor these intersections as part of the Annual Traffic Safety Report to identify and address safety issues.</p> <p>MM TT-2b In order to foster increased pedestrian connectivity in the area and reduce the need for superfluous auto trips, the project applicant should be required to negotiate with the owners of adjacent auto dealerships to provide a pedestrian walkway between these dealerships and the project site.</p> <p>MM TT-2c <u>As a possible alternative to future signalization of Auto Park Way, During and after the project approval process, the City's Transportation Division should preserve the ability as part of project approval so as to not preclude investigate</u> the provision of a <u>vehicle connection through street</u> between the eastern edge of the project site to Auto Park Way in order to provide additional vehicular connectivity between the project site and <u>properties along</u> Auto Park Way.</p>	<p>With the implementation of mitigation measures, impacts to intersections of LOVR with Auto Park Way and Los Verdes Drive would be reduced to less than significant levels. City staff is considering methods to potentially reduce congestion at these intersections. As part of the review of the proposed project, City staff is would review options for providing a road connection between Auto Park Way and the project site. Increased access and traffic volumes through the Auto Park Way/LOVR intersection may justify or warrant signalization, thereby reducing project adverse impacts at this point. In addition, City staff has developed a strategy and toolbox to address the singular vehicle access to/from LOVR at Los Verdes Drive for residence of Los Verdes Park I and II. This strategy includes on-going monitoring of the LOVR/Los Verdes Drive intersection</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
		<p>as a part of the City's <i>Annual Traffic Safety Report</i>, provision of secondary access via Higuera Street, and evaluation of a bypass road connection to Higuera Street during the Circulation Element or Regional Transportation Plan update. However, because neither of the approaches can be guaranteed to eliminate project impacts to these two intersections, impacts would remain adverse, less than significant.</p>
<p>TT-3 The proposed project would create potentially significant impacts at the LOVR/Froom Ranch Way intersection from extended queuing at the westbound LOVR left turn pocket due to high demand for U-turns to access U.S. 101.</p>	<p>MM TT-3 Internal project circulation (site layout and drive aisles) shall be reconfigured to allow full egress and ingress at the project driveway on Froom Ranch Way, immediately north of the LOVR/Froom Ranch Way intersection.</p>	<p>With implementation of mitigation measures, impacts to the LOVR/Froom Ranch Way intersection would be reduced to less than significant levels.</p>
<p>TT-5 Project site design would result in potential safety hazards and/or provision of inconvenient pedestrian access at several driveways and entrances to the site, potential conflict with a Circulation Element policy, and would result in potentially significant impacts to pedestrian use and facilities in the project vicinity.</p>	<p>MM TT-5a The proposed project shall provide only one exit lane (versus the two proposed) from LOVR at the right-in/right-out project driveway east of Pad F to avoid driver confusion and minimize the crossing distance for pedestrians across the driveway.</p> <p>MM TT-5b The inbound, <u>on-site</u> left-turn pocket <u>from the LOVR driveway accessing parking</u> for Pads F and G <del>off LOVR</del> shall be shortened and/or relocated further inward towards the project site from LOVR to reduce driver confusion and enhance pedestrian safety.</p> <p>MM TT-5c The crossing location across the one-way, inbound-only driveway at Froom Ranch Way shall be relocated closer to Froom Ranch Way. The channelized right-turn at this location should be modified to minimize pedestrian crossing distance and sight distance for pedestrians and bicyclists.</p> <p>MM TT-5d Project's site design shall be modified to improve pedestrian connectivity between the pedestrian access path between Oceanaire Drive and the project site and the future Bob Jones Trail and the project site. <del>A marked, Americans with Disabilities Act (ADA) compliant crosswalk should be provided across Froom Ranch Way north of Anchor C to provide access to the adjacent neighborhood.</del> Any <del>further</del> design improvements <del>to the crosswalk</del> (such as bulb-outs) should be made in consultation with City staff.</p>	<p>The proposed project would increase pedestrian activity in an auto-oriented area characterized by high traffic volumes and speeds. However, with implementation of mitigation measures, impacts would be reduced to less than significant levels.</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

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Impacts	Mitigation Measures	Residual Impacts
	<p>MM TT-5e The <del>proposed</del> project <del>shall</del> <u>should</u> include a crosswalk on the north leg of the LOVR/Froom Ranch Way signalized intersection, paralleling LOVR and crossing Froom Ranch Way to create a continuous pedestrian facility along the northern side of LOVR <u>if it is ultimately determined by the City that pedestrian access on this leg of the intersection does not constitute an operational or safety issue. If this crosswalk is authorized, a</u> <del>A</del> sidewalk and additional crosswalk across the LOVR frontage road should also be added to connect the frontage road sidewalk with the crosswalk at the LOVR/Froom Ranch Way intersection.</p> <p>MM TT-5f The raised median channelizing right-turning vehicles into the site on Froom Ranch Way should be <u>modified or</u> eliminated from the proposed project design to reduce vehicle speeds and pedestrian crossing distance at the one-way inbound driveway.</p>	
<p>TT-6 The proposed project could potentially result in inadequate bicycle facilities per City code requirements.</p>	<p>MM TT-6a The applicant shall demonstrate that the project would provide long- and short-term bicycles parking to meet project demand and City code requirements including location standards. The proposed bicycle parking shall be:</p> <ul style="list-style-type: none"> <li>• installed at highly visible locations that are as close to the main entrance of the destination as possible;</li> <li>• located at least as conveniently as the most convenient automobile parking space available to the general public;</li> <li>• <u>Be be</u> distributed to serve all tenants and visitors;</li> <li>• visible from the interior of the destination;</li> <li>• in places where clear and safe pedestrian circulation is ensured;</li> <li>• <u>located so that they will not be obstructed by project activities (i.e., delivery trucks, boxes, etc.);</u></li> <li>• illuminated at night to the extent that the destination supports nighttime activity; and,</li> <li>• sheltered, where shelter can be attractively integrated with project architecture.</li> </ul> <p><u>MM TT-6b The applicant shall install three bike lockers to be managed by the City for use by non-standard employees of the work site (such as contract security) or commuters.</u></p>	<p>With the implementation of standard regulatory and additional consultant-recommended mitigation measures, impacts to bicycle facilities would be reduced to less than significant levels.</p>
<p>TT-7 The proposed project design would</p>	<p>MM TT-7 The applicant shall coordinate with the City to</p>	<p>With the implementation of mitigation</p>

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**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
<p>result in potentially significant impacts to vehicular access and circulation within the project site.</p>	<p>review internal site circulation and implement potential realignment/redesign of internal roads, <del>and</del> parking, <u>and Froom Ranch driveway locations</u> as determined necessary by the City. At a minimum, the parking spaces that would be located less than 100 feet from the right-in/right-out only driveway near Pad H shall be removed to reduce conflicts between inbound vehicles entering the project site and vehicles that would otherwise be accessing the parking spaces.</p>	<p>measures, impacts to vehicular access and circulation would be reduced to less than significant levels.</p>
<p>TT-8 The proposed project would create potentially significant impacts by <u>substantially-potentially</u> increasing demand for transit services in an underserved area, presenting a barrier to both transit dependent and non-transit dependent households for using transit, and would potentially be in conflict with City policy that supports the frequency of City transit service comparing favorably with the convenience of using private vehicles.</p>	<p>MM TT-8a Consistent with the City of San Luis Obispo's Short Range Transit Plan, bus and trolley stop locations and amenities shall be developed in consultation with the City of San Luis Obispo to mitigate potential project impacts related to new transit trips associated with the project. Further evaluation of any bus stop locations shall include an analysis of pedestrian circulation to and from the stop and the potential for vehicle-pedestrian conflicts. The project applicant shall be responsible for the development and installation of any identified improvements.</p> <p>MM TT-8b The applicant shall fund public transit <u>through the implementation of the Project Trip Reduction Program per MM AQ-3f</u> by providing their employees with a free or discounted public transit pass or a \$100 per month stipend for use in public transit <u>and/or an employee cash-out program, as determined appropriate by the City Public Works Department. The applicant shall also contribute to a marketing fund, which the City can use to promote the public transit program on site and on buses to encourage employee awareness.</u></p> <p>MM TT-8c As part of the General Plan amendment and rezone application for the project site, the City should determine if the probable need exists to reserve right-of-way for future transit stop(s) along the project's Froom Ranch Way frontage. If the City deems the expansion of transit along this route reasonably foreseeable, then the City should require that right-of-way or easements be provided in the appropriate location. Given the uncertainty of the timing of implementation of such future transit, these areas may still be developed in landscaping or parking until such as time as the City requires use of the right-of-way.</p>	<p>The proposed project would increase demand for transit service in an area that is underserved by transit and where challenges exist to improving transit service due to the nature of area land uses and circulation network. However, with the implementation of mitigation measures, impacts to transit would be reduced to less than significant levels.</p>
<p>TT-9 The proposed project could potentially result in a shortage of required</p>	<p>MM TT-9 The applicant shall demonstrate that the project would provide sufficient motorcycle parking to meet project demand</p>	<p>With the implementation of standard regulatory mitigation measures, impacts to</p>

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**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
motorcycle facilities per City vehicle code requirements (1 per 20 vehicle spaces).	and City code requirements.	motorcycle facilities would be reduced to less than significant levels.
<b>3.9 Public Services</b>		
<p>UT-1 The proposed project could result in potentially significant impacts on the City's potable water supply and water supply infrastructure.</p>	<p>MM UT-1a The project shall obtain a water allocation and pay water impact fees to the City of San Luis Obispo for the incremental increase in water demand at the site.</p> <p>MM UT-1b If it is determined that off-site improvements to the City's existing water distribution system are necessary to accommodate the proposed project, the applicant shall be responsible for funding and constructing the improvements.</p> <p>MM UT-1c Consistent with Ahwahnee Water Principles and the City's General Plan, Conservation and Open Space Element, Policy 10.2.2, the applicant shall design all irrigation and water utilities infrastructure for compatibility with on-site use of recycled water.</p> <p>MM UT-1d The applicant shall implement water conservation best management practices including: selection of drought-tolerant, low water-consuming plant varieties and use of high-quality, low-flow toilets, urinals, and faucets.</p> <p><u>MM UT-1e The applicant shall submit a Plan for Services consistent with the Cortese-Knox-Hertsberg Act to the San Luis Obispo Local Agency Formation Commission. The Plan for Services shall include all of the following information and any additional information required by the commission or executive officer:</u></p> <ul style="list-style-type: none"> <li>• <u>an enumeration and description of the services to be extended to the affected territory;</u></li> <li>• <u>the level and range of those services;</u></li> <li>• <u>an indication of when those services can feasibly be extended to the affected territory;</u></li> <li>• <u>an indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed; and</u></li> <li>• <u>information with respect to how those services will be financed.</u></li> </ul>	<p>With the implementation of standard regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than significant levels.</p>
UT-2 Wastewater from the project site	MM UT-2a The project shall comply with all standard	With the implementation of standard

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
<p>may potentially exceed the remaining capacity of the City's Water Reclamation Facility.</p>	<p>regulatory reviews and obtain approvals from the City of San Luis Obispo Utilities Department for wastewater facilities, including payment of impact fees.</p> <p>MM UT-2b If it is determined that off-site improvements to the City's existing wastewater collection system are necessary to accommodate the proposed project, the applicant shall be responsible for constructing the improvements.</p>	<p>regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than significant levels.</p>
<p>UT-3 The proposed project may potentially produce solid waste above existing capacity levels of the primary disposal facility for the City of San Luis Obispo.</p>	<p>MM UT-3a Pursuant to the City of San Luis Obispo's Ordinance 1381, Chapter 8.05, a Recycling Plan for the proposed project to be implemented during construction will be submitted for approval by the City's Solid Waste Coordinator or the Community Development Director, prior to building permit issuance. The plan shall include plans to recycle at a minimum 50 percent of discarded materials, such as concrete, sheetrock, wood, and metals, from proposed construction.</p> <p>MM UT-3b Pursuant to the City of San Luis Obispo's Source Reduction and Recycling Element, the project shall provide a plan for the disposal, storage, and collection of solid waste material for the project. The development of the plan shall be coordinated with the City's franchised solid waste collection and disposal firm, San Luis Obispo Garbage Company. The plan must be submitted for approval by the City's Utilities Conservation Coordinator and the Community Development Director.</p> <p>MM UT-3c Newly established businesses should include convenient facilities for interior and exterior on-site recycling.</p> <p>MM UT-3d Recycled-content materials shall be used in structural and decorative building components and in surfacing wherever feasible.</p>	<p>With the implementation of standard regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than significant levels.</p>
<p>UT-4 The project would potentially increase demand on the SLOPD as additional new commercial and parking areas would need to be patrolled by police officers.</p>	<p>MM UT-4a The project shall comply with all standard regulatory reviews by SLOPD.</p> <p>MM UT-4b The applicant shall incorporate a full-time security staff to patrol the proposed development complex.</p>	<p>With the implementation of standard regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than significant levels.</p>
<p>UT-5 The project would potentially increase the demand for SLOFD services due to additional commercial uses.</p>	<p>MM UT-5 The applicant shall incorporate all site design features required by the Fire Marshal into the project in case of emergency, including:</p> <ul style="list-style-type: none"> <li>• adequate fire department access;</li> </ul>	<p>With the implementation of standard regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than</p>

**Table ES-2. Class II Impacts - Significant Impacts That Can Be Mitigated To Less Than Significant Levels (continued)**

Impacts	Mitigation Measures	Residual Impacts
	<ul style="list-style-type: none"> <li>• proper placement of street numbers;</li> <li>• water supply capable of providing adequate fire flow;</li> <li>• a knox box;</li> <li>• installation of fire protection systems and equipment;</li> <li>• implementation of fire safety measures during construction; and,</li> <li>• portable fire extinguishers.</li> </ul>	significant levels.
<p>UT-6 The project could potentially consume energy resources beyond existing service provider capacity levels.</p>	<p>MM UT-6 If additional electrical energy services are required to accommodate the proposed project the applicant would be required to pay a mitigation fee to PG&amp;E.</p>	<p>With the implementation of standard regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than significant levels.</p>
<p>UT-7 Construction and operation of the proposed project could potentially use non-renewable resources in a wasteful or inefficient manner.</p>	<p>MM UT-7a The applicant shall comply to the maximum extent feasible with all adopted city policies regarding energy consumption such as:</p> <ul style="list-style-type: none"> <li>• incorporation of cost-effective, renewable, non-depleting energy resources into the project design, wherever possible; and,</li> <li>• site and building design to avoid unwanted heat gain from solar exposure. Features that provide shading at suitable times of the day and year generally shall be "passive" or automatic, avoiding the need for occupants to regularly monitor or adjust them.</li> </ul> <p>MM UT-7b Construction vehicles shall be turned off when not in use to avoid idling. Construction vehicles shall be left on site for the duration of construction to avoid wasteful or inefficient use of gasoline.</p> <p>MM UT-7c The project applicant shall provide the City with additional information necessary to obtain at least a LEED Silver Certification from the U.S. Green Building Council.</p>	<p>With the implementation of standard regulatory procedures and consultant-recommended mitigation measures, all impacts would be reduced to less than significant levels.</p>

**Table ES-3. Class III Impacts – Impacts That Are Adverse But Less Than Significant**

Impact	Mitigation Measures	Residual Impact
<b>3.2 Agricultural Resources</b>		
AG-1 The proposed project would potentially impact agricultural land from the direct conversion of approximately 19 acres of historically farmed prime soils to urban development.	No mitigation measures would be required.	Impacts would be less than significant.
<b>3.6 Land Use</b>		
LU-2 The site design of the proposed project is potentially inconsistent with adopted City policies designed to protect public views, open space, pedestrian connections, and natural resources.	No mitigation measures would be required.	Since these impacts are generally considered site design policy inconsistencies rather than direct and indirect physical environmental effects, impacts are considered adverse but less than significant. Recommended measures to reduce these adverse affects include reorienting buildings to focus on the Creek as a site amenity, providing additional pedestrian access to link adjacent properties to the south and pedestrian plazas with greater visual access to the Creek, breaking up large uninterrupted surface parking, and proving a greater view corridor to the creek and open space. Section 6.0, Alternatives, includes the <i>Improved Site Design Alternative</i> , which would reduce or potentially eliminate these project impacts.
<b>3.8 Transportation</b>		
TT-4 The proposed project would result in less than significant impacts to LOS at nearby U.S. 101 freeway ramp junctions during the P.M. hour period.	No mitigation measures would be required.	Impacts would be less than significant.

**Table ES-4. Summary of Cumulative Environmental Impacts**

<b>CLASS I: SIGNIFICANT AND UNAVOIDABLE</b>
<p><b>Air Quality</b></p> <p>Operational (long-term) emissions from all the projects on the City’s cumulative list, along with the proposed project, would contribute cumulatively to increased air pollutant emissions. These cumulative impacts are significant and unavoidable. Major projects in the City that affect cumulative air quality include a number of mixed-use developments, an office park, 800,000 sf of service/manufacturing uses, auto sales lots, and other projects.</p> <p>Air pollutant emissions are cumulatively significant for ROG, NO<sub>x</sub>, CO and PM<sub>10</sub>. Since ozone is created on a regional scale, reduction and control of ozone precursors is managed on a regional basis, and off-site mitigation measures are effective air quality planning tools. Similarly, cumulative emissions of particulate matter are above the APCD Tier II significance thresholds. Since the County is currently out of attainment for particulate matter this is considered a significant and unavoidable cumulative impact.</p> <p>CO and PM<sub>10</sub>, on the other hand, are pollutants that often result in localized “hot-spots” where the ambient air quality standards may be exceeded. Typically, this occurs in areas where there is heavy traffic and significant congestion. Traffic studies for the proposed project demonstrate that the surrounding intersection performance, as characterized by their level of service, would not be cumulatively adversely impacted by the project. While cumulative emissions of CO are potentially significant, they are unlikely to result in localized air quality impacts because the approved and proposed projects are dispersed throughout City.</p> <p>The proposed project would generate greenhouse gases (GHGs) that are known to contribute to global climate change, primarily through emissions of CO<sub>2</sub> associated with vehicle emissions during construction, electricity and heat generation, and vehicle trips after the project is constructed. Projected calculations of CO<sub>2</sub> emissions resulting from the proposed project (as calculated by URBEMIS) are 32,691 lb/day. No state or federal standards have yet been established to govern such emissions. However, GHGs have been linked to global climate change and its known environmental consequences. To help reduce emissions from vehicle trips and building energy usage, mitigation measure MM AQ-4a would contribute to regional transit, MM AQ-4b calls for the use of green building techniques, and MM UT-7a and MM UT-7c would require compliance with city policies regarding energy consumption and energy efficiency. However, in combination with existing GHG emissions, direct and indirect emissions from the proposed project would be considered cumulatively significant and unavoidable.</p>
<p><b>Noise</b></p> <p>Additional traffic to Los Osos Valley Road (LOVR) and Froom Ranch Way would result as a consequence of the increased commercial operations of the Prefumo Creek Commons Project. Therefore, noise associated with vehicle traffic would cumulatively increase. Noise is an issue of concern to sensitive receptors, particularly for residences where exterior noise above 60 CNEL is considered to be incompatible with exterior living areas and interior spaces should be mitigated to 45 CNEL or below. Exterior noise levels in the vicinity of the proposed project along LOVR between Madonna Road and Froom Ranch Way are currently in excess of 60 CNEL, the City’s accepted residential exterior noise limit. Further, an increase in noise levels along LOVR can be anticipated along with an increase in vehicle trips associated with future regional development. The Prefumo Creek Commons Project would add incrementally to this cumulatively significant impact.</p> <p>The projected cumulative 24-hour exterior sound levels along the segment of LOVR between Madonna Road and Froom Ranch Way would be approximately 70.7 CNEL, an increase of 0.1 dBA from the cumulative noise level of approximately 70.6 CNEL without the proposed project. The projected cumulative 24-hour exterior sound levels along the extension of Froom Ranch Way would be approximately 50.9 CNEL, an increase of 1.4 dBA from the cumulative noise level of approximately 48.5 CNEL without the proposed project. Estimated increases in cumulative traffic sound levels along LOVR and Froom Ranch Way are</p>

**Table ES-4. Summary of Cumulative Environmental Impacts (continued)**

<b>CLASS I: SIGNIFICANT AND UNAVOIDABLE</b>	
ES-40	<p>associated with projected traffic volume increases. Typical reductions in noise levels from exterior to interior conditions for older construction style residences is approximately 22 to 25 dBA (City of San Luis Obispo 2003); therefore, resulting 24-hour cumulative interior noise levels for residences along LOVR would be approximately 45.7 to 48.7 CNEL, while cumulative interior noise levels without the proposed project would be approximately 45.6 to 48.6 CNEL. Cumulative interior noise levels for residences located along Froom Ranch Way would be below 45 CNEL under both scenarios. Therefore, considering the 60 CNEL threshold for exterior noise and 45 CNEL threshold for interior spaces, the Prefumo Creek Commons Project would add incrementally to cumulatively significant exterior and interior noise impacts along LOVR between Madonna Road and Froom Ranch Way.</p> <p>Projected cumulative increases in noise levels on other roadway segments in the vicinity of sensitive receptors near the project due to traffic increases are anticipated to result in adverse but less than significant noise impacts. Trip generation above cumulative levels on other roadways in the vicinity of the project near sensitive receptors would result in increases ranging from approximately 0.5 percent to 7.3 percent (see Appendix E). These increases would not be expected to result in noise level increases of more than 1 dBA and would not be perceptible to the human ear. In addition, noise reduction measures associated with the U.S. Highway 101/LOVR interchange project would include rubberized asphalts or alternative paving technology that would reduce cumulative noise levels to less than significant for sensitive receptors on LOVR near the U.S. Highway 101/LOVR interchange (e.g., Los Verdes Park I and II).</p>
	<b>Transportation and Traffic</b>
	<p>Under the <i>Near-term Cumulative Plus Project</i> scenario, major improvements to the U.S. Highway 101/LOVR interchange would ensure the intersections and ramps would operate at an acceptable LOS. However, impacts at the LOVR/Madonna road intersection would remain unavoidable and significant due to the need for major expansion to accommodate projected traffic increases and the resultant ROW acquisition requirements and related secondary impacts and policy inconsistencies. Impacts at the intersections of LOVR with Auto Park Way and Los Verdes Drive would also be adverse, but not significant over the near-term. Impacts to pedestrian facilities would remain the same as under the proposed project, and the lack of funding for improvements in the frequency of transit service and the auto-oriented nature of potential development in the southern end of the City is expected to continue to result in impacts to transit-related households and difficulty in meeting city goals for provision of convenient transit.</p> <p>Under the <i>Year 2035 Cumulative LOS Impacts</i>, the proposed project would result in unacceptable LOS F operations at the LOVR/Madonna Road intersection, a significant impact. Even with proposed mitigation, project generated traffic would utilize all or most of this intersection’s remaining capacity, leaving none for other area developments without substantial improvement to the intersection, with related policy inconsistencies and secondary impacts. Therefore, the project’s contribution to substantial cumulative impacts to this intersection would remain unavoidable and significant.</p> <p>TDM measures could reduce project traffic through the LOVR/Madonna Road intersection; however, in order for transit to play a major role in serving the transportation needs of the project area, substantially increased funding to improve headways would be required. To be most effective, such an increase in transit funding would also need to be accompanied by changes to the area’s land use pattern, including added mixed-use and higher-density residential development proximate to the area’s commercial centers. These changes would need to be accompanied by improved vehicular, pedestrian, and bicycle circulation connectivity. All of these measures would be either required or encouraged by the recommendations and mandates contained in the AB 32 Scoping Plan and SB 375.</p> <p>The unsignalized intersection at LOVR/Los Verdes Drive exceeds the City of San Luis Obispo LOS threshold but does not meet the peak hour signal warrants. Thus, the proposed project is estimated to have a less than significant impact to the unsignalized intersection under Year 2035 with Project Cumulative Conditions. City staff has developed a strategy and toolbox to address the singular vehicle access to/from LOVR at Los Verdes Drive for residence of Los Verdes Park I and II. This strategy includes on-going monitoring of the LOVR/Los Verdes Drive intersection as a part of the Annual Traffic Safety Report, provision of secondary access via Higuera Street, and evaluation of a bypass road connection during the Circulation Element or Regional Transportation Plan update.</p>

**Table ES-4. Summary of Cumulative Environmental Impacts (continued)**

<b>CLASS I: SIGNIFICANT AND UNAVOIDABLE</b>	
<p>Regarding <i>Year 2035 Cumulative Queuing Impacts</i>, westbound queuing from LOVR/Froom Ranch Way is considered a significant operational impact. However, implementation of mitigation measures below would reduce this impact to less than significant.</p>	
<b>CU MM TT-1a</b>	<i>Lengthen the southbound left-turn storage pocket on Froom Ranch Way at LOVR to 370 feet.</i>
<b>CU MM TT-1b</b>	<i>Allow full egress and ingress at the driveway immediately north of the LOVR and Froom Ranch Way intersection to improve operations on LOVR east of Froom Ranch Way.</i>
<b>CU MM TT-1c (Opt. 1)</b>	<i>(1) Restripe the southbound shared through-right lane on Froom Ranch Way to a shared left-through-right lane; and (2) add a separate 100-foot eastbound right-turn lane on LOVR with a 100-foot storage pocket. With these improvements, the LOS would improve to LOS D. This configuration requires ROW acquisition for the eastbound right-turn lane and modifications to the existing bioswale in the southwest corner of the intersection;</i>
<i>- or -</i>	
<b>CU MM TT-1d (Opt.2)</b>	<i>(1) Widen the southbound approach on Froom Ranch Way to include two southbound left-turns and a shared through-right lane. This configuration would require ROW acquisition for the north leg widening and shifting the planned building Pad G by approximately 20 feet to the east, (2) Widen the northbound approach to include two left turn lanes, a through-lane and a separate right-turn lane. The widening of the southern leg to the east requires ROW acquisition and relocation of the existing intersection controller boxes, and (3) Modify signal timings to implement north/south protected phasing. These improvements with north/south protected phasing would result in LOS D operations. Compared to Option 1, such a configuration with north/south protected phasing (rather than split phasing) would more effectively serve pedestrians across all four legs of the intersection.</i>
<p>The LOVR/U.S. Highway 101 southbound ramps intersection also has a Year 2035 cumulative queuing impact. The following mitigation measure, which would require widening of an existing embankment and culvert, would reduce impacts to a less than significant level.</p>	
<b>CU MM TT-2</b>	<i>An additional southbound right-turn lane and extension of the left-turn storage pocket to 300 feet shall be constructed at the LOVR/U.S. Highway 101 interchange.</i>
<p>Regarding <i>Year 2035 Freeway Ramp Junctions Cumulative LOS Impacts</i>, all merge/diverge ramp junctions were found to operate at an unacceptable LOS D except the LOVR/U.S. Highway 101 northbound on-ramp, which would operate at LOS C. Therefore, the proposed project would have an impact at the four ramp junctions except for the U.S. Highway 101 northbound on-ramp. Based on the merge/diverge LOS calculations, each impacted ramp junction could be mitigated back to Year 2035 cumulative without project levels. Implementation of the mitigation measure would reduce the ramp impacts to a less than significant level.</p>	
<p>It should be noted that while the southbound improvements are feasible improvements that would reduce the ramp impacts to a less-than-significant level, initial review of the implementation of northbound off-ramp deceleration lane extension may not be feasible due to the needed modification to the retaining wall and other physical structures adjacent to U.S. 101. Thus, the northbound off-ramp diverge would be considered a potentially significant and unavoidable impact. However, this extension of the northbound off-ramp deceleration lane could be implemented with the realignment of U.S. 101 into the median. The widening of U.S. 101 to 6 lanes (3 northbound and 3 southbound) would also mitigate these cumulatively significant ramp junction impacts.</p>	
<b>CU MM TT-3</b>	<p><i>The following measures shall be incorporated into the final design of the LOVR/U.S. Highway 101 interchange construction project:</i></p> <ul style="list-style-type: none"> <li>• <i>Extending the northbound off-ramp deceleration lane by 50 feet (may require realignment of U.S. 101 into the median);</i></li> </ul>

**Table ES-4. Summary of Cumulative Environmental Impacts (continued)**

<b>CLASS I: SIGNIFICANT AND UNAVOIDABLE</b>	
	<ul style="list-style-type: none"> <li>• <i>Extending the southbound off-ramp deceleration lane by 130 feet; and,</i></li> <li>• <i>Extending the southbound on-ramp acceleration lane by 60 feet.</i></li> </ul> <p style="text-align: center;">- or -</p> <ul style="list-style-type: none"> <li>• <i>Widen U.S. 101 to 6 lanes (3 northbound and 3 southbound).</i></li> </ul>
<b>CLASS II: SIGNIFICANT BUT MITIGABLE</b>	
<b>Aesthetics and Visual Resources</b>	
<p>Potential cumulative visual impacts would occur along southbound LOVR northbound LOVR, westbound Madonna Road, and southbound U.S. Highway 101 as a result of development of the proposed Prefumo Creek Commons Project, in combination with the Calle Joaquin Auto Sales Lot, Dalido, and Hampton Inn projects within the visual area of analysis. The overall effect on the visual setting from these locations location would be an increase in urbanization as the expanse of developed area increases in relation to open space. These projects would further the suburban, large block, big box retail shopping mall aesthetic that has increasingly defined this segment LOVR and the southern end of the City over the last 20 years. The proposed project and cumulative projects would generally be visually compatible with the type, scale, and pattern of the existing retail-commercial development. Therefore, the proposed project and the cumulative projects would not collectively result in a strong visual contrast to existing development in the area. Long-range views to the east to the Morros and the Santa Lucia Mountains, westward views of the Irish Hills, and limited views to the riparian corridor bordering Prefumo Creek would be altered as a result of the project; however, the cumulative effect would not be substantial. Long-range vistas to the scenic resources, although altered, would be preserved in that development would not obscure the associated ridgelines. Therefore, while the visual setting would change for viewer groups along southbound LOVR, northbound LOVR, westbound Madonna Road, and southbound U.S. Highway 101 as a result of cumulative development, the overall effect on visual quality would be less than significant.</p> <p>The cumulative addition of light fixtures in an existing urban setting would be compatible with the character of the downtown. Mitigation to require light fixtures to be shielded and directed downward would reduce the overall impact of unwanted light to a less than significant cumulative impact.</p>	
<b>Agricultural Resources</b>	
<p>Planned buildout of the City of San Luis Obispo area will eventually lead to conversion of an estimated 700 acres of agricultural land within the City’s Urban Reserve Line by about 2020. This loss of agricultural land would contribute to overall cumulative impacts associated with conversion of agriculture to urban use in southern San Luis Obispo County associated with ongoing development in other incorporated cities (e.g., Arroyo Grande) and unincorporated communities (e.g., Nipomo). The proposed project would incrementally contribute by converting approximately 19 acres of prime soils to urban use. Conversion of agricultural land within the City’s Urban Reserve Line was assessed in the 1994 certified EIR on the City’s Land Use Element Update. The conversion of agricultural land was considered a significant and unavoidable impact for which overriding considerations were adopted. The Prefumo Creek Commons Project would be contiguous to existing development and is therefore consistent with the City’s overriding consideration. The project would be required to implement appropriate mitigation measures set forth in the City’s General Plan. These measures include the dedication of agricultural land east of Prefumo Creek to contribute to an existing preservation area.</p>	
<b>Biological Resources</b>	
<p>Construction of the proposed project would continue the trend of conversion of the southern end of the City into a major regional shopping destination, with resultant loss of open space and habitats, and increases in impervious surfaces, night light, noise, and traffic that come with such development. These changes</p>	

**Table ES-4. Summary of Cumulative Environmental Impacts (continued)**

<b>CLASS II: SIGNIFICANT BUT MITIGABLE</b>	
	<p>would both directly and indirectly affect sensitive habitats and wildlife species.</p> <p>The project itself would result in the development of approximately 19 acres of agricultural/ruderal land. This area likely contains Congdon’s tarplant seed bank and provides foraging/nesting habitat for sensitive bird species. Removal of this habitat would also reduce the amount of foraging and breeding habitat for other non-sensitive mammals, birds, and reptiles. These areas, although currently impacted, continue to act as wildlife corridors to Prefumo Creek from surrounding undeveloped areas. These project impacts when combined with other recent and proposed developments such as the Irish Hills Plaza and Dalidio Project all add to impervious surfaces and pollutant loading in the Prefumo Creek watershed. The development of a Costco (23.4 acres) and the proposed development of the Dalidio Project (131 acres) have already (or soon will) significantly reduced the wildlife corridor and forage habitat in the vicinity of the project area. Although these projects would retain Prefumo Creek and its sensitive riparian corridor, this habitat would be come increasingly isolated in an expanse of surrounding urban development.</p> <p>The proposed project would contribute to cumulative impacts on the Prefumo Creek corridor, as the project extends for approximately 1,100 linear feet along the Creek corridor, or approximately 15 to 20 percent of its reach from Laguna Lake to San Luis Obispo Creek. Despite the 50-foot buffer and new native plantings, impacts from increased levels of light, noise, runoff (pollution and siltation), waste material, and human interaction (foot traffic) will potentially impact the species that use and reside in and around Prefumo Creek (refer to Impact BIO-4). In particular, long-term impacts to steelhead from water quality pollution and siltation, and potential cumulative degradation of water quality in Prefumo Creek are of concern. However, because of the relatively low value of on-site upland habitats, the project’s retention of 11.9 acres of on-site open space and the imposition of water quality protection Best Management Practices (BMPs), project contribution to regional cumulative impacts to biological resources would be potentially significant, but subject to feasible mitigation (refer to Sections 3.4, <i>Biological Resources</i>, and Section 3.5, <i>Hydrology and Water Quality</i>).</p>
	<b>Hydrology</b>
	<p>Cumulative development would result in an increase of urban pollutant discharge to surface and groundwater. However, properly implemented, water quality requirements of the Regional Water Quality Control Board and the City and County of San Luis Obispo would be expected to mitigate any adverse impacts resulting from new development. Therefore, the proposed project, in conjunction with those projects considered for cumulative analysis would not significantly increase the concentration of urban pollutants in surface run-off. Polluted runoff which may be generated during construction activities of the proposed project and projects considered in this analysis would be regulated by the State Water Resources Control Board (SWRCB) under General Construction, National Pollutant Discharge and Elimination System (NPDES) permits and would be minimized through the use of standard construction BMPs. Cumulative impacts would therefore be less than significant for water quality.</p> <p>Cumulative development in the City of San Luis Obispo and the San Luis Obispo Watershed are anticipated to contribute to an incremental increase in runoff. Projects upstream of the proposed project site would contribute to the risk of flooding at the proposed project site. Each cumulative project would be expected to provide its own facilities or other mitigations where feasible to mitigate increased peak flows and exacerbated downstream flooding. Project-specific mitigation measures would reduce cumulative impacts associated with the proposed project to the extent feasible.</p> <p>Based upon the following assumptions and the following cumulative mitigation measures, cumulative impacts can be mitigated to less than significant:</p> <ul style="list-style-type: none"> <li>• The future bridge across Prefumo Creek is a clear-span bridge;</li> <li>• The future bridge maintains adequate freeboard for the design flow as determined by the City Engineer; and</li> <li>• The future bridge minimizes approach footprints on either side of the Creek, and ensures adequate overland flow conveyance at the design flow as determined by the City Engineer.</li> </ul>

**Table ES-4. Summary of Cumulative Environmental Impacts (continued)**

<b>CLASS II: SIGNIFICANT BUT MITIGABLE</b>	
<b>ES-44</b>	<p><b>CU MM HYD-1</b> <i>Compliance with <del>Flood-Waterway Management Policy Book</del>Program. All bridges, culverts, <u>outfalls</u>, and modifications to the existing creek channels must be in compliance with the City’s Drainage Design Manual (DDM) and approved by the City Engineer, U.S. Army Corps of Engineers, <del>and</del> California Department of Fish and Game, <u>and Central Coast Regional Water Quality Control Board</u>, and must meet City standards and policies.</i></p> <p><b>CU MM HYD-2</b> <i>The applicant shall participate in their “fair share” of any mitigation fee established by the City of San Luis Obispo to be used to pay for drainage improvements such as culvert replacement made necessary by cumulative project development.</i></p> <p>Over the long-term, global climate change is expected to affect flooding and water quality in three ways: 1) increased flood frequency and intensity, 2) decreased instream surface water quality, and 3) increased demand on groundwater with possible declines in groundwater quality. Increased frequency of erratic weather patterns, including increased rainfall intensity are expected to have the potential to increase the frequency and severity of flooding of California’s rivers and streams. The forecast are for such changes in flooding to occur over the next 25 to 50 years; however, changes in flood frequency and severity along some of the State’s major rivers have already been recorded.</p> <p>Increasingly erratic rainfall patterns and extended and more frequent droughts are anticipated to result in increased stress on aquatic systems due to extended periods of decreased flows. This has the potential to increase water quality concerns such as increased temperatures and pollutant loading. The proposed project and other pending development could contribute to this concern. Decreased surface water supplies could increase demand on groundwater as a long-term source of supply with associated potential for overdrafting and related groundwater water quality concerns. However, the project and other pending area development would not rely on water from the underlying basin.</p> <p>Therefore, although this data indicates that the Prefumo Creek Commons site could be exposed to more frequent or severe floods than currently predicted by available models and may contribute to future surface and groundwater quality concerns, it is not possible to quantify or identify potential impacts associated with this issue. Consistent with the guidance provided in CEQA regarding forecasting or speculation, this discloses this issue and the potential for related impacts without detailed and potentially speculative analysis.</p>
	<p><b>Utilities and Service Systems</b></p> <p>Implementation of all projects included in this cumulative analysis would increase water use; however, all projects would be required to conduct a water use analysis and pay a water impact fee to the City of San Luis Obispo to mitigate impacts to the city water supply. Further, since the City’s <i>Water &amp; Wastewater Management Element</i> describes a comprehensive strategy for allocating water supplies in accordance with safe annual yield, the proposed project would not add significantly to cumulative water demand.</p> <p>Since the City’s Water Reclamation Facility (WRF) is currently operating above 80 percent capacity, cumulative impacts to wastewater are potentially significant. However, a project to increase capacity, water quality, and reliability at the WRF is currently being designed and is expected to be completed by 2011. The City’s Utilities Department does not anticipate exceeding the WRF capacity prior to completion of the expansion project; therefore, cumulative impacts would be considered less than significant.</p> <p>The proposed project and projects on the City’s cumulative list would comply with the City’s comprehensive strategy for minimizing the waste stream going to Cold Canyon Landfill, per Assembly Bill 939 (AB939). In addition, Cold Canyon Landfill is currently undergoing review for potential facility expansion, which would increase capacity by 54 percent. Therefore, the project’s contribution to cumulative impacts would be less than significant.</p>

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**Table ES-4. Summary of Cumulative Environmental Impacts (continued)**

<b>CLASS II: SIGNIFICANT BUT MITIGABLE</b>
<p>According to the San Luis Obispo Police Department (SLOPD), the Department is considered to be operating at capacity. However, with incorporation of mitigation to minimize law enforcement monitoring by police officers, the project’s contribution to this potentially significant cumulative impact would be considered less than significant.</p> <p>With regard to Fire Department services, standard regulatory conditions would require all applicants for projects included in this cumulative impacts analysis to submit project plans to the San Luis Obispo Fire Department (SLOFD) for review and approval. Since existing fire response times are adequate, the project would result in less than significant cumulative impacts on fire response services. Therefore, cumulative impacts are anticipated to be less than significant.</p> <p>Existing electric and gas services to LOVR area are considered adequate. No deficiencies in service capacities were identified. Therefore, the proposed project would not add significantly to cumulative electricity and gas demand. In addition, each individual project would be required to meet state and city standard regulatory conditions regarding use of non-renewable materials. Therefore, the cumulative use of non-renewable resources is not expected to result in significantly wasteful or inefficient use of such resources.</p>
<b>CLASS III: LESS THAN SIGNIFICANT</b>
<p><b>Land Use</b></p> <p>The proposed project would include the commercial development of a parcel bordered on two sides by existing development and an area identified for long-term preservation of open space and agriculture on the east. Such uses are generally consistent with the intent of the goals and policies established within the City’s General Plan and Zoning Ordinance, and would not cumulatively contribute to the loss of open space or agricultural land beyond that already anticipated in the City’s 1994 General Plan and EIR. Further, the proposed project complies with the San Luis Obispo County Airport Land Use Plan (ALUP) goals and policies, and is not expected to cumulatively contribute to potential airport noise and/or safety issues. Mitigation would be incorporated to ensure the proposed project provides acceptable levels of accessible open space, and that the project complies with all applicable zoning development standards. Consequently, implementation of the proposed project is not expected to cumulatively impact land use.</p> <p>Development of open space and agricultural land within the City’s Urban Reserve Line was assessed in the 1994 <i>City of San Luis Obispo Land Use Element/Circulation Element Updates Final EIR</i>. Such development was considered a significant adverse impact. However, an overriding consideration was made to allow development to occur <i>within</i> the Urban Reserve Line when contiguous to existing development, thereby preventing potential development from occurring in areas outside the Urban Reserve Line. Implementation of the proposed project would be inherently consistent with the findings of this EIR.</p> <p>However, it should be noted that the proposed project would raise substantial land use consistency issues with the San Luis Obispo County Clean Air Plan (CAP) (refer to Section 3.3, <i>Air Quality</i>). In addition, as a single-use commercial center at the urban edge of the City with high traffic generation and associated air quality impacts, the project has the potential to conflict with the mandates and goals set forth for land use and urban development in the State’s Scoping Plan for AB 32 and with the provisions of SB 375. These measures generally encourage development of urban infill projects and mixed-use or transit-oriented development as a means of meeting the State’s goals for a substantial reduction in GHG emissions by the Year 2020, approximately 9 to 10 years after project occupancy. As discussed above and in Section 3.3, <i>Air Quality</i>, the project would create potential significant impacts associated with GHG generation and its contribution to cumulative climate change impacts would be deemed unavoidable and significant.</p>



**PREFUMO CREEK COMMONS PROJECT  
ENVIRONMENTAL IMPACT REPORT  
FOR THE CITY OF SAN LUIS OBISPO, CA**

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**NOTE: Entire Table of Contents has changed. This Table of Contents reflects the pagination of the current (Final) document.**

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## 1.0 INTRODUCTION

### 1.1 OVERVIEW

This Environmental Impact Report (EIR) evaluates the proposed Prefumo Creek Commons Project, San Luis Obispo County, California. The EIR was prepared by AMEC Earth & Environmental, Inc., in cooperation with City of San Luis Obispo staff. Following hearings on the adequacy of the EIR, it will represent the findings of the City of San Luis Obispo regarding potential impacts of constructing and operating the proposed project. The proposed project would include annexation of approximately 31 acres of agricultural land located at the edge of the City limits of the City of San Luis Obispo and development of 16.7 acres west of Prefumo Creek with a regional shopping center. This proposed regional commercial center would include 188,658 square feet of new retail space with six separate retail buildings along with approximately 838 on-site parking spaces. In order to partially offset development of prime agricultural land, 11.9 acres, the majority of which is east of Prefumo Creek, would be set aside as dedicated to open space. An additional 2.3 acres would be dedicated as right-of-way for the extension of Froom Ranch Way from Los Osos Valley Road (LOVR) to Prefumo Creek and along the project site's LOVR frontage. The project would also include enhancements to the banks of Prefumo Creek to remove non-native species, and revegetate the banks with natural species. The City may complete the bulk of the creek work as part of an ongoing maintenance program that is currently under way for this creek.

The proposed project site is located at 11980 LOVR and is currently undeveloped and was formerly utilized for commercial agriculture. While San Luis Obispo's city limits encompass areas around the project site, the property is currently located in an unincorporated area. Section 8 of the Land Use Element in the City's General Plan (2007) has specific policies that pertain to the project site, which is zoned as Interim Open Space and referred to as the Los Osos Valley Gap. Section 8.7, *Los Osos Valley Gap*, of the Land Use Element states that the project site should be developed if the land in common ownership to the east of Prefumo Creek is permanently preserved as open space. Section 8.7 also identifies possible land uses for future development of the project site such as vehicle sales, multi-family housing, and an open space corridor, trail, or both, to connect Laguna Lake Park and Prefumo Creek with the Irish Hills. In addition, Section 3.1.2, *Locations for Regional Attractions*, states that the City should focus the

location of regional retail developments to the area around U.S. Highway 101 and LOVR, among other areas.

## **1.2 PROJECT OBJECTIVES**

The Prefumo Creek Commons Project would include legislative acts such as a General Plan amendment and rezone; therefore, both applicant and City objectives are considered. City objectives reflect the direction of the City's General Plan and other guiding documents. Major objectives of the proposed project include:

- (1) Implement Section 8.7 of the City's General Plan, including appropriate commercial and/or residential development, open space protection, trail development and creek restoration/protection.
- (2) Construct a mid-sized regional shopping mall which incorporates design features and amenities that comply with the City's General Plan goals and policies and the Community Design Guidelines for large-scale retail projects;
- (3) Increase commercial retail space in the City with associated increases in shopping opportunities and sales tax revenue to the City;
- (4) Reduce regional flooding while offsetting impacts to sensitive resources in Prefumo Creek;
- (5) Offset impacts to 19 acres of prime agricultural land by dedicating 11.9 acres as permanent open space; and
- (6) Phase project construction to minimize increased traffic congestion at the LOVR/ U.S. Highway 101 Interchange.

## **1.3 PURPOSE AND LEGAL AUTHORITY**

This EIR was prepared in accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA), published by the Resources Agency of the State of California (Title 14, California Code of Regulations 15000 et. seq.), and the City of San Luis Obispo's procedures for implementing CEQA. Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of San Luis Obispo is the Lead Agency under whose authority this document has been prepared. It is intended to provide information to public agencies, decision-makers, and the general public regarding the environmental impacts that would result from implementation of the proposed project. Under the provisions of CEQA, "the purpose of

the environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which significant effects can be mitigated or avoided” (Public Resources Code 21002.1[a]).

The environmental review process was established to enable public agencies to evaluate a project in terms of its environmental consequences, to examine and implement methods of eliminating or reducing any potentially adverse impacts, and to consider alternatives to the project. While CEQA Section 15021(a) requires that major consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including social and economic goals, in determining whether and in what manner a project should be approved.

#### **1.4 PUBLIC REVIEW AND COMMENTS**

To define the scope of the EIR, the City provided the City Council and the public an opportunity to comment on a proposed EIR Scope of Work at a meeting on August 21, 2007. A Notice of Preparation (NOP) was distributed to Federal, State, County, and City agencies, citizens’ groups, and local libraries with a comment period that ran from February 5 to March 6, 2008. The City also held a public scoping meeting on February 13, 2008. Notices of the EIR scoping meeting were sent to various local agencies and special interest groups, as well as occupants within and adjacent to the project site and occupants and owners within a 300-foot radius of the project site, and published in the local newspaper. The purpose of these meetings and notifications was to identify public and agency concerns regarding potential impacts of the proposed project.

[The Draft EIR was distributed to federal, state, county, and city agencies, citizens’ groups, and local libraries with a comment period that ran from April 7 to May 22, 2009. A public hearing was held before the Planning Commission during the public review period on May 13, 2009 to receive public comments on the Draft EIR. Notices of the public hearing and of the Draft EIR’s availability were sent to various local agencies, special interest groups, and interested parties, and was published in the local newspaper. Comments received at the public hearing, as well as written comments received during the public review period, are addressed in Section 7.](#)

## 1.5 REQUIRED APPROVALS

The following entitlements would apply to various project components:

- San Luis Obispo Local Agency Formation Commission approval of annexation of approximately 31 acres to the City of San Luis Obispo;
- City review and consideration of a General Plan Amendment for the project site from Interim Open Space to Commercial Retail and Open Space;
- City review and consideration of pre-zoning the site as Commercial-Retail (C-R) and Conservation/Open Space;
- City review and consideration of a Development Plan;
- City Architectural Review Committee (ARC) review and approval of building designs and site planning for a regional commercial shopping center;
- Potential California Department of Fish and Game Section 1603 Streambed Alteration Agreement for modifications to the Prefumo Creek;
- Potential U.S. Army Corps of Engineers review and consideration of U.S. Clean Water Act 404 permit; and,
- California Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification.

## 1.6 PROJECT APPLICANT AND PROJECT DESIGNERS

### **Applicant:**

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**1.7 SCOPE OF THE EIR**

This EIR assesses the potential impacts of annexing an approximately 31-acre site located at the limits of the City of San Luis Obispo and development of a 16.7-acre regional shopping center. The EIR gives consideration in the environmental baseline to other known private and public discretionary projects in the immediate vicinity that are expected to be operational by the time the proposed project would be built.

Cumulative project impacts are discussed separately in Section 5.0 of the EIR. The cumulative project analysis includes an assessment of potential impacts on City resources using a list of past, present, and probable future projects producing related or cumulative impacts.

**1.8 AREAS OF KNOWN PUBLIC CONTROVERSY**

Based on results of multiple public meetings and responses to the NOP, the following issues are known to be of concern and may be controversial (each issue will be further discussed in the EIR):

- The potential for increased traffic congestion at the LOVR/U.S. Highway 101 interchange;
- Annexation of the site to the City and resulting loss of prime agricultural land;
- Construction-related impacts such as interference with pedestrian and vehicle traffic circulation, dust, and other emissions;
- Potential impacts to sensitive biological resources along Prefumo Creek and disturbance of migration corridor habitat for the threatened steelhead trout; and

- Cumulative impacts such as change in the character of the LOVR corridor.

### 1.9 ORGANIZATION OF THE EIR

This EIR is organized into eight sections. Section 1.0, *Introduction*, summarizes the background of the proposed project and explains the environmental review process. A detailed description of the proposed project is provided in Section 2.0, *Project Description*. Existing environmental conditions, specific project impacts, mitigation measures, and residual impacts are detailed in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*. Section 4.0, *Other CEQA Sections*, identifies significant and irreversible, growth-inducing, and unavoidable effects. Section 5.0, *Cumulative Impacts* describes the impact of the project as it relates to build-out under the City of San Luis Obispo's adopted Land Use and Circulation Elements. Section 6.0, *Alternatives*, describes alternatives to the proposed project site and design, and identifies the *Environmentally Superior Alternative*. [Comments and responses to comments on the Draft EIR are provided in Section 7.0. The Mitigation and Monitoring Program is presented in Section 8.0.](#) Section 7.0, *List of Preparers*, identifies the EIR project team. Documents and interviews used as a basis of information for preparing the EIR are identified in Section 8.0, *References and Persons or Organizations Contacted*. The appendices to the EIR include the Initial Study, NOP, responses to the NOP, and supporting technical studies.

## **2.0 PROJECT DESCRIPTION**

### **2.1 INTRODUCTION**

The applicant (Irish Hills Plaza East, LLC) proposes annexation of a 31-acre site to the City of San Luis Obispo and an accompanying General Plan Amendment and rezone to enable development of a project known as Prefumo Creek Commons. Approximately 16.7 acres of the site would be zoned for Commercial-Retail (C-R), 11.9 acres would be dedicated to the City as open space, and 2.3 acres would be dedicated as road right-of-way. The retail portion of the site would be developed with approximately 188,658 square feet (sf) of commercial space with six buildings and up to 12 tenant spaces. Approximately 838 on-site parking spaces would serve the commercial development. Additional improvements include an extension of Froom Ranch Way eastward from Los Osos Valley Road (LOVR) into the site. Access to the project site would be provided from both LOVR as well as from the Froom Ranch Way extension. Although not proposed for construction as part of the shopping center, a bridge would be constructed over Prefumo Creek in the future to provide access to and from the Dalidio property to the east, should the property to the east be developed. Impacts associated with constructing this bridge, including traffic and circulation and biology, are not included as part of this Environmental Impact Report (EIR) and will require additional review when properties are developed to the east of the project site in the future. The proposed project would include drainage improvements to treat and convey run-off water into Prefumo Creek, including construction of down drains. Restoration and enhancement of Prefumo Creek's riparian corridor would also be provided, including cleanup of creek channel debris in conjunction with the City to improve flows and reduce erosion. The proposed 11.9-acre dedicated open space area would encompass Prefumo Creek and the area to the east, and is anticipated to be used for agricultural purposes over the long-term along with development of an extension of the City's proposed Bob Jones Bike Trail.

### **2.2 PROJECT LOCATION AND OWNERSHIP**

The proposed project site consists of approximately 31 total acres located at 11980 LOVR within the County of San Luis Obispo (Figure 2.2-1). The site, also known as the "Los Osos Valley Gap" property, is surrounded by development and represents the last remaining undeveloped parcel along the east side of LOVR. The project site is located



Prefumo Creek Commons  
Project Location

**FIGURE**  
**2.2-1**

outside City limits and is designated as Interim Open Space, with the property east of the creek designated as Open Space, in the City's General Plan Land Use Element. The site is currently designated as agriculture under the County's General Plan Land Use Element. The property, which consists of Assessor's Parcel Number 067-242-001, is owned by Madonna Enterprises.

## **2.3 EXISTING SETTING**

### **2.3.1 Project Vicinity**

The project site is located on the east side of LOVR, between the interchange with U.S. Highway 101 to the south and Madonna Road to the north. LOVR is a three-lane roadway at its southern end, but has been widened at parts to five and seven lanes as a result of the recent Irish Hills Plaza development near the project site. LOVR provides access to U.S. Highway 101 for southwestern San Luis Obispo and Los Osos. Major development in the area includes regional commercial centers such as the Irish Hills Plaza and San Luis Obispo Promenade shopping centers. Residential neighborhoods in the area include single-family homes located just north of the project site, and the DeVaul Ranch Planned Development, a 221-acre site consisting of single-family and multi-family housing, farther north. The site is located approximately 1 mile northwest of the San Luis Obispo County Airport, and is located within the airport's approach zone and noise corridors. Recreational opportunities in the vicinity of the project site include Laguna Lake Park and Open Space and the Irish Hills Nature Preserve. Laguna Lake, located north of the project site, is drained by Prefumo Creek which flows south to its confluence with San Luis Obispo Creek near the interchange of LOVR and U.S. Highway 101. Other creeks in the area include Froom Creek, which drains portions of the Irish Hills. Remaining land uses in the vicinity of the project site include open space and commercial agricultural land used for vegetable crops.

The project site is bordered by the recently developed Irish Hills Plaza shopping center across LOVR to the west and to the north by Pacific Beach High School, a continuation high school with an enrollment of approximately 60 students, and a single-family neighborhood which includes residences located along Cayucos Drive and Oceanaire Drive. Surrounding properties to the east and southeast are largely undeveloped agricultural open space, including the Dalidio Ranch and the Gearhart Property. Additional open space surrounding the project site includes an approximately 321-acre

## 2.0 PROJECT DESCRIPTION

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parcel of undeveloped land located to the southwest across LOVR, at the foot of the Irish Hills. Surrounding properties to the south of the project site include auto dealerships and service facilities located along Autopark Way, such as Coast BMW Nissan, Rancho Grande Motors and Perry Ford.

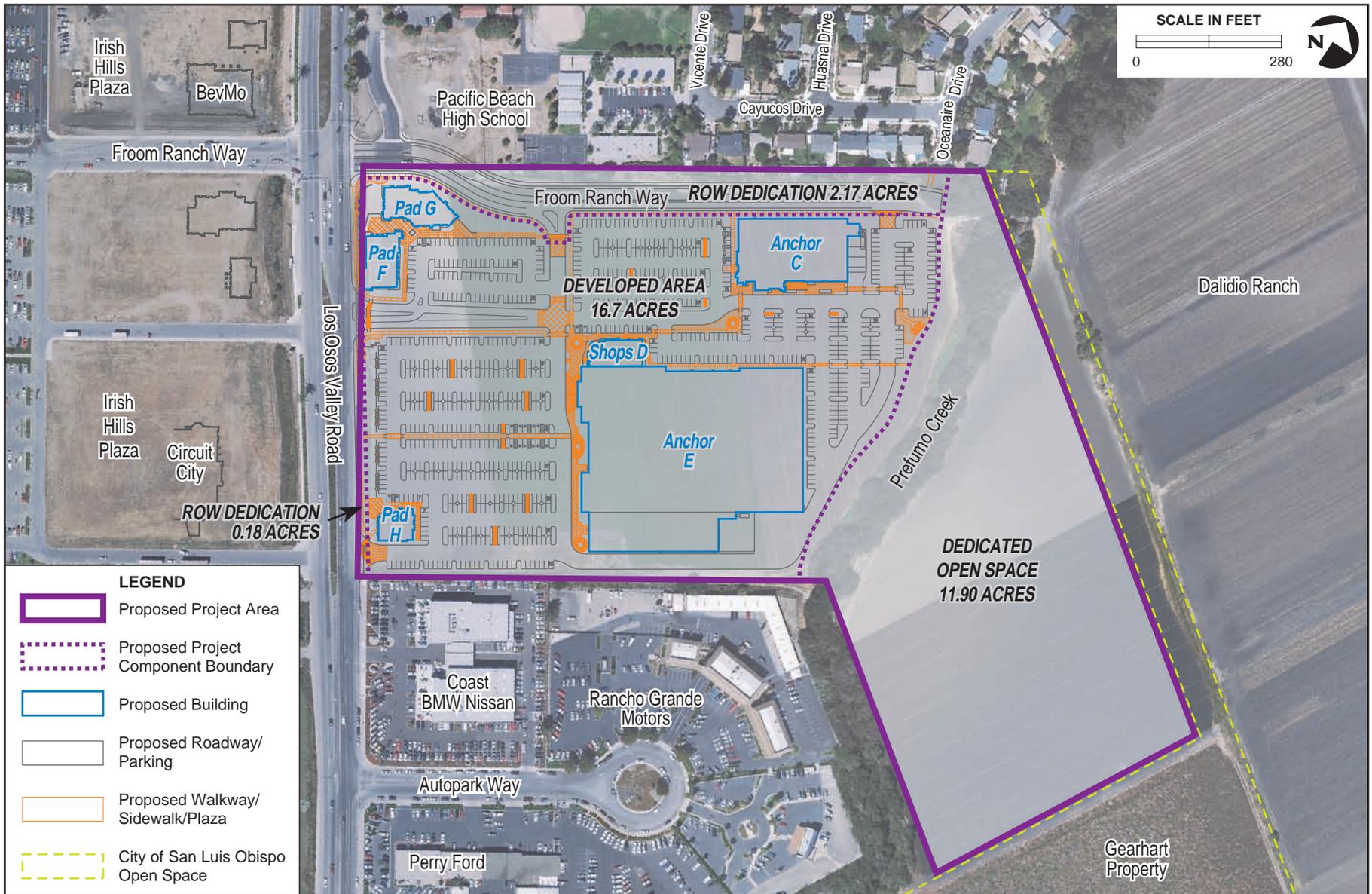
### 2.3.2 Project Site

The 31-acre undeveloped project site is utilized for commercial agriculture and has been historically planted in vegetable crops. Prefumo Creek traverses the site from north to south and divides the site east-west near the center. Existing site features include two agricultural fields to the east and west of Prefumo Creek, ruderal (weedy) vegetation in disturbed areas along the edge of the agricultural field, and drainage ditches located along the western and southern edges of the western portion of the site that support both upland and freshwater marsh vegetation. Prefumo Creek is a perennial stream that originates at Laguna Lake north of the project site and acts as a tributary to San Luis Obispo Creek. Although lined with mature native riparian vegetation, the creek has been altered over the years throughout almost its entire reach; however, the portion of Prefumo Creek located in the project site appears to be the last remaining unaltered section of the creek. Prefumo Creek is characterized by a deep swale lined with mature native willow trees and a mixture of other riparian vegetation. The east bank of the creek at the project site is dominated by a relatively dense stand of mature Arroyo Willow trees ranging from 20 to 40 feet in height, with trunks of approximately 10 to 36 inches in diameter. The site offers views of the Morros and the Santa Lucia Range as viewed from LOVR.

## 2.4 PROJECT OVERVIEW

The proposed project would include the following main components (Figure 2.2-2):

- Development of a 16.7-acre regional shopping center with associated buildings, parking areas, drainage and other utility improvements;
- Repair of limited drainage improvements along Prefumo Creek, including restoration of disturbed areas with native riparian species;
- Dedication to the City of 11.9 acres of open space extending east to the site boundary, including the Prefumo Creek corridor, required creek setbacks, a bikeway, a bridge crossing and road right-of-way, and agricultural preserve~~Dedication of 11.9 acres of public open space to be preserved as agricultural land;~~ and,



Prefumo Creek Commons  
Project Aerial Site Plan

**FIGURE**  
**2.2-2**

- Construction of an extension of Froom Ranch Way on approximately 2.3 acres of road right-of-way.

The following sections provide detailed descriptions of major project components. The majority of the following discussion focuses on the western half of the site which is proposed for development.

### 2.4.1 Commercial Development

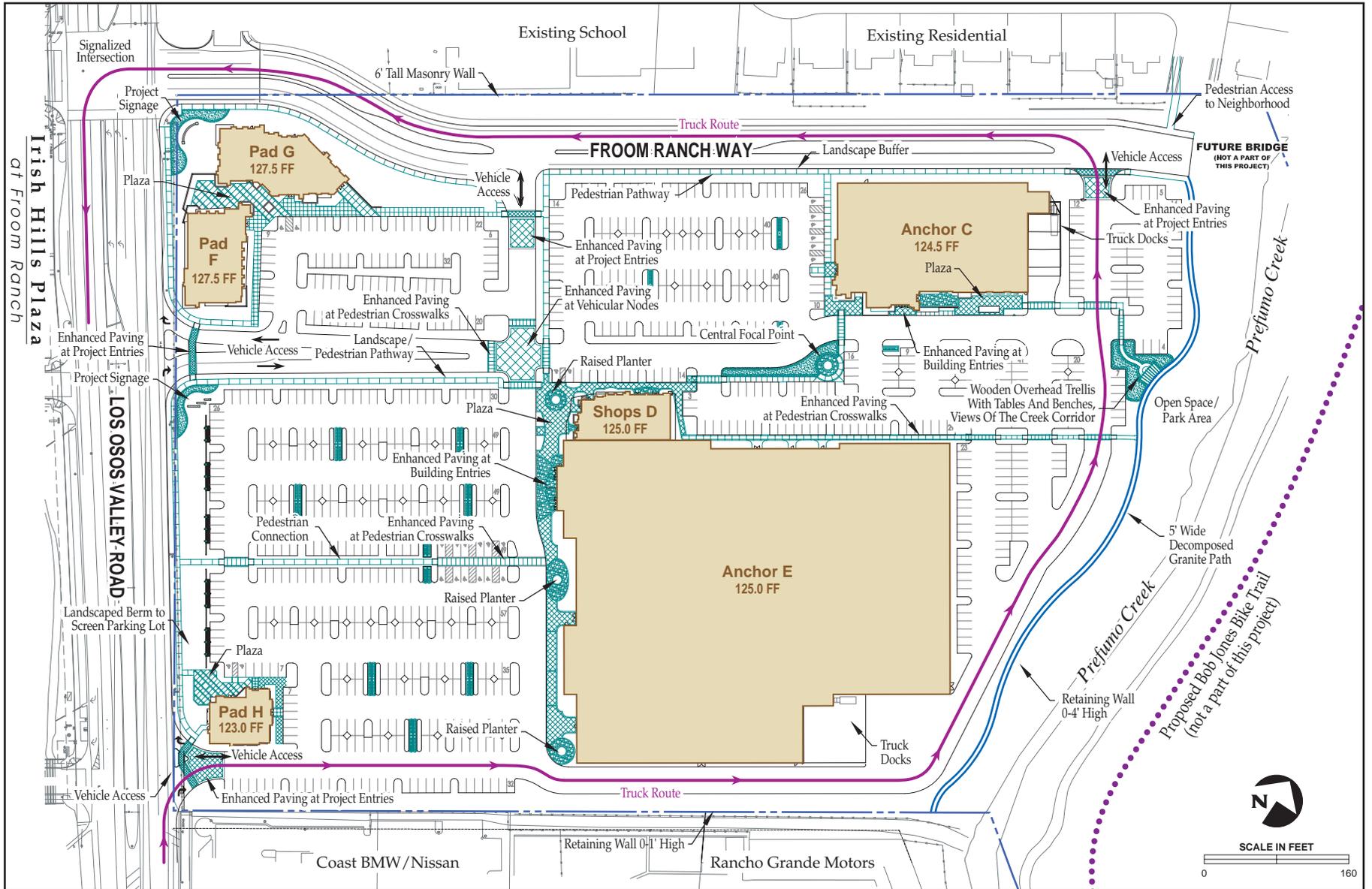
The commercial development component of the proposed project would include construction of six separate buildings for up to 12 retail and restaurant tenants, approximately 10 acres of supporting parking lots, perimeter and parking lot planter landscaping, sidewalks along LOVR and Froom Ranch Way, internal pedestrian walkways, stormwater drainage improvements and installation of new utilities. These project details are shown in Figure 2.4-1 and described in detail below.

#### 2.4.1.1 Proposed Buildings

The proposed project includes construction of six buildings with 12 separate tenant spaces totaling 188,658 sf in size. Proposed buildings would range in size from approximately 3,500 to 139,658 sf, with elevations ranging from 24 to 36 feet high at the roof ridgelines and projecting towers and signs of 30 to 48 feet (Table 2.4-1). Pads F and G, located on the corner of Froom Ranch Way and LOVR, are designed to accommodate restaurants. Anchor E is intended to accommodate a large regional commercial retailer, such as Target, while Anchor C would also accommodate mid- to large-size retail commercial use. Shops D and H are intended to accommodate smaller multiple retail commercial establishments. The proposed buildings would incorporate architecture that can be found throughout central California. Exterior façades would utilize brick veneer, stone, metal canopies and smooth stucco finishes. Schematic elevations detailing the proposed buildings' frontages and architectural features are provided in Figures 2.4-2 and 2.4-3.

#### 2.4.1.2 Proposed Parking

On-site parking would provide approximately 1 space per 228 sf of proposed commercial space, resulting in approximately 838 parking spaces in a surfaced parking lot. The



**Prefumo Creek Commons  
Proposed Commercial Development Site Plan**

**FIGURE  
2.4-1**

Note: Design details shown in elevations are conceptual, locations are not exact.



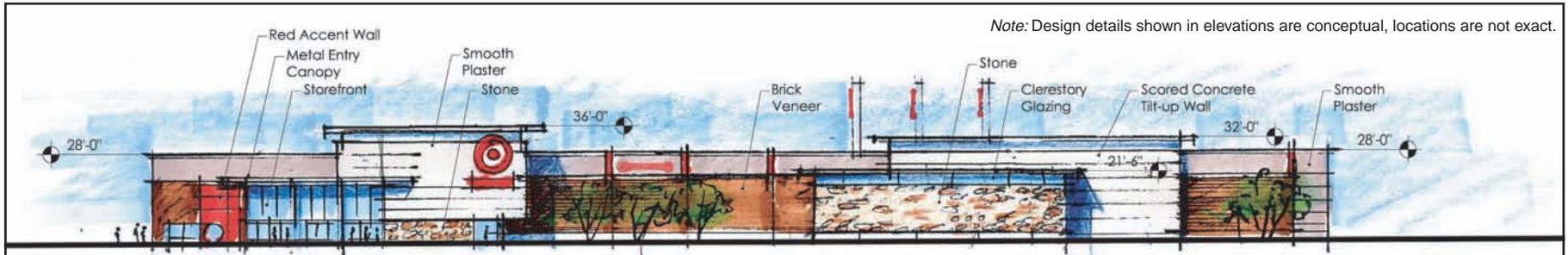
**Front Elevation – Anchor C  
South Elevation Facing Anchor E**



**Front Elevation – Shops D  
West Elevation Facing Los Osos Valley Road**



**Side Elevation – Shops D  
North Elevation Facing Froom Ranch Way**



**Front Elevation – Anchor E**  
**West Elevation Facing Los Osos Valley Road**



**Front Elevation – Pad F**  
**East Elevation Facing Anchor C**



**Front Elevation – Pad G**  
**South Elevation Facing Pad F**



**Front Elevation – Pad H**  
**East Elevation Facing Anchor E**



**Front Elevation – Pad H**  
**North Elevation Facing Froome Ranch Way**

**Table 2.4-1. Proposed Building Details**

<b>Building</b>	<b>Use</b>	<b>Height (feet agl)*</b>	<b>Size (sf)</b>
Anchor C	Large retail	42	26,500
Shops D	Retail	34	5,000
Anchor E	Large retail	48	139,658
Pad F	Restaurant	30	6,500
Pad G	Restaurant	32	7,500
Pad H	Restaurant	30	3,500
<b>TOTAL</b>			<b>188,658</b>

agl - above ground level

\* as measured at attached tower and/or sign

largest parking area would be located in the southwest portion of the site, between LOVR and Anchor E, the largest proposed building at the site (refer to Figure 2.4-1). Parking spaces would be accessed via two separate ingress/egress points along the proposed Froom Ranch Way extension to the north. Additional access to and from on-site parking would be provided by two right in-right out divided ingress/egress points located on LOVR.

2.4.1.3 Landscaping and Pedestrian Access

Proposed project landscaping consists of four primary components as shown in Figure 2.4-4:

- Landscaped buffer strips would be incorporated generally from 30 to 45 feet in width along the project site’s frontages on LOVR and Froom Ranch Way, between the residential neighborhood to the north, and approximately 19 feet in width between the auto dealerships to the south. A 6-foot tall solid wall would be constructed along the northwest boundary of the property for approximately 1,000 feet to create a buffer at the rear of existing residential properties. Larger tree species, such as Incense Cedar and Canary Island Pine, would be generally located along the project site’s northern and southern boundaries to provide a screening effect to and from adjacent properties;
- Parking lot shade trees would be located in curbed planters along each parking aisle, generally spaced every two to six parking spaces. Parking lot trees would include magnolias, jacarandas and other species. The entrance off LOVR includes tree plantings, such as Marina strawberry trees within the median, as well as jacarandas along both sides of the entry drive;

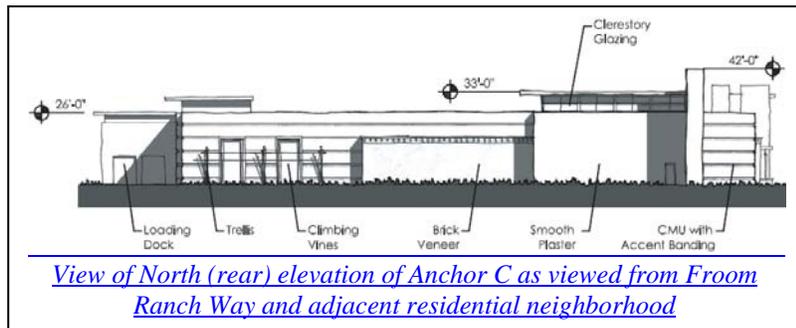


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- Pedestrian accent plantings would be located along the site’s proposed internal pedestrian walkway system and fronting proposed buildings and fountains in curbed planters, grated tree wells, raised planter boxes and landscaping. A variety of palm trees, as well as jacarandas and ornamental pear would be use in these areas. A central focal point with additional landscaping would link the pedestrian walkway between Anchors C and D; and,
- Creek restoration and enhancement plantings along the west bank of Prefumo Creek would include trees such as Coast Live Oak, Red Tree Willow and California Bay, selected in accordance with the San Luis Obispo Waterway Management Plan. A proposed 5-foot-wide pedestrian path would extend for about 1,200 feet along the west bank of Prefumo Creek. This path would connect with a focal point landscape feature, including an overhead trellis, table and seating, located within the creek corridor to offer views of the creek.

A landscape irrigation system would be designed for maximum water efficiency and would include an automatic controller, a backflow prevention device, and low-gallon heads for turf and large ground cover areas. A drip-type system would be used where appropriate and trees would be irrigated on separate bubbler systems.

The proposed project would include installation of a 6-foot-wide sidewalk along the site’s LOVR frontage and typical 5-foot-wide curb edge and parkway style sidewalks



along both sides of Froom Ranch Way. The project would also include a network of internal pedestrian walkways to connect the major project anchor buildings with LOVR, Froom Ranch Way, and Pads F and G at the Froom Ranch Way/LOVR intersection. The sidewalks fronting LOVR would continue into the main entrance of the project site along both sides of the entry drive. The sidewalk on north side of the entry drive would open onto a pedestrian plaza fronting Pads F and G. The sidewalk on south side of the entry drive would open onto a pedestrian plaza fronting Shops D and Anchor E. The pedestrian plaza fronting Shops D and Anchor E would connect to the pedestrian plaza fronting Anchor C via pedestrian crossings with enhanced paving. A central focal point or pedestrian node located at the midpoint of this pedestrian crossing would include raised planters and landscaping. The pedestrian plaza fronting Shops D and Anchor E would also connect to the 5-foot wide pedestrian path located along the west side of Prefumo Creek, within the 50-foot creek

setback. Pedestrian connections would also be provided between the plaza fronting Shops D and Anchor E and the plaza fronting Pads F and G. The main entrance for Anchor E would be connected to the meandering sidewalk along the LOVR project frontage via a 400-foot walkway across the largest parking lot for Anchor E.

### 2.4.1.4 Truck Access, Loading and Trash Enclosures

Proposed truck access to Anchor E would be provided by a driveway which would extend through the parking lot along the southern site boundary from LOVR more than 800 feet east to a location approximately 50 feet west of Prefumo Creek. Multiple truck loading docks, access bays, and associated trash storage areas would be located behind Anchor E adjacent to Prefumo Creek (refer to Figure 2.4-1). A truck dock for Anchor C would be located in the northeast portion of the development site, facing south into the proposed parking lot. Truck docks, bays, and trash storage areas would adhere to the design considerations for maintenance bays and docks and trash storage areas provided in California Stormwater Quality Association New Development and Redevelopment handbook, including:

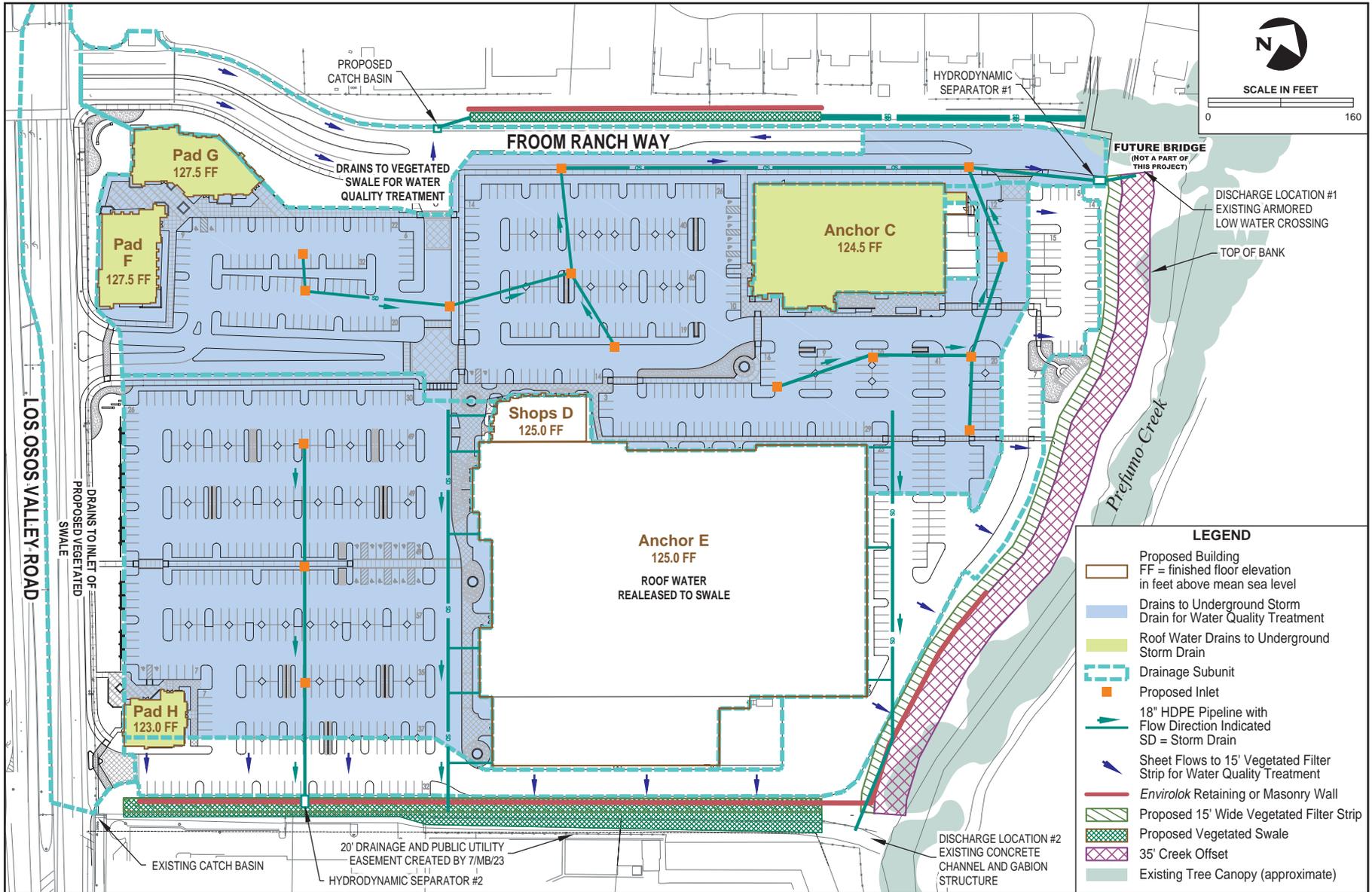
- Run-off would be directed away from trash and loading dock areas;
- Trash and loading dock areas would be screened or walled to minimize off-site transport of trash;
- Bins would be lined or otherwise constructed to reduce leaking of liquid wastes;
- Trash and loading dock areas would be paved; and
- Impermeable berms, drop inlets, trench catch basins, or overflow containment structures around docks and trash areas would be installed to minimize the potential for leaks, spills, or wash down water to enter the drainage system and Prefumo Creek.

### 2.4.1.5 Proposed Drainage Plan

Major components of the proposed drainage plan include underground parking lot storm drains with hydrodynamic separation units<sup>1</sup> to provide initial water quality treatment, 18-inch and 24-inch storm drains, 15-foot wide filter strips, vegetated swales with inlets to collect street runoff, and a 35-foot creek setback. Figure 2.4-5 shows the locations of

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<sup>1</sup> Hydrodynamic separators are stormwater management devices used to control water pollution. They are designed as flow-through structures with a settling or separation unit to remove sediment and other pollutants.



Prefumo Creek Commons  
Proposed Drainage Plan

**FIGURE**  
**2.4-5**

these components as well as the delineation of the proposed drainage subunits and finished floor elevations of proposed buildings. Per City requirements, 28 percent of site runoff from a 2-year storm event (for conveyance facilities) and the first inch of runoff for a 24-hour storm event (for volumetric facilities) would be treated. The proposed building pads would be elevated a minimum of 1 foot above the 100-year base flood elevation. All development would be set back from the west bank of Prefumo Creek by a minimum of 50 to 75 feet, including the 35-foot creek setback zone and 15-foot vegetated filter strip located adjacent to buildings on the east side of the commercial development area.

Underground storm drain inlets would be strategically located throughout each drainage subunit in the interior paved parking areas to ensure that 10-year runoff is contained within the curb. The inlets would contain sumps and would direct runoff to 24-inch main and 18-inch secondary high-density polyethylene pipelines. The pipelines would convey runoff to two hydrodynamic separation devices, located along the southern project site boundary and at the northeast corner of the development area, to provide water quality treatment to runoff prior to release into a vegetated swale or Prefumo Creek.

Surface runoff from the paved parking area along the eastern boundary of the development area would drain to a 15-foot wide vegetated filter strip for water quality treatment prior to release at the northern existing discharge location into Prefumo Creek. Surface runoff from the paved parking area along the southern boundary of the development area would drain to a 15-foot wide vegetated filter strip for water quality treatment, and would be conveyed via an existing vegetated swale to a collection point at the southern existing discharge location into Prefumo Creek. Surface runoff from the project's LOVR frontage and LOVR would also drain to an inlet of this vegetated swale prior to discharge into Prefumo Creek.

Surface runoff from the northwestern drainage subunit of Froom Ranch Way would drain to an existing vegetated swale along the northern boundary of the developed area, and eventually be conveyed to the storm drain located along Froom Ranch Way prior to discharge into Prefumo Creek. The vegetated swale would be revegetated and doubled in length to improve water quality treatment and hydraulic resistance time. Runoff from the southeastern drainage subunit of Froom Ranch Way would be collected by a proposed inlet and treated by the hydrodynamic separation device at the northeast corner of the development area prior to discharge into Prefumo Creek.

Rooftop runoff from proposed buildings would avoid contact with pavement/parking surfaces and would be conveyed directly to the drainage system near the discharge locations to Prefumo Creek.

Drainage would be conveyed into Prefumo Creek and two separate points; one adjacent to the existing unpaved road crossing where a future bridge may be constructed and the other in the site's southeast corner at an existing drain location. Water would be conveyed to the creek channel via pipes and discharged into existing concrete and rock energy dissipaters. The existing drainage structure and lined channel at the site's southeast corner would continue to be used.

#### 2.4.1.6 Utilities/Services

Water, sewer, police and fire services would be provided by the City of San Luis Obispo. Proposed water lines would tie into the existing water main located along the project frontage with LOVR and proposed sewer lines would tie into the existing 8-inch sewer main located across LOVR. Natural gas service would be provided by Southern California Gas Company and proposed gas lines would tie into the existing 12-inch high pressure gas main and 4-inch gas main, both located along the project frontage with LOVR. Solid waste disposal would be provided by San Luis Obispo Garbage Company. Trash enclosures and trash compactors would be located throughout the project site adjacent to the proposed buildings. Electrical service would be provided by Pacific Gas and Electric (PG&E).

#### 2.4.1.7 Lighting

The proposed project would include exterior lighting fixtures uniformly distributed through the entire site at distances ranging between 50 and 100 feet apart in the parking lot areas and up to 200 feet apart along Froom Ranch Way. Four types of lighting fixtures are proposed, including: 38 single, pole-mounted, site perimeter lamps; 45 double, pole-mounted, parking lot interior lamps; 5 single, pole-mounted roadway lights along Froom Ranch Way; and 8 single, wall-mounted sconces along the south side of Anchor E. Lighting fixtures would be approximately 25 to 30 feet in height above the finished ground elevation along Froom Ranch Way, approximately 20 feet in height above finished ground elevation with the parking lot areas, and approximately 15 feet

above finished ground elevations along the south side of Anchor E. Proposed lighting fixtures would include glare-reducing reflectors and shields to direct light downwards.

### 2.4.2 Proposed Creek Restoration

#### 2.4.2.1 Proposed Creek Improvements

Selected areas on both sides of Prefumo Creek would be subject to restoration to remove artificial fill and berms, exotic plants, trash and debris. As discussed in Section 2.4.1.5, a 50-foot-wide landscape buffer strip, including 35 feet of native riparian vegetation, plantings, and a 15-foot-wide filter strip, would be installed above the west bank of Prefumo Creek. The existing berm and piles of agricultural debris (pallets and irrigation) would be removed. Pole-planting or “coir roll with brush layering” of native riparian vegetation are proposed to repair areas of historic bank erosion. Two locations identified as developing bank scour holes would be repaired using bioengineering techniques, such as live staking and willow fascines. Several failed concrete slabs with welded wire mesh and adjacent stacked concrete sacks would be removed. The exposed bank underneath would be planted with pole planting to trap sediment and rebuild the bank. Removal of logs and other debris which could obstruct creek flow, along with trimmings of selected trees, would also occur. Creek improvements would be funded by the applicant and performed by the City utilizing existing permits for creek maintenance activities.

#### 2.4.2.2 Revegetation Plan

Native trees, shrubs and forbs would be planted and seeded to enhance the native riparian woodland on the creek banks, to screen the creek from development along creek buffer areas and to replace non-native species within the riparian area. The intent of the revegetation plan would be to encourage diversity and extend the existing plant communities outward from the creek banks. Willows stands would be thinned and the lower limbs of larger, more desirable forms of willows would be removed to maximize capacity. Dense shrubby non-native and invasive stream-side vegetation would be replaced by natives, such as sycamores, cottonwoods and alders to reduce maintenance, shade out the understory and improve the riparian habitat. Revegetation plans would be subject to City review and approval, and would be coordinated with the City’s Natural Resource Manager. These plans would be required to conform to the City’s Waterway Management Plan, Volume III - Drainage Design Manual. Figure 2.4-4 shows the

preliminary list of plant species proposed for revegetation along the Prefumo Creek corridor.

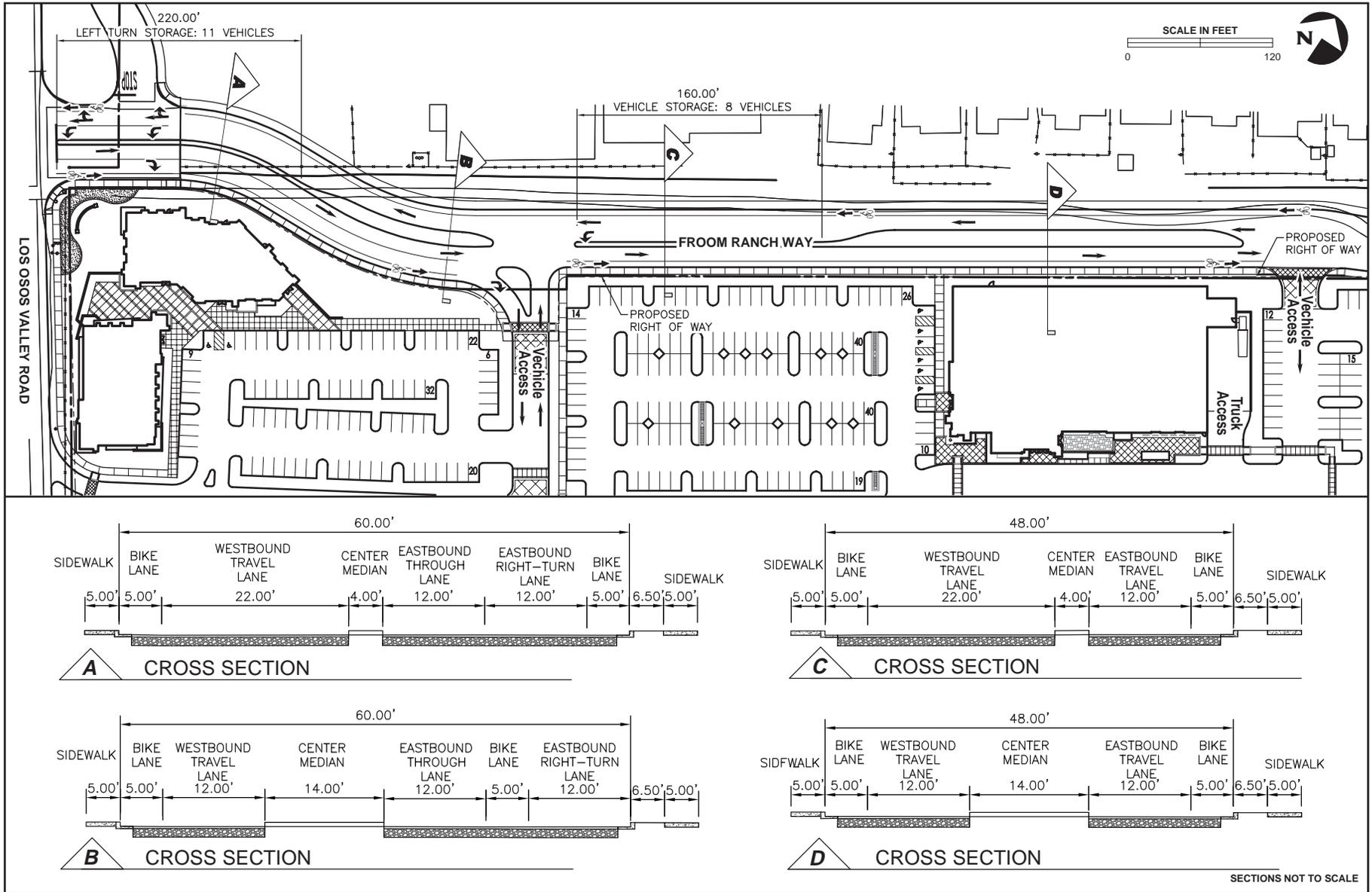
### **2.4.3 Vehicle Access**

#### **2.4.3.1 Proposed Froom Ranch Way Extension**

As part of the proposed project, Froom Ranch Way would be extended from its intersection with LOVR to Prefumo Creek (Figure 2.4-6). Vehicle access to the site from Froom Ranch Way would be provided by two separate 25-foot wide ingress/egress points. At its intersection with LOVR, Froom Ranch Way would include a westbound right-turn/through lane and westbound left-turn lane, a center median, and an eastbound through lane and eastbound right-turn lane. A dedicated right-hand turn lane would be provided for eastbound traffic on Froom Ranch Way at the site's vehicle access point located nearest to LOVR. Additionally, a dedicated left-hand turn lane would be provided for westbound traffic on Froom Ranch Way at the vehicle access point located nearest to LOVR. A 5-foot-wide bike lane would be provided along the length of the extension on both sides of Froom Ranch Way. Cross sections detailing lane configurations and widths on the proposed extension of Froom Ranch Way are provided in Figure 2.4-6.

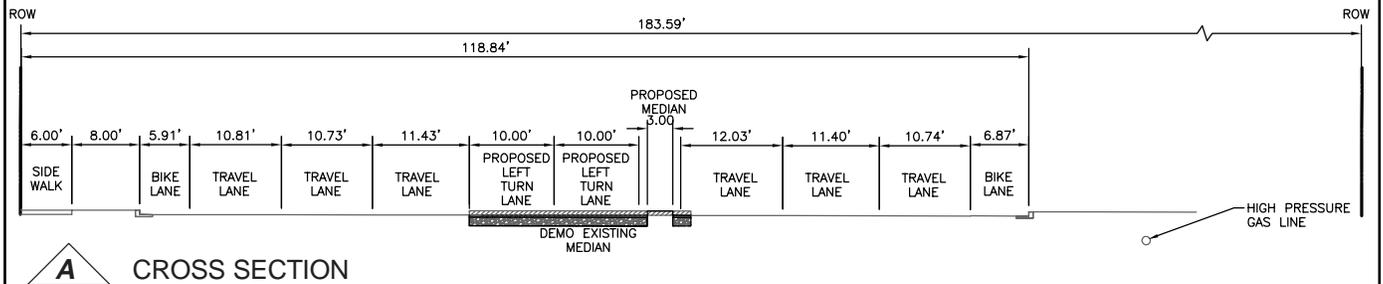
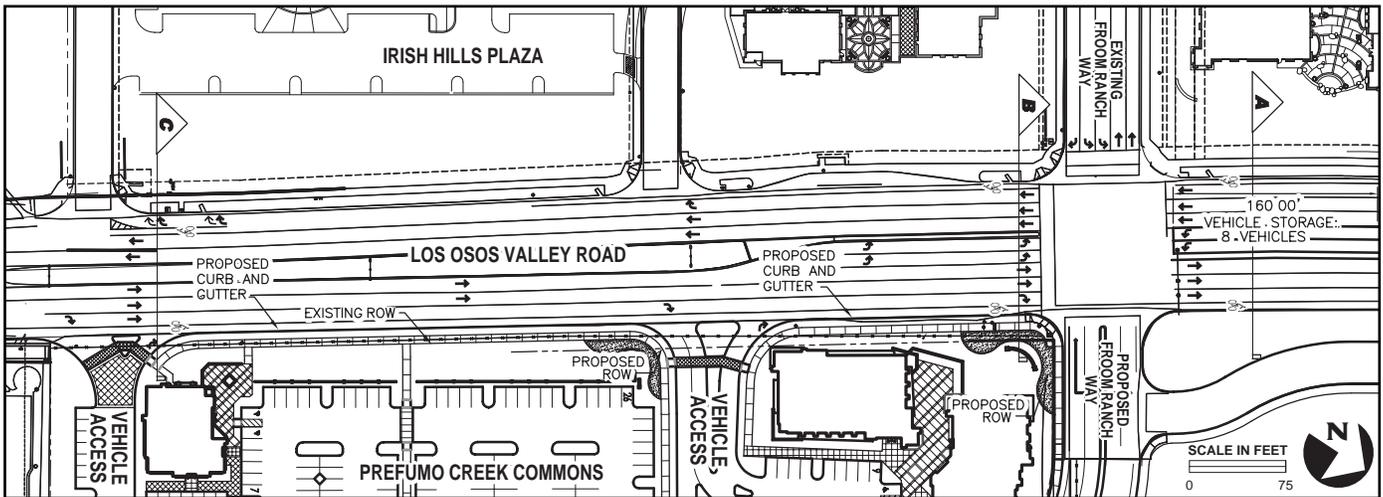
#### **2.4.3.2 Los Osos Valley Road**

Vehicular access to the project site for northbound traffic on LOVR is provided by a separated ingress/egress point located roughly in the middle of the project's frontage with LOVR (Figure 2.4-7). This access point is approximately 50 feet wide, including an entry lane, a center median, and a right-turn exit lane. Additionally, access to the truck docks and delivery areas is provided for northbound traffic on LOVR by an approximately 25-foot-wide access lane and right-turn exit lane located along the project site's boundary with the adjacent automobile mall. Vehicular access to the project site via the proposed Froom Ranch Way extension is provided for southbound traffic on LOVR by two dedicated left-turn lanes at the signalized intersection of LOVR and Froom Ranch Way. Cross sections detailing lane configurations and widths on LOVR are provided in Figure 2.4-7.

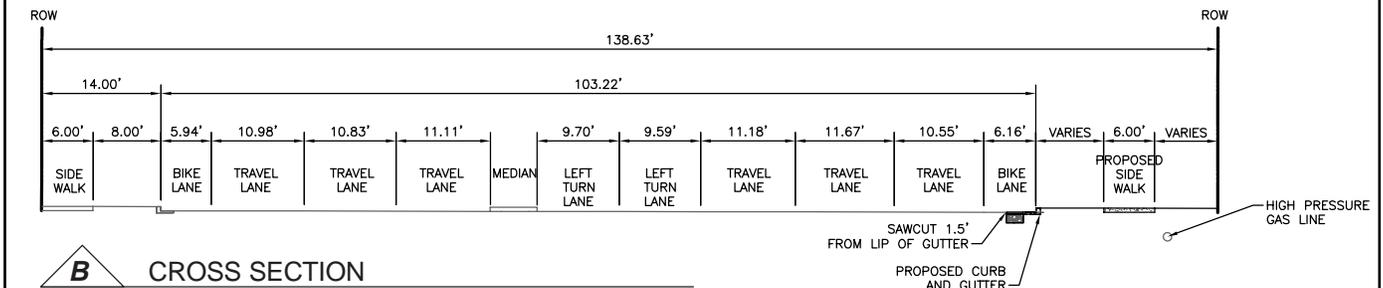


Prefumo Creek Commons  
Proposed From Ranch Way Extension

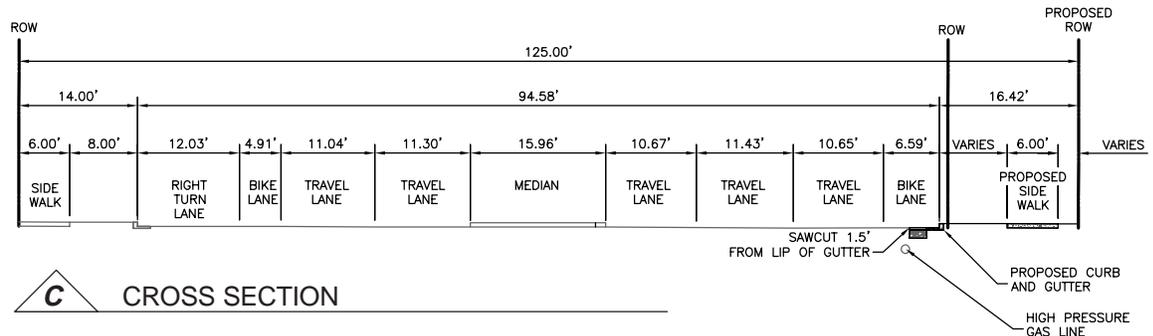
**FIGURE**  
**2.4-6**



**A** CROSS SECTION



**B** CROSS SECTION



**C** CROSS SECTION

SECTIONS NOT TO SCALE



**Prefumo Creek Commons  
Proposed Los Osos Valley Road Modifications**

**FIGURE  
2.4-7**

### 2.4.4 Proposed Open Space

#### 2.4.4.1 Dedicated Open Space

The proposed project would include dedication of approximately 11.9 acres of open space to the City, including the entire Prefumo Creek riparian corridor and [setbacks and](#) extending east to the site boundary. The majority of this land would be utilized and managed for commercial agriculture using dry land farming for the foreseeable future as irrigation water may be unavailable (City of San Luis Obispo 2008). However, the Prefumo Creek riparian corridor would be revegetated and managed for its native habitat and wildlife values. [In addition, the open space area would accommodate a bridge crossing and road right-of-way and a Class I bikeway.](#)

#### 2.4.4.2 Bob Jones Bike Trail Dedication

A portion of the dedicated open space near the east bank of Prefumo Creek is planned to be utilized as a right-of-way for a proposed section of the City's Bob Jones City-to-Sea Bike Trail (refer to Figure 2.4-1). This section of the bike trail is proposed to be designated as a Class I Bikeway or Bike Path, which is defined by the City's Bicycle Transportation Plan (2007) as providing a right-of-way reserved for bicycles and pedestrians that is completely separated from a street. The Bicycle Transportation Plan also states that Class I Bikeways adjoining creeks shall be located outside of creek setbacks. Since the alignment of the Bob Jones bike path is east of Prefumo Creek and outside of the required creek setback, the future construction of the path will not conflict with the proposed project and will be on a portion of the property that is proposed to be dedicated to the City.

## 2.5 CONSTRUCTION ACTIVITIES

### 2.5.1 Phasing and Timing

Construction of the proposed project is anticipated to extend over an approximately 25-month period and involve six major phases, with overlap of various phases. Phase I is anticipated to require 52 weeks and would include pre-construction design, planning and permitting activities. Phase II is expected to require approximately 32 weeks, ongoing throughout the building design, plan review, and permit process, and would entail import

and stockpile of soil on the site. Phase III is expected to require approximately 16 weeks and would entail site preparation activities, including mass grading, over-excavation and recompaction of soils, and installation of utilities. Phase IV would include completion of on-site grading and paving and would require 16 weeks concurrent with the building construction phase. Phase V would include completion of off-site improvements along LOVR and would require an additional 12 weeks to complete. Phase VI entails construction of the proposed buildings and is anticipated to require up to 12 months to complete. All work would be subject to traffic control, pedestrian protection and notification plans.

#### 2.5.1.1 Pre-construction Design, Planning, and Permitting

Planning and permitting would start approximately 180 to 270 days prior to the import of soil on site and/or grading and would extend over approximately 52 weeks. On-site activities would include but not be limited to:

- visits to the site by the project design team, consultants and general contractor;
- soils/percolation testing and preliminary on-site investigation; and
- surveying operations consisting of a one to three-person crew.

Equipment required during this phase would include:

- small trucks and light passenger vehicles; and
- miscellaneous small tools including compressors, mixers and generators.

#### 2.5.1.2 Import and Stockpile

The project would require the import of approximately 75,000 cubic yards of fill material to bring the building pads up to the proper elevations. Once a stockpile permit is issued, delivery and storage of soil on site would begin. This phase would be ongoing throughout the building design, plan review and permit process. Beginning to stock pile early would allow the reuse of material generated at other sites and minimize the amount of newly mined and generated material. The stockpile area would be cleared of vegetation, leveled and prepped to accept the imported soil. It is anticipated that this phase would require the use of trucks with transfer trailers capable of carrying 20 cubic yards of fill and 25 yard end dump trucks. This would ultimately require approximately

## 2.0 PROJECT DESCRIPTION

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3,750 truck loads delivered to the site. During periods of heavy truck activity, small earthmovers, dozers or front-end loaders would be required on site. Import of soil would be sporadic as material becomes available from other sites. Equipment required during this phase would include:

- small pickup trucks, and passenger vehicles;
- trucks and trailers to mobilize the on-site equipment;
- one to two front-end loaders;
- one D-6 dozer;
- one motor grader;
- five to ten 20-yard semi-trucks with transfer trailers; and,
- miscellaneous small tools.

Approximately 25,000 cubic yards of material previously generated as a result of the adjacent Irish Hills development would be used as fill at the project site. This fill is currently stockpiled at Boysen Ranch, approximately 2 miles from the project site. The remaining fill would be obtained from sources within 4 miles of the proposed project site. Specific truck routes are unknown at this time; however, a traffic control plan would be submitted to the City for approval prior to this phase (see Section 2.5.2, *Traffic Control Plan*).

### 2.5.1.3 Site Preparation

Site preparation would be performed through mass grading, over-excavation/recompaction of soils and installation of on-site utilities. This phase is anticipated to take approximately 16 weeks. Mobilization and staging of earth moving equipment would be required in order to bring the site and building pads to engineered elevations. Activities would include but not be limited to:

- movement, placement and compaction of stockpiled soils;
- full mobilization and set up of on-site construction temporary facilities;
- over-excavation and recompaction of soils at building pads, typically down to 3 feet below the bottom of the structural footings;

- import of 18 to 24 inches of non-expansive soil for the final 2 feet of the building pads;
- coordination of loading and trucking activities, truck routes and export sites;
- delivery, staging and storing of materials;
- trenching and installation of utilities (water, sewer, storm drain, natural gas, electric, telephone, cable television, and irrigation lines);
- environmental monitoring, typically fugitive dust monitoring in the summer months and implementation and monitoring of Storm Water Pollution Prevention Plan in the winter months; and,
- monitoring and recording of Best Management Practices as specified in the adopted Storm Water Pollution Prevention Plan.

Equipment required during this phase would include:

- small trucks and light passenger vehicles;
- office trailers;
- one to two track excavators;
- one D6 dozer;
- one to two front-wheel scrapers;
- one motor grader;
- one to two front-end loaders;
- 10 to 15 end dumps;
- two backhoe loaders; and
- miscellaneous small tools, compressors, etc.

Traffic would be minimal at this stage, excluding daily travel to and from the project site by construction personnel and equipment.

#### 2.5.1.4 On-Site Improvements

This phase would include installation of underground site utilities and precise site grading and paving over a period of approximately 16 weeks. The final phases of site work

## 2.0 PROJECT DESCRIPTION

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would be concurrent with construction of the proposed buildings. Activities would include but not be limited to:

- trenching for underground wet and dry utilities;
- precise grading and compaction of soils for parking areas;
- precise grading for curb and gutter installation;
- installation of concrete curb, gutter and site concrete;
- installation of base and asphalt paving of interior streets and parking areas; and,
- lighting and landscaping.

Construction activities would require use of the following equipment:

- small trucks and light passenger vehicles;
- motor grader;
- commercial paver;
- soil/asphalt compactors;
- one to two front end loaders;
- 10 to 15 end dumps;
- two backhoe loaders; and,
- miscellaneous small tools, compressors, etc.

Traffic would be minimal at this stage, excluding daily travel to and from the project site by construction personnel and equipment.

### 2.5.1.5 Off-Site Improvements

This phase would occur over approximately 12 weeks and would be concurrent with the on-site construction activities. Underground site utilities would be connected to the existing utility infrastructure in LOVR and precise grading, concrete, underground utility work, and paving would be performed off-site. Work would take place across the length of the site along LOVR and would be focused at the Froom Ranch Way extension and the project entrance on LOVR. Project Notification, Traffic Control, and Pedestrian Re-

routing plans would be utilized during this phase. Activities would include but not be limited to:

- traffic control and lane closures in LOVR on an intermittent basis;
- pedestrian re-routing;
- trenching, installation, and roadway repair for underground wet and dry utilities at various locations along the site to points of connection in LOVR;
- saw cut and demolition of the existing asphalt at the edge of the roadway on LOVR for the length of the site;
- precise grading for curb and gutter installation at both entrances and the length of LOVR;
- precise grading and compaction of soils for the length of the site on LOVR;
- installation of base and asphalt paving; and
- streetlights, road striping, and signage work.

Construction activities would require use of the following equipment:

- small trucks and light passenger vehicles;
- motor grader;
- commercial paver;
- soil/asphalt compactors;
- one to two front end loaders;
- 10 to 15 yard transfer trucks and trailers;
- two backhoe loaders; and
- miscellaneous small tools, compressors, etc.

The LOVR northbound, easterly lane would be closed for the length of the site sporadically one to five days at a time during this phase. Project Traffic Control and Pedestrian Re-routing plans would be revised to reflect the changing conditions throughout this phase.

### 2.5.1.6 Building Construction

This phase would consist of the construction of six buildings totaling 188,658 sf over a period of approximately 12 months. Construction of the buildings would be concurrent with a slight stagger at the start of each building. Individual construction crews would be working concurrently at multiple locations on the project site.

Construction activities would require use of the following equipment:

- small trucks and light passenger vehicles;
- two to four reach lifts;
- two to fifteen scissor lifts;
- one forklift;
- one skid steer tractor;
- material handling equipment;
- concrete trucks and hydraulic boom pumps during foundation construction;
- material deliveries daily;
- office trailers and storage containers;
- scaffolding; and
- miscellaneous small tools, compressors, mixers, generators, etc.

Traffic would be minimal at this stage, excluding daily travel to and from the project site by construction personnel and equipment. Based upon the flow of goods and services to the site, traffic control may be modified but should not change dramatically once the construction area is established and secured.

### 2.5.2 Traffic Control Plan

A Traffic Control Plan would be prepared to include site preparation and on-going construction activities which are anticipated to stretch over 25 months. The plan would cover the following tasks or activities:

- Traffic Control – A draft Traffic Control Plan would be reviewed with Public Works, Utility and Parking Staff. The plan would then be revised and finalized.
- Vehicular and Pedestrian Safety – Vehicular and pedestrian protection (pursuant to the Uniform Building Code, Chapter 33, § 3303), lane establishment, parking area(s), access routes, truck circulation and semi-permanent signage would be established. All construction activities would be staged within a secured construction area.
- Pedestrian Access and Parking – Modified pedestrian access and/or sidewalk closures would occur adjacent to the project site on LOVR for the 25 month construction horizon.
- Business Notification – A Business Notification Plan would be prepared and would include individual business notification, meetings to communicate specific activities and schedules, and on-going distribution of the Prefumo Creek Commons Project newsletter.
- Street Closures – The LOVR northbound, easterly lane would be closed for the length of the site sporadically one to five days at a time during the off-site improvements phase. The project Traffic Control Plan would be revised to reflect changing conditions throughout this phase.
- Construction Parking – A Construction Parking Plan would be prepared for construction personnel, delivery, etc. defining on- and off-site parking, hours of operation and contacts, and miscellaneous protocol. All required parking and material staging are anticipated to be accomplished on site and within the traffic controlled or delineated areas.
- Construction Scheduling – Timing of construction activities, such as truck hauling, road closures, etc., would be addressed to minimize disruption of traffic flow. Construction activities would be limited to City-approved working hours.
- Construction Traffic – A construction traffic routing plan would address heavy equipment and vehicles such as haul trucks during construction. Truck traffic would be kept to a minimum during heavy commute times whenever possible.

The Traffic Control Plan would be modified to reflect changing conditions of construction activities throughout the project.

Traffic control would require the use of small truck vehicles, stake bed trucks, one to two backhoe loaders, small tools, traffic delineation and commuter vehicles.



### 3.0 ENVIRONMENTAL IMPACT ANALYSIS AND MITIGATION MEASURES

In August 2007, the City of San Luis Obispo prepared an Initial Study for the proposed project. The City has used the Initial Study, as well as agency and public input received during the Notice of Preparation (NOP) comment period to determine the scope of the analysis for this Environmental Impact Report (EIR). Through this process, the City has determined that the EIR analysis should focus on the following resource areas:

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Biological Resources
- Hydrology and Water Quality
- Land Use and Planning Policies
- Noise
- Transportation
- Utilities and Service Systems

This section of the EIR addresses the potentially significant environmental impacts of the proposed project for the resources listed above. Each environmental resource area is discussed under the following subsections: *Existing Conditions*, *Regulatory Setting*, *Environmental Impacts*, *Project Impacts*, *Impacts and Mitigation Measures* and *Residual Impacts*.

For each impact identified in this EIR, a statement of the level of significance of the impact is provided. Impacts are categorized in one of the following categories:

- A *beneficial* impact would result when the proposed project would have a positive effect on the natural or human environment and no mitigation would be required.
- *No* impact would result when no adverse change in the environment is expected; no mitigation would be required.
- A *less-than-significant* impact would not cause a substantial change in the environment, although an adverse change in the environment may occur; only compliance with standard regulatory conditions would be required.
- A *significant* (but mitigable) impact would have a substantial adverse impact on the environment but could be reduced to a less-than-significant level through successful implementation of identified mitigation measures.
- A *significant unavoidable* impact would cause a substantial adverse effect on the environment, and no feasible mitigation measures would be available to reduce the impact to a less-than-significant level.



### **3.1 AESTHETICS AND VISUAL RESOURCES**

This section examines the potential for the proposed project to create visual impacts as defined by CEQA as well as by the City's regulations, policies and design guidelines that are used to strengthen and protect its visual quality.

Adopted City policy requires that the potential development and design of the proposed Prefumo Creek Commons Project must consider potential loss of open space, aesthetic impacts, and remain compatible with nearby visual resources. The project site is in an area of open space and mixed commercial and residential development. The site contains scenic resources, including open undeveloped agricultural land, Prefumo Creek and associated riparian corridor that intersect the site, and scenic vistas to the Irish Hills to the west and to the Morros and Santa Lucia Mountains to the east and northeast (refer to Figure 3.1-1, page 3.1-24). Illustrations of the site and the surrounding visual context are provided later in this section.

#### **3.1.1 Visual Character of the Project Site**

The 31-acre Prefumo Creek Commons site is a deep, level agricultural parcel located to the east of Los Osos Valley Road (LOVR). The most prominent, immediate visual feature of the site is the north-south running Prefumo Creek, which has banks lined with dense, mature Arroyo Willow trees, ranging from 20 to 40 feet in height. This riparian corridor traverses the entire area and bisects the site, forming the boundary between two agricultural fields that compose the site. As proposed, 19 acres of the site, from LOVR east to the Creek would be developed with commercial buildings and associated parking and the extension of From Ranch Way. The remaining 11.9 acres including undeveloped open space southeast of the Creek, as well as the Creek itself, are to be dedicated as open space.

At present, the portion of the site proposed for development is framed by low fencing and scattered trees, and single-story homes and a school to the north; thick riparian vegetation along Prefumo Creek to the east; retail/auto commercial development to the south; and multi-lane LOVR to the west.

The view across the site's undeveloped agricultural land from LOVR features distant views of the Santa Lucia Mountains and the Morros rising to the east and northeast.

### 3.1 AESTHETICS AND VISUAL RESOURCES

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While the western portion of the site proposed for development is highly visible from LOVR, creekside vegetation obstructs views of the eastern portion of the site, which would be dedicated as open space. Views from the site to the west, beyond LOVR, are defined by the auto-oriented commercial landscape of the Irish Hills Plaza shopping center, with the Irish Hills rising further west behind the shopping center. Views to the north of the site from LOVR are largely defined by those of the Pacific Beach High School and a residential neighborhood. Views to the south of the site are largely defined by an auto dealership (see Photo 1).



*Photo 1. View southeast across the western half of the project site proposed for development; auto dealerships bordering the site to the south are visible.*

#### 3.1.1.1 Visual Character of Project Site Surroundings

The project site is situated within the triangular area created by the intersection of LOVR, U.S. Highway 101 and Madonna Road. This flat landscape is framed to the west by the Irish Hills and to the east and northeast by the grassy Morros and the Santa Lucia Mountains. Land west of Prefumo Creek is a predominantly built landscape containing commercial and residential development. Known informally as the ‘Gap’ site, the Prefumo Creek Commons site is the last remaining undeveloped agricultural land between LOVR and Prefumo Creek, with commercially designated land to south and

residential land to the north. In contrast, the area east of the Creek consists of approximately 180 acres of level, currently undeveloped agricultural land bounded by U.S. Highway 101 and the willow woodlands and groves of specimen eucalyptus trees that line Prefumo Creek and its associated tributaries (refer to Figure 3.4-1 in Section 3.4, *Biological Resources*).

### Los Osos Valley Road

The Prefumo Creek Commons site is bordered to the west by LOVR. LOVR is a five- to seven-lane road (two to three lanes in each direction, with turn lanes) with a large, intermittent grassy median and sidewalks along developed portions of the road. From U.S. Highway 101 north to Madonna Road, LOVR intersects a visual landscape dominated by flat, expansive views that are framed by distant, grassy hills characteristic of California's Central Coast. LOVR is the primary public vantage point from which the project would be visible (see Photos 2 through 5 below). The project site is visible to both north and southbound travelers on LOVR, as well as from surrounding properties, as described below.



*Photo 2. Santa Lucia Mountains provide a scenic backdrop to the site looking southeast from Los Osos Valley Road; Prefumo Creek's willow groves are visible in foreground.*



*Photo 3. Northbound travelers on Los Osos Valley Road have uninterrupted views across the site's agricultural land to the Morros and Santa Lucia Mountains to the northeast.*

*a. West of Los Osos Valley Road*

Moving north toward the site from U.S. Highway 101, the view west of LOVR spans adjacent undeveloped parcels and a rough canyon landscape, flecked with oaks, eucalyptus and areas of chaparral. The developed commercial landscape of Irish Hills Plaza is visible in the foreground to the northwest, with the actual Irish Hills rising immediately to the west of the Plaza.

Irish Hills Plaza is located directly across LOVR from the Prefumo Creek Commons site. The Plaza is a retail and service commercial landscape dominated by “big box” site development, including large, well-lit parking lots fronted by immature ornamental landscaping and Spanish–revival style commercial architecture of red and earth-tone hues. The outline of the stepped hills rises just above the development’s western boundary.



*Photo 4. Irish Hills Plaza, a regional shopping complex across LOVR to the west of the project site, with peaks of Irish Hills in background.*

*b. East of Los Osos Valley Road*

Traveling north from U.S. Highway 101 on LOVR, motorists encounter a visual landscape dominated by highway-oriented automobile dealerships, each characterized by low-slung, glassed-in showroom structures and large, surface parking lots. Building footprints are small relative to surface parking areas, and as such views of the vegetation lining Prefumo Creek, just to the east and northeast, are occasionally available. East-west running Autopark Way extends eastward from LOVR, ending in a cul-de-sac at the center of the dealerships. This affords drivers visual access into the center of the commercial landscape, whose buildings dominate the immediate scenic vista. The scenic peaks of the Morros and the Santa Lucias rises above the landscape to the east and northeast.

Immediately north of the auto dealerships, drivers traveling north on LOVR are afforded uninhibited eastward views of creek vegetation that intersects the level, fallow agricultural fields of the undeveloped Prefumo Creek Commons site.



*Photo 5. The undeveloped project site lies immediately north of automobile-oriented retail development.*

Dense, low trees and riparian shrubbery inhibit views of the open space east of the Creek. Again, the Morros and the Santa Lucias further to the east and northeast frame the scenic vista. Because the project site is vacant, the low rooflines, fencing and evenly-spaced palm trees that edge the residential neighborhood immediately north of the site are visible. The parking lot and playing fields of Pacific Beach High School, just north of the site, are also partially visible.

The visual environment east of LOVR shifts again north of the project site, at From Ranch Way. From Ranch Way dead-ends immediately east of LOVR, revealing an undeveloped parcel followed by the playing fields and boxy, single-story structures of Pacific Beach High School. The tall palm and other trees of the residential neighborhood beyond the school create a more private, shaded environment scaled to the pedestrian rather than automobile use.

#### *Building Scale*

Commercial buildings on LOVR in the vicinity of the project site are generally one to two stories, scaled wide and low so as to be visible to passing drivers on the road. These

buildings consume small footprints relative to total lot size, in order to facilitate automobile circulation through the large associated parking lots. Storefronts are generally expansive, accommodating either large signage or window space with a high visual permeability. Although varying façade details and articulation strategies work to separate buildings, the visual landscape is the result of function more than form. The degree of aesthetic variation between commercial buildings is minimal.

#### *Pedestrian and Bicyclist Environment*

Neither the design of multi-lane LOVR nor of sites just off the road is highly amenable to pedestrians. Although developed portions of LOVR feature sidewalks, the width of the road, high traffic speeds, and the scale of surrounding buildings do not facilitate a positive pedestrian and bicyclist experience. The wide, east sidewalk of LOVR ends at the Prefumo Creek Commons site; it is replaced by a rough, asphalt pedestrian walkway (see Photos 6 and 7). In addition, the large, auto-oriented parking lots of commercial areas reduce walkability among businesses. Although scenic vistas to the east and west are available to the pedestrian and cyclist along portions of the road, the 45-mile-per-hour speed limit and busy intersections are not conducive to a pedestrian/bicyclist thoroughfare. Therefore, although distant views are attractive, this section of LOVR is not considered a high-quality scenic environment for pedestrians or bicyclists.



*Photo 6. LOVR streetscape as viewed by northbound travelers. Irish Hills Plaza lies on the west side of road. The project site is visible to the east, bordered by a high school and single-story homes to the north.*



*Photo 7. Busy northbound travel lanes of LOVR with the project site to the left of LOVR, in immediate foreground, and Irish Hills Plaza to the right.*

#### Froom Ranch Way

Froom Ranch Way is a short, east-west running street that provides access to and egress from Irish Hills Plaza. It forms a signalized “T” intersection with LOVR immediately north of the Prefumo Creek Commons site. Currently, Froom Ranch Way does not extend east of LOVR. Vistas from Froom Ranch Way, when exiting Irish Hills Plaza, are defined by open, eastward-facing views of the Morros and Santa Lucia Mountains, contrasting the busy, auto-oriented retail environment that lines Froom Ranch Way west of LOVR (see Photo 8). Like LOVR, the developed area along Froom Ranch Way is characterized by the large parcel, retail development that lines both sides of it.



*Photo 8. The site’s level agricultural land provides a significant open east-facing view corridor from LOVR through to the Santa Lucia Mountains.*

Looking eastward from the “T” intersection, the small temporary structures, playing fields, and fences of Pacific Beach High School are also visible just beyond the end of the road, as is the undeveloped project site. The Creek vegetation and the hills to the east are also dominant visual features from this vantage point.

### *Building Scale*

The scale and aesthetic of the buildings to the north and south of Froom Ranch Way were described in the previous discussion of commercial development on the western side of LOVR. Buildings are scaled to the automobile; they are low and wide and with minimal variation. Adjoining parcels contain large, warehouse-style structures housing retail tenants (see Photo 9).



*Photo 9. Irish Hills Plaza commercial center to the south of Froom Ranch Way is typical of the large widely spaced commercial structures in the vicinity.*

### *Pedestrian and Bicycle Environment*

With the exception of the sidewalks that line both sides of the street, Froom Ranch Way is not amenable to pedestrians or cyclists. Although short, the street has numerous, busy access points to the large parking lots that define the Irish Hills Plaza. There are no

pedestrian-oriented amenities, businesses or services along the length of the short street. Due to the lack of circulation facilities and the predominance of retail and roadway features, Froom Ranch Way is not considered a high-quality scenic environment for bicyclists or pedestrians.

#### Cayucos Drive

Cayucos Drive is the southernmost, east-west running street within the residential neighborhood that is nestled between the Prefumo Creek Commons site and Madonna Road. The street is just a single lot north of the project site, yet exhibits a visual environment defined by a contained, pleasant residential neighborhood (see Photo 10). A similar environment defines intersecting Vicente Drive, Hausna Drive, and Oceanaire Drive.



*Photo 10. Single-family residential uses line Cayucos Drive immediately north of the project site.*

Cayucos Drive is lined with small, single-family homes fronted by well-maintained yards, sidewalks and public landscaping. Mature pine and palm trees serve to shade the street and add to a private, residential aesthetic that is shielded from the open, traffic-heavy retail environment just west of LOVR. Cayucos Drive terminates to the east at Oceanaire Drive, which borders vegetation-heavy Prefumo Creek. Cayucos Drive

extends westward to the small parking lot of Pacific Beach High School. Together, these buffered, east and west endpoints further isolate the visual environment of the street and limit vistas from the street. However, the tops of the Irish Hills are visible across the undeveloped open spaces to the west of the neighborhood.

Due to the lack of change in elevation and the relatively dense single-family development, views from Cayucos Drive south to the undeveloped project site are limited. The view is instead dominated by homes directly fronting the viewer and, in some cases, the tops of trees that line the southern boundary of the neighborhood. To residents in the backyards of their homes on the south side of Cayucos Drive, the view south to the site is nearly unobstructed, with the exception of fencing at rear lot lines.

#### *Building Scale*

The buildings along Cayucos Drive are all single-story, ranch-style residences with slight variations in frontage, roofline and articulation. Homes are set behind a traditionally landscaped front yard. Each contributes to a built environment scaled to everyday neighborhood uses, including walking, bicycle riding and childhood activities. The scale of these homes is one of a compact environment. Variation within the group is minimal.

#### *Pedestrian and Bicyclist Environment*

The contained nature of the residential neighborhood, combined with the short length of the street and resulting slow pace of traffic, makes Cayucos Drive and the surrounding neighborhood a relatively safe pedestrian environment. However, the lack of public or commercial uses is less amenable to pedestrians other than children and others who reside in the immediate neighborhood.

### **3.1.2 Proposed Project Characteristics**

#### **3.1.2.1 Los Osos Valley Road Frontage**

The proposed project's frontage along LOVR would be defined by 6-foot wide sidewalks and an approximately 40-foot-wide landscaped berm composed of various street trees and flowering trees, with decorative paving at project entrances. Beyond landscaped buffers, the majority of the project abutting LOVR would be surface parking. Roadway access to

parking areas would be available from three entryways, one at the southern border of the site, another at the center of the site, and another in the form of an extended Froom Ranch Way at the northern edge of the site. Three of the project's smallest structures—7,500-square foot (sf) Pad G, 6,500-sf Pad F, and 3,500-sf Pad H—would front LOVR. Pad H is positioned at the southwest corner of the site; Pads F and G at the northwest corner. As proposed, the tenants of these structures would include restaurants and small retailers.

Although parking dominates the LOVR frontage, the two largest buildings of the project, both situated toward the back of the area proposed for development, would command a significant portion of views from LOVR. Both the 139,658 sf Anchor E, at the southern end of the site, and 26,500-sf Anchor C, at the northern end, would be highly visible from the roadway. The resulting space between the buildings would form the only uninhibited view corridor from the roadway to the Creek.

#### 3.1.2.2 Froom Ranch Way Frontage

The project as proposed includes a two-lane extension of Froom Ranch Way from Los LOVR east to Prefumo Creek, immediately adjacent to the northern boundary of the site.

To drivers approaching LOVR on existing Froom Ranch Way, two proposed buildings, Pad G and Pad F, would dominate the view into the development. As drivers pass Pad G at the beginning of the proposed existing road extension, they would have visual access eastward to the vegetated area surrounding Prefumo Creek, the natural landscape at which the road terminates. These buildings are situated in the southeast corner of the proposed intersection. Further east, the majority of the extended portion of Froom Ranch Way would be fronted to the south by parking lots of the proposed project, screened by landscaping similar to that which would front LOVR. Such landscaping would also line Froom Ranch Way to the north, screening views of the existing residential neighborhood. Beyond the parking lots to the south, Anchor E and associated shops on its northern side would be evident. Toward the back of the project, the sidewall of large, rectangular Anchor C would front the extended roadway, again screened by street trees. Anchor C would be followed by an additional parking area before the road and project terminate at Prefumo Creek.

### 3.1.2.3 Prefumo Creek Frontage

As discussed above, Prefumo Creek bisects the project site. To the west of the creek, the developed portion of the project spans the site to Los Osos Valley Road. All land southeast of the creek is proposed to be preserved for agricultural use, in accordance with the surrounding landscape. In addition, the recently-extended Bob Jones City to the Sea Bike Trail, a popular walking, jogging and cycling trail, would eventually be extended from its alignment along the east side of the Highway 101 right-of-way, to the east of Prefumo Creek.

As with frontages along both LOVR and the proposed Froom Ranch Way extension, a landscaped buffer area would front the west side of the Creek directly. This includes a 50-foot landscaped creek setback planted with screening trees, as well as a small pathway with amenities such a trellised seating area. Just west of this buffer, surface parking areas behind Anchors E and C would dominate views from the Creek corridor. Again, the gap between these buildings, in addition to slim access corridors at the northern and southern borders of the site, would comprise the major view corridors from the Creek across the site to LOVR.

### 3.1.3 Regulatory Setting

A series of city-adopted policies and guidelines is relevant to the following analysis of aesthetics and visual resources. The City of San Luis Obispo General Plan, Zoning Ordinance, and Community Design Guidelines each contain policies that target the aesthetics of land use, site design and construction. In all cases, the intent of regulation is to reduce negative visual impacts and promote aesthetic quality and compatibility with the existing environment. Please refer also to Section 3.2, *Agricultural Resources* and Section 3.4, *Biological Resources* for discussion of policies related to protection of agriculture and biological resources as open space.

#### 3.1.3.1 City of San Luis Obispo General Plan

As the overarching policy document guiding development in the City, the San Luis Obispo General Plan contains policies to regulate all aspects of physical growth and conservation in the community. Relative to this analysis, the Land Use Element of the General Plan contains policies to ensure that new development is compatible with

existing visual context. Additionally, the Conservation and Open Space Element (COS) includes policies to protect open space and minimize visual impacts on surrounding natural landscape and to protect views and scenic vistas. Pertinent policies from both Elements are listed below.

#### Land Use Element

##### ***Policy LU 1.12.5 Open Space***

*Each annexation shall help secure permanent protection for areas designated Open Space, and for the habitat types and wildlife corridors within the annexation area that are identified in the Conservation and Open Space Element. Policies concerning prime agricultural land shall apply when appropriate.*

*E. Dalidio Area properties (generally bounded by Highway 101, Madonna Road, and Los Osos Valley Road) shall dedicate land or easements for the approximately one-half of each ownership that is to be preserved as open space.*

##### ***Policy LU 1.3 Urban Edges Character***

*The boundary between San Luis Obispo's urban development and surrounding open land should be clear. Development just inside the boundary shall provide measures to avoid a stark-appearing edge between buildings in the city and adjacent open land. Such measures include: using new or existing groves or windrows of trees, or hills or other landforms, to set the edge of development; increasing the required side-yard and rear-yard setbacks.*

##### ***Policy LU 2.2.2 Separation and Buffering***

*Residential areas should be separated or screened from incompatible, nonresidential activities, including most commercial and manufacturing businesses, traffic arteries, the freeway, and the railroad. Residential*

*areas should be protected from encroachment by detrimental commercial and industrial activities.*

***Policy LU 2.2.4 Residential Next to Non-residential***

*In designing development at the boundary between residential and non-residential uses, protection of a residential atmosphere is the first priority.*

***Policy LU 2.2.9 Parking***

Large parking lots should be avoided, and parking should be screened from street views.

***Policy LU 3.1.5 Specialty Store Locations***

*Most specialty retail stores should be downtown, in the Madonna Road area, or the Los Osos Valley Road area, and in other community shopping areas identified by the Community Commercial district (see the Community Commercial section below) where they will not detract from the role of the downtown as the City's primary concentration of specialty stores; some may also be in neighborhood shopping centers so long as they are a minor part of the centers and serve neighborhood rather than citywide or regional markets.*

***Policy LU 6.1.4 Interim Open Space***

*The General Plan Land Use Element Map shows desired future uses for most land within the urban reserve line. However, the City has not decided the best eventual use for some areas. Such areas are designated Interim Open Space, indicating that they will be suitable for urban development when certain conditions are satisfied. Examples of such conditions include demonstrated need for further urban development that cannot be satisfied on already urbanized land, provision of proper access and utility service, and environmentally acceptable reduction of flood hazards. The Interim Open Space designation is to be changed to an urban classification only when the conditions necessary for development*

*can be satisfied and a certain type of development is approved. After further study, it may be found that permanent Open Space is an appropriate classification for areas initially classified as Interim Open Space.*

#### ***Policy LU 6.4.3 Amenities and Access***

*New public or private developments adjacent to the lake, creeks and wetlands must respect the natural environment and incorporate the natural features as project amenities, provided doing so does not diminish natural values. Developments along creeks should include public access across the development site to the creek and along the creek, provided that wildlife habitat, public safety, and reasonable privacy and security of the development can be maintained, consistent with the Conservation and Open Space Element.*

#### **Conservation and Open Space Element**

#### ***Policy COS 8.3.2 Open-Space Buffers***

*Buffers shall be required in the following situations:*

*B. Between urban development -- including parks and public facilities— and natural habitats such as creeks, wetlands, hillsides and ridgelines, Morros, scenic rock outcrops and other significant geological features, and grassland communities, to address noise, lighting, storm runoff, spread of invasive, nonnative species, and access by people and pets.*

*E. Between new development and scenic resources or the greenbelt, to address view blockage, lighting and noise, and visual transition from urban character to rural character.*

***Policy COS 9.1.1 Preserve natural and agricultural landscapes***

*B. Any development that is permitted in natural or agricultural landscapes shall be visually subordinate to and compatible with the landscape features.*

*Such development shall:*

- 1. Avoid visually prominent locations such as ridgelines, and slopes exceeding 20 percent.*
- 2. Avoid unnecessary grading, vegetation removal and site lighting.*
- 3. Incorporate building forms, architectural materials and landscaping, that respect the setting, including the historical pattern of development in similar settings, and avoid stark contrasts with its setting.*
- 4. Preserve scenic or unique landforms, significant trees in terms of size, age, species or rarity and rock outcroppings.*

***Policy COS 9.1.3 Utilities and signs***

*In and near public streets, plazas and parks, features that clutter, degrade, intrude on, or obstruct views should be avoided. Necessary features, such as utility and communication equipment, and traffic equipment and signs should be designed and placed so as to not impinge upon or degrade scenic views of the Morros or surrounding hillsides, or farmland, consistent with the primary objective of safety. New billboard signs shall not be allowed, and existing billboard signs shall be removed as soon as practicable, as provided in the Sign Regulations.*

***Policy COS 9.1.4 Streetscapes and major roadways***

*In the acquisition, design, construction or significant modification of major roadways (highways/regional routes and arterial streets), the City will promote the creation of “streetscapes” and linear scenic parkways or corridors that promote the City’s visual quality and character, enhance adjacent uses and integrate roadways with surrounding districts.*

***Policy COS 9.1.5 View protection in new development***

*The City will include in all environmental review and carefully consider effects of new development, streets and road construction on views and visual quality by applying the Community Design Guidelines, height restrictions, hillside standards, Historical Preservation Program Guidelines and the California Environmental Quality Act and Guidelines.*

The *Conservation and Open Space Element* of the City's General Plan identifies LOVR, which borders the project site to the west, as a roadway of "moderate scenic value". As a result, the following policies and programs are especially pertinent to this evaluation of visual impacts.

***Policy COS 9.2.1 Views to and from public places, including scenic roadways***

*The City will preserve and improve views of important scenic resources from public places and encourage other agencies with jurisdiction to do so. Public places include parks, plazas, the grounds of civic buildings, streets and roads, and publicly accessible open space.*

- A. Development projects shall not wall off scenic roadways and block views.*
- B. Utilities, traffic signals, and public and private signs and lights shall not intrude on or clutter views, consistent with safety needs.*
- C. Where important vistas of distant landscape features occur along streets, street trees shall be clustered to facilitate viewing of the distant features.*
- D. Development projects, including signs, in the viewshed of a scenic roadway shall be considered "sensitive" and require architectural review.*

***Policy COS 9.2.2 Views to and from private development***

*Projects should incorporate as amenities views from and within private development sites. Private development designs should cause the least view blockage for neighboring property that allows project objectives to be met.*

***Policy COS 9.2.3 Outdoor lighting***

*Outdoor lighting shall avoid: operating at unnecessary locations, levels, and times; spillage to areas not needing or wanting illumination; glare (intense line-of-site contrast); and frequencies (colors) that interfere with astronomical viewing.*

***Programs COS 9.3***

*The City shall do the following to protect and enhance views, and will encourage others to do so, as appropriate:*

***Policy 9.3.6 View blockage along scenic highways***

*Determine that view blockage along scenic roadways is a significant impact.*

**Circulation Element**

***Policy 15.0.4***

*The City and other agencies should be encouraged to avoid cluttering scenic roadways with utility and circulation-related equipment and facilities and follow these general guidelines:*

- A. Whenever possible, signs in the public ROW should be consolidated on a single low-profile standard;*
- B. Public utilities along scenic highways should be installed underground;*
- C. The placement of landscaping and street trees should not block views from scenic routes. Clustering of street trees along scenic roadways should be considered as an alternative to uniform spacing; and*
- D. Traffic signals with long mast arms should be discouraged along scenic roadways.*

3.1.3.2 City of San Luis Obispo Zoning Ordinance

The Zoning Ordinance of the City's Municipal Code was developed in conformance with the General Plan (City of San Luis Obispo 2008). Zoning is intended to promote and enforce broad General Plan policies related to land use, physical development and construction. The following ordinance concerns the visual impact of lighting.

***17.18.030 Illumination***

*No lighting or illuminated device shall be operated so as to create glare which creates a hazard or nuisance on other property. (Ord. 941 - 1(part), 1982: prior code - 9202.6(C))*

3.1.3.3 City of San Luis Obispo Community Design Guidelines

San Luis Obispo's Community Design Guidelines were developed to communicate the City's expectations relating to the quality and character of site and building design. Many of the guidelines specifically target the reduction of visual impacts and the promotion of visual harmony with surrounding context. The following subjects are relevant to this project analysis.

***Section 3.2 Large-Scale Retail Projects***

The Community Design Guidelines includes a chapter focused on large-scale retail projects, or those with one or more buildings over 40,000 sf, such as the proposed project. This chapter includes guidelines relating to the protection of scenic roadways; visually-pleasing parking design and location; consideration of neighboring development; quality landscaping and lighting; and site-specific building design.

***Section 7.1 Creekside Development***

The City's Design Guidelines focus partially on development near creeks and riparian corridors. Guidelines for such development outline the City's expectations concerning necessary setbacks from creek banks and the maintenance of public visual access to scenic creeks and corridors.

### 3.1.4 Environmental Impacts

#### 3.1.4.1 Standards of Significance

According to Appendix G of the State CEQA Guidelines, the project would result in a significant impact to aesthetics if it would:

- a) Have a substantial adverse effect on a scenic vista.
- 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.
- c) Substantially degrade the existing visual character or quality of the site and its surroundings.
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

#### 3.1.4.2 Impact Assessment Methodology

The impact assessment process included fieldwork to review the characteristics of the site and surroundings and discussions with City staff to review the project site, existing visual resources (e.g., onsite visual resources, distant views, and view corridors) of the site, the site's relationship to the surrounding community and the City's existing policy framework for protecting visual resources. To evaluate potential visual impacts, two primary factors were considered, *visual impact susceptibility* and *visual impact severity*, both of which are described below.

##### Visual Impact Susceptibility

Visual impact susceptibility is the degree to which existing visual resources could be impacted by development of a project. Three factors are considered in the evaluation of visual impact susceptibility: Visual quality, viewer exposure and viewer sensitivity. Together, these factors combine to create a statement of the likelihood that the existing landscape/site will be impacted by the project. Each of these factors is used to rate visual

impact susceptibility. As a general guideline, a visual impact susceptibility rating of *low* is achieved if two or more of the three contributing factors are rated *low*. A visual impact susceptibility rating of *high* is achieved if two or more of the three contributing factors are rated *high*. A visual impact susceptibility rating of *moderate* is achieved for all other combinations of the three contributing factors.

- *Visual Quality* is a measure of the overall impression or appeal of an area, as determined by the particular landscape characteristics. In this case, the quality is judged by the views of the scenic hills and ridges to the east of the Prefumo Creek Commons site. Variety, vividness, coherence, uniqueness, harmony, and pattern contribute to three visual quality classifications, *indistinctive* (low), *common* (moderate), and *distinctive* (high). Visual quality is studied as a point of reference to assess how compatible a given project would appear in relation to the established features of the setting.
- *Viewer Exposure* describes the degree to which viewers are exposed to views of the landscape. Viewer exposure considers the number of viewers, the duration of the view and the proximity of viewers to the subject landscape.
- *Viewer Sensitivity* is a measure of the level of interest or concern of viewers regarding an area's visual resources. It is closely associated with viewers' expectations for the area. Viewer sensitivity reflects the importance placed on a given landscape or urban area based on the human perceptions of the intrinsic beauty or aesthetic quality of the existing landforms and adjacent structures.

#### Visual Impact Severity

Visual impact severity refers to the degree of the negative effect of pertinent project characteristics on the existing landscape. In some cases this may include loss of onsite visual features and landmark structures. A determination of visual impact severity is made through evaluation of the *visual contrast*, *project dominance*, and *view impairment* resulting from a proposed project.

- *Visual Contrast* refers to a potential projects' consistency with the visual elements of form, line, color, and texture already established in the landscape. Other elements that are considered in evaluating visual contrast include the degree of natural screening by vegetation and landforms, placement of structures relative to existing vegetation and landforms, distance from the point of observation, and relative size or scale.
- *Project Dominance* refers to the project's relationship to other visible landscape components in terms of vertical and horizontal extent. A project's scale and spatial relationship to the existing landscape can be categorized as subordinate, co-dominant, or dominant.
- *View Impairment* refers to the extent to which a project's scale and position result in the blockage of higher quality visual elements by lower quality elements.

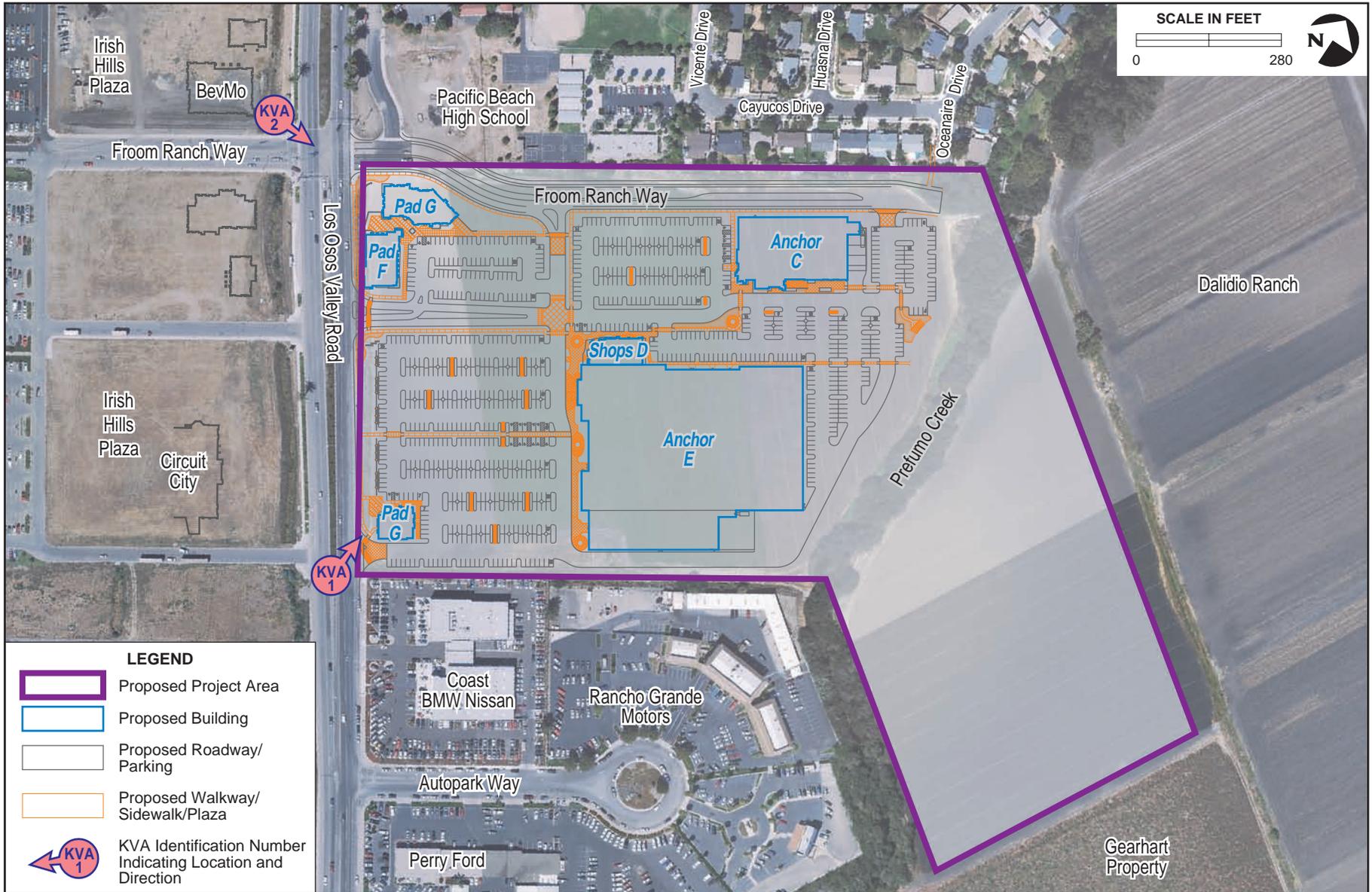
In order to facilitate evaluation of the degree to which existing visual resources would be impacted by the proposed project, Key Viewing Areas (KVAs) were selected in consultation with City staff (Figure 3.1-1). The KVAs are significant locations from which the project would be seen, which in this case is primarily from LOVR. For each KVA, a visual simulation was created that depicts the project from that KVA in the context of the overall viewshed. The simulations were considered in relation to susceptibility and severity, in order to draw conclusions about whether the project would substantially degrade the existing visual character of the site, surrounding landscape or existing scenic vistas.

KVA 1 represents a viewpoint of the project site from the center median of LOVR, at a position immediately across from the southern boundary of the site. This KVA was selected because it represents a direct view of the project site for travelers on northbound LOVR. Views of the residential neighborhood north of the site, the Prefumo Creek riparian corridor to the northeast and mountains further east can be seen from this vantage point (Figure 3.1-2).

KVA 2 currently provides a diagonal view across the project site, from the northwest to southeast corner of the portion of the project site. The view extends from the point at which Froom Ranch Way currently dead ends, just east of LOVR, to the northern edge of the auto-based retail development south of the site. Sweeping views of the foothills and taller peaks of the Morros and Santa Lucia Mountains are available from KVA 2, as are views of the riparian vegetation associated with Prefumo Creek (Figure 3.1-3).

### **3.1.5 Project Impacts**

The potential impacts of the proposed project on the visual quality of the project site and surrounding area, including those arising from the loss of open space, disruption of view corridors and incompatibility with surrounding land uses are discussed below. This analysis accounts for the fact that the portion of LOVR adjacent to the project is classified in the City of San Luis Obispo General Plan as a roadway of moderate to high scenic value because it affords important views of the Morros, Santa Lucias, and adjacent open space. The simulations of the proposed project (refer to Figures 3.1-2 and 3.1-3) from two KVAs are used to illustrate how the development may affect views and/or impact visual resources.



KVA Location Map  
Prefumo Creek Commons

**FIGURE  
3.1-1**



**KVA 1 Existing Conditions**



**KVA 1 Proposed Project Photosimulation**



KVA 2 Existing Conditions



KVA 2 Proposed Project Photosimulation

- a) **Would the project have a substantial adverse effect on a scenic vista or substantially degrade the existing visual character or quality of the site and its surroundings?**

Visual Impact Susceptibility

*Visual Quality* – The proposed project would alter the existing uninterrupted scenic vistas northeastward to open agricultural land, the Prefumo Creek riparian corridor, and the Morros and the Santa Lucia range from LOVR along the project frontage. However, overall quality of these views is moderated by level topography and the nature of existing development bordering the site to the north, south, and across LOVR to the west. Existing views of open space beyond Prefumo Creek are obstructed by riparian vegetation, while indistinctive suburban pattern residential and commercial building forms lie immediately adjacent the site to the north and south. Taken together, visual context and existing land use result in an overall visual quality rating of *moderate*.

*Viewer Exposure* – The project site is highly visible to northbound and southbound viewer groups on LOVR, including motorists, pedestrians, and bicyclists, with approximately 29,800 motorists using LOVR daily. Passing motorists' views of the site are generally limited to about 6 to 10 seconds or longer for those stopped at traffic signals, and pedestrians and bicyclists. Based on the number of viewers, duration of views, and the close proximity of viewing points to the project site, viewer exposure is given a *high* rating. Viewer exposure would remain high after project implementation, with multiple elements of the project, including trees, landscaping and buildings directly visible to travelers moving in both directions on LOVR.

*Viewer Sensitivity* – LOVR adjacent to the project site is designated a roadway of moderate to high scenic value in the City's General Plan and reflects significant views of scenic natural features visible from this corridor. However, high travel speeds on the busy arterial, obstructions from existing urban development and major commercial buildings and signs viewed from LOVR may distract passersby from these scenic vistas. These factors result in a viewer sensitivity rating of *moderate*.

Based on consideration of visual quality, viewer exposure, and viewer sensitivity, a visual impact susceptibility rating of *moderate* has been concluded.

#### Visual Impact Severity

*Visual Contrast* – The project would include a large “big box” retail structure, nearly 140,000 sf in size, with projecting towers up to 36 feet in height, and several additional smaller structures. These building forms would significantly contrast with the site’s natural visual context. In addition, per the City’s Community Design Guidelines, Section 3.2, *Large-scale Retail Projects*, “Large-scale monolithic ‘big-box’ structures surrounded by extensive parking lots are not considered acceptable.” However, overall impact severity would be moderated by the project’s visual consistency with the nearby big box retail centers and the placement of the largest, anchor structures over 700 feet east of LOVR. Other large retail stores up to 140,000 square feet in size already exist within the project vicinity.

The proposed project would continue the transition of the southern edge of the City into a large block, auto-oriented big box shopping district and, as such, would not significantly contrast with existing and planned adjacent commercial development. The proposed project would be generally consistent with the visual character, mass and height, and prevailing Spanish-revival architecture of commercial buildings along LOVR, most notably Irish Hills Plaza immediately across LOVR. In addition, landscaping and turf along the western edge of the proposed project would compliment both the existing LOVR center median, as well as the decorative landscaping that fronts the Irish Hills Plaza. New sidewalk construction would be a visual continuation of the wide sidewalks that currently front other developed sections of LOVR.

The proposed project’s 188,658 sf of buildings would be built on one of the last remaining open space “gaps” along this scenic corridor, and as such would substantially alter views of open space from LOVR. Although the project would eliminate agricultural open space, the project site design, which locates the two largest proposed buildings toward the far rear of the site, would minimize obstruction of more distant scenic views. These large anchor stores would be set back 400 to 700 feet from passing motorists on LOVR. Because of this setback for the larger structures, the most severe visual contrast and view blockage would be from the smaller buildings that would front LOVR directly, on the northwest and southwest corners of the site (refer to Figure 3.1-3). As travelers along LOVR pass these small structures in either direction, the proposed site frontage would “open up” to an area free of structural obstruction (refer to Figure 3.1-2).

Considering its relationship to both built and natural visual resources, the project would result in a *moderate* level of overall visual contrast.

*Project Dominance* – The mass, scale, and design of the proposed project would neither dominate, nor be dominated by surrounding components of the built commercial environment. Although proposed project lighting would potentially impact residential development immediately north of the site (see Impact VIS-2 below), the scale and design of the project would not dominate this neighboring residential land use due to limited building frontage on the northern edge of the site and the buffer provided by the extension of Froom Ranch Way. In addition, the pedestrian-oriented, 50-foot wide setback buffer along Prefumo Creek and extensive landscape screening of large cedar, pine, and other trees along the site’s northern boundary would work to reduce potential visual dominance of these large commercial structures.

*View Impairment* – Although the project would be compatible with the types of urban development in the vicinity, project development would nonetheless displace open scenic agricultural land and impair high quality scenic vistas available across the site. Existing, unobstructed vistas of the Morros and the Santa Lucias across open agricultural land to northbound and southbound motorists on LOVR would be replaced by those across a developed “big box” shopping mall, with distant views partially interrupted by new structures and landscaping.

However, impairment of distant views would result more from proposed landscaping than proposed structures. Proposed buildings along LOVR would interrupt views of mountains and open space to travelers on the roadway; however, these interruptions would pass quickly to motorists, while the majority of project frontage would be free of structural obstructions. In addition, the location of Anchors C and E deep within the site would minimize the obstruction of views of the mountains to the east.

Yet visibility through the resulting open frontage and the proposed project’s expansive level parking lots would be substantially reduced by proposed landscaping. In order to provide an acceptable pedestrian atmosphere and screen the project from LOVR, two layers of tightly spaced street trees are proposed to line the sidewalk of LOVR; at maturity, these trees would reach 20 to 40 feet in height. In addition, in order to soften and alleviate the proposed 10-acre, approximately 838-space parking lot, extensive tree plantings would occur throughout the proposed parking lot and along all interior roads

and walkways (refer to Figure 2.4-4 in Section 2.0, *Project Description*). While the planting of substantial numbers of trees is required under City ordinance and would be important to breaking up the expansive uninterrupted parking areas, this planting plan would substantially reduce existing long-range views across the site to the Morros and the Santa Lucia Mountains.

**b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?**

The proposed project would displace existing agricultural land and interrupt scenic distant views of the Morros and the Santa Lucia Mountains from a roadway that is identified as a roadway of *moderate to high scenic value* in the San Luis Obispo General Plan. Although there are no officially designated state scenic highways in the vicinity of the project site, elimination of scenic agricultural land and distant views has the potential to conflict with adopted city policy and create adverse changes in the visual character of the area (California Department of Transportation 2009). However, it should be noted that the portion of the site proposed for development is designated as *Interim Open Space*, with development of this agricultural land anticipated in the City's General Plan. Appropriate findings and overriding consideration for this impact were adopted as part of the EIR on the 1994 General Plan, along with appropriate mitigation measures (refer to Section 3.2, *Agricultural Resources* for further discussion). Therefore, the analysis of impacts to scenic resources below focuses on impacts to views rather than loss of open space.

**c) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

The project would not result in adverse affects related to glare, as none of the project buildings contain large glass or mirrored facades. All are characterized by plaster, brick and decorative stone façade articulation. In addition, where windows and decorative glass exists, it is positioned either beneath awnings, placed in façade setbacks, or positioned at roofline overhangs.

In terms of lighting, potential impacts could occur due to both stationary and mobile (automobile) light sources. Stationary lighting sources would consist of exterior lighting fixtures on buildings and approximately 88 overhead lights throughout surface parking areas. Although nighttime views within this section of LOVR are already partially defined by artificial, stationary light sources from surrounding commercial uses, residents

of homes in the neighborhood north of the site would experience a substantial increase in light spillover. This is the result mainly of the proposed 38 pole-mounted site perimeter lamps, 45 pole-mounted parking lot interior lamps, and five pole-mounted roadway lights along Froom Ranch Way.

Mobile sources of illumination, including those from automobiles, are also potential causes of adverse visual impact. The proposed extension of Froom Ranch Way, portions of the proposed parking lot, and project driveways are located adjacent to existing residential uses to the north. In particular, headlights of automobiles pointed northward from the project sight may adversely affect the seven homes on Cayucos and Oceanaire Drive adjacent to the site. Proposed landscaping and a 6-foot-high masonry wall at the northern boundary of the site would serve to reduce potential impacts from automobile headlights.

### 3.1.6 Impacts and Mitigation Measures

The proposed project would result in the following significant visual impacts. Measures to mitigate each impact are provided.

#### Impact

**VIS-1            The proposed project would potentially obstruct scenic vistas from a locally designated scenic corridor, resulting in a significant impact to the character or quality of the site and its surroundings.**

Proposed project landscaping, particularly the dense double line of street trees along LOVR would modify existing clear scenic views of the Morros and Santa Lucia Mountains that are currently available across the site (Figure 3.1-4). This loss of views would be most noticeable to northbound drivers as the effects on view blockage of proposed project landscaping would be most pronounced for travelers in close proximity to the site. Views for southbound motorists would be interrupted to a lesser degree, and occasional views of distant hills would likely remain available through the landscape buffer. Per the City’s Community Design Guidelines, Section 3.2, *Large-Scale Retail Projects*, site planning on a scenic roadway “should provide views through the property to the background hills and/or other natural features.” The loss of scenic views from a designated scenic roadway is considered a potentially significant adverse impact on visual resources.



The proposed mitigation measures below would help retain key distant views from LOVR and reduce project impacts to this scenic view corridor to an adverse but not significant level. However, a decrease in street trees along the high speed LOVR corridor would decrease the future attractiveness of proposed sidewalks along this high-speed roadway to pedestrians, potentially in conflict with City



[Existing views through the project site from mid-way along the LOVR frontage would be protected by View Mitigation Corridor requirements.](#)

policies that encourage creation of a pedestrian-friendly community. In addition, potential reductions in height and spacing of parking lot trees may conflict with City goals to break up large masses of surface parking with ample tree planting. Final design of the site landscape plan would need to balance competing goals of view preservation with screening the project site, fostering a moderately pedestrian-oriented streetscape and breaking up the project's large uninterrupted parking lot.

### Mitigation Measures

#### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM VIS-1a Landscaping in the View Mitigation Corridor shall be defined by gradually increasing species heights from west to east, from low, decorative shrubbery and more widely spaced street trees at LOVR frontage to large-scale screen trees within the proposed parking areas and fronting Anchor E.*

*MM VIS-1b Final design of the landscape plan shall balance conflicting goals of view preservation and site screening, fostering a moderately pedestrian-oriented streetscape and breaking up the project's large uninterrupted surface parking lots, to the maximum extent feasible.*

Impact

**VIS-2        The proposed project would create a substantial increase in vicinity nighttime lighting from 88 new pole-mounted parking lot and roadway lights, which would have the potential to significantly impact to the character or quality of the nighttime sky, especially within the adjacent residential neighborhood.**

Although the project would be constructed in an area with significant nighttime lighting at adjacent commercial facilities to the west and south, it would abut a single-family, residential neighborhood to the north. As such, increased nighttime lighting associated with the project could cause adverse effects on adjacent residential properties. In particular, high-voltage exterior light fixtures on the north sides of proposed structures and roadway and parking lot pole light fixtures would substantially increase ambient light in the area and the potential for direct light spill over into the adjacent residential neighborhood. Implementation of mitigation measures below would reduce impacts to a less-than-significant level.

Mitigation Measures

***Additional Mitigation Measures (Consultant-Recommended)***

*MM VIS-2a    Light fixtures on the north side of Anchor C shall be minimized to the number necessary to provide adequate lighting for security and nighttime access and circulation. Hooded light fixtures shall be used and positioned downward so as to minimize the transfer of lighting to neighboring, residential properties to the north of the site.*

*MM VIS-2b    The proposed landscaping plan for the north side of the Froom Ranch Way extension shall be revised to eliminate three gaps in the proposed row of 15-gallon incense cedars.*

*MM VIS-2c    All roadway lighting along the proposed extension of Froom Ranch Way shall be automatically controlled by a Street Smart System. The project applicant shall fund the installation of necessary check points and access points for the system. The system shall be designed to reduce the level of lights on the public right of way by 50 percent between the hours of 10:00*

*pm and 5:00 am. On-site, pole-mounted lighting shall be significantly reduced after 10:00 pm and prior to 5:00 am. Only sufficient lighting for security purposes shall be permitted between the hours of 10:00 pm and 5:00 am.*

Residual Impacts

Proposed mitigation measures would help retain key distant views from LOVR and reduce project impacts to a scenic view corridor to an adverse but not significant level. Mitigation measures to address nighttime lighting would reduce impacts to less than significant.



## 3.2 AGRICULTURAL RESOURCES

The following section evaluates the potential impacts of the Prefumo Creek Commons Project on site-specific and regional agricultural resources, including prime farmland that is located within the City of San Luis Obispo's Urban Reserve Line. It also evaluates the proposed project's consistency with the agricultural and open space land use goals, programs and policies in the City of San Luis Obispo General Plan and related planning policy documents, as well as relevant state policies and regulations.

Agricultural resources consist of any farmland with potential agricultural productivity. Sensitive agricultural resources are identified by the State of California as containing superior or unique soil or other important agricultural production properties. Such resources may be protected by zoning or land use contracts to prevent conversion to non-agricultural use. The U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) *Soil Survey for San Luis Obispo County, Coastal Part*, identifies soil types in southern San Luis Obispo County, including those which contain superior properties for agricultural production. The NRCS designates such soils with a Soil Capability Class of I or II. Many soils are given a Capability Class of I or II only when irrigated, but otherwise receive a lower rating without irrigation.

### 3.2.1 Existing Conditions

#### 3.2.1.1 Regional Context

Agriculture is a key industry in San Luis Obispo County. The County consistently ranks as a Top 20 agricultural producer in the State of California. County agricultural production was valued at \$653 million in 2007, an increase of 82 percent since 1998. Top crops, by value, included: wine grapes (\$142 million), broccoli (\$78 million), strawberries (\$55 million), cattle and calves (\$55 million) and vegetable transplants (\$35 million). The value of county vegetable production was estimated at over \$235 million in 2007 (San Luis Obispo County Department of Agriculture 2007). Wine-making is a growing sector in the County, and numerous acres of rural ranchlands have been converted to vineyards over the past 20 years. Agriculture production creates a multiplier effect, creating jobs and economic output in many other sectors of the local economy, including tourism, industrial, retail and commercial services. Over 80 percent of

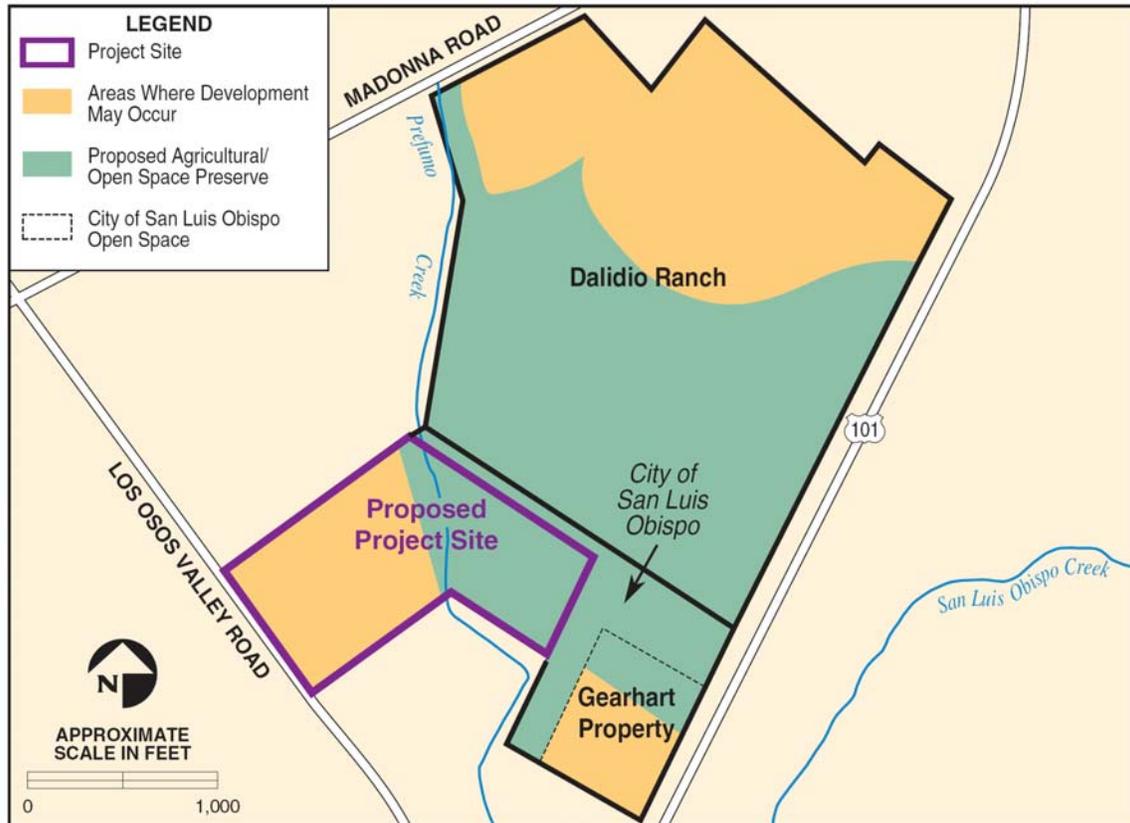
privately-owned land in San Luis Obispo County is used for agriculture (City of San Luis Obispo 2004).

### 3.2.1.2 Local Context

Agricultural land use in the vicinity of the City of San Luis Obispo is mostly limited to areas outside the city limits. Agricultural activity includes irrigated row crops in level or gently sloping areas and livestock grazing in foothill areas. Only a small percentage of land within city limits is currently utilized for agricultural purposes. However, active agricultural production occurs in a number of areas located outside of the city limits, but within the City's Urban Reserve Line. [The project site is one of three parcels which, until 2005, comprised a 185-acre area under the jurisdiction of the County and was zoned for agriculture. In 2005, the smallest of these three parcels \(25 acres\) was annexed by the City and a 12-acre portion of this was designated for commercial car sales with the remaining 12.97 acres retained by the City as open space and project mitigation.](#) Some of this agricultural land is zoned by the City for eventual development with residential, commercial or industrial uses (City of San Luis Obispo 2006a). Other areas are designated Permanent or Interim Open Space. Agricultural land within Interim Open Space areas may be subject to future development if access and utilities are available, and further development cannot be satisfied on already urbanized land. Approximately 700 acres of prime agricultural soils within the City's Urban Reserve Line are identified as areas where future development is expected to occur (City of San Luis Obispo 1994).

Recent agricultural cultivation has occurred east of Prefumo Creek in the vicinity of the proposed project site. The portion of the project site east of the Creek and two adjacent properties contain a total of approximately 180 acres of soils which have a Capability Class of I or II when irrigated (City of San Luis Obispo 2006a). [This area is noted in the County's San Luis Obispo Planning Area document for producing "some of the highest quality production of 'salad bowl' vegetables in the county and larger region" \(County of San Luis Obispo Department of Planning and Building 2007\).](#) Development of much of the northern portion of one adjacent property, the Dalidio Ranch, has long been proposed; however, areas adjacent to the project site within this property are expected to remain in agricultural production. Another property adjacent to the project site, the Gearhart property, is also expected to remain in agricultural production; however, the southern portion of this property is zoned for future development (City of San Luis Obispo 2004). In total, the City's General Plan *Land Use Element* (Policy 8.8) proposes

that a long-term agricultural/open space preserve of approximately 90 acres be created from portions of the Dalidio and Gearhart properties, as well as the Los Osos Valley Gap property (i.e., the project site), to serve as a “signature working agricultural landscape at the southern gateway to San Luis Obispo as it existed in 1994” (Figure 3.2-1) (City of San Luis Obispo 1994).



**Figure 3.2-1 Proposed Agricultural/Open Space Preserve**

### 3.2.1.3 Project Site

The 31-acre proposed project site is located within the City of San Luis Obispo Urban Reserve Line. The site has historically been utilized for commercial agriculture and has typically been planted in vegetable crops. A total of approximately 29 acres of the project site have been historically cultivated, including approximately 19 acres west of Prefumo Creek and approximately 10 acres east of the Creek. Y. Hayashi and Sons was the most recent agricultural operator to lease the property; on-site agricultural operations were conducted in conjunction with other sites throughout San Luis Obispo County (San Luis Obispo County Department of Agriculture 2008).



Surface Soils at the Project Site

**FIGURE 3.2-2**

Soils in historically cultivated areas on both sides of Prefumo Creek are comprised of Cropley Clay and Salinas Silty Clay Loam (Figure 3.2-2). Cropley Clay contains a Soil Capability Class of II when irrigated and is considered Class III without irrigation. Salinas Silty Clay Loam contains a Soil Capability Class of I when irrigated and is categorized as Class II without irrigation (NRCS 2008).



*The project site’s level prime soils are ideally suited for vegetable or row crop production when irrigated.*

Cropley Clay has some constraints related to crop production due to its slow surface runoff, which reduces the ability to farm the soil during periods of seasonal wetness. There are no constraints associated with Salinas Silty Clay Loam (City of San Luis Obispo 2004). Cropley Clay is considered a *prime* agricultural soil by the California Department of Conservation, [Division of Land Resource Protection](#), Important Farmlands Mapping Program when irrigated, while Salinas Silty Clay Loam is considered *prime* in irrigated and non-irrigated conditions. The project site is considered to have a high agricultural viability for cropland production based upon the USDA NRCS Land Evaluation and Site Assessment (LESA) methodology, which takes into account such factors as soil type, slope, irrigation water availability, and crop productivity (NRCS 1996). Thus, the project site is generally considered to have high value agricultural soils, particularly when irrigated (Table 3.2-1).

**Table 3.2-1. Soil Characteristics at the Prefumo Creek Commons Project Site**

Soil Name	Acreage <sup>1</sup>		Class		Important Farmland Map Designation	Slope %	Storie Index	Soil Constraints	Surface Runoff	Erosion Hazard
	West of PC	East of PC	IR	NI						
<b>Cropley Clay</b>	6.7	4.6	II	III	Prime (irrigated)	0 to 2	60	wetness	slow	slight
<b>Salinas Silty Clay Loam</b>	12.5	5.3	I	II	Prime (irrigated and non-irrigated)	0 to 2	86	none	slow	slight

<sup>1</sup> West of PC includes proposed development area and right-of-way; East of PC does not include Prefumo Creek or setbacks.

Notes: PC = Prefumo Creek, IR = irrigated, NI = non-irrigated.

Sources: City of San Luis Obispo 2004; NRCS 1996, 2008.

### 3.2.2 Regulatory Setting

#### 3.2.2.1 State Policies

The California Department of Conservation administers both the State Important Farmland Mapping Program and the California Land Conservation Act, or Williamson Act. The Important Farmland Mapping Program compiles information of the State's important farmlands, including tracking farmland proposed for development, and provides this information to state and local government agencies for use in planning and decision-making. The Williamson Act provides for reduced property taxation on agricultural land in exchange for a [minimum](#) 10-year agreement that the land would not be developed or otherwise converted to non-agricultural use. Although the project site has been identified by the State as important farmland (California Department of Conservation 2008), neither the project site nor any adjacent agricultural properties are under a Williamson Act contract.

~~[The use of pesticides is governed by state laws and regulations. The California Department of Pesticide Regulation is the state agency with regulatory authority over the use of pesticides, while the San Luis Obispo County Department of Agriculture acts as the local enforcement authority. Pesticide laws and regulations apply to the project site and govern the use of pesticides in both the agricultural and non-agricultural portions of the project site and adjacent sites. The California Department of Food and Agriculture, through the San Luis Obispo County Department of Agriculture, regulates the use of pesticides at the project site and adjacent agricultural areas. The County Department of Agriculture would regulate any future pesticide use on the project site, including how these pesticides are applied and the types of weather conditions under which pesticide applications may occur.](#)~~

#### 3.2.2.2 City of San Luis Obispo General Plan, Land Use Element

The City of San Luis Obispo's adopted *General Plan Land Use Element* (City of San Luis Obispo 2006a) outlines multiple policies designed to protect agricultural resources and prime agricultural land. The City's General Plan sets forth specific requirements for the project vicinity and project site, as well as overall requirements for protection of agricultural land and required mitigation standards for loss of agricultural land. Policies relevant to the proposed project are listed below:

Policy 1.7.1 *Greenbelt – Open Space Protection*

Within the City’s planning area and outside the Urban Reserve Line, undeveloped land should be kept open. Prime agricultural land, productive agricultural land, and potentially productive agricultural land should be protected for farming. Scenic lands, sensitive wildlife habitat, and undeveloped prime agricultural land should be permanently protected as open space.

Policy 1.7.3 *Commercial Uses*

Commercial development shall not occur, unless it is clearly incidental to and supportive of agriculture or other open-space uses.

Policy 1.8.1 *Prime Agricultural Land – Agricultural Protection*

It is the City’s policy to encourage preservation of economically viable agricultural operations and land within the urban reserve and City limits. The City should provide for the continuation of farming through steps such as provision of appropriate General Plan designations and zoning.

Policy 1.8.2 *Prime Agricultural Land – Prime Agricultural Land*

Development of prime agricultural land may be permitted, if the development contributes to the protection of agricultural land in the urban reserve or greenbelt by one or more of the following methods, or an equally effective method:

- Acting as a receiver site for transfer of development credit from prime agricultural land of equal quantity;
- Securing for the City or for a suitable land conservation organization open space easements or fee ownership with deed restrictions; and/or,
- Helping to directly fund the acquisition of fee ownership or open space easements by the City or a suitable land conservation organization.

Development of small parcels which are essentially surrounded by urbanization need not contribute to agricultural land protection.

#### Policy 1.12.5 *Annexation and Services – Open Space*

Each annexation shall help secure permanent protection for areas designated Open Space, and for the habitat types and wildlife corridors within the annexation area that are identified in the *Conservation and Open Space Element*. Policies concerning prime agricultural land shall apply when appropriate. The following standards shall apply to the indicated areas:

E. Dalidio Area properties (generally bounded by Highway 101, Madonna Road, and LOVR) shall dedicate land or easements for the approximately one-half of each ownership that is to be preserved as open space.

#### Policy 8.7 *Optional Use & Special Design Areas – Los Osos Valley Gap*

This 16-acre site should be developed if land in common ownership to the east is permanently preserved as open space. The following are possible uses for the area designated Interim Open Space:

- Vehicle sales;
- Multifamily housing;
- An open space corridor, trail, or both, to connect Laguna Lake Park and Prefumo Creek with the Irish Hills.

#### Policy 8.8 *Optional Use & Special Design Areas – Dalidio-Madonna-McBride Area*

This approximately 180-acre area of prime farm land bounded by Madonna Road, Highway 101, Central Coast Plaza, and Prefumo Creek is in three ownerships. The City intends to preserve at least one-half of this signature working agricultural landscape at the southern gateway to San Luis Obispo as it existed in 1994.

Policies 1.7.1 and 1.8.1 outline provisions to protect agricultural resources, including the use of protective zoning. Policy 1.8.2 describes instances when development of prime agricultural land may be permitted, and methods for offsetting such development. Policy 1.12.5 contains provisions to protect agricultural and open space areas annexed into the City. Policy 8.7 supersedes other General Plan policies and allows the development of

the project site on the west side of Prefumo Creek (the “Los Osos Valley Gap” property) if areas east of the Creek are permanently preserved as open space. Policy 8.8 addresses the preservation of agricultural resources on the project site and adjacent properties located on the east side of Prefumo Creek; at least one-half of the total area shall be preserved as agriculture (City of San Luis Obispo 2006a).

### 3.2.2.3 City of San Luis Obispo General Plan, Open Space and Conservation Element

The City of San Luis Obispo’s adopted *General Plan Open Space and Conservation Element* (City of San Luis Obispo 2006b) also contains policies designed to protect agricultural resources and prime agricultural land, as well as offset the development of agricultural areas. Policies relevant to the proposed project are listed below:

#### Policy 8.2.2 *Goal: Open Space within the Urban Area*

Within the urban area, the City will secure and maintain a diverse network of open land encompassing particularly valuable natural and agricultural resources, connected with the landscape around the urban area. Particularly valuable resources are:

- D. Undeveloped land within the Urban Reserve Line not intended for urban uses.
- H. Prime agricultural soils and economically viable farmland.

#### Policy 8.6.3 *Required Mitigation*

Loss or harm shall be mitigated to the maximum extent feasible. Mitigation must at least comply with Federal and State requirements. Mitigation shall be implemented and monitored in compliance with State and Federal requirements, by qualified professionals, and shall be funded by the project applicant.

- C. For... farmland, mitigation shall consist of permanently protecting an equal area of equal quality, which does not already have permanent protection, within the San Luis Obispo Planning Area.
- G. Any development that is allowed on a site designated as Open Space or Agriculture, or containing open-space resources, shall be designed

to minimize its impacts on open space values on the site and on neighboring land.

2. ...agricultural land and necessary buffers should be within their own parcel, rather than divided among newly created parcels. Where creation of a separate parcel is not practical, the resources shall be within an easement. The easement must clearly establish allowed uses and maintenance responsibilities in furtherance of resource protection.

Policy 8.2.2 lists prime agricultural soils and economically viable farmland as resources which should be conserved and maintained as open, undeveloped land. Policy 8.6.3 specifies required mitigation to address the loss of prime agricultural land, however; this policy is superseded on this property by *Land Use Element* Policy 8.7 which applies specific direction to this property. Subpart G requires that development on sites containing agricultural and/or open space resources shall be compatible with such resources, as well as those which may exist on neighboring land. Agricultural and/or open space resources shall also be located in either a newly created parcel or on a dedicated easement, and not divided amongst multiple parcels (City of San Luis Obispo 2006b).

#### 3.2.2.4 Previously Identified Impacts to and Mitigation Measures for Loss of Prime Soils and Relationship to the Proposed Project

The 1994 certified EIR on the City's Land Use Element Update (City of San Luis Obispo 1994) directly addressed the loss of agricultural land on the "Los Osos Valley Gap" property (the project site). That citywide Program EIR found that the Los Osos Valley Gap property would be "*part of approximately 700 acres of prime soils which would be converted to urban uses.*" The loss of prime soils was identified as a significant and unavoidable impact. The City eventually adopted overriding considerations for the loss of prime agricultural soils as part of Resolution No. 8332, during adoption of the revised Land Use Element. The City's General Plan contains a variety of policies to address this issue, as described in this section.

The 1994 Land Use Element Update EIR also required mitigation measures to reduce, but not eliminate, impacts to agricultural land, including acquiring easements for protection of agricultural land to offset the loss of prime soils (*Mitigation Measure LU-4*)

(City of San Luis Obispo 1994). These mitigation measures were transformed into policies in the City's General Plan. These policies include the required creation of an agricultural preserve area of at least 90 acres in the Dalidio-Madonna-McBride area, which includes the approximately 11 acres of the project site east of Prefumo Creek (refer to Land Use Element Policy 8.8, above). For properties not already covered by specific land use element policies such as Policy 8.7, the EIR identified a citywide requirement for the preservation of 1 acre of prime agricultural land for every acre lost to development (refer to *Land Use Element* Policy 8.7 and 1.8.2 and *Conservation and Open Space Element* Policy 8.63 above).

#### 3.2.2.5 Local Agency Formation Commission (LAFCO) Policies

Policy 12. The Commission shall approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land annexed is agreed to by the applicant (proponent), the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:

- a. Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands with similar characteristics within the County Planning Area.
- b. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 12a.
- c. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.

### 3.2.3 Environmental Impacts

#### 3.2.3.1 Thresholds for Determining Significance

Impacts to agricultural resources were assessed based upon the extent that the proposed project would convert prime farmland, unique farmland, or farmland of statewide significance to non-agricultural uses; the potential for conflicts between the proposed project and existing zoning for agricultural use; and cumulative impacts that would result in the conversion of additional farmland into non-agricultural use.

With respect to agricultural resources, applicable sections of Appendix G of the CEQA Guidelines state that a project would normally have a significant impact on the environment if it would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract; and/or,
- Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in the conversion of farmland to non-agricultural use.

Prime agricultural land is defined as having any of the following:

- A Soil Capability Class of I or II;
- Soil Storie Index of 80-100;
- Gross annual revenue of at least \$200 per acre per year; or
- A carrying capacity of one animal unit per acre of land.

#### 3.2.3.2 Impact Assessment Methodology

Impacts to agricultural resources were assessed based upon the extent that the project is consistent with City of San Luis Obispo General Plan goals, policies, and programs, related planning policy documents, and relevant State policies and regulations. Only those elements of the project which have the potential to breach a stated goal, policy, or program are summarized in this section, along with related physical environmental consequences.

#### 3.2.4 Project Impacts, Mitigation Measures, and Residual Impacts

##### Impact

**AG-1            The proposed project would potentially impact agricultural land from the direct conversion of approximately 19 acres of historically farmed prime soils to urban development.**

The proposed project would convert approximately 19 acres of historically farmed prime soils to urban development, which was identified as a significant and unavoidable impact

in the 1994 EIR on the City's Land Use Element update (City of San Luis Obispo 1994). As described above, the City previously adopted overriding considerations for this impact. Under the framework of the City's General Plan, the proposed dedication of the approximately 12 acres of agricultural land east of Prefumo Creek would reduce impacts resulting from the conversion of prime soils to urban development, consistent with *Land Use Element* Policy 8.7. Therefore, impacts are considered less than significant.

#### Mitigation Measures

*No mitigation measures would be required.*

#### Impact

**AG-2            The lack of irrigation water available to sustain cultivated agriculture on the 10-acre dedicated open space area east of Prefumo Creek would substantially diminish the historic agricultural value and productivity of this area, reducing the effectiveness of this set-aside as mitigation for loss of historically cultivated agricultural land.**

The project site has historically been cultivated in row and vegetable crops irrigated with water supplied from a well on the adjacent Dalidio Ranch. However, the proposed project makes no provision for continuation of this agreement or provision of other irrigation water to the dedicated open space area. Thus, only dry farming or grazing could be sustained on the future dedicated open space area. This would significantly decrease the agricultural productivity of these soils, approximately 4.6 acres of which are considered prime only when irrigated (NRCS 2008). In addition, preservation of this area for dry farming only would be potentially inconsistent with Policy 8.8 of the City's *Land Use Element* which envisions preserving this area as a "signature working agricultural landscape at the southern gateway to San Luis Obispo as it existed in 1994." With incorporation of the mitigation measure below, impacts would be reduced to less than significant.

#### Mitigation Measures

##### ***Additional Mitigation Measures (Consultant-Recommended)***

**MM AG-2        *The applicant shall ensure the provision of adequate amounts of irrigation water for agricultural production on the proposed 10-acre open space***

*either through construction of an on-site water well or ensuring provision of a long-term supply of irrigation water at agricultural rates from other sources.*

#### Impact

#### **AG-3      Development of the proposed regional shopping center would create potential land use conflicts with continued agricultural operations to the east of Prefumo Creek.**

Although Prefumo Creek would provide a buffer between proposed development and potential agricultural operations, development and operation of a regional shopping center west of Prefumo Creek could create conflicts with continued agricultural operations east of the Creek. Project development would entail a 2-year construction phase with extensive site preparation, grading, and importation of fill, all of which could create substantial dust which could impact nearby crops, especially during harvest time. The proposed project would bring hundreds of new employees and thousand of customers within close proximity to areas subject to agricultural cultivation practices, including those which generate noise, dust, and possible pesticide drift. In particular, the proposed pedestrian path along the west bank of Prefumo Creek could increase public use of this area and possible access to the Creek's east bank. Further, eventual construction of the Bob Jones Bikeway east of the Creek would provide direct public access to areas proposed for long-term cultivation, increasing potential conflicts and possible increases in vandalism of farm equipment or operations, and pilfering of crops. Such potential incompatibilities with agricultural uses could potentially impact the overall economic viability of continued agricultural operations. This is considered a significant but mitigable impact.

#### Mitigation Measures

Construction of the proposed regional shopping center would incorporate mitigation measures to reduce the potential for increased land use conflicts as follows. Measures with regard to dust are further discussed in Section 3.3, *Air Quality*.

### 3.3 AIR QUALITY

This section discusses air quality impacts associated with the proposed Prefumo Creek Commons Project in the context of site-specific and regional air quality within San Luis Obispo County. Air quality is evaluated according to the concentration of pollutants in ambient air. The U.S. Environmental Protection Agency (USEPA) has established criteria to protect public health and welfare for seven criteria pollutants including carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), 10-micron particulate matter (PM<sub>10</sub>), 2.5-micron particulate matter (PM<sub>2.5</sub>) and lead (Pb). Other air pollutants of concern include toxic air contaminants (TACs) or hazardous air pollutants (HAPs), in particular diesel particulate matter, generated from the operation of diesel engines (e.g., trains, equipment, truck, etc.).

#### 3.3.1 Existing Conditions

Existing conditions for air quality in the City of San Luis Obispo are described in detail in the County's 2001 Clean Air Plan (CAP), which is incorporated herein by reference. Based on information available, it is not expected that baseline conditions have changed significantly since the 2001 plan was completed.

##### 3.3.1.1 Regional Climate and Meteorology

San Luis Obispo County's climate can generally be characterized as Mediterranean, with warm dry summers and cooler, relatively damp winters. Inland areas typically experience a wider range of temperatures than on the coast, mainly due to the separation of regions by transformation in terrain, such as the coastal mountain ranges. Maximum temperatures in the summer in coastal areas average about 70 degrees Fahrenheit, while temperatures in the high 90s are typical in the inland valleys. Average minimum winter temperatures range from the low 30s along the coast to the low 20s inland.

The County's meteorology is largely controlled by a persistent high-pressure system over the eastern Pacific Ocean. The Pacific high-pressure system remains generally fixed several hundred miles off-shore from May through September. Coastal fog and low clouds often form in the marine layer along the coast, lessening in the warmer interior valleys.

Approximately 90 percent of the total annual rainfall in the County occurs between November and April; however, rainfall amounts can vary considerably among different regions in the County. Annual rainfall averages from 16 to 28 inches in the Coastal Plain, while the Upper Salinas River Valley receives approximately 12 to 20 inches of rain annually. The Carrizo Plain is the driest area of the County, receiving an average of less than 12 inches of rain per year.

The speed and direction of local winds are influenced by the location and strength of the Pacific high-pressure system, by topographical features and by circulation patterns resulting from temperature differences between land and sea. In spring and summer, when the Pacific high is at its strongest, on-shore winds from the northwest generally prevail during the day. In the fall, on-shore surface winds decline and the marine layer grows shallow, allowing an occasional weak off-shore flow. Pollutants may accumulate more during this time of year, remaining over the ocean for a few days and being carried back on-shore. Strong inversions can form at this time, trapping pollutants near the ground surface; this effect is intensified when the Pacific high weakens and moves inland to the east. This may produce a condition known as Santa Ana where air, often pollutant-laden, is transported into the County from the east and southeast. The break-up of this condition generally occurs within seven days and may then result in stagnant conditions and a build-up of pollutants off-shore. The sea breeze can also bring these pollutants back on-shore, where they combine with local emissions and cause high pollutant concentrations.

#### 3.3.1.2 Greenhouse Gases and Global Climate Change

Global climate change is a change in the average weather of the Earth which can be measured by wind patterns, storms, precipitation and temperature. Scientific consensus has identified that human-related emission of greenhouse gases above natural levels is a significant contributor to global climate change. Greenhouse gases (GHGs) that trap heat in the atmosphere and regulate the Earth's temperature include water vapor, carbon dioxide (CO<sub>2</sub>), methane, NO<sub>x</sub>, chlorofluorocarbons (CFCs) and Ozone (O<sub>3</sub>).

The primary activities associated with GHG emissions include transportation, utilities, industrial/manufacturing, agricultural and residential (California Energy Commission [CEC] 2005). End-use sector sources of GHG emissions in California are as follows: transportation (40.7 percent), electricity generation (22.2 percent), industry (20.5

percent), agriculture and forestry (8.3 percent) and other (8.3 percent) (CEC 2005). The main sources of increased concentrations of GHGs due to human activity include the combustion of fossil fuels and deforestation (CO<sub>2</sub>); livestock and rice paddy farming, land use and wetland depletions, and landfill emissions (methane); refrigeration systems and fire suppression systems use and manufacturing (CFCs); and agricultural activities, including the use of fertilizers (NO<sub>x</sub>).

Global climate change could potentially affect other resource areas, including hydrological resources, economical resources and biological resources. Projected impacts to the region caused by global climate change include: potential decreases in water supply and surface water quality; possible long-term decreases in groundwater yields; changes in coastal water quality; rising sea levels; increased flooding and fire events; declines in aquatic ecosystem health; lowered profitability for water-intensive crops; changes in species and habitat distribution; and impacts to fisheries (California Regional Assessment Group 2002).

#### 3.3.1.3 Regional Air Quality

San Luis Obispo County is part of the South Central Coast Air Basin, which also includes Santa Barbara and Ventura Counties to the south. Air quality within San Luis Obispo County is contingent on several factors including the type, amount and dispersion rates of pollutants being emitted within the region. Major factors affecting pollutant dispersion, as discussed in the previous paragraphs, are wind speed and direction, atmospheric stability, temperature, the presence or absence of inversions, and the topographic and geographic features of the region.

#### 3.3.1.4 Regional Emissions

San Luis Obispo County is currently a non-attainment area for the state standards for PM<sub>10</sub>. Atmospheric particulate matter, or PM<sub>10</sub>, is comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes and mists. Human activities that generate PM<sub>10</sub> include agricultural operations, industrial processes, fossil fuel combustion, construction and demolition operations and entrapment of road dust into the atmosphere. Natural sources include wind blown dust, wildfire smoke and sea spray salt.

San Luis Obispo County has historically been designated as non-attainment of state standards for ozone (O<sub>3</sub>). It was redesignated in attainment for O<sub>3</sub> in 2004. However, due to the adoption of a new 8-hour O<sub>3</sub> state standard, the County was designated as non-attainment for O<sub>3</sub> on July 26, 2007. O<sub>3</sub> is a secondary pollutant that is not produced directly by a source, but rather is formed by a reaction between NO<sub>x</sub> and reactive organic gases (ROGs) in the presence of sunlight. O<sub>3</sub> can impact public health at higher concentrations by causing respiratory irritation and other affects upon the lungs. It can also affect sensitive plant species by interfering with photosynthesis, and is therefore a threat to California agriculture and native vegetation. Primary emission sources of ROGs in the County are motor vehicles (over 50 percent), organic solvents, the petroleum industry and pesticides. Primary sources of NO<sub>x</sub> are motor vehicles (over 50 percent), public utility power generation and fuel combustion by various industrial sources.

3.3.1.5 Existing Emissions in the Vicinity of the Project Site

Activities within the project site vicinity that contribute to existing emissions in the County are primarily associated with motor vehicles. The air monitoring station located nearest to the project site is the Higuera Street Station, located at 3220 South Higuera Street, about 2.5 miles from the project site. This station measures O<sub>3</sub>, CO, NO<sub>x</sub>, PM<sub>2.5</sub> and PM<sub>10</sub>. The Higuera Street Station has been active since 2005. Prior to 2005, the air monitoring station nearest to the project site was the Marsh Street Station (approximately 2 miles from the project site), which is no longer active. Table 3.3-1 summarizes the annual air quality emissions data for the local airshed over the last 3 years.

**Table 3.3-1. Ambient Air Quality Data at Higuera Street Air Monitoring Station**

	O <sub>3</sub> , ppm		PM <sub>10</sub> , µg/m <sup>3</sup>	PM <sub>2.5</sub> , µg/m <sup>3</sup>	CO, ppm		NO <sub>x</sub> , ppm
	Worst Hour	Worst 8-Hours	Worst 24-Hours	Worst 24-Hours	Worst Hour	Worst 8-Hours	Worst Hour
2004	0.070	-	35	19.5	2.6	-	0.042
2005	0.072	0.063	31	11	1.3	0.7	0.042
2006	0.070	0.059	28	24	1.1	0.8	0.034

Notes: ppm = parts per million, µg/m<sup>3</sup> = micrograms per cubic meter, - = not measured  
 Source: County of San Luis Obispo APCD 2004; 2005; and 2006.

### 3.3.2 Regulatory Setting

#### 3.3.2.1 Federal and California Clean Air Act

The regulatory framework for air quality within San Luis Obispo County combines the responsibility and authority of federal, state, and local agencies to administer and enforce specific air quality standards for the protection of public health. The USEPA is the federal agency responsible for enforcing the Federal Clean Air Act (CAA) of 1970 and its amendments of 1977 and 1990. The USEPA has established primary and secondary national ambient air quality standards (NAAQS) for O<sub>3</sub>, CO, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and lead (Pb), as shown in Table 3.3-2. In 1997 the USEPA announced changes to the NAAQS for O<sub>3</sub> and PM, and then again for O<sub>3</sub> in May 2008. A new PM standard for PM<sub>2.5</sub> was created in addition to the standard for PM<sub>10</sub>.

The CAA allows states to adopt ambient air quality standards and other regulations, provided they are at least as stringent as federal standards. The California Ambient Air Quality Standards (CAAQS) were established within the California Clean Air Act (CCAA) of 1988 for criteria pollutants and additional standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles (see Table 3.3-2). The CCAA requires each Air Pollution Control District (APCD) in California to adopt strategies for achieving the NAAQS and CAAQS by the earliest practicable date. The California Air Resources Board (CARB) is responsible for the control of vehicle emission sources, while the local APCD is responsible for enforcing standards and regulating stationary sources.

The City of San Luis Obispo falls within the jurisdiction of the County of San Luis Obispo APCD. Federal air quality standards within the jurisdiction of the County of San Luis Obispo APCD have been attained; however, the County is a nonattainment area for the State standard for PM<sub>10</sub> and O<sub>3</sub>.

**Table 3.3-2. Current Federal and State Ambient Air Quality Standards**

Pollutant	Averaging Time	Federal Primary Standards	California Standard
Ozone	8-Hour	0.075 ppm (2008 std)	0.070 ppm
	8-Hour	0.08 ppm (1997 std)	
Carbon Monoxide	1-Hour	0.12 ppm	0.09 ppm
	8-Hour	9.0 ppm	9.0 ppm
Nitrogen Dioxide	1-Hour	35.0 ppm	20.0 ppm
	Annual	0.05 ppm	-
Sulfur Dioxide	1-Hour	-	0.25 ppm
	Annual	0.03 ppm	--
PM <sub>10</sub>	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	-	0.25 ppm
	Annual	50 µg/m <sup>3</sup>	30 µg/m <sup>3</sup>
PM <sub>2.5</sub>	24-Hour	150 µg/m <sup>3</sup>	50.0 µg/m <sup>3</sup>
	Annual	15 µg/m <sup>3</sup>	-
Lead	24-Hour	35 µg/m <sup>3</sup>	-
	Rolling 3-Month Average	0.15 µg/m <sup>3</sup>	1.5 µg/m <sup>3</sup> (30-day average)
	3-Month Average	1.5 µg/m <sup>3</sup>	-

Notes: ppm = parts per million  
 µg/m<sup>3</sup> = micrograms per cubic meter  
 - = Not applicable

Source: USEPA 2008; California Air Resources Board (CARB) 2008a.

### 3.3.2.2 California Legislation on Climate Change

Assembly Bill (AB) 1493. Requires the CARB to define standards for cars and light trucks manufactured after 2009 and is projected to result in an 18 percent reduction in emissions.

Executive Order S-3-05. On June 1, 2005, Governor Schwarzenegger announced the following GHG emission reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

AB 32. The California Global Warming Solutions Act of 2006 (AB 32) requires the CARB to adopt regulations to evaluate statewide GHG emissions, and then create a program and emission caps to limit statewide emissions to 1990 levels. The program is to be adopted by 2012, and implemented in a manner achieving emissions compliance by 2020. AB 32 does not directly amend the California Environmental Quality Act (CEQA) or other environmental laws.

Executive Order S-01-07. Enacted on January 18, 2007, this Order requires that a statewide goal be established to reduce the carbon intensity of the California's transportation fuels by at least 10 percent by 2020, and that a low carbon fuel standard for transportation fuels be established for California.

Senate Bill (SB) 97. SB 97 was signed on August 24, 2007. This bill states that a failure to analyze the GHG impacts in CEQA documents prepared for transportation and levee projects funded by Propositions 1b and 1e would not result in a violation of CEQA. This GHG evaluation provision will remain in place until 2010. By enacting the requirements of SB 97, the State acknowledged that climate change analysis is to occur in conjunction with the CEQA process. The bill also requires the Office of Planning and Research to develop CEQA Guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions by July 1, 2009.

SB 375. This bill was passed in August 2008 (Steinberg, Chapter 728, Statutes of 2008) and creates a process whereby local governments and other stakeholders work together within their region to achieve reduction of GHG emissions through integrated development patterns, improved transportation planning, and other transportation measures and policies. SB 375 requires the CARB to develop, in consultation with metropolitan planning organizations (MPOs), passenger vehicle greenhouse gas emissions reduction targets for 2020 and 2035 by September 30, 2010. It sets forth a collaborative process to establish these targets, including the appointment by CARB of a Regional Targets Advisory Committee to recommend factors to be considered and methodologies for setting GHG emissions reduction targets. SB 375 also provides incentives – relief from certain CEQA requirements for development projects that are consistent with regional plans that achieve the targets.

Local governments are essential partners in achieving California's goals to reduce GHG emissions. They have broad influence and, in some cases, exclusive authority over

activities that contribute to significant direct and indirect GHG emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Many of the proposed measures to reduce GHG emissions rely on local government actions.

Other Plans and Guidance Documents. In October 2008, the CARB, as the lead agency for implementing AB 32, released the *Climate Change Proposed Scoping Plan*. This plan proposes a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce dependence on oil, diversify energy sources, save energy and enhance public health while creating new jobs and enhancing the growth in California's economy (CARB 2008b). In addition to the Scoping Plan, CARB recently adopted a statewide GHG emissions limit and an emissions inventory, along with requirements to measure, track, and report GHG emissions by the industries determined to be significant sources of GHG emissions (Office of Planning and Research [OPR] 2008).

#### 3.3.2.3 County of San Luis Obispo Clean Air Plan (CAP)

The County of San Luis Obispo APCD adopted the CAP in January 1992; the Plan was updated in 1998, and again in 2001. The CAP is a comprehensive planning document designed to reduce emissions from traditional industrial and commercial sources, as well as from motor vehicle use. The purpose of the County's CAP is to address the attainment and maintenance of State and federal ambient air quality standards by following a comprehensive set of emission control measures within the Plan.

Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where not technically feasible alternatives area available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD with the study of technical feasibility at the time of application.

3.3.2.4 California Air Resources Board Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Section 93105) and the National Emissions Standard for Hazardous Air Pollutants (NESHAP)

The proposed project site is located in a candidate area for naturally occurring asbestos (NOA), which has been identified as a toxic air contaminant (TAC) by CARB. Under CARB's ATCM for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that would be disturbed. If NOA is not present, an exemption request must be filed with the APCD. If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.

The NESHAP requires notifying the APCD prior to performing remodeling or demolition activities, and asbestos survey conducted by a Certified Asbestos Inspector, and applicable removal and disposal requirements of identified asbestos containing material (ACM).

### 3.3.3 Environmental Impacts

#### 3.3.3.1 Significance Criteria for Construction-Related Emissions

Short-term construction emission thresholds for San Luis Obispo County, (Table 3.3-3) as stated in the APCD's *CEQA Air Quality Handbook* (2003), have been set by the APCD as follows:

- 2.5 - 6.0 tons per quarter of ROG or NO<sub>x</sub> requires Best Available Control Technology for construction equipment (BACT)
- Greater than 185 pounds per day (lbs/day) of ROG or NO<sub>x</sub> requires BACT
- Over 6.0 tons per quarter of ROG or NO<sub>x</sub> requires BACT plus further mitigation, including emissions offsets
- 2.5 tons per quarter of PM<sub>10</sub> requires BACT

**Table 3.3-3. Level of Construction Activity Requiring Mitigation**

Pollutant of Concern	Emissions		Amount of Material Moved	
	Tons/Qtr	Lbs/day	Cu. Yd/Qtr	Cu. Yd/Day
ROG	2.5	185	400,000	15,000
	6.0		970,000	
NO <sub>x</sub>	2.5	185	50,000	2,000
	6.0		125,000	
PM <sub>10</sub>	Any project with a grading area greater than 4.0 acres of continuously worked area will exceed the 2.5 tons PM <sub>10</sub> quarterly threshold.			
(All calculations assume working conditions of 8 hours per day, 5 days per week, for a total of 65 days per quarter).				

Source: County of San Luis Obispo APCD 2003.

If construction-related emissions of the proposed project equal or exceed any of the thresholds stated above, mitigation of construction activities and implementation of Best Available Control Technology (BACT) would be required.

3.3.3.2 Significance Criteria for Operational Emissions

Criteria Pollutants

The San Luis Obispo APCD has adopted a tiered system for assessing the significance of a project’s air quality impact, as shown in Table 3.3-3 and 3.3-4. When project emissions of ROG<sub>s</sub>, NO<sub>x</sub>, SO<sub>2</sub>, and PM<sub>10</sub> are below 10 pounds per day and CO emissions are less than 550 pounds per day, impacts are considered less than significant. Emissions that exceed these amounts are considered potentially significant, or significant based on the amount, and require different levels of environmental review.

**Table 3.3-4. Significance Thresholds for Operational Emissions**

		ROG	NO <sub>x</sub>	SO <sub>2</sub>	PM <sub>10</sub>	CO
Insignificant (ND)		<10 lbs/day	<10 lbs/day	<10 lbs/day	<10 lbs/day	<550 lbs/day
Potentially Significant	Tier 1	10 lbs/day	10 lbs/day	10 lbs/day	10 lbs/day	N/A
Significant	Tier 2	25 lbs/day	25 lbs/day	25 lbs/day	25 lbs/day	550 lbs/day
Significant	Tier 3	25 tons/year	25 tons/year	25 tons/year	25 tons/year	N/A

Notes: ROG = reactive organic gases  
NO<sub>x</sub> = nitrogen oxides

SO<sub>2</sub> = sulfur dioxide  
PM<sub>10</sub> = 10-micron particulate matter

Source: County of San Luis Obispo APCD 2003.

In addition to exceeding the thresholds established for construction and operational emissions, a project may also have significant adverse impacts on air quality if the project individually or cumulatively results in the following:

- emission of toxic or hazardous air pollutants in close proximity (i.e., 1,000 feet) to sensitive receptors;
- release of diesel emissions in an area of human exposure;
- an exceedance of a State or federal ambient air quality standard for any criteria pollutant (as determined by modeling); or,
- inconsistency with the emissions reduction projections contained in the 2001 CAP.

#### Greenhouse Gases and Climate Change

Recent State legislation and opinions by the California Attorney General have indicated that CEQA evaluations are to include an assessment of the project's potential to contribute to global climate change (also known as "global warming") impacts. The evaluation of climate change impacts in CEQA documents is a new requirement, and methodologies for conducting such analyses have not been defined at a state or local level. Despite the absence of adopted analysis procedures or thresholds of significance, CEQA requires that Lead Agencies inform decision-makers and the public about potential significant environmental effects of the proposed project. Therefore, the significance of impacts from GHG emissions is determined by:

- the extent to which land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high density development along transit corridors (OPR 2008);
- the extent to which the project integrates housing, civic and retail amenities (jobs, schools, park, shopping opportunities) to help reduce vehicle miles traveled (VMT) resulting from discretionary automobile trips;
- the extent to which the project would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs;
- the extent to which the project could help or hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by the year 2020 as stated in AB 32;
- the extent to which the project may increase the consumption of fuels or other energy resources, especially fossil fuels that contribute to GHG emissions when consumed;
- the efficiency of energy usage by the project (i.e., transitioning to cleaner power) (CARB 2008b); and
- the project's contribution to a reduction in transportation-related GHG emissions for regions throughout California. (CARB 2008b).

#### 3.3.3.3 Impact Assessment Methodology

##### Criteria Pollutants

The air quality analysis follows the guidelines and methodologies recommended in the APCD's *CEQA Air Quality Handbook* for the County of San Luis Obispo (2003). Construction emissions from heavy-duty diesel exhaust were calculated using the APCD's CEQA handbook and project-specific equipment details, whenever possible. Emissions factors for calculating emissions from construction equipment were provided by the APCD (County of San Luis Obispo APCD 2003) and EMFAC2007. Fugitive dust emissions from ground disturbance and import and stockpile activities were calculated using APCD emission factors (County of San Luis Obispo APCD 2003).

The URBEMIS2007, version 9.2.4 computer modeling program, which was developed by CARB, was utilized to calculate vehicular emissions from operational emissions at the project site, based primarily on mobile sources generated by the number and length of vehicle trips to and from the proposed project site.

Recommended URBEMIS input values for County-specific standards such as temperature and season were used. Consultation with the County of San Luis Obispo APCD and incorporation of the concurrent traffic study prepared for the proposed project were also used to determine emissions estimates (Fehr & Peers 2009).

##### Greenhouse Gases and Climate Change

As indicated above, thresholds for evaluating the significance of a project's GHG emissions and resulting global climate change impacts have not been established on a local or state level. In the absence of a numerical evaluation threshold, the project's emissions must be compared to qualitative criteria. For this analysis, it was assumed that the Prefumo Creek Commons Project would result in a significant cumulative contribution to GHG emissions and global climate change impacts if project-related GHG emissions would substantially interfere with the ability of the State to achieve the GHG emission reductions mandated by AB 32 and Executive Order S-3-05.

URBEMIS was used to calculate GHG emissions, in the form of CO<sub>2</sub>, as recommended by the Office of Planning and Research's (OPR's) *CEQA and Climate Change* document

(June 2008) and the California Air Pollution Control Officers Association (CAPCOA) white paper *CEQA and Climate Change* (January 2008). URBEMIS software uses CARB's EMFAC emissions model to calculate transportation-related CO<sub>2</sub> emissions. In addition, the software calculates methane from mobile sources, which is converted to CO<sub>2</sub> equivalents, as well as area source emissions from natural gas use, landscaping equipment, consumer products, architectural coatings, and fireplaces. It also estimates impacts of mitigation options. Since URBEMIS does not calculate GHGs associated with consumption of energy produced off-site, the California General Reporting Protocol, version 3, was used to calculate indirect CO<sub>2</sub> emissions from the projected electricity consumption.

### 3.3.4 Project Impacts, Mitigation Measures, and Residual Impacts

#### Impact

**AQ-1 Construction activities would result in NO<sub>x</sub> and PM<sub>10</sub> emissions (fugitive dust) in exceedance of APCD pounds per day and tons per quarter construction thresholds, and would potentially result in human exposure to Naturally Occurring Asbestos (NOA), a toxic air contaminant.**

#### *Construction Emissions*

Construction emissions were calculated for the import and stockpile, site preparation, on-site improvements, off-site improvements and building construction phases (Table 3.3-5). Emissions are projected to be highest in the years 2010 and 2011 due to the greatest amount of heavy-duty diesel equipment and the import and stockpiling of large quantities of fill material. Emissions were calculated based on an equipment list and composite emission factors, along with the duration of each phase.

**Table 3.3-5. Short-Term Import and Stockpile, Site Preparation, On- and Off-Site Improvements, and Building Construction Emissions (Unmitigated)**

Year	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub> (Dust and Exhaust)	PM <sub>2.5</sub>	CO <sub>2</sub>
<b>2010 – Import &amp; Stockpile, Site Preparation</b>							
(lbs/day)	27.67	324.39	127.57	32.80	25.49	22.94	47,188
(tons/qtr) includes Fugitive Dust	0.90	10.54	4.15	1.07	28.87	0.75	1,534
APCD Thresholds (lbs/day)	185	185	--	--	--	--	--
APCD Thresholds (tons/qtr)	2.5	2.5	--	--	2.5	--	--
Significant?	NO	<b>YES</b>	NO	NO	<b>Yes</b>	NO	NO
<b>2011 – On- and Off-site Improvements</b>							
(lbs/day)	30.36	424.09	175.21	43.29	30.39	27.35	52,912
(tons/qtr)	0.99	13.78	5.69	1.41	0.99	0.89	1,720
APCD Thresholds (lbs/day)	185	185	--	--	--	--	--
APCD Thresholds (tons/qtr)	2.5	2.5	--	--	2.5	--	--
Significant?	NO	<b>YES</b>	NO	NO	NO	NO	NO
<b>2012 – Building Construction</b>							
(lbs/day)	28.94	321.22	126.97	27.41	26.47	23.82	49,939
(tons/qtr)	0.94	10.44	4.13	0.89	0.86	0.77	1,623
APCD Thresholds (lbs/day)	185	185	--	--	--	--	--
APCD Thresholds (tons/qtr)	2.5	2.5	--	--	2.5	--	--
Significant?	NO	<b>YES</b>	NO	NO	NO	NO	NO

PM<sub>10</sub> generation associated with fugitive dust from construction activities were calculated using the methodology described in the San Luis Obispo APCD 2003 CEQA Handbook. Detailed construction emissions and calculation assumptions are provided in Appendix D.

Projected emissions for the proposed project were found to be above the established CEQA thresholds for construction emissions of NO<sub>x</sub> during the years 2010 and 2011. The PM<sub>10</sub> threshold for fugitive dust would be exceeded during the import and stockpile phase, in the year 2010. APCD requires any project with a grading area greater than 4.0 acres to apply mitigation measures for PM<sub>10</sub> (primarily from fugitive dust); since the Proposed Project would disturb 19.0 acres, PM<sub>10</sub> mitigation measure would need to be implemented. Standard APCD-recommended conditions at the project site would

minimize construction-related air quality impacts; however, these impacts would remain significant and unavoidable, even after mitigation which is assumed to reduce 80 percent of fugitive dust (Table 3.3-6). Given that San Luis Obispo County violates the State standard for PM<sub>10</sub> and that grading activities would be expected to exceed APCD thresholds, fugitive dust emissions are considered to be significant.

**Table 3.3-6. Short-Term Import and Stockpile, Site Preparation, On- and Off-Site Improvements, and Building Construction Emissions (Mitigated)**

Year	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub> (Dust and Exhaust)	PM <sub>2.5</sub>	CO <sub>2</sub>
<b>2010 – Import &amp; Stockpile, Site Preparation</b>							
(lbs/day)	27.67	324.39	127.57	32.80	25.49	22.94	47,188
(tons/qtr) includes Fugitive Dust	0.90	10.54	4.15	1.07	5.61	0.75	1,534
APCD Thresholds (lbs/day)	185	185	--	--	--	--	--
APCD Thresholds (tons/qtr)	6.0	6.0	--	--	2.5	--	--
Significant?	NO	<b>YES</b>	NO	NO	<b>Yes</b>	NO	NO
<b>2011 – On- and Off-site Improvements</b>							
(lbs/day)	30.36	424.09	175.21	43.29	30.39	27.35	52,912
(tons/qtr)	0.99	13.78	5.69	1.41	0.99	0.89	1,720
APCD Thresholds (lbs/day)	185	185	--	--	--	--	--
APCD Thresholds (tons/qtr)	6.0	6.0	--	--	2.5	--	--
Significant?	NO	<b>YES</b>	NO	NO	NO	NO	NO
<b>2012 – Building Construction</b>							
(lbs/day)	28.94	321.22	126.97	27.41	26.47	23.82	49,939
(tons/qtr)	0.94	10.44	4.13	0.89	0.86	0.77	1,623
APCD Thresholds (lbs/day)	185	185	--	--	--	--	--
APCD Thresholds (tons/qtr)	6.0	6.0	--	--	2.5	--	--
Significant?	NO	<b>YES</b>	NO	NO	NO	NO	NO

Construction activities from the proposed project would also contribute incrementally to GHG emissions during all years of construction (refer to Table 3.3-5) with the greatest amount of CO<sub>2</sub> being emitted during on- and off-site improvements in 2011. Currently there are no standards or significance criteria for CO<sub>2</sub> or other GHG emissions; however, a Lead Agency must make a determination as to whether impacts from GHG emissions are significant. The GHG emissions from construction are not considered significant due to their temporary nature.

#### *Naturally Occurring Asbestos (NOA)*

The project design includes creating a building pad during site preparation, therefore significant preparation would not be occurring below ground surface; however, NOA may be of concern due to grading activities. Determination if asbestos is present, and if so, compliance with all requirements outlined in the CARB's *Air Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations* in addition to the NESHAP, would reduce impacts from NOA to less than significant.

#### Mitigation Measures

##### ***Standard Regulatory Conditions***

*MM AQ-1a The following standard air quality mitigation measures shall be implemented during construction activities at the project site:*

- *On- and off-road diesel equipment shall not be allowed to idle for more than three minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the three-minute idling limit.*
- *The City shall review the source of fill material before material is transported to the project site.*
- *Water trucks or sprinkler trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would require twice-daily applications. All dirt stock pile areas should be sprayed daily as needed. Increased watering frequency would be required when wind speeds exceed 15 miles per hour (mph). Reclaimed water (non-potable) shall be used when possible.*
- *Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating native grass seed and watered until vegetation is established.*
- *All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.*
- *Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.*
- *All PM<sub>10</sub> mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons*

shall be provided to the APCD prior to land use clearance map recordation and finished grading of the area.

- *The contractor shall ensure that portable equipment, 50 horsepower or greater, used during construction activities have the appropriate California statewide portable equipment registration (issued by CARB) and/or APCD permit. To minimize potential delays, prior to the start of the project, Gary Willey of the District's Engineering Division at (805) 781-5912 shall be contacted for specific information regarding permitting requirements.*
- *On site vehicle speeds shall be 15 mph or less.*
- *Reduce the amount of disturbed area where possible.*
- *All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible unless seeding or soil binders are used.*
- *All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard in accordance with California Vehicle Code Section 23114.*
- *All streets adjacent to the project site shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible.*
- *Prior to any grading activities at the site, the applicant shall ensure that a soil and bedrock analysis is conducted to determine if NOA is present within the area that will be disturbed in compliance with the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is identified at the project site, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for review by the APCD. The APCD Enforcement Division (805)781-5912 or the APCD web page (<http://www.slocleanair.org/business/asbestos.asp>) shall be contacted for more information.*
- *Maintain all construction equipment in proper tune according to manufacturer's specifications.*
- *Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).*
- *Maximize, to the extent feasible, the use of diesel construction equipment meeting CARB's 1996 and newer certification standard for off-road heavy-duty diesel engines.*
- *No developmental burning of vegetative material shall be conducted without prior approval from the APCD. An application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority must be completed. A study of technical feasibility must be submitted to the*

APCD at the time of the application submittal. Any questions regarding these requirements should be directed to the APCD Enforcement Division (805)781-5912.

- Since APCD construction thresholds are exceeded even after implementation of all feasible emission reduction technologies, offsite mitigation for pollutants (ROG + NOx) over the threshold (185 lb/day), evaluated over the length of the expected exceedance, will be required. The City shall work with the applicant and the APCD to determine the appropriate level of mitigation and shall consider the implementation of Air Quality enhancing projects or the payment of mitigation fees towards such projects.

***Additional Mitigation Measures (Consultant-Recommended)***

*MM AQ-1b A Construction Activity Management Plan shall be included as part of project grading and building plans and shall be submitted to the APCD for review and to the City for approval prior to the start of construction. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone of such persons shall be provided to the APCD prior to land use clearance for map recordation and grading. The plan shall include but not be limited to the following elements:*

- *Schedule construction truck trips during non-peak hours (as determined by the Public Works Director) to reduce peak hour emissions.*
- *Obtain fill from the closest possible location.*
- *Limit the length of the construction work-day period, if necessary.*

Impact

**AQ-2 Release of toxic diesel emissions during construction and operational activities would occur in an area of human exposure.**

The proposed project would generate diesel particulate matter from construction and operational activities within 1,000 feet of Pacific Beach High School and residences. In particular, import and fill and site preparation in year 2010 would generate the greatest intensity of diesel emissions. Since diesel particulate matter is listed as a TAC by the CARB (with no identified threshold) the amount of diesel exhaust anticipated to be produced by the aforementioned diesel equipment, as well as diesel haul trucks during

construction was calculated and is displayed in the column labeled PM<sub>10</sub> Dust and Exhaust (refer to Tables 3.3-5 and 3.3-6).

Construction emissions from heavy-duty diesel exhaust were calculated using the APCD's *CEQA handbook* and project-specific equipment details. Due to the expense associated with hauling, the applicant would strive to obtain fill material from the closest possible source, including obtaining 25,000 cubic yards from Boysen Ranch, which is approximately two miles from the project site. The remaining fill would be obtained from sources within 4 miles of the proposed project site.

Operational emissions from diesel trucks deliveries to the commercial properties at the project site would chronically expose sensitive receptors to diesel particulate matter. Trucks idling while unloading or while backed up at nearby intersections, would also be a source of diesel emissions in an area of human exposure. Due to the proximity of sensitive receptors to both short-term and long-term diesel emissions, impacts are considered potentially significant. Mitigation measures below would be required to reduce impacts to less than significant.

### Mitigation Measures

#### ***Standard Mitigation Measures***

*MM AQ-2*     *The applicant shall implement the following Best Available Control Technology (BACT) for diesel-fueled construction equipment, where feasible, to minimize the exposure of diesel exhaust to sensitive receptors:*

- *Mitigation measures in MM AQ-1a pertaining to construction equipment also apply to this impact. In addition, locate all queuing, staging and stockpiling areas, as far from the school and residential areas as possible. Identify staging area, queuing and stockpile locations on all site plans.*
- *Maximize to the extent feasible, the use of on-road heavy-duty equipment and haul trucks that meet the CARB's 1998-2003 or newer certification standard for on-road heavy-duty diesel engines;*
- *Retrofit all onsite off-road construction equipment that is not 2003 or newer with diesel particulate filters (CDPF) or diesel oxidation catalysts.*

- *Install diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other District approved emission reduction retrofit devices (the number of catalysts or filters required and the equipment on which they should be installed shall be determined in consultation with the Community Development Department with guidance from APCD);*
- *Develop and implement a Diesel Emission Control Plan (DECP) that describes the diesel emission controls to be used during construction and specifies the use of DOCs and CDPFs, in consultation with, and for review and approval by the APCD prior to start of construction;*
- *Substitute gasoline for diesel powered equipment, where feasible;*
- *Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel, or electrify equipment where feasible;*
- *Design all loading facilities associated with the proposed stores as far away from the school and residential development as possible;*
- *Post signs at all loading zones to limit idling to no more than 3 minutes;*
- *Plant conifer trees between the development and the school and residential development as a particulate matter control measure; and*  
~~*—Use equipment that has Caterpillar pre-chamber diesel engines.*~~

*If any of the above BACTs are considered infeasible, the applicant shall notify the Community Development Department, by letter, and clearly state why any of the measures are considered infeasible. The Community Development Department, in consultation with the San Luis Obispo County APCD would then make a final determination as to whether the measure is infeasible.*

Impact

AQ-3

**Operation of the proposed project would result in significant unavoidable air pollutant emissions of ROG, NO<sub>x</sub> and PM<sub>10</sub> at levels that exceed the County of San Luis Obispo APCD pounds per day operational thresholds and would result in potentially significant emissions of CO.**

The Initial Study determined that due to the vehicular trips, deliveries, and operation of large retail stores, the proposed project would exceed the APCD's Tier 3 significance thresholds, thereby ~~require~~ requiring mitigation measures to reduce impacts (City of San Luis Obispo 2007). Long-term, project-specific emissions, or operational emissions, associated with the proposed project, as shown in Table 3.3-7, comprise the combined total of vehicle emissions (based on vehicle trips generated) and area source emissions (painting, natural gas usage, etc). Table 3.3-8 shows operational emissions implementation of some mitigation measures, including supporting alternative transportation methods for accessing the project site.

#### *Vehicle Sources of Emissions*

URBEMIS 2007, version 9.2.4 was used to calculate vehicle emissions associated with the proposed project, based on the number of vehicle trips that would be generated by the land use type, the distance traveled for each type of trip (commute, non-work related, customer), and the amount of by-pass trips. The trip estimates were based on traffic study data concurrently prepared for the proposed project (Fehr and Peers 2009).

**Table 3.3-7. Operational (Long-Term) Emissions (Unmitigated)**

	Emission Source	Emissions (lbs/day)						Emissions (tons/year)					
		ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	Vehicle Sources	50.16	67.02	447.43	0.25	44.94	8.83	8.01	10.67	71.09	0.05	8.20	1.61
	Area Sources	1.23	1.82	1.53	0.00	0.00	0.00	0.24	0.33	0.53	0.00	0.00	0.00
	<b>Total</b>	<b>51.39</b>	<b>68.84</b>	<b>448.96</b>	<b>0.25</b>	<b>44.94</b>	<b>8.83</b>	<b>8.25</b>	<b>11.00</b>	<b>71.62</b>	<b>0.05</b>	<b>8.20</b>	<b>1.61</b>
Thresholds	Tier I (lbs/day)	10	10	50	10	10	--	--	--	--	--	--	--
	Tier II (lbs/day)	25	25	550	25	25	--	--	--	--	--	--	--
	Tier III (tons/year)	--	--	--	--	--	--	25	25	--	25	25	--
	Significant?	<b>YES</b>	<b>YES</b>	<b>Potentially</b>	<b>NO</b>	<b>YES</b>	<b>N/A</b>	<b>NO</b>	<b>NO</b>	<b>N/A</b>	<b>NO</b>	<b>N/A</b>	<b>N/A</b>

Notes: Emissions (lbs/day) are estimated as for the worst-case scenario (winter season), and calculations include the rate of trip generation (per kft<sup>2</sup>) from Fehr & Peers (2009) traffic study. Emissions (tons/year) are from annual emissions as calculated by URBEMIS.

APCD Thresholds: Tier 1 = Potentially Significant, Tier 2 = Significant, Tier 3 = Significant, Less than Tier 1 = Insignificant

Source: URBEMIS 2007 ver. 9.2.4.

**Table 3.3-8. Operational (Long-Term) Emissions (Mitigated)**

	Emission Source	Emissions (lbs/day)						Emissions (tons/year)					
		ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Thresholds	Vehicle Sources	45.82	61.21	408.63	0.23	41.04	8.06	7.33	9.74	64.92	0.04	7.49	1.47
	Area Sources	1.23	1.82	1.53	0.00	0.00	0.00	0.24	0.33	0.53	0.00	0.00	0.00
	<b>Total</b>	<b>47.05</b>	<b>63.03</b>	<b>410.16</b>	<b>0.23</b>	<b>41.04</b>	<b>8.06</b>	<b>7.57</b>	<b>10.07</b>	<b>65.45</b>	<b>0.04</b>	<b>7.49</b>	<b>1.47</b>
	Tier I (lbs/day)	10	10	50	10	10	--	--	--	--	--	--	--
	Tier II (lbs/day)	25	25	550	25	25	--	--	--	--	--	--	--
	Tier III (tons/year)	--	--	--	--	--	--	25	25	--	25	25	--
	Significant?	<b>YES</b>	<b>YES</b>	<b>Potentially</b>	<b>NO</b>	<b>YES</b>	<b>N/A</b>	<b>NO</b>	<b>NO</b>	<b>N/A</b>	<b>NO</b>	<b>N/A</b>	<b>N/A</b>

Notes: Emissions (lbs/day) are estimated as for the worst-case scenario (winter season), and calculations include the rate of trip generation (per kft<sup>2</sup>) from Fehr & Peers (2009) traffic study. Emissions (tons/year) are from annual emissions as calculated by URBEMIS.

APCD Thresholds: Tier 1 = Potentially Significant, Tier 2 = Significant, Tier 3 = Significant, Less than Tier 1 = Insignificant

Source: URBEMIS 2007 ver. 9.2.4.

Estimates for the number of vehicle trips to and from the project site are presented in Section 3.10, *Transportation and Traffic*. As discussed in that section, most of the trips are considered “new” trips, which represent a “worst-case traffic scenario”. Mitigation measures required to minimize operational air pollutant emissions exceeding County of San Luis Obispo APCD thresholds are included below (MM AQ-3a through MM AQ-3fe).

*Area Sources of Emissions*

Area source emissions are generated from the use of natural gas for heating, cooling, cooking, etc. as well as other activities and were estimated using URBEMIS. As shown in Table 3.3-7, area source emissions for the project site are considered less than significant based on APCD thresholds (10 lbs/day). Cumulatively however, these emissions add to the overall operational emissions at the site. Mitigation measures recommended below (MM AQ-3f3g), in conjunction with mitigation measures MM UT-7a and MM UT-7b discussed in Section 3.9, *Utilities and Public Services*, addressing energy efficiency, would further reduce area source emissions associated with the proposed project. However, this impact would remain significant and unavoidable, even after mitigation.

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## Mitigation Measures

### ***Standard Regulatory Conditions***

*MM AQ-3a The applicant shall ensure that all equipment utilized in operational activities has the necessary APCD permits when appropriate. To minimize potential delays, prior to the start of the project, Gary Wiley of the APCD's Engineering Division at (805) 781-5912 shall be contacted for specific information regarding permitting requirements.*

*MM AQ-3b Since APCD operational thresholds are exceeded even after implementation of all feasible emission reduction technologies, offsite mitigation per multi-pollutant (ROG + NOx) over the threshold (25 lb/day), evaluated over the length of the expected exceedance, will be required. The applicant will either implement the approved offsite mitigation, or provide mitigation fees to the APCD for implementation. The City shall have authority on the final mitigation amount.*

### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM AQ-3**cb** Construction impact fees for each retail store shall include a fair-share contribution to local and/or regional transit systems to increase bus ridership and provide air pollution reduction benefits. The amount and allocation of these funds between regional and local transit shall be at the discretion of the Public Works Director.*

*MM AQ-3**de** On-site banking (automatic teller machine) and postal services (drop boxes) shall be provided at the project site.*

*MM AQ-3**ed** Information on public transit, bicycle parking, carpooling and local transportation management organizations, such as the County's Transportation Choices Coalition, shall be provided to patrons of the proposed commercial development.*

*MM AQ-3**fe** The following measures shall be implemented to reduce impacts from vehicle emissions:*

- *Implement ~~an~~ APCDCity-approved Trip Reduction Program coordinated with the County's Transportation Choices Program and submitted to the APCD for review and comment. The program should include, but is not limited to the designation of a Transportation Coordinator who will manage transportation programs for the site and shall promote alternative modes of transportation, transit subsidies for both City and Regional transit systems, and information regarding parking and transportation options available to employees and customers. The project applicant will be required to submit an implementation plan to the City Transportation Division, for review and approval or amendment, which demonstrates how this mitigation measure will be achieved.*
- *Provide on-site bicycle parking consistent with City General Circulation Element Policy 3.4 and ordinance requirements.*
- *Provide preferential carpool and vanpool parking spaces.*
- *Provide shower and locker facilities for employees.*

*MM AQ-3gf The following measures shall be implemented to reduce area source emissions:*

- *Energy efficient interior lighting shall be installed, where feasible.*
- *The applicant shall ensure building energy efficiency ratings exceed Title 24 requirements by a minimum of 15 percent. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, etc.).*
- *Use roof material with a solar reflectance value meeting the Environmental Protection Agency/Department of Energy Star® rating to reduce summer cooling needs.*
- *Unless not feasible due to the installation of solar panels or other features designed to reduce area source emissions, skylights and windows designed to increase natural light shall be installed in each building.*

Impact

**AQ-4 ImplementationOperation of the proposed project would result in significant impacts to global climate change from the emissions of greenhouse gases.**

Greenhouse gas emissions from operation of the proposed project, including area, vehicle and indirect sources, as calculated by URBEMIS, are shown in Tables 3.3-9 and 3.3-10. Vehicle and area sources of emissions generate CO<sub>2</sub> primarily from gasoline-powered automobiles. Indirect sources of emissions primarily derive from the generation of

electricity at large power-producing facilities, which supply the proposed project with utilities (energy use).

**Table 3.3-9. Operational (Long-Term) Greenhouse Gas Emissions (Unmitigated)**

Emission Source	CO <sub>2</sub> (lbs/day)	CO <sub>2</sub> (tons/year)
Vehicle Sources	25,080.49	4,725.71
Area Sources	2,186.25	399.45
Indirect	7,600.00	1,387.00
<b>Total (unmitigated)</b>	<b>34,866.74</b>	<b>6,512.16</b>

Notes: Emissions (lbs/day) are estimated as for the worst-case scenario (winter season), and calculations include the rate of trip generation (per kft<sup>2</sup>) from Fehr & Peers (2009) traffic study. Emissions (tons/year) are from annual emissions as calculated by URBEMIS

Source: URBEMIS 2007 ver. 9.2.4.

**Table 3.3-10. Operational (Long-Term) Greenhouse Gas Emissions (Mitigated)**

Emission Source	CO <sub>2</sub> (lbs/day)	CO <sub>2</sub> (tons/year)
Vehicle Sources	22,905.61	4,315.91
Area Sources	2,186.25	399.45
Indirect	<del>7,600.00</del> 4,8647,600.00	<del>1,387.00</del> 887.681,387.00
<b>Total (mitigated)</b>	<del>34,866.74</del> 29,955.8632,691.86	<del>6,512.16</del> 5,603.046,102.36

Notes: Emissions (lbs/day) are estimated as for the worst-case scenario (winter season), and calculations include the rate of trip generation (per kft<sup>2</sup>) from Fehr & Peers (2009) traffic study. Emissions (tons/year) are from annual emissions as calculated by URBEMIS [and the estimated emission reductions/offsets from use of photovoltaic arrays.](#)

Source: URBEMIS 2007 ver. 9.2.4.

In addition, due to the size and nature of this proposed project, with respect to other projects within the City, this project would be one of the top generators of GHGs in the City due to additional discretionary vehicle trip and electricity usage. In general, the proposed project would be inconsistent with the land use planning recommendations set forth in the CAPCOA white paper *CEQA and Climate Change*, the Scoping Plan for Implementation of AB 32, and the intent of SB 375 to reduce VMT (CAPCOA 2008; CARB 2008; Office of the Governor 2009). The proposed project consists of a single-use commercial center on the southern edge of the City's urban area, in a region not well served by transit or amenable to pedestrian circulation and bicycle use. The proposed project does not include mixed-use or high-density residential development along a transit corridor as a means to reduce VMT resulting from discretionary automobile trips. In addition, the project could promote long-distance commuting by the project's low- and moderate-income workers from outlying lower-cost housing market areas due to the high cost of housing within the City (refer to Section 3.6, *Land Use*). Finally, this project could hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by the year 2020 as stated in AB 32; therefore, GHG emissions from the proposed project

**Long Distance Commuting and Greenhouse Gas (CO<sub>2</sub>) Generation**

Transportation and long-distance commuting are substantial components of California’s GHG emissions. In San Luis Obispo, a Prefumo Creek Commons employee commuting from more affordable communities such as Santa Maria or Paso Robles would generate substantially higher levels of GHGs than an employee living in the City.

Commute	Distance (miles/day)*	Distance (miles/year)*	CO <sub>2</sub> (lb/day)	CO <sub>2</sub> (tons/year)
Downtown SLO to PCC	8.2	2,132	7	1
Santa Maria to PCC	66	17,160	53	7
Paso Robles to PCC	72	18,720	58	8

\*round trip  
PCC - Prefumo Creek Commons, SLO – San Luis Obispo  
lb/day - pounds per day

are considered significant. In order to minimize GHG emissions, mitigation measures are recommended below.

Mitigation Measures

***Additional Mitigation Measures (Consultant-Recommended)***

*MM AQ-4a The following measures shall be implemented to reduce impacts from vehicle emissions:*

- *Mitigation measures MM AQ-3**cb**, MM AQ-3**de**, MM AQ-3**ed**, and MM AQ-3**fe** also apply to this impact.*
- *Provide incentives to employees to carpool/vanpool, use public transportation, telecommute, walk, bike, etc. by implementing the Transportation Choices Program. The applicant shall Contact SLO Regional Rideshare at (805) 541-2277 to receive free consulting services on how to start and maintain a program. Further, priority parking shall be signed for car-and van-pooling employees.*
- *Limit idling time for commercial vehicles, including delivery and construction vehicles (OPR 2008).*

*MM AQ-4b The applicant shall include the implementation of the following Green building techniques:*

- *Planting of native, drought resistant landscaping.*
- *Plant trees and vegetation near structures to shade buildings and reduce energy requirements for heating/cooling (OPR 2008).*
- *Incorporate on-site renewable energy production and/or other power production or conservation measures to reduce or partially offset project power demand by a minimum of 50 percent, including, but not limited to a combination of the following measures:—~~including the installation of photovoltaic panels on 75 percent of the total building roof area in order to partially offset project power demand (OPR 2008).~~*
  - *installation of photovoltaic panels;*
  - *installation of energy efficient appliances and energy efficient building installations*
  - *installation of alternative heating and cooling systems; and/or*
  - *use of skylights, energy saving lighting such as LEDs etc.*
- *Parking areas located outside of the view corridor, at a minimum of 100 feet onto the project site from LOVR and 50 feet from From Ranch Way, shall be considered for raised photovoltaic covered parking to provide project power and shaded parking.*
- *Electric plug-in charging stations shall be provided for some of the vehicle parking spaces. 5 percent of the parking spaces shall be signed for hybrid or electric vehicles only. These shall be preferentially placed near store fronts.*
- *Energy-efficient LED light fixtures shall be considered for parking area lighting.*

### Impact

**AQ-5            The proposed project is potentially inconsistent with the County of San Luis Obispo APCD’s 2001 Clean Air Plan.**

According to the County of San Luis Obispo APCD’s guidelines, a project may result in significant air quality impacts if it is inconsistent with the assumptions in the CAP. Consistency with the CAP is evaluated based on three criteria:

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

The proposed project is consistent with the population projections used in the most recent CAP for the same area as the project does not include housing.

- 2) *Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?*

As described in Section 3.10, *Transportation and Traffic*, the proposed project would create 712 new PM peak-hour vehicle trips. The trip generation rate per day at the project site is 54.45. The CAP encompasses the City of San Luis Obispo's adopted *General Plan Land Use Element* which is consistent with land uses and intensities of the proposed project. The project with mitigation would also include measures to reduce trips and vehicle miles such as pedestrian and bicycle facilities and preferential carpool parking.

- 3) *Have all applicable land use and Transportation Control Measures (TCMs) and strategies from the CAP been included in the plan or project to the maximum extent feasible?*

The transportation goal of the CAP is to reduce the growth of vehicle trips and vehicle miles traveled to the rate of population growth within San Luis Obispo County. TCMs are controls that help reduce emissions resulting from motor vehicles, by reducing vehicle use and facilitating the use of alternative transportation options. Out of APCD's nine TCMs included in the CAP, five are applicable to the proposed project: voluntary commute options programs, local transit system improvements (e.g., ongoing improvements to bus boarding areas), bicycling and bikeway enhancements, traffic flow improvements, and teleworking, teleconferencing, and telelearning. However, only one of these TCMs, bicycling and bikeway enhancements, would be included as part of the proposed project. Implementation of mitigation measures MM AQ-3**cb** MM AQ-3**de**, MM AQ-3**ed**, MM AQ-3**fe**, and MM AQ-4a above, along with traffic improvement measures identified in Section 3.8, *Transportation*, would reduce inconsistencies with TCMs in the CAP to less than significant.

Land use strategies in the CAP include planning compact communities, providing for mixed land use, balancing jobs and housing, circulation management, and communication, coordination and monitoring. Of the five land use strategies,

four are applicable to the proposed project, and none of those would be implemented by the proposed project. Implementation of mitigation measures MM AQ-3**cb**, MM AQ-3**de**, MM AQ-3**ed**, MM AQ-3**fe**, and MM AQ-4a above, along with traffic improvement measures identified in Section 3.8, *Transportation*, would address circulation management techniques; however, the proposed project would still be inconsistent with the remaining overall land use planning principles contained in the CAP. The design of the proposed project would require relatively substantial changes (e.g., inclusion of mixed-use, housing, etc.) to reduce this impact to less than significant (see Section 6, *Alternatives*, for potential project redesign needed to fully address this impact). The proposed project could hinder the County's ability to achieve or maintain attainment of the State ozone standard, because the emissions reductions projected in the CAP may not be met. Therefore, impacts would remain significant and unavoidable, even after mitigation.

#### Mitigation Measures

In addition to traffic improvement measures identified in Section 3.8, *Transportation*, mitigation measures MM AQ-3**cb**, MM AQ-3**de**, MM AQ-3**ed**, MM AQ-3**fe**, and MM AQ-4a above would apply to this impact.

*No additional mitigation measures would be required.*

#### Residual Impacts

The projected emissions for the proposed project were found to be above the established CEQA thresholds for construction emissions NO<sub>x</sub> and PM<sub>10</sub> (refer to Table 3.3-6). Implementation of standard APCD-recommended conditions at the project site would minimize construction-related air quality impacts; however, this impact would remain significant and unavoidable, even after mitigation.

Air emission impacts from ROG, NO<sub>x</sub> and PM<sub>10</sub> as a result of motor vehicle trips associated with the proposed project are significant and unavoidable. In accordance with the San Luis Obispo APCD's *CEQA Air Quality Handbook*, all standard mitigation measures and feasible discretionary mitigation measures must be incorporated into the project. Implementation of these measures cannot be quantified in terms of reduction of air pollutant emissions; however, the residual impacts would remain above the

significance threshold identified in the San Luis Obispo APCD's *CEQA Air Quality Handbook*.

Impacts due to the close proximity of sensitive receptors to diesel emissions during construction and operations are potentially significant, but mitigable. As recommended by the APCD as a mitigation measure, the applicant would work with the APCD to develop the appropriate level of diesel particulate control technology to apply to construction equipment.

The proposed project could partially reduce its impact on global climate change as a result of electricity consumption, through the use of photovoltaic arrays. Based on the results of other recent projects that have incorporated the use of solar panels, installation of a photovoltaic array over 75 percent of the proposed project's 4.33 acres of roof space could supply approximately one-third of the project's projected energy needs (LA AFB 2009). This could potentially eliminate 2,736 lb/day of indirect CO<sub>2</sub> emissions, as the proposed project would be partially utilizing a renewable energy supply. This measure in addition to mitigation measures MM AQ-4a and MM AQ-4b, would reduce the project's impacts on global climate change to a less than significant level.

The design of the proposed project would require relatively substantial changes (e.g., inclusion of mixed-use, housing, etc.) to reduce inconsistency with overall land use planning principles contained in the CAP to less than significant (see Section 6, *Alternatives*, for potential project redesign needed to fully address this impact). Therefore, impacts would remain significant and unavoidable, even after mitigation.

### 3.4 BIOLOGICAL RESOURCES

This section describes biological resources in the vicinity of the proposed project including local habitats, communities, and sensitive species, and evaluates the potential impacts project implementation may have on these resources.

Grading, vegetation removal, construction activities and eventual development of a 19-acre retail commercial shopping center would have the potential to impact biological resources onsite, particularly those associated with Prefumo Creek and its existing riparian habitat. In addition to project construction, operational characteristics such as lighting, noise and site runoff from the proposed retail center have the potential to impact biological resources.

This analysis is based on a review of information contained in the City of San Luis Obispo's General Plan and Creek and Waterways Management Program, the California Natural Diversity Database, information from the U.S. Fish and Wildlife Service and a Wetland Delineation Study completed for the site (Morro Group 2005). This baseline information has been supplemented by field work completed by AMEC team members and the staff biologist regarding onsite and area biological resources. AMEC team members visited the site on four occasions during 2008, including performing a detailed site and creek survey on January 23, 2008. In addition, this EIR builds upon and incorporates by reference the findings of the Dalidio (2004, SCH# 2003021089) and Costco (2003, SCH# 2002051036) EIRs.

#### 3.4.1 Environmental Setting

The project site consists of 31 acres located at 11980 Los Osos Valley Road (LOVR) within the County of San Luis Obispo. The majority of the site (approximately 29 acres) consists of level undeveloped agricultural land historically farmed for production of vegetable crops, but fallow since approximately 2006. The site is divided in two by Prefumo Creek, a perennial creek that flows from north to south through the center of the site. Prefumo Creek supports a mature riparian forest of arroyo willows and other native trees throughout its reach on the



*The project site is dominated by historically cultivated agricultural land, bisected by Prefumo Creek.*

### 3.4 BIOLOGICAL RESOURCES

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project site. As such, the City's *Conservation and Open Space Element* identifies Prefumo Creek in the project vicinity as a perennial creek with good quality riparian habitat (City of San Luis Obispo 2006b).

The project site is surrounded by development to the north and south, LOVR to the west, and undeveloped agricultural land to the east. Although bordered by development, the project site's open undeveloped lands and the Prefumo Creek corridor in particular, provide both open space and wildlife habitat. The portion of the project site west of Prefumo Creek is designated as *Interim Open Space* in the San Luis Obispo General Plan while the portion east of the Creek is designated as *Conservation Open Space* (City of San Luis Obispo 2006a).

Development in the project vicinity consist of the recently constructed Irish Hills Plaza regional shopping center across LOVR to the west, Pacific Beach High School and a single-family residential neighborhood to the north, agricultural land (including Dalidio Ranch) to the east and auto dealerships to the south.

Although becoming increasingly urban with recent development of regional shopping facilities, the southern end of the City still contains large areas of open space. The 722-acre Irish Hills designated open space northwest of the site supports the headwaters of Prefumo Creek. Prefumo Creek flows for about 3.5 miles out of the hills and into Laguna Lake, approximately 0.5 miles to the north of the project site. Laguna Lake and the surrounding Laguna Lake Park and Natural Reserve support sensitive wildlife species including the burrowing owl and California red-legged frog. Prefumo Creek's 8,616-acre watershed consists of Laguna Lake, Sycamore Canyon, and Upper Prefumo Creek basins (Wallace Group 2008).



*The project site contains the only previously unmodified section of Lower Prefumo Creek.*

Prefumo Creek runs for approximately 6,000 feet from Laguna Lake to San Luis Obispo Creek and provides a key wildlife corridor linking Laguna Lake's open space with this

major perennial stream, particularly a key passage under U.S. Highway 101. The project site supports potentially the most intact native riparian woodland along this 6,000-linear foot reach and the only section bordered by undeveloped land on both banks. San Luis Obispo Creek is recognized as a major wildlife migration corridor, with Prefumo Creek identified as key habitat for the steelhead trout (City of San Luis Obispo 2006a; NMFS 2007) (Figure 3.4-1).

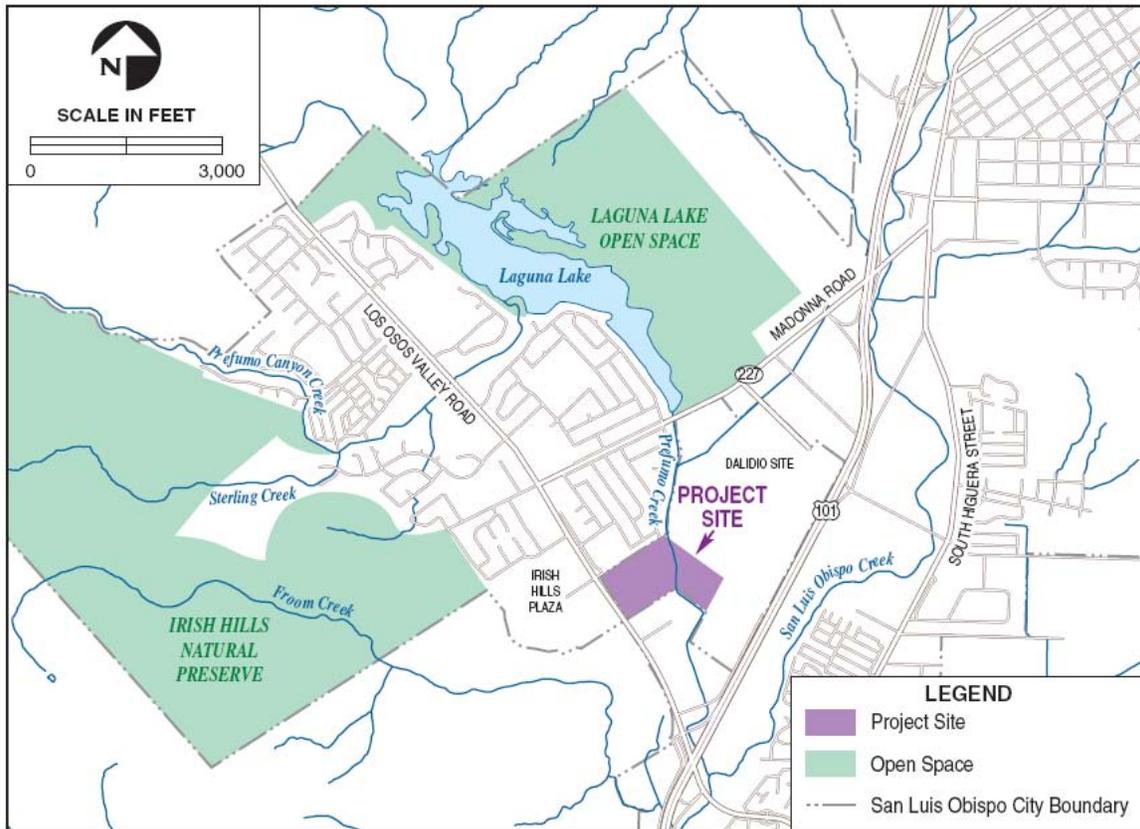


Figure 3.4-1. Open Space and Creeks in the Vicinity of the Proposed Project

Prefumo Creek flows for approximately 1,100 linear feet through the project site and supports mature riparian woodland. This section of the Creek appears to be perennial and even during the dry months of summer and fall, is characterized by slow moving water and several large, relatively deep (2 to 3 feet) pools, which are unusual along this reach<sup>1</sup>. The banks of Prefumo Creek support dense woodland of mature arroyo willows, with scattered immature coast live oak along the top of the creek banks and several small California sycamores. This riparian overstory extends out from the creek banks from 1 to

<sup>1</sup> During four visits to the site over a two-year period, AMEC staff noted that Prefumo Creek contained little water or was dry upstream of the site, but that the Creek on the project site continued to support a slow-flowing stream with multiple large pools of water during the fall months of two successive dry years.

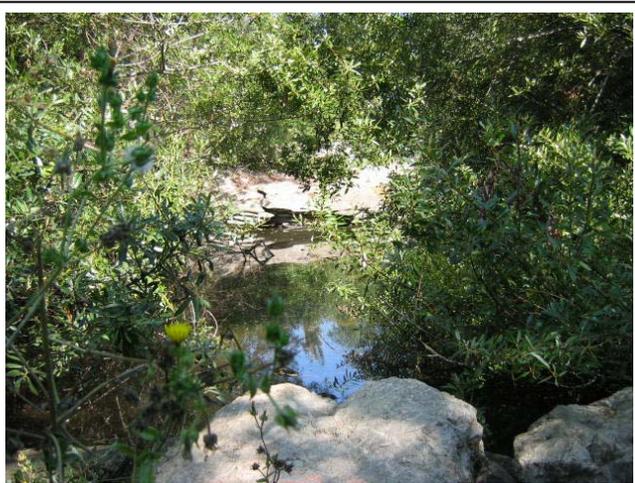
25 feet and varies in width from 70 to 175 feet before giving way to agricultural lands. The creek channel is deeply incised with relatively steep banks, with a low earthen flood control berm in place along the top of a portion of the west bank; scattered agricultural debris (e.g., wooden pallets) can be found within the riparian area. A rock-lined, low-flow crossing of the Creek is located at the site's northeast corner, and a concrete utility cap crosses the creek channel just upstream of the site. Although such human disturbance has occurred, the creek corridor remains a high quality habitat according to the San Luis Obispo Watershed Management Plan (City of San Luis Obispo 2003a).

Additional drainage features on the site include narrow, man-made swales along the project site's southeastern and southwestern boundaries. These drainages run the entire length of the site's southern boundary and along approximately two-thirds of the western boundary, are approximately 15 feet wide, and support some native and non-native wetland vegetation. Because most of the site has been subject to long-term cultivation, sensitive habitats are confined to the riparian corridor of Prefumo Creek and along the drainage swales. While the upland areas of the project site provide foraging habitat for wildlife such as birds of prey, lack of native vegetation and repeated long-term disturbance substantially reduces their existing value as habitat for native plants and wildlife.

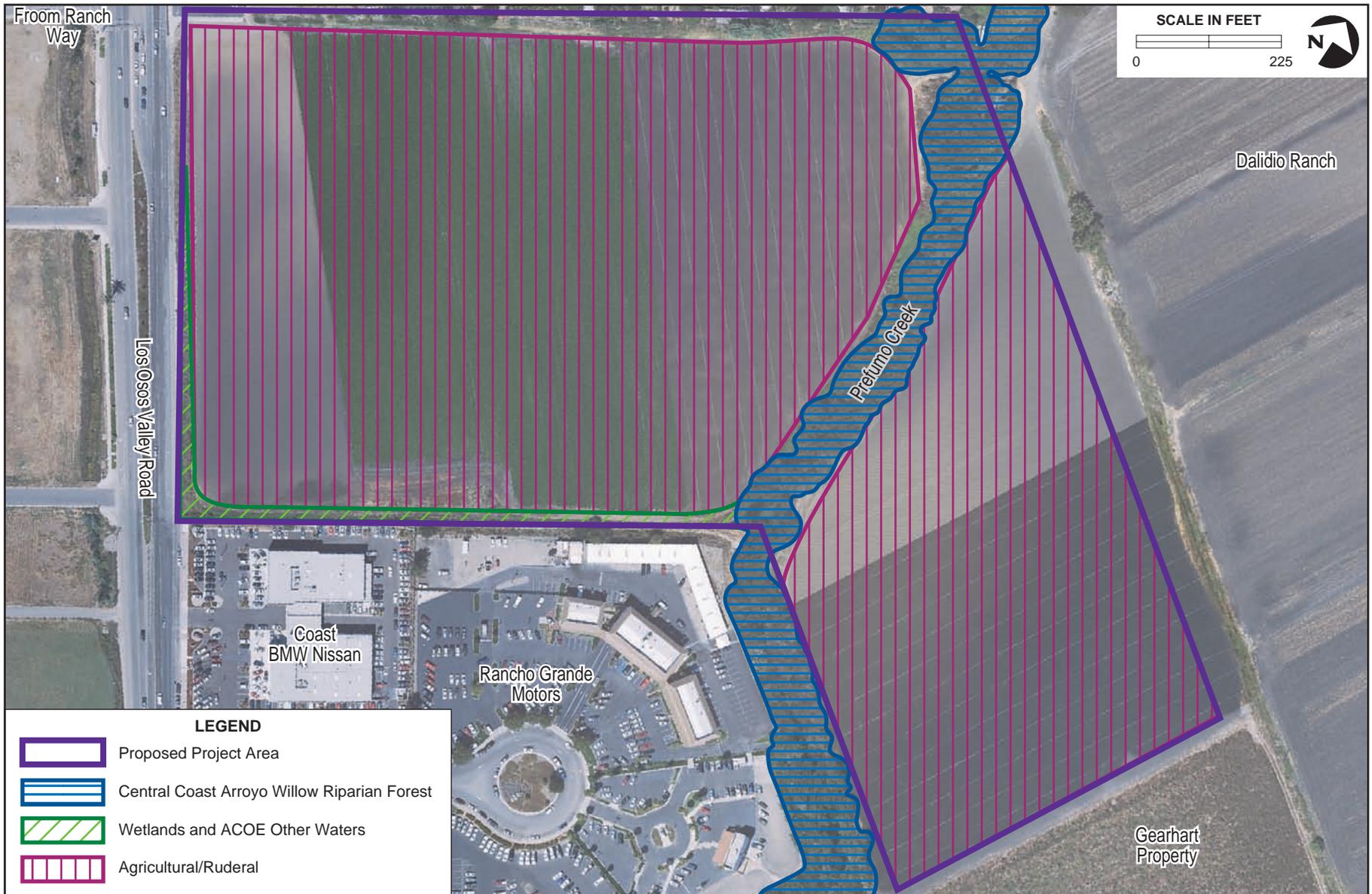
#### 3.4.1.1 Biological Communities

##### Riparian Habitats

The project site supports approximately 2 acres of mature Central Coast Arroyo Willow Riparian Forest, a declining community that has been largely converted to urban uses throughout central and southern California (Figure 3.4-2). The California Natural Diversity Database (CNDDDB) recognizes this as a sensitive habitat type. This habitat is dominated by arroyo willow



*Prefumo Creek's willow woodlands are identified as high-quality riparian habitat by the City's Conservation Element.*



### 3.4 BIOLOGICAL RESOURCES

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(*Salix lasiolepis*) and to a lesser extent red willow (*S. laevigata*). The arroyo willows found on site range from small saplings to many mature older trees, with trunk diameters of 15 to 25 inches at breast height. Characteristic of this species, many of these older trees support multiple trunks and are draped along the creek bottom and banks creating a dense forest. The Creek's overstory also contains scattered native sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*), and cottonwood (*Populus fremontii*) trees, as well as an occasional non-native pepper tree (*Schinus molle*).

The shrub layer contains scattered mulefat (*Baccharis salicifolia*), poison oak (*Toxicodendron diversilobum*), and coyote brush (*Baccharis pilularis*). Non-native annual grasses including kikuyu grass, periwinkle, wild oats, and foxtail chess, dominate the understory and banks adjacent to the Creek. Forbs in the understory include curly dock (*Rumex crispus*), fennel (*Foeniculum vulgare*), umbrella sedge (*Cyperus arigrostis*), and horsetail (*Equisetum* sp.). Just upstream from the project site, non-native eucalyptus trees dominate the upper bank of Prefumo Creek, providing excellent nesting and roosting sites for raptors and other types of bird. The outer banks of the riparian corridor are dominated by ruderal species characteristic of disturbed agricultural fields.

#### Wetland Habitats

The project site supports approximately 0.6 acres of wetland habitats and/or waters subject to the jurisdiction of the U.S. Army Corps of Engineers (Morro Group 2005). These wetlands are concentrated within the channel bed of Prefumo Creek and in the intermittent drainage channels along the southeast and southwest boundaries of the project site, which eventually flow to



*Two drainage channels on the site's south and west perimeters support wetland vegetation such as cattails.*

Prefumo Creek. The perennial wetlands within Prefumo Creek have high habitat and wildlife functional values such as providing potential habitat for the steelhead trout and western pond turtle (Morro Group 2005). However, the drainage channels lining the site's southeast and southwest boundaries are relatively limited in size, are bordered by

the auto mall and LOVR, and receive extensive agricultural and urban runoff. As a result, their habitat values and functions are relatively low.

In wetter areas, the vegetation of these channels is dominated by species such as creeping spikerush (*Eleocharis macrostachya*), tall flatsedge (*Cyperus eragrostis*), and broadleaf cattail (*Typha latifolia*). The drainage ditch running along the southeastern section of the project site is typically flooded and has become dominated by water smartweed (*Polygonum amphibium*) and other obligate wetland species. In dryer areas of the ditches, annual grasses and bristly ox-tongue (*Picris echioides*) dominate (Morro Group 2005). An alkali flat forms between the southeastern drainage and agricultural areas and supports species such as alkali heath (*Frankenia salina*) and rabbits foot grass (*Polypogon monspeliensis*). [These habitats, though low quality, have the potential to support aquatic species such as special status vernal pool branchiopod species such as the vernal pool fairy shrimp \(\*Branchinecta lynchi\*\). The low potential for the occurrence of such species is discussed further below.](#)

#### Agricultural and Ruderal Habitats

Approximately 29 acres of the project site is composed of agricultural and ruderal communities, which occur in areas that have been disturbed repeatedly by cultivation. This habitat is characterized by weedy vegetation that thrives within disturbed areas such as wild radish (*Raphanus sativus*) and Italian ryegrass (*Lolium multiflorum*). Although of relatively low habitat value, these open disturbed areas do provide foraging habitat for native species, particularly raptors, and may also provide some connectivity between Prefumo Creek's wildlife corridor and other surrounding habitats.



*The majority of the project site is historically cultivated agricultural land, fallow since 2006.*

#### 3.4.1.2 Special Status Species

A number of special status plant and wildlife species have the potential to occur within the project area (Tables 3.4-1 and 3.4-2). These species were identified based on a

**Table 3.4-1. Sensitive Plants that are Known or Have the Potential to Occur in the Vicinity of the Project Site**

Species	Status	Notes/Occurrence
<b>Obispo Manzanita</b> <i>Arctostaphylos obispoensis</i>	CNPS 4	Low potential due to lack of habitat
<b>Club-haired Mariposa lily</b> <i>Calochortus clavatus</i> var. <i>clavatus</i>	CNPS 4	Low potential due to lack of habitat
<b>San Luis Mariposa lily</b> <i>Calochortus obispoensis</i>	CNPS 1B	Low potential, known 0.75 miles northeast and southwest of the site
<b>Cambria morning glory</b> <i>Calystegia subacaulis</i> <i>ssp. episcopalis</i>	FSC, CNPS 1B	Low potential due to lack of habitat
<b>San Luis Obispo sedge</b> <i>Carex obispoensis</i>	CNPS 1B	Medium potential, known 1.5 miles west of the site; potentially suitable habitat exists along Prefumo Creek
<b>Brewer's spineflower</b> <i>Chorizanthe breweri</i>	CNPS 1B	Low potential, known < 0.5 miles south of the site
<b>Chorro Creek bog thistle</b> <i>Cirsium fontinale</i> var. <i>obispoensis</i>	SE, FE, CNPS 1B	Moderate potential, known < 0.5 miles southwest of site; found in wetland/ riparian habitats
<b>Congdon's tarplant</b> <i>Centromadia parryi</i> ssp. <i>congdonii</i>	FSC, CNPS 1B	High potential to occur on-site; found in agricultural and ruderal areas in the project vicinity
<b>Jones's layia</b> <i>Layia jonesii</i>	FSC, CNPS 1B	Potential to occur on-site, known 0.5 miles northwest
<b>Adobe sanicle</b> <i>Sanicula maritima</i>	FSC, CNPS 1B	Low potential to occur on-site, known 0.5 miles northwest at Laguna Lake Park
<b>Rayless ragwort</b> <i>Senecio aphanactis</i>	CNPS 2	Possible, known about 0.5 miles northeast of site
<b>San Luis Obispo dudleya</b> <i>Dudleya abramsii</i> ssp. <i>murina</i>	CNPS 1B	Low potential to occur due to lack of habitat

CNPS 1B = "rare, threatened, or endangered" by the California Native Plant Society

CNPS 2 = rare or endangered in California, more common elsewhere by the California Native Plant Society

CNPS 4 = plant of limited distribution by the California Native Plant Society

FE = Federal Endangered

FSC = Federal Species of Concern

SE = California Endangered

Source: City of San Luis Obispo 2003b; 2004; CDFG 2003; City of San Luis Obispo 2006b.

Table 3.4-2. Sensitive Wildlife Species with Potential to Occur on the Project Site

Species	Status	Notes/ Occurrence
<b>Northern harrier</b> <i>Circus cyaneus</i>	CSC	Unlikely to nest in study area; forage habitat present
<b>Burrowing owl</b> <i>Athene cunicularia</i>	CSC, FSC (Burrowing site), MBTA	No observations on-site; low quality potential nesting habitat at Prefumo Creek banks; known to occur at Laguna Lake
<b>Prairie falcon</b> <i>Falco mexicanus</i>	CSC (Breeding site), MBTA	Unlikely to nest in study area; forage habitat present
<b>Long-billed curlew</b> <i>Numenius americanus</i>	WL	Forage area on-site in fall and winter months
<b>Loggerhead shrike</b> <i>Lanius ludovicianus</i>	CSC	Common to area
<b>Southwestern willow flycatcher</b> <i>Empidonax traillii <u>extimus</u></i>	FE (Nesting)	<a href="#">Potentially suitable migratory habitat exists; no nesting recorded within the watershed; presence unlikely due to edge of range</a>
<b>Yellow-breasted chat</b>	CSC	Suitable migratory habitat exists; no nesting recorded within the watershed
<b>California horned lark</b> <i>Eremophila alpestris</i>	WL	Common to area
<b>Tri-colored blackbird</b> <i>Agelaius tricolor</i>	CSC (Nesting colony), FSC, MBTA	Potentially suitable habitat within Prefumo Creek
<b>Sharp-shinned hawk</b> <i>Accipiter striatus</i>	WL	Forage habitat present
<b>Cooper's hawk</b> <i>Accipiter cooperii</i>	WL	Forage habitat present
<b>Ferruginous hawk</b> <i>Buteo regalis</i>	WL	Forage habitat present
<b>White-tailed kites</b> <i>Elanus leucurus</i>	Fully Protected	Forage habitat present
<b>Western yellow bill cuckoo</b> <i>Coccyus americanus</i>	SE (Nesting), MBTA	Unlikely to nest on-site; known in San Luis Obispo
<b>Least Bell's vireo</b> <i>Vireo bellii <u>pusillus</u></i>	<a href="#">FE</a>	<a href="#">Suitable habitat present. Unlikely to occur on-site as it is not known to occur in San Luis Obispo County</a>
<b>Great blue heron</b> <i>Ardea herodias</i>	MBTA	Forage area in Prefumo Creek and wetland areas; potential roost and nest sites upstream
<b>Monarch butterfly</b> <i>Danaus plexippus</i>	CNDDDB G5 S3 (Wintering sites)	Possible wintering sites in eucalyptus grove upstream

**Table 3.4-2. Sensitive Species with Potential to Occur on the Project Site (Continued)**

Species	Status	Notes/ Occurrence
<b>Vernal pool fairy shrimp</b> <i>Branchinecta longientenna</i>	FT	Unlikely due to lack of suitable habitat, past agricultural development and ongin disturbance. Known to occur 2 miles from project site.
<b>Longhorn fairy shrimp</b> <i>Branchinecta lynchi</i>	FE	Unlikely due to lack of suitable habitat, limits of range, past agricultural development and ongoing disturbance.
<b>California tiger salamander</b> <i>Ambystoma californiense</i>	CSC, FC	Unlikely to occur on-site due to unsuitable habitat
<b>Western spadefoot toad</b> <i>Scaphiopus hammondi</i>	CSC, FSC	Unlikely to occur on-site due to unsuitable habitat
<b>Coast horned lizard</b> <i>Phrynosoma coronatum frontale</i>	CSC	Unlikely to occur on-site due to unsuitable habitat
<b>Two-striped garter snake</b> <i>Thamnophis hammondi</i>	CSC	Excellent habitat in Prefumo Creek and wetland areas
<b>California red-legged frog</b> <i>Rana aurora draytonii</i>	FT, CSC	Suitable habitat in Prefumo Creek and wetland areas
<b>Southwestern pond turtle</b> <i>Clemmys marmorata pallida</i>	CSC, FSC	Suitable habitat in Prefumo Creek and wetland areas
<b>Steelhead-South/Central California Coast</b> <i>Oncorhynchus mykiss</i>	CSC, FT	Known to occur in Prefumo Creek
<b>Pallid bat</b> <i>Antrozous pallidus</i>	CSC	Common to area; potential nocturnal feeding site
<b>Monterey dusky-footed woodrat</b> <i>Neotoma fuscipes luciana</i>	CSC	Not likely to occur on-site due to unsuitable habitat
<b>Townsend's western big-eared bat</b> <i>Corynorhinus townsendii townsendii</i>	CSC	Potential nocturnal feeding site

CNDDDB G5 S3 = California Natural Diversity Data Base, Global rank: demonstrably secure, common; State rank: California restricted range, rare.

CSC = California Species of Concern

FE = Federal Endangered

FSC = Federal Species of Concern

MBTA = Migratory Bird Treaty Act

SE = California Endangered

WL = CDFG Watch list

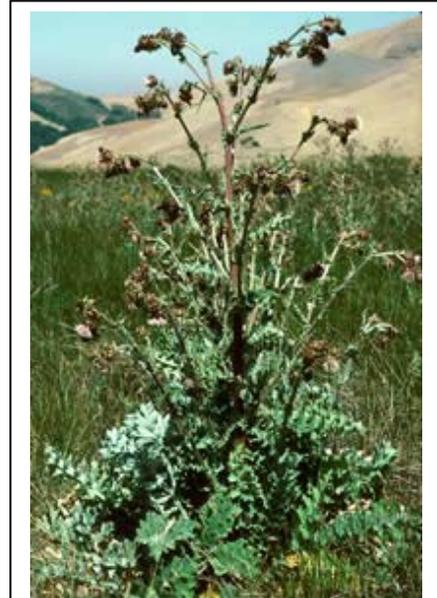
Source: CDFG 2009; City of San Luis Obispo 2006b.

review of a variety of sources, including the CNDDDB (CDFG 2003), California Native Plant Society's (CNPS's) Inventory of Rare and Endangered Plants of California (CNPS

2001), available literature for information on the presence and distribution of state or federal endangered species, a wetland assessment conducted by the Morro Group, Inc., AMEC biologist fieldwork and previously completed EIRs from the area.

#### Special Status Plant Species

Of the plant species listed in Table 3.4-1, only Congdon's tarplant and Chorro Creek bog thistle are likely to occur on the project site. The Congdon's tarplant typically flowers in late spring and in summer, with stout stems that generally persist through the fall and winter. No tarplants were observed during the AMEC field survey (January 2008). The Chorro Creek bog thistle is a perennial herb associated with wetland and riparian habitats, and around seeps in chaparral and foothill woodland habitats (USFWS 1997b). The species is identified as endangered by the state and the federal government. None were observed during the AMEC field survey.



*The Chorro Creek bog thistle, an endangered perennial herb, could occur on the project site.*

#### Avian Special Status Species

**Northern Harrier.** The northern harrier is a common transient and winter visitor within much of San Luis Obispo County, which frequents open areas, grasslands and wetlands. This species is very unlikely to nests in the vicinity; however, the project site's open fields provide suitable foraging habitat. San Luis Obispo County is one of two coastal counties that are known to still contain active northern harrier nests in California (Garrett 1998). This species has been declining somewhat as a wintering bird throughout the State due to extensive habitat loss (Lehman 1994; CDFG 1995; California Partners in Flight 1998).

**Burrowing Owl.** Burrowing owls are found in grasslands and sparsely vegetated woodland and scrub habitat throughout California. Burrowing owls often nest in abandoned ground squirrel burrows that overlook suitable forage areas. Within the past 30 years, and particularly in the 1990s, the decline of burrowing owls in California appears to have greatly accelerated, likely due to habitat loss from increased urban

development (CDFG 1995). This species has been observed at the nearby Laguna Lake Park (City of San Luis Obispo 2004). Although marginal habitat exists in the banks of Prefumo Creek, the species has not been recorded on site.

**Long-Billed Curlew.** Long-billed curlew is a migratory species that frequents tidal mudflats, estuaries, saltwater marshes, grasslands and agricultural fields with short grass. In some seasons it is a common to San Luis Obispo County where it can be seen in large flocks foraging in grasslands and fallow agricultural fields, such as those currently found on the project site. This species is a Federal Species of Concern (FSC) and a California Species of Special Concern (CSC).

**Loggerhead Shrike.** Loggerhead shrikes inhabit lowlands and foothills throughout most of California. This species is considered a common resident of most of San Luis Obispo County although recent populations have declined by as much as 76 percent during the non-breeding season within the County (Morro Coastal Audubon Society 2007). Preferred habitats for loggerhead shrike include woodland, chaparral, coastal scrub and grassland with perches such as fences, posts and scattered trees. Suitable foraging habitat is present in the project vicinity.

[Southwestern willow flycatcher.](#) [The southwestern willow flycatcher is a highly migratory species that breeds in the southwestern United States, including southern California, and winters in Central America and northern South America \(Center for Biological Diversity 2009\). This species occurs primarily in riparian habitats along rivers, streams, or other wetlands in dense growths of willow, cottonwood, and other deciduous shrubs and trees. In California, the species is known primarily from areas to the south such as San Diego, San Bernardino, Orange and Riverside Counties. Although potentially suitable habitat for southwestern willow flycatcher occurs along Prefumo Creek, no records exist in San Luis Obispo County for this species and the nearest recorded location is on the Santa Ynez River more than 40 miles to the southeast on Santa Barbara County \(CDFG 2008\).](#)

**Cooper's Hawk.** The Cooper's hawk has extensive ranges that cover many habitats; however, they are primarily found in woodland habitats. Cooper's hawk are present in San Luis Obispo in areas of dense, relatively undisturbed riparian area and could potentially nest in trees on-site March through August (City of San Luis Obispo 2003a).

They feed primarily on small birds, but also take reptiles and small mammals. They are considered vulnerable within California when nesting.

**White-tailed Kites.** California represents the breeding stronghold for white-tailed kites in North America. They are known to occur near the project site at the Laguna Lake Park. They prefer sparsely wooded areas for roosting and nesting and they generally require 100 to 150 acres of nearby foraging areas, depending on habitat quality, to support a single nest (Dunk 1995). The grasslands at the project site are potential foraging habitat for white-tailed kites.

**Tri-Colored Blackbird.** The tri-colored blackbird (*Agelaius tricolor*) is a state and federal species of concern. This species has been recorded at Laguna Lake Park (Envicom Corporation 1980) and suitable habitat exists on-site within the marsh vegetation of Prefumo Creek and within the nearby San Luis Obispo Creek (City of San Luis Obispo 2004).

#### Reptilian and Amphibian Special Status Species

**Arroyo Toad.** Found in only in coastal southern California and Baja, the arroyo toad requires sandy stream sides with stable terraces for burrowing with scattered vegetation for shelter, and areas of quiet water or pools free of predatory fishes with sandy or gravel bottoms without silt for breeding (CDFG 2005). Although the arroyo toad is known to occur in San Luis Obispo County, the site's deeply incised channel and muddy substrate would provide marginal habitat for this species.

**California Red-Legged Frog.** The federally threatened California red-legged frog (*Rana aurora draytonii*) prefers creeks and ponds with open water often overhung with dense growths of woody riparian vegetation, especially willows. Red-legged frogs are known to travel up to 1 mile from their primary aquatic habitats. Red-legged frogs are declining throughout their range possibly due to habitat destruction and competition from non-native African bull frogs (USFWS 1997a). The species has been recorded at Laguna Lake and in the upper reaches of Prefumo Creek, as well as downstream in San Luis Obispo Creek (City of San Luis Obispo 2003a). [Because of the presence of bullfrogs in these habitats, it is unclear if this species persists in these locations. In addition, these locations are well removed from the project site and are separated by substantial barriers to migration, including U.S. 101, LOVR, channelized or culverted portions of Prefumo](#)

Creek and substantial areas of intense urban development. Therefore, while, suitable habitat appears to exist on-site within Prefumo Creek, the probability for occurrence of this species is low. In addition, this species has not been identified; however, no individuals have been identified at this location and. No surveys for this species have been conducted within this portion of Prefumo Creek.

**Two Striped Garter Snake.** The two-striped garter snake (*Thamnophis hammondi*) is a semi-aquatic species generally associated with seasonal and perennial streams with good water quality and seasonal pools. Potentially suitable habitat exists for this species within the Prefumo Creek corridor. A decline in two-striped garter snake populations has occurred primarily in urbanized areas of California. The species has disappeared from about 40 percent of the historical range in California, mostly since 1945 (Jennings and Hayes 1994) due to increased development. This species has not been observed on the project site.

**Southwestern Pond Turtle.** The southwestern pond turtle (*Clemmys marmorata pallida*) is a California Species of Special Concern and is currently listed as a candidate for federal protection. Habitat requirements for this species include still or slow-moving water and the availability of basking sites. Suitable habitat exists along Prefumo Creek (City of San Luis Obispo 2003a). Historically, the southwestern pond turtle had a relatively continuous range along the Pacific slope drainages from southern Washington to Baja California; however, it has been extirpated from most of its range due to habitat development.

#### Aquatic Species of Special Concern

**Steelhead-South/Central California Coast.** Prefumo Creek is a known migration corridor for the federally threatened steelhead (south/central coast ESU; *Oncorhynchus mykiss*), which is also listed with the State of California as a California Species of Concern. No steelhead spawning is known to occur on-site due to the lack of spawning gravel; however, steelhead can be found in Prefumo Creek during heavy winter flows (City of San Luis Obispo 2004). The section of Prefumo Creek on-site is a high quality riparian corridor, while many sections of Prefumo Creek are identified as degraded or severely degraded (City of San Luis Obispo 1994; 2006b). Steelhead depend on quality riparian areas with overhanging vegetation to provide shade to maintain suitable water

temperature, filter pollutants (including fine sediments), and to provide habitat for their preferred prey (National Marine Fisheries Service 2007).

San Luis Obispo Creek is one of the southernmost points of the steelhead's range and is a known migration corridor and spawning area. Known spawning grounds include the upper reaches of the watershed and in See Canyon Creek. Recent efforts to increase steelhead access to the upper portions of the watershed have included removal of fish barriers (e.g., concrete check dams). A major barrier to fish passage was removed from Prefumo Creek below the project site to "provide access to 4 miles (6.4 km) of upstream spawning and rearing habitat for adult steelhead trout" (USDA 2008). The project took four years (including planning and permitting) and cost \$69,000, indicating the importance of Prefumo Creek to steelhead populations.

[Vernal Pool Fairy Shrimp.](#) [Fairy shrimp \(\*Branchinecta lynchi\*\) are small, translucent crustaceans that occur in seasonally inundated wetlands, primarily in vernal pools. Fairy shrimp produce eggs that lie dormant over the dry summer season and only hatch when a pool bottom is filled with cold winter rainwater. The eggs begin hatching within one week and typically complete their life cycle in approximately five weeks. Vernal pool fairy shrimp have been known to occur in roadside ditches, and bulldozer scrapes. This species has been identified approximately two miles from the project site just north of the San Luis Obispo County Airport \(CDFG 2003\). However, suitable habitat does not appear to exist on the project site due to historic and ongoing cultivation and weed control. Further, protocol surveys for this species in potentially suitable habitat 0.5 miles to the southeast did not locate this species \(Thomas 2005\).](#)

#### Invasive and Non-Native Species

Although Prefumo Creek's riparian corridor is dominated by native trees, a number of invasive species are present. These include substantial areas of kikuyu grass, periwinkle, and honeysuckle, with several individuals of pampas grass. Giant reed, another highly invasive species present upstream, was not observed. All of these species can displace native plants and degrade habitat values for native wildlife.

### 3.4.2 Regulatory Setting

Biological resources in and around the project area are governed by a variety of federal, state, and local laws and regulations. The relevance of these statutes to the proposed project is described in this section. In addition, quantitative guidelines, standards, limits and restrictions promulgated in the regulations form the basis for many of the criteria used to evaluate the significance of the proposed project's impacts to biological resources. In general, state and federal statutes focus on protection of formally listed threatened or endangered species. However, CEQA Section 15380 affords greater status to a broader range of sensitive species. In addition, the City of San Luis Obispo's *Conservation and Open Space Element* broadly defines sensitive species and provides a range of policies designed to preserve and protect habitat for such species.

#### 3.4.2.1 Federal Regulations

##### Endangered Species Act

The ESA of 1973, as amended, establishes measures intended to ensure the protection and conservation of threatened and endangered species and the ecosystems on which they depend.

##### Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act of 1976 is the cornerstone legislation addressing fisheries management in U.S. jurisdictional waters.

##### Migratory Bird Treaty Act and Executive Order 13186

The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts and nest, and requires harvests to be limited to levels that prevent overuse. Further, the MBTA prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase, or barter, of any migratory bird, their eggs, parts and nests, except as authorized under a valid permit (50 CFR 21.11).

Section 401 of the Clean Water Act of 1977

Section 401 of the Clean Water Act and its provisions ensure that federally permitted activities comply with the federal Clean Water Act and state water quality laws. Section 401 is implemented through a review process that is conducted by the Regional Water Quality Control Board (RWQCB), and is triggered by the Section 404 permitting process. The RWQCB certifies via the 401 process that a proposed project complies with applicable effluent limitations, water quality standards, and other conditions of California law. Evaluating the effects of the proposed project for both water quality and quantity (runoff) falls under the jurisdiction of the RWQCB.

3.4.2.2 State Regulations

California State Lands Act

On June 11, 1938, the State Lands Act created the CSLC and assigned it jurisdiction over state-owned offshore tide and submerged land leases. In particular, pursuant to Public Resources Code Section 6873.5(b), the Commission considers potential impacts of proposed lease development on fisheries and marine habitat.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Act provides a comprehensive water-quality management system for the protection of California waters and regulates the discharge of oil into navigable waters.

Water Quality Control Plan

The proposed project falls under the jurisdiction of the Central Coast RWQCB, which has established a Water Quality Control Plan for the coastal watersheds of San Luis Obispo, Santa Barbara, and Monterey counties.

California Endangered Species Act

The CESA parallels the main provisions of the federal ESA and is administered by the CDFG.

#### Section 1603 of the Fish and Game Code

The CDFG is responsible for conserving, protecting, and managing California's fish, wildlife and native plant resources. To meet this responsibility, the law requires any person, state or local government agency, or public utility proposing a project that may impact a river, stream or lake to notify the CDFG before beginning the project. If the CDFG determines that the project may adversely affect existing fish and wildlife resources, a Lake or Streambed Alteration Agreement is required. A Streambed Alteration Agreement lists the CDFG conditions of approval relative to the proposed project, and serves as an agreement between an applicant and the CDFG for a term of not more than five years for the performance of activities subject to this section.

#### Other Sections of the Fish and Game Code

Fully Protected and Protected species may not be taken or possessed without a permit from the Fish and Game Commission and/or the CDFG. Information on these species can be found within section 3511 (birds), section 4700 (mammals), section 5050 (reptiles and amphibians), and section 5515 (fish) of the Fish and Game Code. Relative to the proposed project, provisions of this code affect nesting and migratory birds.

#### 3.4.2.3 Local

##### Local Policies and Regulations

The City of San Luis Obispo General Plan contains policies requiring protection of special-status plant and animal species. These local jurisdictional policy requirements pertaining to biological resource issues will be satisfied through incorporation of the project mitigation measures presented in this document.

##### *General Plan, Land Use Element*

Policy 6.4.1. Creek and Wetlands Management Objectives: The City should manage its lake, creeks, wetlands, floodplains, and associated wetlands to achieve the multiple objectives of:

- Maintaining and restoring natural conditions, and fish and wildlife habitat;

- Preventing loss of life and minimizing property damage from flooding;
- Providing recreational opportunities which are compatible with fish and wildlife habitat, flood protection and use of adjacent private properties;
- Recognizing and distinguishing between those sections of creeks and Laguna Lake which are in previously urbanized areas, such as the downtown core and sections which are in largely natural areas. Those sections already heavily impacted by urban development and activity may be appropriate for multiple use whereas creeks and lakeshore in a more natural state shall be managed for maximized ecological value.

Policy 6.4.3 Amenities and Access: New public or private developments adjacent to the lake, creeks and wetlands must respect the natural environment and incorporate the natural features as project amenities, provided doing so does not diminish natural values. Developments along creeks should include public access across the development site to the creek and along the creek, provided that wildlife habitat, public safety, and reasonable privacy and security of the development can be maintained, consistent with the Conservation and Open Space Element.

*General Plan, Conservation and Open Space*

Policy 7.3.1 D Protect Listed Species: The City will protect listed species through its actions on: land-use designations; development standards; development applications; location, design, construction and maintenance of creeks, city roads and facilities; and on land that the City owns or manages.

Policy 7.3.3 Wildlife Habitat and Corridors: Continuous wildlife habitat, including corridors free of human disruption, shall be preserved and where necessary, created by interconnecting open spaces, wildlife habitat and corridors. To accomplish this, the City will:

- Require public and private developments, including public works projects, to evaluate animal species and their movements within and through development sites and create habitats and corridors appropriate for wildlife.

- Plan for connectivity of open spaces and wildlife habitat and corridors using specific area plans, neighborhood plans, subdivision maps or other applicable planning processes, consistent with Open Space Guidelines.
- Coordinate with San Luis Obispo County and adjoining jurisdictions, federal and state agencies such as Caltrans to assure regional connectivity of open space and wildlife corridors.
- Preserve and expand links between open spaces and creek corridors.

Policy 7.7.6 Replace Invasive, Non-Native Vegetation with Native Vegetation: The City and private development will protect and enhance habitat by removing invasive, non-native vegetation that detracts from habitat values and by replanting it with native California plant species. The Natural Resources Manager will prioritize projects and enlist the help of properly trained volunteers to assist in non-native vegetation removal and replanting when appropriate.

Policy 7.7.7 Preserve Ecotones: Condition or modify development approvals to ensure that “ecotones,” or natural transitions along the edges of different habitat types, are preserved and enhanced because of their importance to wildlife. Natural ecotones of particular concern include those along the margins of riparian corridors, marshlands, vernal pools and oak woodlands where they transition to grasslands and other habitat types.

Policy 7.7.8 Protect Wildlife Corridors: Condition development permits in accordance with applicable mitigation measures to ensure that important corridors for wildlife movement and dispersal are protected. Features of particular importance to wildlife include riparian corridors, wetlands, lake shorelines, and protected natural areas with cover and water. Linkages and corridors shall be provided to maintain connections between habitat areas.

Policy 7.7.9 Creek Setbacks: As further described in the zoning regulations, the City will maintain creek setbacks to include: an appropriate separation from the physical top of bank, the appropriate floodway as identified in the Flood Management Policy, native riparian plants or wildlife habitat and space for paths called for by any city-adopted plan. In addition, creek setbacks should be consistent with the following:

- A. The following items should be no closer to the wetland or creek than the setback line: buildings, streets, driveways, parking lots, aboveground utilities, and outdoor commercial storage or work areas.
- B. Development approvals should respect the separation from creek banks and protection of floodways and natural features identified in Part A above, whether or not the setback line has been established.
- C. Features which normally would be outside the creek setback may be permitted to encroach where there is no practical alternative, to allow reasonable development of a parcel, consistent with the Conservation and Open Space Element.
- D. Existing bridges may be replaced or widened, consistent with policies in this Element. Removal of any existing bridge or restoration of a channel to more natural conditions will provide for wildlife corridors, traffic circulation, access, utilities and reasonable use of adjacent properties.

Policy 8.6.3G. Required Mitigation: Any development that is allowed on a site designated as Open Space or Agriculture, or containing open-space resources, shall be designed to minimize its impacts on open space values on the site and on neighboring land.

- Hillside development shall comply with the standards of the Land Use Element, including minimization of grading for structures and access, and use of building forms, colors and landscaping that are not visually intrusive. (See also Chapter 9.21.1)
- Creek corridors, wetlands, grassland communities, other valuable habitat areas, archaeological resources, agricultural land, and necessary buffers should be within their own parcel, rather than divided among newly created parcels. Where creation of a separate parcel is not practical, the resources shall be within an easement. The easement must clearly establish allowed uses and maintenance responsibilities in furtherance of resource protection.
- The City will encourage the County not to create new parcels within the greenbelt, with the exception of those permitted under the County's agriculture cluster incentive. Outside of cluster districts, allowed parcel sizes within the greenbelt should be no smaller, and the number of dwellings allowed on a parcel should be no greater than as designated in the September 2002 San Luis Obispo Area Plan and related county codes.

Policy 8.7.2 C. Enhance and Restore Open Space: Remove invasive, non-native species in natural habitat areas, and prevent the introduction or spread of invasive, non-native species and pathogens.

#### 3.4.3 Environmental Impacts

##### 3.4.3.1 Significance Criteria

Impacts to terrestrial biological resources would be considered significant if the proposed project results in:

- The potential for any part of the population of a threatened, endangered or candidate species to be directly affected or if its habitat is lost or disturbed;
- Any “take” of a federal- or state-listed endangered, threatened, regulated, fully protected or sensitive species;
- Prolonged disturbance to, or destruction of, the habitat (or its functional habitat value) of a species that is recognized as biologically or economically significant in local, state or federal policies, statutes or regulations;
- A net loss in the functional habitat value of a sensitive biological habitat, including wetland and riparian habitats;
- Permanent change in the community composition or ecosystem relationships among species that are recognized for scientific, recreational, ecological or commercial importance;
- Permanent alteration or destruction of habitat that precludes reestablishment of native biological populations;
- Potential for the movement or migration of fish or wildlife to be impeded; or,
- A substantial loss in the population or habitat of any native fish, wildlife or vegetation, or if there is an overall loss of biological diversity. Substantial is defined as any change that could be detected over natural variability.

##### 3.4.3.2 Impact Assessment Methodology

This section provides a discussion of the potential impacts of the proposed project on the biological resources of the project site and surrounding area, including both direct loss of habitat and indirect impacts to remaining habitats. This would include the project’s potential for development of approximately 19 acres of agricultural and ruderal habitats into a regional shopping mall with over 4 acres of new buildings and 13 acres of paved surfaces and associated increases in human population, increased levels of motor vehicle

and truck activity, and associated increased noise, lighting, and changes in stormwater runoff quantity and quality. This analysis also accounts for the fact that the portion of Prefumo Creek that traverses the project site is identified as a high-quality riparian habitat and supports known sensitive wildlife species (City of San Luis Obispo 2004; 2006a).

#### 3.4.3.3 Previously Identified Environmental Impacts

The proposed project would not include any flood control improvements or other disturbance within the banks of Prefumo Creek. However, concurrent with development of the project site, the City of San Luis Obispo plans to implement a number of flood control and creek improvements consistent with the City's Creeks and Waterways Management Plan. These improvements would be funded by the applicant and performed by the City using existing permits for Creek maintenance activities (City of San Luis Obispo 2008). Two locations on the project site's western creek bank, adjacent to existing and proposed down drains and identified as developing bank scour holes, would be repaired using bioengineering techniques, such as live staking and willow fascines. In addition, several failed concrete slabs with welded wire mesh and adjacent stacked concrete sacks would be removed. Old agricultural debris and trash (e.g., pallets and stakes) and non-native understory vegetation would be removed from the Creek. Further, water conveyance may be improved and the potential for future bank erosion decreased through substantial trimming and clean-up of downed living and dead willow trees where these may impede flood flows or redirect such flows toward the bank. Willows stands would be thinned and the lower limbs of larger, more desirable forms of willows would be removed to maximize capacity. This improvements would require a considerable amount of effort and would require workers and potentially some machinery (for removal of large debris) to spend significant amounts of time in Prefumo Creek and the associated riparian area. This could potentially disturb sensitive species such as the steelhead trout and western pond turtle and result in short-term damage to water quality and some short-term loss of native riparian vegetation. However, such impacts were identified in the EIR on the City's Creeks and Waterways Management Plan, and appropriate findings and mitigation measures were adopted by the City and appropriate regulatory permits were obtained (City of San Luis Obispo 2008).

#### 3.4.4 Project Impacts, Mitigation Measures and Residual Impacts

The proposed project would create both short- and long-term potentially significant impacts to Prefumo Creek and the sensitive species that it supports. These impacts would be related to both, two or more-year project construction period, as well as long-term operation of a 'big box' shopping complex adjacent to a sensitive creek habitat. These issues are further discussed below.

##### Impact

**BIO-1            Project construction and major alteration of the project site has the potential to create short-term direct and indirect significant impacts to the biological resources of Prefumo Creek located on-site and downstream from the project.**

Project construction would entail the clearing and grubbing of 19 acres on the west bank of the project site, and the importation of approximately 75,000 cubic yards of imported soil to raise this area by approximately 3 feet in elevation. Site alteration would require approximately 3,750 double-haul truck loads of imported fill, with ongoing spreading and compacting of fill material by a variety of heavy equipment such as spreaders, scrapers, and bull dozers. Initial site preparation would require from 3 to 4 months of heavy equipment operation followed by trenching, and the installation of wet and dry utilities, including drains to the Prefumo Creek (Irish Hills Plaza East, LLC 2008). Once the site is prepared and basic utilities installed, construction of buildings, roads and parking lots would commence and is expected to span a 6 to 9 month period. In total, project construction is expected to last from 1.5 to 2 years.

These construction activities would eliminate 19 acres of agricultural and ruderal land that provides limited habitat value to foraging raptor and bat species. In addition, although the east side of the Creek would remain undeveloped, removal of 19 acres of streamside fallow agricultural land may deprive sensitive species such as the California red-legged frog of dispersal opportunities outside of the Creek [and between drainages in this region](#). Grading and development would also eliminate potential habitat for the Congdon's tarplant which is known to occur in fallow agricultural fields in the project vicinity. While the presence of Congdon's tarplant on the site has not been confirmed, seed bank is likely to be present. Fugitive dust, increased erosion, hazardous material spills, changes in hydrology, substantially increased sediment run-off and short-term

increases in water turbidity all would have the potential to occur. Construction activities are likely to occur during the rainy season (typically October to April), with associated potential for sediment to enter Prefumo Creek. If substantial amounts of sediment and other forms of water quality pollution enter the Creek, degradation of associated aquatic habitat and potential impacts to waters of the U.S. could occur. Because of the degree of site disturbance and the sensitivity of Prefumo Creek, short-term construction impacts to the Prefumo Creek riparian area and aquatic habitats are considered potentially significant.

Erosion and the resulting sedimentation are known to lead to the loss of suitable habitat for the threatened steelhead trout. Sedimentation degrades spawning grounds by covering preferred gravels, smothering eggs, reducing habitats for food sources, and filling refugia pools that are important habitat for rearing juveniles. Although the project site is not known to possess suitable steelhead spawning habitat, pools found on-site are potential rearing habitat for juvenile steelhead and could be filled or damaged by project-created sediment (National Marine Fisheries Service 2007). Such impacts could extend far downstream into San Luis Obispo Creek.

Use, maintenance or staging of construction equipment in areas near the adjacent drainage could also increase the risk of fuel spills or leaks into sensitive habitats. These impacts would be considered potentially significant, but could be greatly minimized or avoided with implementation of the following appropriate mitigation measures.

#### Mitigation Measures

The following mitigation measures, in conjunction with mitigation measure MM HYD-2a through 2e in Section 3.5, *Hydrology and Water Quality*, shall be implemented.

#### ***Standard Regulatory Conditions***

*MM BIO-1a Prior to and during construction, the applicant shall implement erosion and spill control best management practices as presented in a biological resources protection plan. This plan shall include provisions for appropriate environmental monitoring of all construction activities. This plan shall be subject to review and approval by the City's Natural Resources Manager. Compliance with the provisions of this plan shall be*

verified by the project Environmental Monitor through submission of compliance reports.

*MM BIO-1b Construction equipment and vehicles shall be stored away from riparian areas and all construction vehicle maintenance shall be performed in a designated vehicle storage and maintenance area.*

*MM BIO-1c Prior to and throughout the construction period, the edge of the grading area, set back a minimum of 50 feet from Prefumo Creek, ~~riparian corridor~~ shall be ~~fenced~~ marked with high visibility orange fencing and signed to prohibit entry of construction equipment and personnel. Silt fencing, straw waddles or other acceptable erosion control devices shall be installed along the perimeter of the riparian area and all drainage directed to sediment basins.*

*MM BIO-1d Construction activities shall be limited to the hours of 7am to 7pm daily. No construction night lighting shall be permitted within 100 yards of the top of the creek bank.*

*MM BIO-1e Prior to initiation of construction, the applicant shall fund a site survey for Congdon's tarplant with the goal to collect seeds from identified specimens for use in restoration projects in the project vicinity.*

*MM BIO 1f The applicant shall fund a pre-construction survey for the California red-legged frog. If the species is identified, the applicant shall work with the USFWS to ensure the proposed project minimizes impacts to the maximum extent feasible and to identify suitable conservation strategies for those impacts determined to be unavoidable.*

*MM BIO-1g Project construction activities shall be regularly monitored by a City environmental monitor for the duration of project construction. Environmental monitors shall be trained by a qualified biologist to detect the potential presence of California red-legged frog and shall conduct a biological resources education program for all construction workers prior to the initiation of any clearing or construction activities. The educational program shall include a description of the California red-*

legged frog, its habits, what constitutes take, penalties for take, and the guidelines that would be followed by all construction personnel to avoid take of species during construction activities. The construction crew foreman shall be responsible for ensuring that crew members comply with the guidelines and that all new personnel receive the training before partaking in construction activities. The work area boundaries and other off-limit areas will be identified by the onsite monitor. Any vegetation clearing activities will be monitored by the onsite monitor.

MM BIO-1h If creek pumps are utilized, intakes should be completely screened with wire mesh (0.2 inch or smaller) to prevent California red-legged frogs from entering the pump system.

MM BIO-1i Concrete truck and tool washout should occur in a designated location such that no runoff will reach the creek.

#### Impact

**BIO-2 Habitat restoration and drainage improvement work within Prefumo Creek's riparian woodland has the potential to create significant impacts to biological resources.**

The applicant proposes restoration and enhancement activities along the west bank of Prefumo Creek, including removal of artificial fill and berms, within and on the edge of the riparian corridor, removal of exotic plants, trash and debris, as well as new planting of native riparian vegetation. Along with these new planting of native trees, shrubs and groundcover, a 15-foot-wide filter strip on the Creek's west bank would be installed; however, the exact relationship of these improvements to existing riparian vegetation, which hangs over the top of the bank, 15 to 25 feet in places, is unclear.

The intent of the revegetation plan would be to encourage diversity of vegetation types and to extend the existing native plant communities outward from creek banks. Native trees, shrubs, and forbs would be planted and seeded to enhance the native riparian woodland on creek banks to screen the Creek from development along creek buffer areas, and to replace non-native species within the riparian area. Dense shrubby, non-native and invasive stream-side vegetation would be replaced by natives, such as sycamores, cottonwoods, and alders to reduce maintenance, shade-out the understory and improve

the riparian habitat. Thinning and replacing existing vegetation would potentially create significant short-term impacts to biological resources due to increased disturbance and loss of cover; however, with implementation of included mitigation measures impacts would be reduced to less than significant.

In addition, increased site runoff and drainage would need to be conveyed to the Creek. Drainage is proposed to enter the Creek at two locations; one near the site of the future bridge and the other where flows from the existing drainage swale on the southeastern project boundary are conveyed to the creek bed via an old metal culvert down drain. Any needed improvements to this down drain would occur within the riparian corridor and could require the removal of some vegetation and use of heavy machinery within this area<sup>2</sup>.

#### Mitigation Measure

##### ***Standard Regulatory Conditions***

*MM BIO-2a Revegetation plans shall be reviewed and approved by the City prior to implementation. Implementation shall be coordinated with the City's Natural Resources Manager.*

*MM BIO-2b Revegetation and restoration plans shall conform to the City's Waterway Management Plan, Volume III- Drainage Design Manual.*

*MM BIO-2c Down drain or culvert replacement work shall minimize or avoid removal of riparian vegetation. All such work shall be conducted under the guidance of the City's Natural Resources Manager and/or the project Environmental Monitor.*

*MM BIO-2d All work associated with proposed project activities within the riparian area shall occur in the dry season (May through October) unless otherwise approved by the City's Natural Resource Manager in consultation with appropriate agencies.*

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<sup>2</sup> Any major repairs to the Creek bank at this location and/or repair or expansion of the existing concrete and rock energy stabilizer within the Creek channel would be undertaken as part of the City's work on creek and flood control improvements and as such are not addressed in this EIR.

*MM BIO-2e Any land clearing, tree removal, or other surface disturbance associated with proposed actions shall be timed to avoid potential destruction of bird nests or birds that breed in the area. If a seasonal restriction is not feasible, a qualified biologist or trained environmental monitor should survey the area for nests or evidence of nesting prior to the commencement of activities in the riparian area. If nests or other evidence of nesting are observed, a protective buffer should be delineated and the entire area shall be avoided to prevent destruction or disturbance to nests until they are not longer active.*

#### Impact

**BIO-3 Long-term operation of the proposed project has the potential to create significant impacts to terrestrial biological resources including sensitive and migratory species which utilize Prefumo Creek.**

The proposed project entails construction and operation of an 188,658-square foot 'big box' mall immediately adjacent to Prefumo Creek, identified as a high-quality riparian woodland and sensitive species habitat. This new regional shopping center would be occupied by hundreds of new employees and visited by thousands of customers daily. Long-term impacts to sensitive species could occur due to increased human presence on-site including intense lighting located on buildings and in parking areas, increased noise from automobiles, human activity, truck loading, parking lot cleaning and sweeping, trash compactors and other similar activities. Solid waste and polluted runoff from trash storage areas and 13 acres of roads and parking lots could enter Prefumo Creek through wind or the drainage system during storm events. These long-term impacts could cause sensitive species on-site to be killed, to flee the area, or could cause disruption to breeding/nesting efforts, and could be considered significant impacts to sensitive resident and migratory species.

Outdoor night lighting and noise associated with development of new commercial units could create glare off-site, light spillage, and increased noise levels degrading the quality of the Creek and buffer area. The increase in the amount of night lighting and noise would be substantial relative to the existing condition resulting in potential impacts to wildlife migrating through the stream corridor and buffer area. Further, the interface of the project site and the Creek would lead to increased human interaction within the riparian area. This includes increased foot traffic in and around Prefumo Creek and more

post-consumer waste entering the sensitive habitat. Increased runoff from paved surfaces and buildings could lead to increased sedimentation, water turbidity and water quality degradation in the long-term. These impacts may cause wildlife to avoid or flee the site.

The permanent open space proposed for the creek area, the adjacent lot east of Prefumo Creek and the 50-foot buffer area proposed by the applicant would help reduce long-term impacts to resident and migratory species. Compliance with regulatory agencies with jurisdiction in the wetland and riparian habitat would also reduce impacts (City of San Luis Obispo 2004). Additionally, implementation of included mitigation measures would reduce impacts to Prefumo Creek and the sensitive Central Coast Arroyo Willow Forest riparian area to less than significant.

#### Mitigation Measure

##### ***Standard Regulatory Conditions***

- MM BIO-3a All exterior building lights facing Prefumo Creek shall be hooded to prevent light spillover into the creek; all parking lot lights over 10 feet in height shall be setback a minimum of 100 feet from the top of the creek bank and hooded and/or directed away from the Creek. Any night lighting adjacent to the Creek (e.g., walkway lights) shall be of low voltage and hooded downward. Artificial light levels within 20 feet of the top of the creek bank shall not exceed 1-foot candle.*
- MM BIO-3b Creek restoration/enhancement plantings shall include tall trees (e.g., oaks, alders, sycamores, etc.) the entire length of the project's creek frontage in order to minimize light spillover into the Creek.*
- MM BIO-3c Split-rail fencing shall be installed at the edge of the riparian landscape buffer with entry restricted to the proposed walking path.*
- MM BIO-3d All loading docks and trash storage areas shall be setback a minimum of 150 feet from the top of bank. No outdoor storage or larger trash receptacles shall be permitted within this setback area. All trash and outdoor storage areas shall be operated to reduce potential impacts to riparian areas, including the following:*

- *Runoff shall be directed away from trash and loading dock areas;*
- *Trash and loading dock areas shall be screened or walled to minimize off-site transport of trash;*
- *Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes;*
- *Trash and loading dock areas shall be paved;*
- *Impermeable berms, drop inlets, trench catch basin, or overflow containment structures around docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system and Prefumo Creek; and,*
- *The developer or acceptable maintenance organization shall complete inspections of the site to ensure compliance with BMPs and water quality requirements on a semi-annual basis (May 15 and October 15 of each year). A detailed summary report prepared by a licensed Civil Engineer shall be submitted to the City of San Luis Obispo Public Works Department and/or Natural Resources Manager. The requirements for inspection and report submittal shall be recorded against the property.*

#### Impact

#### **BIO-4 Long-term operation of the proposed project has the potential to create significant water pollution impacts to biological resources.**

Impacts to biological resources resulting from water quality degradation from contaminated runoff could potentially create long-term impacts. Runoff from impermeable surfaces on-site would result in an increased flow of storm pollutants from roads and parking surfaces such as oils, grease, heavy metals, pesticides, fertilizers, trash and rubber. During storm events, these pollutants would be transported via drainage systems to Prefumo Creek, or directly into Prefumo Creek, causing long-term significant impacts to water quality. Impacts to water quality would in-turn affect oxygen, pH, temperature and nutrient levels of the water. Siltation can also bury eggs, insects, algae and vegetation. Prefumo Creek supports both common and sensitive wildlife species that could be affected by the degradation of wetlands and water quality (refer to Impact BIO-1). Mitigation measures such as storm drain stencils, materials storage areas and the measures listed below would help protect water quality and wetland habitat.

The project would include vegetated swales, two hydrodynamic separators, a 15-foot vegetated filter strip, and a 50-foot creek setback to reduce the impacts of runoff on aquatic habitat. Before release into Prefumo Creek, runoff would pass through a hydrodynamic separation product to provide water quality treatment. Runoff from the

southern drainage subunit of Froom Ranch Way would also be treated by the hydrodynamic separation product after being collected by a proposed inlet, and then conveyed via storm drain to one of the three release points at Prefumo Creek. Implementation of additional best management practices to address water pollution associated with run-off from roads and parking would reduce impacts to less than significant.

#### Mitigation Measure

##### ***Standard Regulatory Condition***

*MM BIO-4 The applicant shall fund monthly parking lot sweeping to remove and clean excess trash and dirt. Prior to the onset of the rainy season in September, the applicant shall fund parking lot, trash area, and loading dock steam cleaning or other City-approved methods to remove all excess oil and grease.*

#### Residual Impacts

When combined with standard regulatory measures, the inclusion of the above measures would reduce project impacts to insignificance. However, the loss of wildlife dispersal and foraging areas would remain an adverse, but less than significant impact for which no mitigation is available.

### 3.5 HYDROLOGY AND WATER QUALITY

The hydrologic analysis for this section is based on the revised “Prefumo Creek Commons Master Drainage Plan,” prepared by Wallace Group in September 2008 (Appendix H), and the revised hydraulic model (Wallace Group 2009) (Appendix G). The analysis built upon the watershed-wide hydrologic and hydraulic analysis that was completed for the San Luis Obispo Creek Watershed for the City of San Luis Obispo and the San Luis Obispo County Flood Control District Zone 9 by Questa Engineering as part of the San Luis Obispo Creek Waterways Management Plan (WMP) (Questa 2003).

The proposed project site is currently undeveloped and has been historically utilized for commercial agriculture. While San Luis Obispo’s city limits encompass areas around the project site, the property is currently located in an unincorporated area. Section 8 of the *Land Use Element* in the City’s General Plan (2006) has specific policies that pertain to the project site, which is zoned as Interim Open Space and referred to as the Los Osos Valley Gap. Policy 8.7, *Los Osos Valley Gap*, of the *Land Use Element* states that the project site should be developed if the land in common ownership to the east of Prefumo Creek is permanently preserved as open space. The proposed project would entail development of a regional shopping center on 19 acres west of Prefumo Creek and, in order to partially offset development of prime agricultural land, set aside 11 acres, the majority of which is east of Prefumo Creek, to be dedicated to open space.

This section discusses impacts of the proposed development and Master Drainage Plan on flooding, water quality, and other drainage conditions in the Prefumo and San Luis Obispo Creek watersheds.

#### 3.5.1 Existing Conditions

##### 3.5.1.1 Regional Drainage

According to the Central Coast Regional Water Quality Control Board (RWQCB), the project site is located within the San Luis Obispo Creek Hydrologic Subarea of the Estero Bay Hydrologic Unit, an area that corresponds to the coastal draining watersheds west of the Coastal Range (RWQCB 1994). The Estero Bay Hydrologic Unit stretches roughly 80 miles between the Santa Maria River and the Monterey County line and includes numerous individual stream systems. Within the Estero Bay Hydrologic Unit, the San

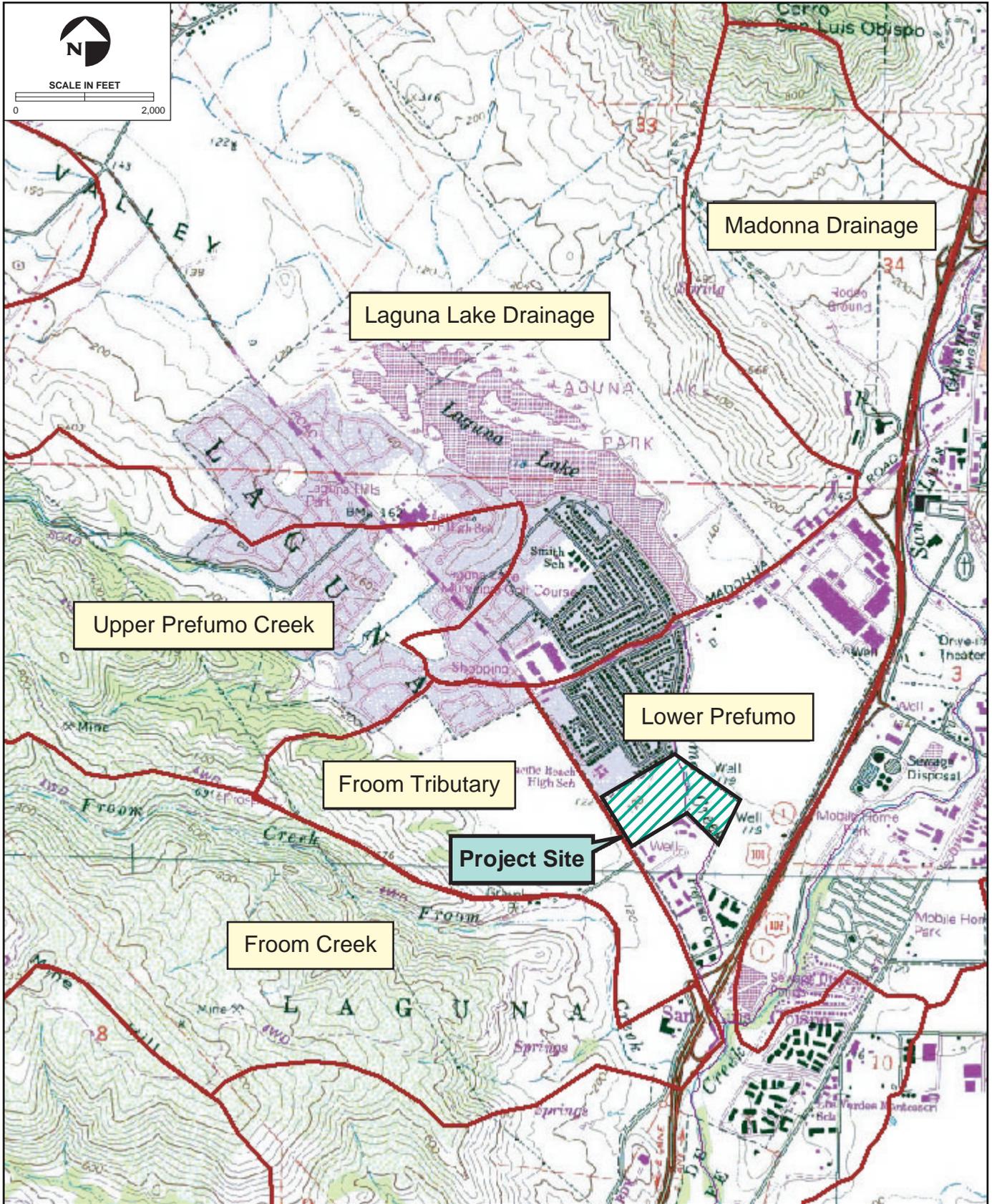
Luis Obispo Creek watershed drains approximately 84 square miles. According to the *Safety Element* of the General Plan, average seasonal precipitation in the City of San Luis Obispo is 22 inches and average seasonal precipitation throughout the County varies from 8.5 inches (at Simmler) to 25.6 inches (at San Simeon).

The watershed generally drains to the south-southwest via San Luis Obispo Creek where it meets the Pacific Ocean at Avila Beach. San Luis Obispo Creek originates in the Cuesta Grade area north of San Luis Obispo at an elevation of 2,200 feet above mean sea level (msl), in the western slopes of the Santa Lucia Range. The Creek flows south through the City of San Luis Obispo adjacent to U.S. Highway 101 until it reaches the southern extent of the Irish Hills where it veers west to the ocean.

The project site is located on a 31-acre parcel known as the “Los Osos Valley Gap” within the Lower Prefumo Basin, which is a sub-basin of the San Luis Obispo Creek Watershed (Figure 3.5-1). The sub-basin area is approximately 1.3 square miles and drains into Prefumo Creek and ultimately San Luis Obispo Creek. U.S. Highway 101 runs north-south, east of the project site, and San Luis Obispo Creek runs roughly parallel to and east of U.S. Highway 101.

Prefumo Creek forms an approximate eastern boundary to the area proposed for development on the project site. Prefumo Creek drains from Laguna Lake, located less than 0.5 miles upstream of the project site. Eastern Los Osos Valley and the adjacent highlands, including Sycamore and Prefumo Canyons, all drain into Laguna Lake. Prefumo Creek runs southeasterly through the project site and joins San Luis Obispo Creek approximately 0.5 miles downstream of the site, just east of U.S. Highway 101.

Flooding within the San Luis Obispo Creek system is generally caused by intense Pacific storm systems that occur during the months of December, January, February, and March. The great topographic variability of the watershed causes these systems to release large amounts of precipitation, especially along the higher ridgelines. The Irish Hills, located just southwest of the project area and cresting at about 1,650 feet in elevation, can experience twice the rainfall observed in the lower portions of the watershed.



Lower Prefumo Creek Subbasin

**FIGURE  
3.5-1**

San Luis Obispo Creek can respond very quickly to short high-intensity rainfall bursts. The San Luis Obispo Creek watershed is steep and is characterized by high magnitude, short duration floods. Floods have been a continuing problem along San Luis Obispo Creek. Significant flooding along the Creek has been recorded in 1884, 1897, 1948, 1952, 1969, 1973, 1978, and 1995.

#### Storm Probability

Flood zone mapping and drainage improvements are based on the probability of a certain amount of rain to fall within a particular time frame, usually 24 hours. From rainfall gage records, the size of a storm that has a 1 percent probability of occurring in any one year within a particular watershed can be calculated. A storm with this probability is often referred to as the “100-year storm” since at least one such storm would be expected to occur in a 100-year period, and the associated overflow termed the “100-year flood.” Similarly, a storm that has a 4 percent probability of occurring in any one year is referred to as the “25-year storm,” and flows from this storm are called Q25 flows or 25-year floods.

The “100-year storm” term is often interpreted too literally and it is often assumed by the public that only one such storm can occur in a 100-year period. In fact, this is simply a probability estimate based on incomplete rainfall gage data that in most watersheds has been collected for only approximately 50 years. Therefore, it is possible for several “100-year” storms to occur in the course of a few years, which would result in a revision to the estimated storm probabilities. In addition, storms do not exhibit the same rainfall intensity uniformly, and the same storm system that exhibits a 100-year intensity in a particular watershed can have a much lower intensity in an adjacent watershed.

#### Peak Flow Timing

A storm can also be called a “rainfall-runoff” event. A rainfall event occurs, and stream flows resulting from that precipitation form the “runoff.” An important component of the hydrologic analysis of a watershed is the timing of the peak flows that result from a rainfall-runoff event. Just as the precipitation event rises and falls in intensity over time, the resulting runoff, or discharge, also rises and falls over time. A hydrograph is a continuous plot of instantaneous discharge vs. time. The hydrograph results from a combination of climatic and physiographic conditions in a watershed. Climatic factors

that influence the hydrograph shape and volume of runoff include: 1) rainfall intensity and pattern, 2) areal distribution of rainfall over the watershed, and 3) duration of the storm event. Physiographic factors of importance include: 1) size and shape of the drainage area, 2) nature of the stream network, 3) slope of the land and the main channel, and 4) storage detention in the watershed.

At any point along a stream network, the crest of the hydrograph for that location will show the peak flow for that rainfall-runoff event at that location. The timing of the peak flow at any given location is especially important where two streams join, or, in other words, a confluence. For example, if, at a confluence of a main creek channel and a smaller creek tributary, the peak flows from both the main channel and the tributary were to occur at the same time, flooding would have a high potential to occur at that confluence location. However, if the smaller tributary watershed contained a large body of water that would hold back flows for a period of time (i.e., storage detention), the hydrograph of the tributary channel would peak slower, or, after, the main channel would peak. In other words, the peak contribution of runoff from the tributary channel to the main channel would occur after the peak discharge from the main channel at the same confluence.

This is what occurs at the confluence of Prefumo Creek (the tributary) and San Luis Obispo Creek (the main channel). Flooding in the Lower Prefumo Watershed, which encompasses the project site, is extremely sensitive to the timing of the peak flows in San Luis Obispo Creek and Prefumo Creek. While the peak Prefumo Creek discharge at the confluence occurs immediately after the most intense precipitation, a peak nearly as high and lasting much longer occurs several hours later. This second peak results from flow slowly draining from Laguna Lake. The peak discharge from San Luis Obispo Creek occurs just between the two peaks in the Prefumo Creek hydrograph. Thus, at the San Luis Obispo Creek confluence with Prefumo Creek, flows from the Lower Prefumo Basin peak first, followed approximately one hour later by peak flows in San Luis Obispo Creek, followed approximately two hours later by Prefumo Creek flows held back by Laguna Lake detention.

Thus, any proposed modifications to the existing watersheds must take into account their impact on the timing of peak flows in San Luis Obispo Creek and its tributaries. If flows were altered such that any two peak flows occur at the same time, flooding conditions at the Prefumo and San Luis Obispo Creek confluence would worsen. Due to this fact,

project proposals in this sub-basin that include detention storage of stormwater must be reviewed carefully, and in many cases, are not beneficial.

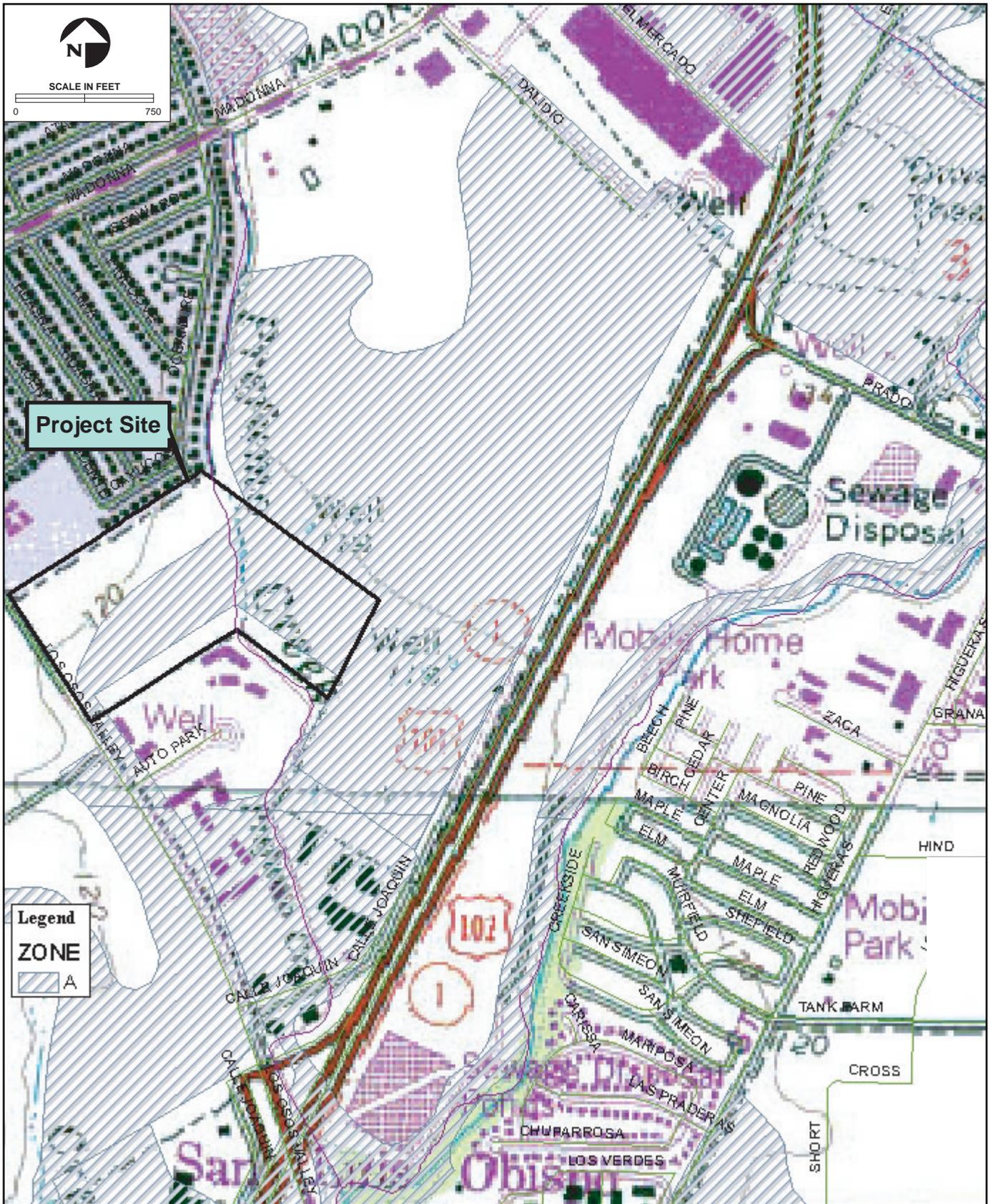
#### 3.5.1.2 Local Drainage and Site Flooding Hazards

The existing hydraulic conditions at the project site are complex. Prefumo Creek below Laguna Lake is less prone to flooding from very short duration rainfall bursts than San Luis Obispo Creek due to the flood detention properties of Laguna Lake. Approximately 13.5 square miles of the Prefumo Creek Watershed drains to the Lake. Because of the detention provided by Laguna Lake, runoff from the 1.24-square mile portion of the Watershed (the Lower Prefumo Creek sub-basin) that does not drain directly to the Lake is primarily responsible for high flood flows within Prefumo Creek. A large fraction of this area is agricultural land currently zoned as Open Space, but there is an increasing amount of development in this area.

#### Existing On-site Drainage

Prefumo Creek below Laguna Lake runs through a trapezoidal earth-lined channel that contains willows and dense trees and shrubs. At 1,600 feet downstream from the Laguna Lake outlet, the Creek enters the Los Osos Valley Gap, flowing for 1,000 feet through the project site. Prefumo Creek flows through the project site with the proposed development on the west side and proposed dedicated Open Space on the east. The project development site is relatively flat, with topography gently sloping southeasterly towards Prefumo Creek at an approximate slope of 0.6 percent. The portion of the project to be dedicated as Open Space, east of Prefumo Creek, drains southwesterly toward the Creek over relatively flat (0.9 percent) topography.

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) are used to determine the flooding hazard along waterways. The July 1985 FIRM for the site area indicates that a large portion of the project site lies within Flood Zone “A,” the base flood or 100-year flood area (Figure 3.5-2). This “undesignated” A Zone on the FIRM does not indicate actual depth of flooding, since a detailed hydrologic study was not completed by the U.S. Army Corps of Engineers at the time the map was prepared. The 100-year flooding over the project site stems from overbank flows in Prefumo Creek and overland flow from San Luis Obispo Creek, occurring as “split flows” overtopping U.S. Highway 101.



Federal Emergency Management Agency FIRM Base Flood Map for Project Vicinity

**FIGURE 3.5-2**

The existing site conditions taken from the San Luis Obispo Creek Watershed Hydraulic Model shows shallow flooding over the project site, and a large pond area forming just upstream from the U.S Highway 101 culvert during the 100-year storm (Figure 3.5-3), conforming to the FEMA FIRM for this area. Significant contributors to flooding at the confluence of Prefumo Creek and San Luis Obispo Creek include: a) a series of under-sized culverts along Prefumo Creek below the project site, and b) split flow conveyed over U.S. Highway 101 from San Luis Creek into the Lower Prefumo watershed above the project site.

#### Prefumo Creek Culverts

Downstream of the project site, Prefumo Creek flows beneath three roadway crossings: 1) Calle Joaquin, 2) the southbound U.S. Highway 101 off-ramp to Los Osos Valley Road (LOVR), and 3) U.S. Highway 101, within the last 1,500 feet of creek before its confluence with San Luis Obispo Creek. The U.S. Highway 101 crossing currently occurs through a single 8 foot by 18 foot reinforced concrete box culvert, and the off-ramp and Calle Joaquin crossings both occur through double 8 foot by 12 foot reinforced concrete box culverts.

The Prefumo Creek culvert under U.S. Highway 101 was designed to convey 1,800 cubic feet per second (cfs) (Questa 2003). While the actual capacity of the culvert is expected to be greater, the design flow is substantially less than the calculated peak flow rates of 3,100 and 2,200 cfs for the 100-year and 50-year storm events, respectively (Nolte and Associates 1977). According to the Location Hydraulic Study for the Los Osos Valley Road/U.S. Highway 101 Interchange Improvement Project, the U.S. Highway 101 culvert is overtopped during storm events greater than the 10-year event (Dokken/WRECO 2008). The Location Hydraulic Study also predicts that the off-ramp culvert would be overtopped at peak flows greater than the 10-year flow. Since the off-ramp culvert and the Calle Joaquin culvert are the same size, this analysis assumes that the Calle Joaquin also would be overtopped at storm events greater than the 10-year flow.

Consequentially, these culverts restrict peak flows from Prefumo Creek discharging into San Luis Obispo Creek. As a result, water is detained behind the culverts, causing backwater flooding in Prefumo Creek upstream of the U.S. Highway 101 culvert for events equal to or larger than the 10-year event.



San Luis Obispo Creek Watershed Hydraulic Model  
 100-year Flood Depths shown with Prefumo Creek Culverts  
 and San Luis Obispo Creek Split Flow Locations

**FIGURE  
 3.5-3**

Additionally, tail water elevations from San Luis Obispo Creek itself may be causing backwater impacts along Prefumo. The water surface elevation in San Luis Obispo Creek below the confluence with Prefumo Creek is relatively high, cresting at the 100-year event to less than 3.3 feet below the roadway crest at U.S. Highway 101. This prevents Prefumo Creek from efficiently utilizing the existing culvert, causing the Creek to spill across the highway.

#### Split Flows from San Luis Obispo Creek over U.S. Highway 101

Split flow was observed spilling across U.S. Highway 101 to the west in 1973 (George S. Nolte and Associates 1977) and in 1995 between Marsh Street and Madonna Road. In 1969 and 1973, floodwaters overtopped U.S. Highway 101 near Madonna Road causing flooding in the area of the San Luis Obispo Promenade (formerly Central Coast Mall) and Madonna Plaza shopping centers. In addition, computer modeling performed for the “San Luis Obispo Waterways Master Plan” (Questa 2003) indicates that flow from San Luis Obispo Creek splits across U.S. Highway 101, and enters into the Prefumo Creek Watershed near Elks Lane and again near Prado Road. Split flows from San Luis Obispo Creek can potentially occur starting just above the 10-year recurrence interval storm. Modeling also shows that during large storms, these split flow rates have the potential to be nearly as large as the natural flow rate within Prefumo Creek. Split flow locations, hydraulic modeling reaches and cross-sections are depicted in Figure 3.5-2. For example, 100-year storms create flows overtopping U.S. Highway 101 near Prado Road total roughly 2,500 cfs. This quantity of flow would create sheet flow over the highway in low areas that would be approximately 14 inches in depth. Split flow emanating from San Luis Obispo Creek upstream of the project site increases the flow in Prefumo Creek and exacerbates the existing flood situation.

Therefore, existing on-site flooding stems from two main sources: 1) split flows emanating from San Luis Obispo Creek traveling across U.S. Highway 101 that produce shallow flooding, and 2) backwater flooding at the U.S. Highway 101, U.S. Highway 101 off-ramp, and Calle Joaquin culverts that results in ponding in the Prefumo Creek floodplain upstream of U.S. Highway 101.

### 3.5.1.3 Surface Water Quality

San Luis Obispo Creek has been designated by the Central Coast RWQCB as having present and potential beneficial uses for municipal supply; agricultural supply; groundwater recharge; recreation; wildlife habitat; warm and cold fresh water habitat; migration of aquatic organisms; spawning, reproduction, and/or early development of fish; and commercial and sport fishing. According to the RWQCB, water quality in the San Luis Obispo Creek drainage system is generally considered to be good. However, the water quality fluctuates along with seasonal changes in flow rates. In summer months, when the flows decrease, water quality decreases. Degradation of San Luis Obispo Creek is generally due to municipal discharge and agricultural runoff. Urban runoff also plays a significant part. Currently, there are no facilities for the majority of urban development in the vicinity to treat municipal run-off, which is likely degrading the water quality in Prefumo Creek. Similarly, untreated agricultural runoff from the area and the project site is likely degrading the water quality of Prefumo and San Luis Obispo creeks.

### 3.5.1.4 Groundwater Quality

Groundwater beneath the project site is within the San Luis Obispo Valley Sub-basin and flows toward the south-southwest, following the general gradient of surface topography. Groundwater occurs within the alluvial sediments and the underlying weathered and fractured bedrock. Depth to groundwater in the San Luis Obispo Valley Sub-basin is estimated to be 15 to 25 feet below ground surface (bgs). The majority of recharge to the basin is from precipitation falling in the hills to the west, north, and east.

Groundwater quality is determined principally by the chemical nature of the sediments and rocks within which the groundwater is contained. Groundwater is typically evaluated for its chemical constituents to assess current conditions and potential beneficial uses, or to identify possible contamination sources. Chemical constituent sources can be natural (e.g., contact with mineralized rock) or human-related (e.g., pesticide or fertilizer contamination).

Groundwater within the San Luis Obispo area is considered suitable for agricultural water supply, municipal and domestic supply, and industrial use (RWQCB 1994). Groundwater quality in the San Luis Obispo Groundwater Basin has been reduced in part due to the degradation of surface waters in San Luis Obispo Creek. Groundwater in the

unconfined aquifers within the basin contains high levels of nitrates, iron, manganese, and organic compounds. There are no groundwater quality data available for the project site; therefore, site-specific groundwater quality is unknown.

#### 3.5.2 Regulatory Setting

Flood hazard policy in the City of San Luis Obispo is directed by the *Safety Element* of the General Plan and by the City Waterway Management Program (WMP) per CC Resolution No. 9494 (2003 Series). The WMP incorporates three volumes: the WMP, the Drainage Design Manual, and the Stream Management and Maintenance Program. Under the General Plan, any property within the FIRM defined 100-year flood zone is considered as having a hazard potential requiring specified controls or protective measures. The City of San Luis Obispo's Floodplain Management Regulations and previously by the City Council adopted Flood Policies termed the "Pink Book". The City also recently adopted a new Drainage Design Manual (DDM), which was prepared as part of the WMP (Questa 2003). Under the General Plan, any property within the FIRM-defined 100-year flood zone is considered as having a hazard potential requiring specified controls or protective measures. The City of San Luis Obispo's Floodplain Management Regulation and Drainage Design Manual require that all building pads within a 100-year flood zone be raised at least 1 foot above the specified 100-year flood elevation. The regulations also state that, cumulatively, developments will not displace floodwater sufficient to raise the flood elevation more than 1 foot at any point, without causing damage to any off-site properties. The floodplain management policies in the DDM are more restrictive and generally require that fill placed on floodplains be managed so that there is no adverse impact in terms of flooding or bank stability. These are referred to as the "Managed Fill" and "No Adverse Impact" policies of the DDM. The DDM also requires applicants that create adverse hydrologic impacts to fully mitigate them.

The protection of water quality in San Luis Obispo Creek and its tributaries is under the jurisdiction of the RWQCB. The City of San Luis Obispo also has the responsibility for regulating water quality under its NPDES Municipal Separate Storm Sewer System (MS4) permits program. This board establishes requirements prescribing the quality of point sources of discharge and establishes water quality objectives. These objectives are established based on the designated beneficial uses for a particular surface water or groundwater. Beneficial uses of San Luis Obispo Creek include municipal, domestic, and

agricultural water supply, groundwater recharge, Class I and II recreation, wildlife habitat, warm and cold water habitats, migration of aquatic species, spawning, freshwater habitat, and sport fishing. Within city limits of San Luis Obispo, the jurisdiction for the water quality of the San Luis Obispo Creek Watershed overlaps with the city public works and utilities agencies.

In accordance with the California Water Code, the RWQCB has developed a Basin Plan (1994) designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Water quality objectives for the Central Coastal Basin satisfy state and federal requirements established to protect waters for beneficial uses, and are consistent with existing statewide plans and policies.

In addition, the following acts, executive orders, and regulations apply to water and water quality within the project site:

*Federal Clean Water Act (CWA), 33 U.S.C. 1251 et seq. (1977).* This law is the primary law regulating water pollution. Relevant sections include:

- Section 208, requiring that states develop programs to identify and control non-point sources of pollution, including runoff.
- Section 303, requiring states to establish and enforce water quality standards to protect and enhance beneficial uses of water for such purposes as recreation and fisheries.
- Section 304(a)(1), requiring the administrator of the USEPA to develop and publish water quality criteria that reflect the latest scientific knowledge regarding the effects of pollutants in any body of water.
- Section 313(a), requiring that federal agencies observe state and local water quality regulations.
- Section 405 of the Water Quality Act of 1987 added to Section 402(p) to the CWA. Pursuant to Section 402(p)(4) of the CWA, the USEPA is required to promulgate regulations for NPDES permit applications for stormwater discharges.

*Porter-Cologne Water Quality Control Act (1969).* This act mandates that waters of the state shall be protected such that activities that may affect waters of the state shall be regulated to attain the highest quality.

*Safe Drinking Water Act, 40 U.S.C. 100 et seq.* This act sets limits on concentrations of pollutants in drinking water sources.

*State of California Water Resources Control Board (SWRCB).* The SWRCB has adopted a statewide general permit that applies to almost all stormwater discharges. This general permit, which is implemented and enforced in the San Luis Obispo area by the Central Coast RWQCB, requires all owners of land where construction activity occurs to:

- eliminate or reduce non-stormwater discharges to stormwater systems and other waters of the U.S.,
- develop and implement a Stormwater Pollution Control Plan emphasizing stormwater Best Management Practices (BMPs), and
- perform inspections of stormwater pollution prevention measures to assess their effectiveness.

In addition, SWRCB regulations mandate a “non-degradation policy” for state waters, especially those of high quality.

*City of San Luis Obispo NPDES Phase II program.* The City has developed a draft stormwater management plan that was submitted to the RWQCB in April 2007 under the NPDES Phase II program (City of San Luis Obispo 2007). Development is required to be undertaken in strict accordance with conditions and requirements of that program.

*Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP)/Floodplain Management Regulation (City of San Luis Obispo Municipal Code, Chapter 17.84).* The San Luis Obispo County Flood Control and Irrigation District provides for control, disposition and distribution of flood and storm waters of the district and of streams flowing into the district and for protection of the watersheds and watercourses in the district from such waters. Section 22.05.040 of the San Luis Obispo County Land Use Ordinance establishes the County’s standards for the control of drainage to minimize the harmful effects of stormwater runoff. However, incorporated cities within the County have their own responsibilities with regard to drainage and flood control. County restrictions on development in floodplains require that incorporated cities, at a minimum, enforce the current federal

floodplain management regulations as defined in the FEMA NFIP. The City of San Luis Obispo's standards regarding areas located within or near the 100-year floodplain are outlined in Chapter 17.84 of the City Municipal Code, which is based on FEMA NFIP requirements. For structures within the 100-year floodplain, the code requires either the implementation of structural accommodations, namely limiting construction to at least 1 foot above floodplain elevation, or the addition of flood-proofing measures to the structure.

*City of San Luis Obispo Conservation and Open Space (COS) Element.* The City has adopted a COS Element as part of their General Plan (April 2006a). This element contains the following goals and policies relevant to water quality:

- Goal COS 10.1.3: Protect and maintain water quality in aquifers, Laguna Lake, streams, and wetlands that supports all beneficial uses, agriculture, and wildlife habitat.
- Policy COS 10.2.1: The City will employ the best available practices for pollution avoidance and control, and will encourage others to do likewise. "Best available practices" means behavior and technologies that result in the highest water quality, considering available equipment, life-cycle costs, social and environmental side effects, and the regulations of other agencies.
- Policy COS 10.2.2: The City will be guided by "Ahwahnee Water Principles" and will encourage individuals, agencies, and organizations to follow these principles (note: only those applicable to the proposed project are listed below).
  - All aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems should be designed to reduce water demand, retain runoff, decrease flooding, and recharge groundwater.
  - Permeable surfaces should be used for hardscape. Impervious surfaces such as driveways, streets, and parking lots should be minimized so that land is available to absorb stormwater, which reduces polluted urban runoff, recharges groundwater, and reduces flooding.
  - Dual plumbing that allows grey water from showers, sinks, and washers to be reused for landscape irrigation should be included in the infrastructure of new development, consistent with state guidelines.
  - Community design should maximize the use of recycled water for appropriate applications including outdoor irrigation, toilet flushing,

and commercial and industrial processes. Purple pipe should be installed in all new construction and remodeled buildings in anticipation of future availability of recycled water.

*City of San Luis Obispo General Plan Safety Element (2000).* The City has adopted a *Safety Element* as part of their City General Plan (July 2000). In April 2006, Resolution No. 9785 added amendments to the *Safety Element* with regard to Flood Hazard Avoidance and Reduction. This amendment contains the following relevant policies regarding flooding (City of San Luis Obispo 2006b):

*Policy S 2.1: Flood Hazard Avoidance and Reduction*

- A) *The City will develop and carry out environmentally sensitive programs to reduce or eliminate the potential for flooding in previously developed, flood-prone areas of the City.*
- C) *No new building or fill should encroach beyond, or extend over, the top-of-bank of any creek.*
- D) *Within predominantly developed areas (such as downtown) infill, remodel, and replacement projects should not displace more flood water than previous structures on the site or in the vicinity. Commercial buildings may be flood-proofed where providing floor levels above the 100-year storm flow is not appropriate due to adjacent improvements. New infill buildings may be required to have greater setbacks than their older neighbors.*

*City of San Luis Obispo Waterways Management Plan (WMP) (2003).* The City has adopted the WMP for San Luis Obispo Creek to serve as a basis for future project planning, decision-making, and permitting. Volume III of the Plan is a DDM which contains revised policies for floodplain and stream corridor management and provides new design flows for stream channels within the City. Procedures for hydrologic and hydraulic analysis, and guidelines and design criteria for the design of channels, storm drain systems, stormwater detention facilities, bank repair and stream restoration, and erosion control are described within this document.

*Special Floodplain Management Zone Regulations (Managed Fill Criteria).* Development of vacant lands in Special Floodplain Management Zone areas have been determined to have a potentially significant effect on downstream flooding and bank stability. These potential impacts can be mitigated by incorporation of the specific floodplain management policies in project design. For any development or subdivision

proposal within the 100-year FEMA floodplain, on individual parcels or developments larger than 2.5 acres, the development proposal shall include a Concept Grading Plan and Master Drainage Plan. These Plans shall be submitted to the City or County Public Works Director for approval and shall meet specific criteria, including:

- There shall be no significant net increase in up-stream or downstream floodwater surface elevations for the 100-year flood at General Plan build-out as a result of changes in floodplain configuration and building construction. A significant threshold of a *64 millimeters (2.5 inches)* increase in floodwater surface elevations or *0.1 millimeters per second (0.3 feet per second)* increase in stream velocities shall be used. This shall be demonstrated to the satisfaction of the City Engineer or County Public Works Director based on an applicant furnished hydraulic analysis pursuant to *Section 4.2*.
- There shall be no significant net decrease in floodplain storage volume as a result of a new development or redevelopment projects. This can be achieved by a zero-net fill grading plan, balancing all fill placed on the 100-year floodplain with cut taken from other portions of the floodplain within the project area of the application, or with cut exported off site. Specifically, all fill placed in a floodplain shall be balanced with an equal amount of soil material removal (cut) and shall not decrease floodplain storage capacity at any stage of a flood (2-, 10-, 50-, or 100-year event).

*City of San Luis Obispo Engineering Standards.* The current Engineering Standards for the City include the following requirement relevant to water quality:

- ~~Stormwater runoff from all improved areas of a development or redevelopment site resulting in 10,000 sf of impervious surface, shall be treated in accordance with the Best Management Practices published in the most current addition of the California Stormwater Quality Association's Best Management Practice Handbook.~~ Where a new development project results in the installation of 5,000 sf or more of impervious drive surfaces or when a redevelopment project results in the addition of impervious drive surfaces resulting in 5,000 sf or more of drive surfaces; all stormwater runoff from drive surfaces shall be treated in accordance with the BMPs published in the most current addition of the California Stormwater Quality Association's Best Management Practice Handbook.
- Drive surfaces is defined as the parking stalls, loading bays, trash areas and drive aisles.
- For the purposes of water quality design, peak flow BMPs shall be designed to treat the runoff from 28 percent of the 2-year storm event and volumetric

BMPs shall be designed to treat the runoff from a 1-inch per 24-hour storm event.

#### 3.5.3 Environmental Impacts

##### 3.5.3.1 Thresholds for Determining Significance

A project would have a significant effect on the environment if it would cause substantial flooding, erosion or siltation. Flood hazard impacts related to the proposed project would be considered potentially significant if the proposed development buildings are within the FEMA 100-year flood plain or locally-recognized inundation area, or the buildings are subject to flood inundation during the 100-year flow event. In addition, as required by the DDM, a project cannot create adverse impacts downstream, including increases in flood water surface elevations or velocities.

Potential water quality effects are based on typical nutrient and other contaminant loading associated with the existing and proposed uses. Water quality impacts are considered significant if the project will potentially degrade surface or groundwater quality below standards established by the RWQCB. These standards are usually in accordance with the California EPA's maximum contaminant levels (MCLs) for drinking water.

The San Luis Obispo Creek WMP's DDM states that the development of vacant lands within special floodplain management zones (such as the project site) is subject to certain design regulations. Specifically, any development or subdivision proposal within the 100-year FEMA floodplain on individual parcels or developments larger than 2.5 acres shall not result in a significant net increase in up-stream or downstream floodwater surface elevations for the 100-year flood at General Plan build-out as a result of changes in floodplain configuration and building construction. The threshold of a 2.5-inch increase in floodwater surface elevations was determined to be a potentially significant impact in the WMP.

Pursuant to the State CEQA Guidelines and city standards:

- Hydrology impacts would be considered potentially significant if development of the proposed project substantially altered the existing drainage pattern of the site in a manner which resulted in substantial erosion, siltation, or flooding on- or off-site.

- Flooding impacts would be considered potentially significant if development of the proposed project would place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or FIRM or other flood hazard delineation map.
- Flooding impacts would be considered potentially significant if development of the proposed project would place within a 100-year flood hazard area, structures which would impede or redirect flood flows.
- Flooding impacts would be considered potentially significant if development of the proposed project would expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- Flooding impacts would be considered potentially significant if shallow groundwater came in contact with building foundations and retaining walls, exposing people or structures to potentially adverse effects.
- Flooding impacts would be considered potentially significant if the development is proposed within an identified flood-prone area, as determined by the City of San Luis Obispo FIRM, thereby increasing the number of buildings exposed to the existing flood hazard or if the new development conflicted with Flood Hazard avoidance policies in the City's *Safety Element*.
- Water quality impacts would be considered potentially significant if development of the proposed project would result in the increased degradation of surface water quality, including indirect impacts to threatened and endangered species downstream of the Downtown area.
- Water quality impacts would be considered potentially significant if the proposed project violated any water quality standards or waste discharge requirements.
- Water quality impacts would be considered potentially significant if development of the proposed project created or contributed run-off water that exceeded the capacity of stormwater drainage systems.
- Water quality impacts would be considered potentially significant if development of the proposed project otherwise substantially degraded water quality or conflicted with city standards for protection and enhancement of water quality.

#### 3.5.3.2 Impact Assessment Methodology

The analysis was based on a field reconnaissance, literature review, discussions with City staff, and an in-depth peer review of the proposed Master Drainage Plan and associated hydraulic model (Wallace Group 2008) conducted by Questa Engineering. The most

recent January 2009 Questa review included a technical analysis of the hydrologic and hydraulic issues associated with the proposed development of Prefumo Creek Commons. This section examines the impacts of the Prefumo Creek Commons development on local hydraulics and cumulative hydrologic impacts downstream of the Los Osos Valley Gap property.

From a design perspective, the San Luis Obispo Creek split flows have the potential for the greatest impacts over the project site, and thus were used as the design flows through the proposed project site. The existing WMP HEC-RAS hydraulic model for the San Luis Obispo Creek Watershed was used to evaluate the potential impacts of split flows originating from San Luis Obispo Creek, contributing to flows in Prefumo Creek, and moving over project site floodplains. Existing and proposed conditions were modeled to compare existing and proposed water surface elevations at the 100-year flood event over the proposed project site.

#### **3.5.4 Project Impacts, Mitigation Measures, and Residual Impacts**

##### Drainage

The direct effect of development of the project will be to replace the 19 acres of existing fallow agricultural land with a commercial development consisting of extensive parking lots, buildings, walkways, and other areas. For the most part, these areas would be new impervious surfaces and they would have the effect of increasing both the total volume of stormwater runoff and the peak flow of runoff. Some 75,000 cubic yards of fill would be imported on to the floodplain to raise the development area by an average of 3 feet above current ground elevations (with a range from 1 to 8 feet). Increases in peak flows for the proposed project taken from the Master Drainage Plan (see Appendix H) (Wallace Group 2008) are summarized in the tables below. Table 3.5-1 shows projected peak flows for existing and proposed conditions. The proposed development would significantly increase peak flow rates coming off the project site. Table 3.5-2 shows the projected peak flow increases as a percentage of Prefumo Creek flows from the entire sub-basin. Within the context of the Lower Prefumo Creek Watershed, the proposed project would increase the 100-year peak flow by about 4 percent as shown in Table 3.5-2.

**Table 3.5-1. Projected Peak Flow Runoff from Project Site Only**

Storm Recurrence Interval	PROJECT SITE ONLY			
	Existing Conditions	Proposed Conditions	Increase in Peak Runoff Rates	
	Peak Runoff Rate (cfs)	Peak Runoff Rate (cfs)	cfs	%
2	15.3	50.9	36	230
10	26.4	87.1	61	230
25	32.5	98.8	66	200
50	37.5	115.3	78	210
100	43.0	125.1	82	190

**Table 3.5-2. Projected Peak Flow Increases in Prefumo Creek**

Storm Recurrence Interval	PREFUMO CREEK			
	Existing Conditions	Proposed Conditions	Increase in Peak Runoff Rates	
	Peak Runoff Rate (cfs)	Peak Runoff Rate (cfs)	cfs	%
2	636	672	36	5.7
10	1,024	1,085	61	5.9
25	1,483	1,550	67	4.5
50	1,766	1,843	78	4.4
100	2,119	2,201	82	3.9

Flooding impacts could occur due to a combination of factors, including: (1) the increase in the amount of impervious surfaces on the site, and (2) the loss of floodplain storage resulting from the import of fill to construct the project. Each of these factors is discussed in the paragraphs below.

*Increased Impervious Surfaces.* The proposed project would increase the impermeable surface of the project site property compared to current conditions. The Los Osos Gap property is currently comprised entirely of pervious surfaces. The proposed components of the project would add impervious surfaces such as large commercial structures, parking lots, roads, walkways, and other paved areas to the site. These surfaces would increase the amount of runoff following storm events.

*Reduced Floodplain Storage.* Floodplains provide surface area and storage capacity for flood flows that overtop the banks of the creek. This storage area attenuates flood peaks. When such areas are reduced, peak flows downstream are impacted.

The import of fill to construct the proposed project could affect floodplain water surface elevations and the amount of floodplain storage available over the Lower Prefumo Basin.

Floodwaters currently stored temporarily on the Los Osos Gap floodplain would be displaced by fill placement, and the displaced water volume would enter the San Luis Obispo Creek drainage, potentially increasing downstream peak flows, water velocities, and flood water surface elevations.

*Impacts of Increased Impervious Surfaces and Reduced Floodplain Storage.* Detailed hydraulic modeling indicates that increased impervious area and proposed project fill are not predicted to have any significant impact on water surface elevations or result in erosive water velocities. The project fill for development is proposed only for the west side of the Creek; the portion of the property east of the Creek is to be designated as Open Space. The split flows originating from San Luis Creek spill over U.S. Highway 101, run south-westerly over the Dalidio property, and enter Prefumo Creek from the east. In the existing San Luis Obispo Creek Hydraulic Model, the western floodplain of the project site is modeled as “ineffective flow” to reflect the lack of overland flow stemming from this side of the Creek. Ineffective flow means that the western floodplain, under existing conditions, has little or no conveyance with minimal flow velocities. Thus, modeling proposed buildout conditions to reflect fill (minimal conveyance) on the west side of the Creek, results in minimum impacts to existing Creek flow conditions.

The peer-reviewed hydraulic analysis indicates that both water surface elevation and flow velocity criteria of the WMP can be met by the proposed project. Therefore, according to WMP thresholds of significance for increases in water surface elevation (i.e., 2.5 inches), the project would result in a less than significant impact (no adverse effects) on floodwater surface elevations over the project site and downstream.

#### Impact

**HYD-1**      **Upon construction of the regional shopping mall, the project could expose people and property to flood hazards on-site and downstream of the project site due to: a) increased runoff due to increased impervious surface area, and b) loss of floodplain storage. The project could result in increased flood water surface elevations across the Los Osos Gap Property, adjacent properties, and within Prefumo Creek.**

The City’s “managed fill” policy for developments proposed within Special Floodplain Management Zones advocates a “balanced fill” approach, whereby the amount of fill and the amount of cut placed in a floodplain are to be equal unless certain criteria are met. However, flexibility is included in the WMP to allow the City Engineer to determine on a case-by-case basis where the “managed fill” policy is not practical or effective. In order for the “managed fill” policy to be implemented at the project site, fill would need to be excavated from along either the Prefumo Creek riparian zone or the adjacent agricultural field east of Prefumo Creek. The riparian corridor along the east bank of the Creek consists of large, native tree species that should be preserved to protect existing biological resources. Thus, the existing riparian corridor along Prefumo Creek should preclude any excavation from the east side of the Creek, especially since the proposed project is not predicted to increase on-site or downstream water surface elevations.

It is also important to note that given the sensitivity of the Lower Prefumo Creek flooding conditions to the timing of peak flows that no detention systems within the project site were proposed for the project site as mitigation measures. Delaying peak flows within the sub-basin may result in Prefumo tributary peak flows coinciding with San Luis Obispo Creek flow at the Prefumo and San Luis Obispo confluence; thus, this potential combined higher peak flow at the confluence would increase flooding water surface elevations at an existing flood hazard site.

#### Mitigation Measures

While the impact described above is considered less than significant, the following standard drainage mitigation measures would ensure that that final design complies with the City’s WMP and DDM, and would be reviewed and approved by the appropriate jurisdictional authorities.

#### ***Standard Regulatory Conditions***

***MM HYD-1a Raise Buildings Above BaseFlood Elevation.*** *The finish floor of project buildings shall be raised at least 1 foot above the 100-year peak flood elevation consistent with the City's Floodplain Management Regulations (17.84.101 San Luis Obispo Municipal Code) and the Special Floodplain Management Zone Regulations of the Zone 9 Drainage Design Manual.*

*MM HYD-1b **Compliance with ~~Flood-Waterway Management Policy Book~~Program.** All bridges, culverts, ~~outfalls,~~s and modifications to the existing creek channels must be in compliance with the City's Drainage Design Manual (DDM) and approved by the City Engineer, U.S. Army Corps of Engineers, ~~and~~ California Department of Fish and Game ~~and Central Coast Regional Water Quality Control Board,~~ and must meet city standards and policies.*

*MM HYD-1c **Permit Requirements.** Clearing of existing creek and drainage channels within project limits, including any tree pruning or removals, and any necessary erosion repairs shall be to the satisfaction of the City Engineer and may require permits from the California Department of Fish and Game and/or the U.S. Army Corps of Engineers.*

#### Water Quality

##### Impact

**HYD-2      The proposed project would result in short-term, potentially significant impacts to surface water quality, including indirect impacts to beneficial uses such as threatened and endangered species habitat, due to polluted runoff during construction activities.**

During construction phases that include excavation, grading, and other earthwork, an increase in soil erosion and sediment transport into surrounding surface water bodies would occur due to runoff waters moving over exposed areas and entering the existing municipal stormwater drainage system leading to San Luis Obispo Creek. This surface runoff may also contain eroded construction materials and hazardous materials that could potentially degrade surface water quality, and adversely impact sensitive, threatened, and endangered species known to inhabit San Luis Obispo Creek (e.g., southern steelhead trout, two-striped garter snake, and southwestern pond turtle). In addition, soil erosion could result in the creation of on-site rills and gully systems, clog existing drainage channels, and transport soil into down-gradient areas on the site. Soil movement would occur in exposed graded or excavated areas, as well as in unprotected drainage culverts or basins. This impact would be considered potentially significant, but could be reduced to less than significant levels through incorporation of the following mitigation measures.

### Mitigation Measures

To mitigate surface water quality impacts to acceptable levels during construction activities, all pertinent regulatory requirements shall be satisfied and erosion control and sediment management practices put into effect at the project site. These practices include site-specific measures to reduce the occurrence of soil movement during precipitation events and minimize sediment and polluted runoff from entering the stormwater drainage system. The following mitigation measures shall be implemented:

#### ***Standard Regulatory Conditions***

***MM HYD-2a Notice of Intent.*** *Prior to beginning construction, the applicant shall file a Notice of Intent (NOI) for discharge from the proposed development site.*

***MM HYD-2b Storm Water Pollution Prevention Plan.*** *The applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City forty-five (45) days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the project site in excess of one (1) acre. The SWPPP shall include specific BMPs to control the discharge of material from the site. BMP methods may include, but would not be limited to, the use of temporary detention basins, straw bales, sand bagging, mulching, erosion control blankets, silt fencing, and soil stabilizers. Additional BMPs should be implemented for any fuel storage or fuel handling that could occur on-site during construction. The SWPPP must be prepared in accordance with the guidelines adopted by the State Water Resources Control Board (SWRCB). The SWPPP shall be also submitted to the City along with grading/development plans for review and approval.*

***MM HYD-2c Notice of Completion of Construction.*** *The applicant shall file a notice of completion of construction of the development, identifying that pollution sources were controlled during the construction of the project and implementing a closure SWPPP for the site.*

*MM HYD-2d All required actions shall be implemented pursuant to a stormwater management plan submitted by the City of San Luis Obispo to the RWQCB in early 2007 under the NPDES Phase II program.*

*MM HYD-2e All required actions shall be implemented pursuant to the programs developed under the City of San Luis Obispo General Plan Water and Wastewater Management Element, Section 13 and the City of San Luis Obispo Waterways Management Plan.*

#### Impact

**HYD-3        The proposed project would result in potentially significant impacts to surface water quality due to polluted urban runoff or water discharged during dewatering activities. During long-term operation of the proposed project, runoff from the site could affect the water quality of Prefumo and San Luis Obispo creeks.**

Water quality impacts from the proposed project are directly related to specific site drainage patterns and stormwater runoff. Development of the proposed project, would replace currently unpaved areas of the site with pavement, a large portion of which would be devoted to the parking and circulation of vehicles. These surfaces collect automobile derived pollutants such as oils, greases, heavy metals, and rubber. During storm events, these pollutants are transported into drainage systems by surface runoff. The pavement of the site would reduce the amount of exposed, erodable dirt at the project site; however, increased runoff velocity could result in added erosion along drainages. Nevertheless, development of the site would likely result in a reduction in sediment loading. Therefore, the increase in contaminants related to motor vehicle activity, and resulting discharge of these contaminants to Prefumo Creek during storm events, would result in a significant but mitigable impact to the water quality of Prefumo and San Luis Obispo creeks.

#### Mitigation Measures

To minimize surface water quality impacts associated with urban runoff, urban pollutant control management practices shall be implemented on-site. The “Prefumo Creek Commons Master Drainage Plan,” discusses BMPs implemented as part of the Master Drainage Plan to remove oil and other water-insoluble hydrocarbons and settling solids from stormwater runoff (see Appendix H). These pollutant control devices are installed

during project construction. The following mitigation measures, in conjunction with mitigation measure MM BIO-3d in Section 3.4, *Biological Resources*, shall be implemented. It should be noted that the long-term maintenance of water quality protection measures is critical to their success. Filter strips may become clogged with sediment and suffer reduce effectiveness and hydrodynamic separators require regular maintenance and periodic replacement. Ensuring that such measures are correctly designed, installed maintained and monitored requires relatively detailed oversight by City and RWQCB staff. Such detailed oversight requires adequate levels of funding and staffing for local and state agencies which may vary depending upon economic conditions.

***Standard Regulatory Conditions***

*MM HYD-3a The project shall be designed to provide adequate facilities to direct all contaminated water from operational uses to the sanitary sewer system per Chapter 13.08 of the Municipal Code. Likewise, all restaurants on the project site shall comply with the grease/trap interceptor requirements in Chapter 13.08 of the Municipal Code.*

*MM HYD-3b NPDES Permit. The applicant shall procure a National Pollution Discharge Elimination System (NPDES) permit that adheres with all requirements of the federal Clean Water Act. Additionally, certain occupants of the General Retail component may require individual NPDES permits due to the processes or materials they use.*

***Additional Mitigation Measures (Consultant-Recommended)***

*MM HYD-3c Storm Water Quality Treatment Controls. Best Management Practice (BMP) devices shall be incorporated into the project Final Master Drainage Plan (Appendix H). The devices shall be sited and sized to intercept and treat all dry weather surface runoff, the runoff from 28 percent of the 2-year storm event, and accommodate the first flush (1 inch) during 24-hour storm events. The storm water quality system must be reviewed and approved by the City.*

*The draft Master Drainage Plan (Wallace Group 2008) contains the following BMP's:*

- *Vegetated Swales reduce sediment and particulate forms of metals and other pollutants along corridors of planted grasses. Two vegetated swales are proposed for the project, one parallel to the project northern boundary, along the extension of Froom Ranch Way, and another parallel to the southern project boundary, both discharging to Prefumo Creek.*
- *Vegetated Filter Strips are 15-foot wide vegetated buffer strips that also reduce sediment and particulate forms of metals and nutrients. Sheet flows from the project site will be uniformly distributed along the length of the vegetated filter strips for conveyance to a collection point at the southeastern corner of the property for discharge to Prefumo Creek.*
- *Hydrodynamic Separation Products to reduce suspended solids greater than 240 microns, trash and hydrocarbons will be installed in-line with the storm drain network prior to discharge to Prefumo Creek. Two hydrodynamic separation products are proposed for water quality treatment of parking lot runoff. These hydrodynamic separators must be sized to handle peak flows from the site consistent with applicable regulatory standards.*

*MM HYD-3d **Stormwater BMP Maintenance Manual.** A development maintenance manual for the project shall include detailed procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer's maintenance specifications. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., October 15<sup>th</sup>) and immediately after the end of the rainy season (i.e., May 15<sup>th</sup>). The manual shall also require that all devices be checked after major storm events.*

*MM HYD-3e **Stormwater BMP Semi-Annual Maintenance Report.** The developer or acceptable maintenance organization shall submit to the City of San Luis Obispo Public Works Department a detailed report prepared by a licensed*

*Civil Engineer addressing the condition of all private stormwater facilities, BMPs, and any necessary maintenance activities on a semi-annual basis (October 15<sup>th</sup> and May 15<sup>th</sup> of each year). The requirement for maintenance and report submittal shall be recorded against the property.*

*MM HYD-3f Mitigation measure MM BIO-3d also applies.*

**Residual Impacts**

Implementation of the flood control and water quality protection measures listed above would reduce project impacts to less than significant.



## 3.6 LAND USE AND PLANNING POLICIES

This section provides information on the existing and planned uses of the project site, including the proposed annexation and rezone, and existing land uses in the project vicinity. It also evaluates the proposed project's consistency with adopted goals and objectives in the City of San Luis Obispo's General Plan and planning policy documents, as well as the Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport.

### 3.6.1 Existing Conditions

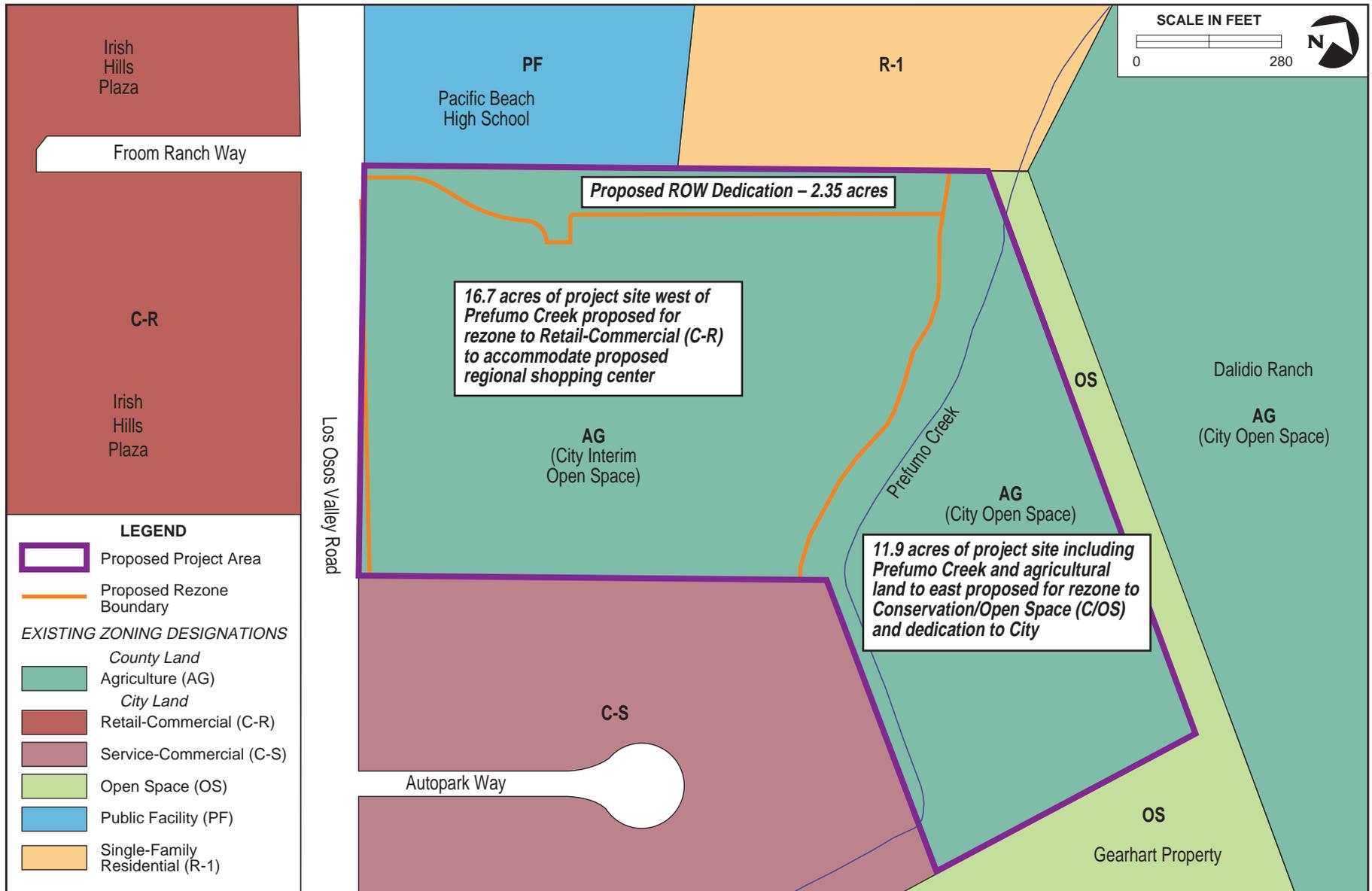
#### 3.6.1.1 Project Vicinity

The 31-acre project site is bounded by LOVR to the west, commercial development to the west and south, a public school and single-family residences to the north, and undeveloped agricultural open space to the east. The site is located within an unincorporated County island within the City's Urban Reserve Line<sup>1</sup> and bordered by lands within the City to west, south and north. The site is surrounded by a variety of zoning, including commercial, public facility, residential and two kinds of open space (Figure 3.6-1). The recently constructed Irish Hills Plaza shopping center lies to the west. To the south are auto dealerships and service facilities located along Autopark Way. Pacific Beach High School and a single-family residential neighborhood are located to the north. An additional approximately 321-acre parcel of undeveloped land under County jurisdiction is located across LOVR to the southwest of the project site.

Portions of the project site east of Prefumo Creek are surrounded by largely unincorporated fallow agricultural land, planned for a mix of commercial development and a permanent 90-acre agricultural preserve. The area is identified by the City's *Land Use Element* as part of the "Dalidio-Madonna-McBride Area," and includes the Dalidio and Gearhart properties. The Dalidio property is planned for future annexation by the City to accommodate a major commercial center and is currently designated as a combination of *Commercial-Retail (C-R)*, *Residential Medium-High Density (R-3)*, *Interim Open Space*, and *Open Space*. Areas with C-R, R-3, and Interim Open Space

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<sup>1</sup> The City's Urban Reserve Line is an area around the City where urban development may potentially occur.



Project Site Zoning Designations

**FIGURE 3.6-1**

designations are planned for future development, while the Open Space area is expected to remain undeveloped as part of the agricultural preserve. The Gearhart property was recently annexed into the City and is currently zoned as a combination of *Commercial-Service* (C-S) and *Open Space*. The Open Space area is expected to remain undeveloped as part of the agricultural preserve; future development could potentially occur on the C-S zoned portion of the site, although none is proposed at this time. Although historically cultivated, the Dalidio and Gearhart properties have been fallow for several years. Potential development within this area has been subject to extensive review and discussion over the last decade, including two ballot initiatives.

### 3.6.1.2 Project Site

The 31-acre project site is designated as *Agriculture* under the County's General Plan and as *Interim Open Space* by the City, a designation that permits consideration of future development (refer to Figure 3.6-1). The site is also located within *Safety Area S-1b* and the *50 decibel (dB)* noise corridor as identified in the San Luis Obispo County Regional Airport ALUP. As discussed below, the ALUP substantially restricts the type and intensity of development that can occur on the site. The approximately 19-acre portion of the project site located west of Prefumo Creek is identified as the "Los Osos Valley Gap" Special Design Area ("Gap" property) in the City's *Land Use Element*. Under Policy 8.7, future development is permitted in this area if the portion of the project site located east of Prefumo Creek is permanently preserved as open space. The site has been historically planted in vegetable crops, but has been fallow since approximately 2006. The approximately 10 acres of the project site located east of the Prefumo Creek corridor is identified as part of the 180 acre "Dalidio-Madonna-McBride Area" and would become part of an approximately 90-acre agricultural preserve if and when this area is developed, as outlined under *Land Use Element* Policy 8.8.

### 3.6.2 Proposed Land Uses

Project implementation would require annexation of the site to the City and an associated General Plan Amendment and rezone from Interim Open Space to enable development of the proposed regional shopping center. West of Prefumo Creek, approximately 16.7 acres would be zoned as *C-R* to permit eventual development of six buildings totaling 188,658 sf of commercial space and approximately 838 parking spaces. An additional

approximately 2.3 acres would be dedicated as right-of-way along the project site's LOVR frontage and to permit the construction of the Froom Ranch Way extension. The portion of the project site which encompasses the Prefumo Creek corridor and approximately 10 acres of agricultural cultivation east of the Creek would be dedicated to the City as a *Conservation/Open Space (C/OS)* area.

#### 3.6.3 Regulatory Setting

This section summarizes relevant adopted city goals and policies and evaluates the proposed project's consistency with guidelines and requirements established therein. It also evaluates the project's consistency with relevant policies under the San Luis Obispo County Regional Airport ALUP.

##### 3.6.3.1 City of San Luis Obispo General Plan

This section presents the proposed project's consistency with adopted City General Plan goals and policies. Relevant goals and policies are summarized in Table 3.6-1. Any policy issues found to be "potentially inconsistent" are evaluated in the appropriate environmental issue section of this EIR, as indicated in the table. Required mitigation measures would be expected to achieve consistency, unless mitigation is not possible for a given issue. If this is the case, it is indicated in the appropriate section of the EIR.

##### Land Use Element

As discussed above, the western portion of the project site is identified as the "Gap" property in *Land Use Element* Policy 8.7, while the eastern portion of the site lies with the Dalidio-Madonna-McBride Area, as described in Policy 8.8 (refer to Section 3.6.1.2). These policies permit development of the western portion of the project site if the eastern portion is permanently preserved as open space. Generally consistent with the direction of these two policies, the proposed project would develop the western portion of the project site while dedicating the eastern portion as permanent open space.

However, the proposed project would raise potential consistency issues with a number of other *Land Use Element* policies, including those pertaining to jobs/housing imbalance,

**Table 3.6-1. General Plan Policy and Goal Consistency Summary**

Policy/Goal	Summary	Consistency Finding	Discussion
<b>Land Use Element</b>			
1.4 – Jobs/Housing Relationship	The gap between housing demand (due to job creation) and housing supply should not increase.	Potentially Consistent with Mitigation	The proposed project’s retail shopping center component would create approximately 566 new jobs primarily for low and very-low income workers, but would not contribute any additional housing units to the City (see Impact LU-1 below).
1.6.1 – Urban Reserve Line	Establishes the Urban Reserve Line; uses within this line should be developed according to City-approved plans.	Potentially Consistent	A regional shopping center is not specifically envisioned under this policy; however, the eastern portion of the site is proposed as Open Space. In addition, large-scale residential development may not be feasible per the ALUP; however, inclusion of some low or very-low income units, consistent with the provisions of the ALUP, would partially satisfy this policy (see Impact LU-1 below).
1.7.1 – Open Space Protection 1.7.3 – Commercial Uses	Prime agricultural land should be protected for farming; commercial development shall not occur, unless it is clearly incidental to and supportive of agriculture or other open-space uses.	Potentially Consistent	The proposed project would permanently remove approximately 19 acres of prime soils from agricultural production. However, <i>Land Use Element</i> Policy 8.7 specifies which parts of the land may be developed and which should be preserved as agriculture/open space (refer to Section 3.2, <i>Agricultural Resources</i> ).
1.8.1 – Agricultural Protection 1.8.2 – Prime Agricultural Land	Encourages the preservation of economically viable agricultural operations; permits development of prime agricultural land if the development contributes to the protection of agricultural land within the City’s Urban Reserve Line.	Potentially Consistent with Mitigation	The proposed project would permanently remove approximately 19 acres of prime soils from agricultural production. Project inconsistencies could be addressed through provision of irrigation water to the site’s eastern area (refer to Section 3.2, <i>Agricultural Resources</i> ).
1.12.5E – Annexation: Open Space	Annexation of the project site would require the dedication of approximately one-half of the site as Open Space.	Potentially Consistent	The proposed project would dedicate approximately 12 acres as Open Space. (refer to Section 3.2, <i>Agricultural Resources</i> ).

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
2.2.9 – Parking	Large parking lots should be avoided, and parking should be screened from street views.	Potentially Inconsistent	The project would create large uninterrupted surface parking lots totaling approximately 838 spaces (see Impact LU-2 below).
3.1.2 – Locations for Regional Attractions	The City should focus its retailing with regional draw in...the area around Highway 101 and Los Osos Valley Road.	Consistent	The project would consist of a regional shopping center near U.S. Highway 101 and LOVR.
6.4.1 – Creek and Wetlands Management Objectives	Maintain and restore natural conditions and habitats; minimize flooding damage; recognize sections of creeks which are in largely natural areas and manage for maximum ecological value.	Potentially Consistent with Mitigation	The proposed project would include drainage improvements and restoration and enhancement of Prefumo Creek’s riparian corridor. Issue evaluated in Section 3.4, <i>Biological Resources</i> .
6.4.3 – Amenities and Access	New development adjacent to creeks must respect the natural environment and incorporate the natural features as project amenities, providing doing so does not diminish natural values.	Potentially Inconsistent	The proposed project would include a pedestrian path along the west bank of Prefumo Creek that connects to a focal point landscape feature located within the creek corridor. However, the majority of the Creek is not treated as a focal point of the development and the overall development does not incorporate the Creek as a project amenity (see Impact LU-2 below).
6.5 – Creeks and Flooding Programs	Requires drainage improvements and other project enhancements to reduce potential flooding of creek channels.	Potentially Consistent with Mitigation	The proposed project would include drainage improvements and restoration and enhancement of Prefumo Creek’s riparian corridor. Issue evaluated in Section 3.4, <i>Biological Resources</i> , and in Section 3.5, <i>Hydrology</i> .
8.7 – Los Osos Valley Gap 8.8 – Dalidio-Madonna-McBride Area	Development of the site’s western area could potentially be permitted for auto sales, multifamily housing, or an open space corridor/trail if the eastern area is permanently preserved as Open Space. At least one-half of the planning area should be dedicated as Open Space.	Potentially Consistent with Mitigation	A regional shopping center is not specifically envisioned under this policy; however, the eastern portion of the site is proposed as Open Space. In addition, large-scale residential development may not be feasible per the ALUP; however, inclusion of some low or very-low income units, consistent with the provisions of the ALUP, would partially satisfy this policy (see Impact LU-1 below).

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
<b>Conservation and Open Space Element</b>			
2.2.1 – Atmospheric Change	City actions shall seek to minimize undesirable climate changes and deterioration of the atmosphere’s protective functions that result from the release of carbon dioxide and other substances.	Potentially Inconsistent	Due to the size and nature of the proposed project, with respect to other projects within the City, the proposed project would be one of the top generators of greenhouse gases in the City due to additional discretionary vehicle trip and electricity usage. Issue evaluated in Section 3.3, <i>Air Quality</i> .
2.2.4 – Promote walking, biking, and use of public transit use to reduce dependency on motor vehicles	City actions shall seek to reduce dependency on gasoline- or diesel-powered motor vehicles and to encourage walking, biking, and public transit use.	Potentially Consistent with Mitigation	Project provides bike and pedestrian facilities; however, the project is auto-oriented in nature and is located at the southern edge of the City in a low-density area with modest transit service. Issue evaluated in Section 3.8, <i>Transportation and Traffic</i> .
9.2.1 – Views to and from public places, including scenic roadways	Preserve and improve views of important scenic resources from public places...including streets and roads.	Potentially Consistent with Mitigation	Project development could potentially impacts views along the LOVR scenic corridor. Issue evaluated in Section 3.1, <i>Aesthetics and Visual Resources</i> .
9.3.6 – View blockage along scenic highways	Determine that view blockage along scenic roadways is a significant impact.	Potentially Consistent with Mitigation	Project development could potentially impacts views along the LOVR scenic corridor. Issue evaluated in Section 3.1, <i>Aesthetics and Visual Resources</i> .
4.3.4 – Use of Energy Efficient, Renewable Energy Resources 4.3.6 – Energy Efficiency and Green Building in New Development 4.6.8 – Energy Efficient Project Design	Promotes use of cost effective, renewable, non-depleting energy sources, wherever possible, in new construction projects; encourages energy-efficient LEED-certified “green buildings”; emphasize use of solar exposure and shading.	Potentially Consistent with Mitigation	The proposed project could potentially use non-renewable resources in a wasteful or inefficient manner. Issue evaluated in Section 3.9, <i>Utilities and Services</i> .

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
5.5.8, Recycling Facilities in New Development	Requires facilities in new developments to accommodate and encourage recycling.	Potentially Consistent with Mitigation	The proposed project would create additional sources for generation of solid waste. Issue evaluated in Section 3.9, <i>Utilities and Services</i> .
7.3.1 – Protect Listed Species	City will comply with State and Federal requirements for listed species; City will protect listed species through its actions on...development applications.	Potentially Consistent with Mitigation	The proposed project would potentially impact several listed species through habitat development and/or habitat degradation. Issue evaluated in Section 3.3, <i>Biological Resources</i> .
7.3.3 – Wildlife Habitat and Corridors	Continuous wildlife habitat, including corridors free of human disruption, shall be preserved and where necessary, created by interconnecting open spaces, wildlife habitat and corridors.	Consistent	The proposed project would dedicate 11.9 acres as open space, including the Prefumo Creek riparian corridor. Issue evaluated in Section 3.3, <i>Biological Resources</i> .
7.7.6 – Replace Invasive, Non-Native Vegetation with Native Vegetation	The City and private development will protect and enhance habitat by removing invasive, non-native vegetation and by replanting it with native California plant species.	Consistent	The proposed project would include habitat restoration efforts that would involve significant removal of non-native species and planting of native vegetation. Issue evaluated in Section 3.3, <i>Biological Resources</i> .
7.7.7 – Preserve Ecotones	Ensure that “ecotones,” or natural transitions along the edges of different habitat types, are preserved and enhanced.	Consistent	The proposed project would contain a buffer of 50 feet between the shopping center component and Prefumo Creek. Habitat restoration would occur within existing ecotones between Prefumo Creek and the proposed project. Issues evaluated in Section 3.3, <i>Biological Resources</i> .
7.7.8 – Protect Wildlife Corridors	Condition development permits in accordance with applicable mitigation measures to ensure that important corridors for wildlife movement and dispersal are protected.	Consistent	The proposed project would dedicate 11.9 acres as open space, including the Prefumo Creek riparian corridor. Issue evaluated in Section 3.3, <i>Biological Resources</i> .

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
7.7.9 – Creek Setbacks	Maintain creek setbacks to include appropriate separation from the physical top of bank, the appropriate floodway, native riparian plants or wildlife habitat and space for paths.	Consistent	The proposed project would contain a buffer of 50 feet between the shopping center component and Prefumo Creek. Issue evaluated in Section 3.4, <i>Biological Resources</i> .
8.2.2A – Open Space within the Urban Area	Identifies creek corridors as a valuable resource for dedication as Permanent Open Space.	Consistent	The proposed project would dedicate approximately 2 acres of Prefumo Creek and adjacent riparian corridors as Permanent Open Space.
8.2.2D – Open Space within the Urban Area	Identifies undeveloped land not intended for urban uses as a valuable resource for dedication as Permanent Open Space.	Consistent	Under the proposed project, areas east of Prefumo Creek would be dedicated as Permanent Open Space.
8.2.2H – Open Space within the Urban Area	Identifies prime agricultural soils as a valuable resource for dedication as Permanent Open Space.	Potentially Consistent	The proposed project would result in a permanent loss of 19 acres of prime soil; however, approximately 12 acres would be dedicated as Open Space (refer to Section 3.2, <i>Agricultural Resources</i> ).
8.3.2A – Open Space Buffers	Requires buffers between urban development and creek corridors.	Consistent	The proposed project would contain a buffer of 50 feet between the shopping center component and Prefumo Creek. Issue evaluated in Section 3.4, <i>Biological Resources</i> .
Policy 8.6.3 – Required Mitigation	For... farmland, requires mitigation to permanently protect an equal area of equal quality	Potentially Consistent with Mitigation	The proposed project would result in a permanent loss of 19 acres of prime soil and dedication of approximately 12 acres as agriculture/open space, per site-specific <i>Land Use Element Policy 8.7</i> (refer to Section 3.2, <i>Agricultural Resources</i> ).
8.7.2 – Enhance and Restore Open Space	Enhance and restore open space by removing invasive, non-native species, re-establishing native riparian vegetation, eliminating sources of water pollutants, removing trash and debris contaminants, securing alternative funding.	Consistent	The proposed project would include habitat restoration efforts that would involve significant removal of non-native species and planting of native vegetation. Issue evaluated in Section 3.3, <i>Biological Resources</i> .

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
10.2.2 H – Ahwahnee Water Principles	Encourages principles/policies for reduced water demand, runoff, and flooding.	Potentially Consistent with Mitigation	The proposed project would create an additional long-term usage of existing City water supplies. Water conservation measures to use recycled water and low-flow toilets are recommended (refer to Section 3.9, <i>Utilities and Services</i> ).
<b>Housing Element</b>			
3.3 – Goal 2: Affordability	Requires that affordable housing production shall be accommodated to meet the City’s new housing construction objectives.	Potentially Consistent with Mitigation	The project’s retail component would create approximately 566 new jobs primarily for low and very-low income workers, but would not contribute any additional housing units to the City (see Impact LU-1 below).
3.15 – Goal 6: Housing Production	Outlines strategies for the City to plan for new housing to meet a full range of community housing needs.	Potentially Consistent with Mitigation	The project’s retail component would create approximately 566 new jobs primarily for low and very-low income workers, but would not contribute any additional housing units to the City (see Impact LU-1 below).
3.19 – Goal 10: Local Preference	Maximize affordable housing opportunities for those who work in the City of San Luis Obispo.	Potentially Consistent with Mitigation	The project’s retail component would create approximately 566 new jobs; however, no housing units are proposed (see Impact LU-1 below).
3.21.1 – Develop and Retain Housing on Sites that Are Suitable for that Purpose	Establishes that when a project site is equally suited for commercial or residential uses, preference shall be given to residential uses.	Potentially Consistent with Mitigation	The proposed project site is considered a suitable location for the development of multi-family housing, as established in Land Use Element 8.7; however, large-scale residential development may <del>not</del> be <del>inconsistent feasible per with</del> the ALUP. <a href="#">Refer to expanded discussion of airport safety issues in Section 3.6.3.4.</a> No housing units are proposed; however, inclusion of some low or very-low income units, consistent with the provisions of the ALUP, would partially satisfy this policy (see Impact LU-1 below).

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

<b>Policy/Goal</b>	<b>Summary</b>	<b>Consistency Finding</b>	<b>Discussion</b>
<b>Noise Element</b>			
1.4 – New Transportation Noise Sources	Noise created by new transportation noise sources shall be mitigated to not exceed City-specified indoor and outdoor maximum noise exposure levels.	Potentially Inconsistent	The project would generate noise which may impact the adjacent residential neighborhood. Issue evaluated in Section 3.7, <i>Noise</i> .
1.10 – Existing and Cumulative Impacts	The City shall consider mitigation where existing or cumulative increases in noise levels significantly impact noise-sensitive land uses, including rerouting traffic, noise barriers, reducing traffic speed, retrofitting buildings, exaction of fees.	Potentially Inconsistent	The project would significantly contribute to existing and cumulative noise impacts. Issue evaluated in Section 3.7, <i>Noise</i> .
<b>Safety Element</b>			
7.0 - Policy S: Airport Land Use Plan	Development should be permitted only if it is consistent with the San Luis Obispo County Airport ALUP.	Consistent	The project is consistent with the San Luis Obispo County Airport ALUP (see Section 3.6.3.3 below).
<b>Water and Wastewater Element</b>			
2.1.7 – Annexation Criteria	Allows annexation of areas outside City limits if they are infill areas with access to existing city wastewater service.	Consistent	Project would be located within the City’s Urban Reserve Line with access to existing city services. Issue evaluated in Section 3.9, <i>Utilities and Public Services</i> .
<b>Circulation Element</b>			
3.1.2 – Employee Transit Passes	To help reduce traffic and the demand for parking, employers should be encouraged to purchase monthly transit passes in bulk at a discount rate and make them available to their employees.	Potentially Consistent with Mitigation	Proposed project does not include an employee transit program to reduce traffic demand. Issue evaluated in Section 3.8, <i>Transportation and Traffic</i> .

**Table 3.6-1. General Plan Policy and Goal Consistency Summary (Continued)**

Policy/Goal	Summary	Consistency Finding	Discussion
4.0.4 – Bicycle Policy for New Development	Requires that new developments provide bikeways, secure bicycle parking, parking facilities, and showers.	Potentially Consistent with Mitigation	Proposed project would provide dedicated bikeways and would be required to provide bicycle parking per City of San Luis Obispo Municipal Code §17.16.060, which mandates that bicycle parking be equal to 15 percent of vehicle parking provided. Issue evaluated in Section 3.8, <i>Transportation and Traffic</i> .
5.0.2 – Sidewalks and Paths	Housing areas and activity centers (e.g., shopping centers) should be connected with a contiguous network of sidewalks and separated pedestrian paths.	Potentially Inconsistent	Project would include pedestrian access between the project site and the adjacent residential neighborhood to the north; however, pedestrian connections are not continued south through the site to the auto dealerships and service facilities to the south (see Impact LU-2 below).
5.0.4 – Pedestrian Access	New commercial development should provide convenient pedestrian access separate from driveways and/or vehicle entrances.	Consistent	Sidewalks and pedestrian pathways separate from driveways and/or vehicle entrances are provided to the proposed project site. Issue evaluated in Section 3.8, <i>Transportation and Traffic</i> .
8.0.4 – Driveway Access	Driveway access to development from arterial streets (e.g., LOVR) should be minimized whenever possible.	Potentially Consistent with Mitigation	Project would contain two right-in/right-out only driveways off LOVR. Issue evaluated in Section 3.8, <i>Transportation and Traffic</i> .

Sources: City of San Luis Obispo 1996; 2000; 2006a-e.

the preservation of agricultural resources, and goals and policies related to various project design features such as parking lot design and orientation to Prefumo Creek (refer to Table 3.6-1).

Conservation and Open Space Element

The City of San Luis Obispo’s adopted General Plan *Conservation and Open Space Element* contains goals and policies pertaining to the preservation of open space and agricultural areas, protection of scenic corridors, and the conservation of creeks and other natural resources. The proposed project would raise a number of potential inconsistencies with these policies, including adequate mitigation for loss of agricultural land and energy consumption (refer to Table 3.6-1).

### Housing Element

The City's General Plan *Housing Element* includes goals, strategies, policies, and detailed programs to secure adequate and affordable housing to its citizens. It serves as a community guide and decision-making document to meet housing needs, preserve and enhance neighborhoods, and increase affordable housing opportunities for very-low, low, and moderate income persons and households. The *Housing Element* describes the City's demographic, economic, and housing stock to assist in addressing projected housing needs.

### *Project Employment*

Project development is expected to increase the number of jobs available in the City of San Luis Obispo by approximately 566 positions, as shown in Table 3.6-2. Given the current rise in unemployment rates locally, regionally and nationally, the project may provide an economic benefit to the local economy with this provision of new jobs.

**Table 3.6-2. Total Employment Expected from Completion of Proposed Project**

Development Type	Workers per Unit	Proposed Project	Number of Workers
Commercial	3.0 per 1,000 sf	188,658	566
<b>Total</b>			<b>566</b>

Source: City of San Luis Obispo 2003.

Jobs created under the proposed project would be comprised mainly of retail sales and management positions, and fast food preparation and serving. Mean hourly and annual wages for such positions in San Luis Obispo County are shown in Table 3.6-3.

**Table 3.6-3. Wages for Selected Occupations, San Luis Obispo County (2008)**

Occupational Title	Mean Hourly Wage	Mean Annual Wage
Retail Salespersons	\$12.01	\$24,989
First-Line Supervisors/Managers of Retail Sales Workers	\$18.46	\$38,394
Combined Food Preparation/Serving Workers (Fast Food)	\$9.01	\$18,721
Cooks (Fast Food)	\$9.03	\$18,772

Source: State of California Employment Development Department (EDD) 2008.

*Housing Affordability*

The State of California determines housing affordability within a community by categorizing income levels based upon percentage of County median income. Maximum affordable rent is calculated as 30 percent of annual income. Jobs created under the proposed project would be comprised of low and very-low income positions, as shown in Table 3.6-4.

**Table 3.6-4. Maximum Affordable Rent per Income Category, San Luis Obispo County**

Income Category	Percentage of County Median Household Income	Annual Income <sup>1</sup>	Maximum Affordable Rent Payment <sup>2</sup>
Very Low	≤ 50%	≤ \$28,850	\$721
Low	51 - 80%	\$28,851 – \$46,150	\$1,154
Moderate	81 - 120%	\$46,151 - \$69,250	\$1,731
Above Moderate	> 120%	≥ \$69,251	> \$1,731
Median Household Income		\$57,500	

<sup>1</sup> Based on U.S. Department of Housing and Urban Development (HUD) income limits for a four-person household, San Luis Obispo County, March 2003.

<sup>2</sup> Calculated as 30 percent of income divided by 12 months.

Source: City of San Luis Obispo 2006c.

In the City of San Luis Obispo rental market, average rent for a studio apartment is affordable for a very-low income household, while average rent for a one-bedroom apartment is affordable for a low income household. However, a very-low or low income household requiring more space (e.g., two or more bedrooms for children, extended family, etc.) is essentially priced out of the City’s rental market, as shown in Table 3.6-5.

**Table 3.6-5. Rental Prices in the City of San Luis Obispo (2003)**

	Studio	1-Bedroom	2-Bedroom	3+ Bedrooms
Range (2003)	\$600 - 675	\$750 - 925	\$925 - 1,600	\$1,375 – 1,950
Average (2003)	\$644	\$838	\$1,227	\$1,706
Average Annual Cost (2003)	\$7,728	\$10,056	\$14,724	\$20,472

Source: City of San Luis Obispo 2006c.

The number of jobs created by the proposed project is not directly related to the number of new potential residents. Retail and other service jobs created by the proposed project may be filled by existing city residents or Cal Poly students. However, if current

residents do not fill the newly created jobs, workers from outside the City would be needed to fill the jobs. Such workers would either move to the City or commute from another location if they are unable to find affordable housing within the City. This issue is further evaluated in Impact LU-1 below.

#### Additional General Plan Elements

The proposed project could also create potential inconsistencies with the policies of several other General Plan Elements, particularly policies associated with noise impacts addressed in the Noise Element and site access and the adequacy of bicycle facilities addressed in the Circulation Element (refer to Table 3.6-1).

#### 3.6.3.2 City of San Luis Obispo Community Design Guidelines

The City's *Community Design Guidelines*, revised in November 2002, include numerous principles related to site planning, building design, street orientation, and creekside development. Chapter 3.2, *Large Scale Retail Projects*, includes guidelines regarding placement of buildings and parking areas which emphasize pedestrian-oriented features, views through the property to the background hills and/or other natural features, and smaller parking lots separated by landscaping or buildings or located to the sides and rear of buildings. Section 3.1, *Aesthetics and Visual Resources*, analyzes the proposed project's physical impacts related to principles outlined in this plan.

#### 3.6.3.3 San Luis Obispo County Regional Airport, Airport Land Use Plan

The ALUP for the San Luis Obispo County Regional Airport, amended May 2002, provides guidance for the establishment of compatible land use with the *Airport Land Use Planning Area* (ALUPA), as defined in 1977 (Figure 3.6-2). The ALUP contains policies and guidelines which address public safety and noise exposure within the ALUPA and provides land use guidance based upon established safety and noise corridors. The plan was prepared by the San Luis Obispo County Regional Airport, Airport Land Use Commission (ALUC). Its policies affect areas in both City and County of San Luis Obispo jurisdictions. [The ALUP is the governing land use document regarding safety and noise related restrictions on land use surrounding the Airport. As such, the ALUP is utilized to assess the compatibility of the proposed project with adopted plans and policies. However, in order to provide additional information on](#)

[airport related planning and safety issues, information from Caltrans' Airport Land Use Planning Handbook \(Caltrans 2002\) has been included. While this information is not utilized to assess policy consistency or environmental impacts, it has been included to provide City decision-makers and the public with a fuller description of the range of possible approaches to address land use planning decisions for the project site.](#)

#### ALUP Noise Corridors

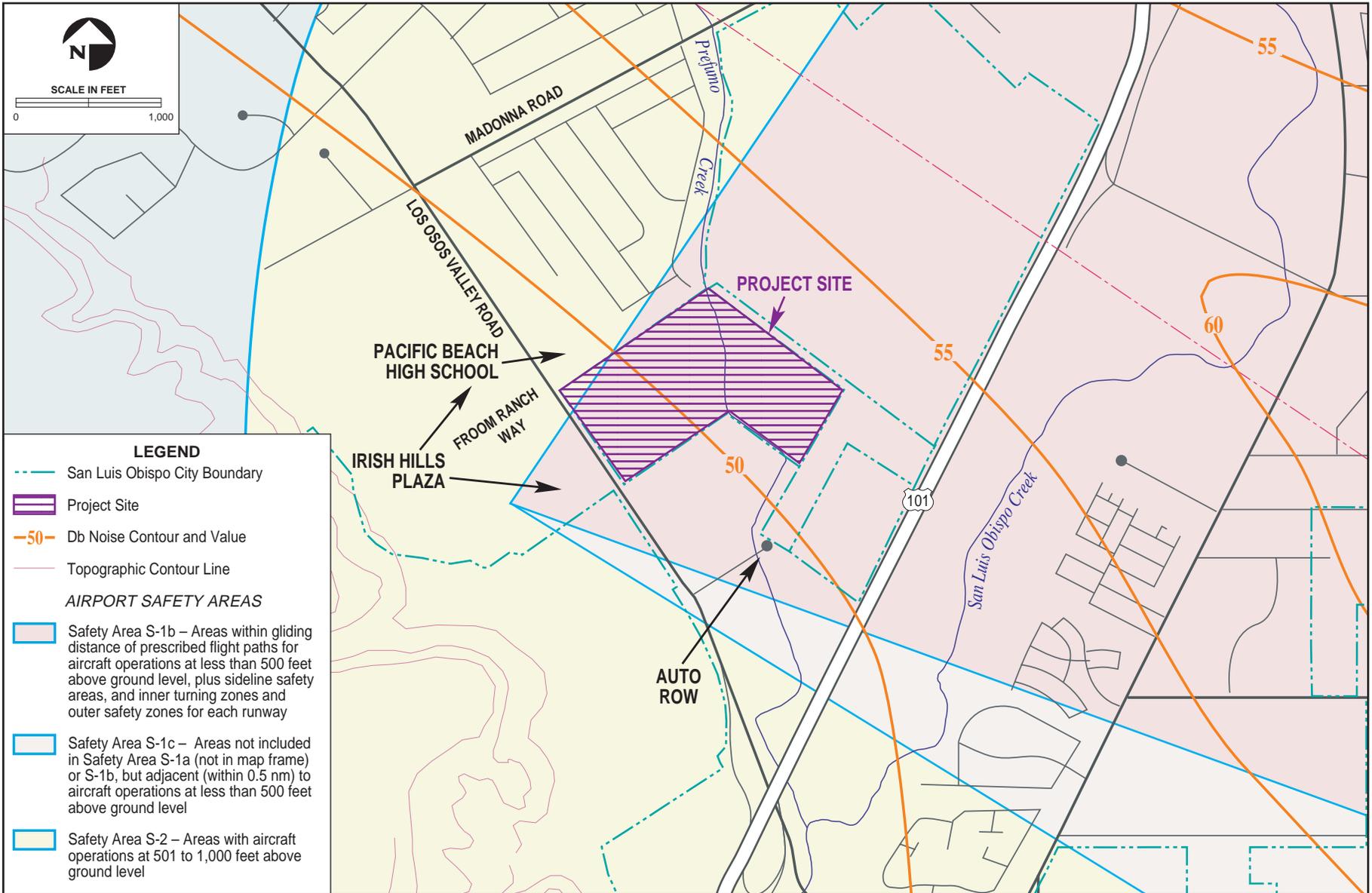
Large portions of the proposed project site are located within established ALUP noise contours (refer to Figure 3.6-2). About 70 percent of the project site is located within the aviation generated *50 dB CNEL Aviation Noise Contour*, including Prefumo Creek and all areas located east of the Creek. All uses under the proposed project are permitted in the 50 dB noise contour, including retail and restaurant operations proposed as part of the regional shopping center, and open space areas east of Prefumo Creek.

#### ALUP Safety Contours

*Safety Area S-1b* comprises areas within gliding distance of prescribed flight paths for aircraft operations at less than 500 feet above ground level, plus sideline safety areas, and inner turning zones and outer safety zones for each runway. The vast majority of the project site is located within Safety Area S-1b, including the entire shopping center footprint, Prefumo Creek, and all areas east of the creek. A small portion of the proposed right-of-way area along the site's northern perimeter is located in Safety Area S-2. Because the proposed right-of-way area is permitted in Safety Area S-2, only potential impacts related to Safety Area S-1b are further discussed.

Policies regarding land use within Safety Area S-1b and other Aviation Safety Areas are outlined in ALUP Section 4.4, *Specific Land Use Policies: Safety*. Specific planning requirements for each Aviation Safety Area are detailed, including maximum building coverage, and maximum density for residential and non-residential projects. Maximum density is subsequently used for calculation of maximum allowable land use intensity by the following steps:

- Determine maximum density, in persons/acre, based upon Aviation Safety Area and project type (residential or non-residential) (see ALUP, Table 7).



Airport Land Use Plan (ALUP) Noise Contours and Safety Zones

**FIGURE  
3.6-2**

**3.6 LAND USE AND PLANNING POLICIES**

- Multiply maximum density (persons/acre) by the acreage of a project site; product will be maximum land use intensity (by number of persons allowed).

Once maximum allowable density is determined, it is compared to actual land use intensity under a proposed project. A project would be acceptable if its anticipated land use intensity is below the maximum allowed, as calculated previously. Project land use intensity is calculated by the following steps:

- Determine land use intensity of activity(s) (e.g., retail, restaurants, etc.) under a proposed project; intensity is measured as square foot (sf)/person (see ALUP, Table 8).
- Divide land use intensity (sf/person) for each proposed activity *into* the anticipated size (sf) of that activity under a proposed project; the answer will be maximum land use intensity (by number of persons allowed). If the maximum land use intensity is less than maximum allowable density, then a project is considered acceptable under ALUP Aviation Safety Area planning requirements.

The proposed project would contain a combination of retail and restaurant uses. Land use intensity calculations for such uses, as well as the maximum allowable land use density at the project site, are presented in Tables 3.6-6a through c.

**Table 3.6-6a. Maximum Allowable Land Use Density**

Acres	*	Persons/Acre	=	Total Persons
31	*	75	=	2,325

**Table 3.6-6b. Proposed Land Use Intensity**

Project Component	Use	Land Use Intensity (sf/person)	Size (sf)	Total Persons
Pads F, G, and H	Restaurants	60	17,500	292
Anchors and Shops	Retail	300	171,158	571
<b>Total</b>			<b>188,658</b>	<b>863</b>

**Table 3.6-6c. Maximum Allowable Land Use Intensity**

Maximum Density	–	Proposed Land Use Intensity	=	Difference
2,325	–	863	=	1,462 (consistent with ALUP)

Source: San Luis Obispo County Regional Airport ALUC 2002.

Under the ALUP, non-residential projects located in Safety Area S1-b more than 1 nautical mile from the end of the runway may contain a maximum of 75 persons/acre; therefore, the maximum allowable land use density at the project site is 75 persons/acre \* 31 acres = 2,325 persons. With regard to proposed land use intensity, the project would include the construction of approximately 171,158 sf of retail space and about 17,500 sf of restaurant space. Land use intensities with respect to these uses would total approximately 863 persons, less than the maximum allowed density of 2,325 persons. Consequently, the project contains an allowable density under Safety Area S-1b.

ALUP Policy Consistency

Table 3.6-7 summarizes the proposed project’s consistency with policies established under the ALUP. For additional discussions regarding the 50 dB CNEL Aviation Noise Contour, refer to Section 3.7, *Noise*.

**Table 3.6-7. ALUP Consistency Summary**

Project Component	Consistency Finding	Discussion
<b>50 dB CNEL Aviation Noise Contour</b>		
All Project Components	Consistent	Retail and restaurant operations, dedicated open space area, and agricultural operations are all acceptable uses under the ALUP <i>50 db CNEL Aviation Noise Contour</i> . Issue evaluated in Section 3.7, <i>Noise</i> .
<b>Safety Area S-1b</b>		
Regional Shopping Center	Consistent	Regional shopping center would contain a land use intensity of approximately 863 persons, below the maximum of 2,325 persons allowed at the project site. Please refer to Tables 3.6-6a-c above for calculations.
Other Project Components	Consistent	Dedicated open space area and agricultural operations are acceptable land uses under ALUP <i>Safety Area S-1b</i> .

Sources: San Luis Obispo County Regional Airport ALUC 2002.

The project site’s suitability for residential development under the ALUP is evaluated in the alternatives analysis in Section 6.0.

#### 3.6.3.4 Caltrans Airport Land Use Planning Guidance

The California Department of Transportation (Caltrans) *Airport Land Use Planning Handbook* (CalTrans 2002) establishes guidance on land use planning in the vicinity of airports in California. The Handbook also outlines the legal authority (and limitations thereof) possessed by an ALUC when establishing noise and safety corridors around airports that potentially restrict land use development. The intent of the Handbook is to make recommendations for an ALUC for establishing land use development policies based upon Federal Aviation Administration (FAA) regulations, rather than specifying precise statutes or means of interpreting FAA regulations.

#### Scope of ALUC Authority

The purpose of an ALUC is to establish policies which intend to make land use development around airports compatible with airport-related noise and safety corridors. As applicable, these policies must follow established FAA regulations and other federal, state, and local statutes. However, the Caltrans *Handbook* provides guidance on the scope of authority that an ALUC has to restrict land use development. Generally speaking, Caltrans guidance suggests that land use restrictions are legitimate when they prevent harm to the surrounding area rather than confer a benefit to the airport (Appendix J). In other words, development restrictions should be based upon standard health and safety criteria intended to prevent harm, rather than general airport related interests (e.g., concerns about noise complaints outside of established noise contours, etc.). Caltrans guidance also specifies that the most appropriate applications of land use restrictions are based upon standardized noise impacts and height limitations, rather than unspecified “noise” or “safety” concerns that may not be as legally defensible (Appendix J).

#### Recommended Safety Criteria

Chapter 9 of the Caltrans *Handbook* provides guidance on establishing safety corridors (“safety compatibility zones”) around airports which dictate the type and density of development permitted (Appendix J). The Caltrans corridors are delineated based upon runway length and types of aircraft typically flown at an airport, and are intended as a guide, rather than specific criteria to be followed by an ALUC (Caltrans, 2002).

Safety corridors have been established in the San Luis Obispo County Regional Airport ALUP based upon current and projected airport operations outlined in the 2004 Airport Master Plan. The proposed project site is located mostly within the Safety Area S-1b corridor established for Runway 11-29; the safety corridors established for this runway are similar to those recommended by CalTrans for a long general aviation runway (greater than 6,000 feet in length) (Appendix J, Figure 9K) (CalTrans 2002).

The SLO Airport Safety Area S-1b corridor appears to be similar to two safety corridors established under Caltrans' long general aviation runway guidance: Inner Turning Zone and Traffic Pattern Zone. Both of these safety corridors permit different development types and densities than those permitted under the SLO Airport Safety Area S-1b corridor (Table 3.6-8). Generally speaking, the Caltrans recommended safety corridors have more restrictions on non-residential uses (i.e., retail shopping centers such as the proposed project). However, the Caltrans corridors are generally less restrictive on residential uses than the SLO Airport corridor, especially when such uses are considered "infill" development (Appendix J) (Caltrans 2002). However, a general review of Caltrans Guidelines does not substitute for the detailed analysis undertaken as part of the preparation of the ALUP or a more in-depth review of airport safety issues associated with the project site. Although there may be a credible range of approaches to address land use and airport safety issues at the project site, additional detailed study would be needed to determine which Caltrans safety corridor is most applicable to the portion of Safety Area S-1b at the project site.

**Table 3.6-8 Caltrans/SLO Airport ALUP Safety Corridor Consistency Summary**

<u>Type of Use</u>	<u>SLO Airport Safety Area S1-b</u>	<u>Caltrans Inner Turning Zone</u>	<u>Caltrans Traffic Pattern Zone</u>
<u>Residential</u>	0.2 d.u./acre Infill development generally not permitted.	0.2 to 0.5 d.u./acre Allow infill development up to average of surrounding residential area	No limit
<u>Non-Residential</u>	Intensity must average 75 or fewer persons/acre	60-80 persons/acre Maximum intensity = 160 persons/acre Avoid nonresidential uses having moderate or higher usage intensities (e.g., major shopping centers)	150 persons/acre Maximum intensity = 300 persons/acre Only very intensive uses (e.g., outdoor stadiums) not permitted
<u>Comments</u>	Maximum of 4 d.u. allowed under project configuration	Retail is not allowed because it averages 300 persons/acre	Unlimited residential, retail allowed

Sources: San Luis Obispo County Regional Airport ALUC 2002; Caltrans 2002.

#### 3.6.3.43.6.3.5 Zoning Regulations

The project site is currently located within County of San Luis Obispo jurisdiction and is designated as *Agriculture* under the County's General Plan Land Use Element. Under the proposed project, the project site would be annexed into the City of San Luis Obispo. An associated General Plan Amendment would occur to rezone the site to a combination of *C-R* and *C/OS* zoning. The *C-R* designation would enable development of the project's retail shopping center component, while *C/OS* zoning would be applied the remainder of the project site intended for dedication as permanent open space. The project site is bordered by properties zoned as *C-R* to the west, *C-S* to the south, and a combination of *PF* and *R-1* to the north (refer to Figure 3.6-1). Areas east of the project site are located within County of San Luis Obispo jurisdiction and are designated as *Agriculture* under the County's General Plan Land Use Element.

#### Retail-Commercial (C-R) Zoning

With regard to the proposed project's shopping center component, proposed *C-R* zoning on the shopping center portion of the project site would include the following site stipulations, as outlined in the City's *Zoning Regulations*, Chapter 17.40, *Retail-Commercial (C-R) Zone*:

- Maximum density: 36 units per acre, including dwelling units in hotels and motels, but not including other hotel or motel units (Chapter 17.40.020-A).
- Maximum street and other yards: based upon adjacent lots. In the case of the proposed project, only *C-S* zoned parcels are located adjacent to the proposed *C-R* parcel. In *C-S* zoned parcels, minimum street yards shall be 10 feet for buildings 20 feet or less in height, or 15 feet for buildings greater than 20 feet in height (Chapters 17.40.020-B, 17.16.020-C, and 17.46.020-B).
- Maximum coverage: 100% (Chapter 17.40.020-D).
- Minimum lot area: 9,000 sf (Chapter 17.40.020-F).
- Minimum street frontage: 40 feet (Chapter 17.40.020-F).
- Parking: For buildings between 60,000 and 140,000 sf, a maximum of one space per 200 sf of gross floor area shall be provided. For buildings between 15,000 and 45,000 sf, a maximum of one space per 300 sf of gross floor area shall be provided (Chapter 17.40.020-G, Table 6).

- Buildings of up to 140,000 sf of gross floor area may be allowed if the building meets the following standards (Chapter 17.40.020-I):
  - The proposed retail establishment would serve the community, in whole or in significant part;
  - The nature of the retail establishment requires a larger size in order to function;
  - The building is designed to respect the scale of surrounding development; and,
  - The building is designed in compliance with the City’s *Design Guidelines for Large-Scale Retail Projects*.

As summarized in Table 3.6-8-9 below, the project is consistent with the C-R zoning site standards listed above.

**Table 3.6-89. Retail-Commercial (C-R) Zoning Consistency Summary**

Chapter	Policy Issue	Consistency Finding	Discussion
17.40.020-B	Minimum Street and Other Yards	Consistent	All buildings 20 feet or less in height contain street yards of 10 feet or greater; all buildings greater than 20 feet in height contain street yards of 15 feet or greater.
17.40.020-D	Maximum Coverage	Consistent	Coverage is below maximum 100%.
17.40.020-F	Minimum Lot Area	Consistent	Lot is greater than 9,000 sf.
17.40.020-F	Minimum Street Frontage	Consistent	Street frontage is greater than 40 feet.
17.40.020-G	Parking	Consistent	Project would provide approximately 838 on-site parking spaces, which is within the range required under City Municipal Code.
17.40.020-I	Maximum Building Size	Consistent	Project would include the construction of one building totaling approximately 139,658 sf.

Sources: City of San Luis Obispo 2008.

Conservation/Open Space (C/OS) Zoning

With regard to the proposed project’s dedicated open space, proposed C/OS zoning would include the following site stipulations, as outlined in the City’s *Zoning Regulations*, Chapter 17.32, C/OS Zone:

- The C/OS zone generally will be applied to areas which are most suitable for open space uses because of agricultural value (Chapter 17.32.010-A).

- The C/OS zone is intended to protect natural resources from disruptive alterations and prevent subdivision of such lands (Chapter 17.32.010-B).
- Minimum lot area: 5 acres (Chapter 17.32.020-F).

As summarized in Table 3.6-9-10 below, the project is generally consistent with the C/OS zoning site stipulations listed above. The suitability of continued agricultural operations on the proposed C/OS parcel is evaluated further in Section 3.2, *Agricultural Resources*.

**Table 3.6-910. Conservation/Open Space (C/OS) Zoning Consistency Summary**

Chapter	Policy Issue	Consistency Finding	Discussion
17.32.010-A	Suitability of Zoning	Potentially Consistent with Mitigation	The C/OS zoning is consistent with protection of agricultural resources. The suitability of the site for continued farming is evaluated in Section 3.2, <i>Agricultural Resources</i> .
17.32.010-B	Protection of Natural Resources (including from Parcel Subdivision)	Potentially Consistent with Mitigation	The C/OS zoning would protect natural resources and prevent future parcel subdivision. The suitability of the site for continued farming is evaluated in Section 3.2, <i>Agricultural Resources</i> .
17.32.020-F	Minimum Lot Area	Consistent	The C/OS zoning would be applied to an area of approximately 12 acres.

Sources: City of San Luis Obispo 2008.

Creek Setbacks

Policies regarding creek setbacks are outlined in the City’s *Zoning Regulations*, Chapter 17.16.025, *Creek Setbacks*. The *Creek Setbacks Dimensions* subsection (17.16.025-E) contains policies in *Creeks in Areas Annexed After 1996* (17.16.025-E-2) which apply to the proposed project. *Policy 17.16.025-E-2-a* requires that any portion of Prefumo Creek annexed to the City after 1996 shall have a minimum 35 feet setback from development. The proposed project’s shopping center component would contain an approximately 50 foot setback from the west side of Prefumo Creek, which is consistent with this policy. No development would occur on the Creek’s east side as part of the proposed project.

### 3.6.4 Environmental Impacts

#### 3.6.4.1 Thresholds for Determining Significance

Land use impacts were assessed based upon the level of physical impact anticipated in the various issues (e.g., air quality, noise, aesthetics, hazards) that can affect compatibility. Impacts are considered significant under any of the following conditions:

- the project is markedly incompatible in scale or use characteristics with any adjacent land use;
- the project would result in land use conflicts that are demonstrably detrimental to the well being and privacy of existing uses; or,
- the proposed project would be inconsistent with any adopted land use controls that apply to the project site.

Land use issues directly related to other resource areas are discussed in the respective issue analysis sections in this EIR.

With respect to land use, Appendix G of the CEQA Guidelines states that a project would normally have a significant impact on the environment if it would:

- conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- induce substantial population growth in an area, either directly or indirectly;
- physically divide an established community; or,
- 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.

#### 3.6.4.2 Impact Assessment Methodology

Consistency with various General Plan, Zoning Ordinance, and ALUP goals, policies, and programs has been evaluated within individual resource sections of this EIR. Only those elements of the project that have the potential to breach a stated goal, policy, or program are highlighted in this section.

### 3.6.5 Project Impacts, Mitigation Measures, and Residual Impacts

#### Impact

**LU-1            The proposed project’s regional shopping center component would create approximately 566 new jobs, primarily for workers of low or very-low incomes, increasing demand for affordable housing and potentially worsening the City’s jobs/housing balance.**

Project development is expected to increase the number of jobs available in the City of San Luis Obispo by approximately 566 positions. Jobs created under the proposed project would consist primarily of low and very-low income positions. Project development and associated job creation could potentially increase demand for affordable housing and be potentially inconsistent with *Land Use Element, Policy 1.4*, and *Housing Element, Goals 2, 6, and 10*. In addition, the proposed regional shopping center would be located on a site identified in the City’s Land Use Element as potentially suitable for multifamily housing (refer to *Policy 8.7* above). This could raise potential conflicts with *Housing Element, Policy 3.21.1* which prioritizes residential over commercial uses.

With existing data, it is not possible to predict exactly how many people will in-migrate into the City to fill these jobs; however, it is reasonable to expect that the considerable number of employment opportunities expected from the proposed project would result in some growth inducement in the City, especially of people who would require affordable housing. Because project development does not propose any additional housing units, it is very likely that some percentage of the project’s employees would commute from outside the City. The Copelands EIR (EIR Case #ER 192-01 and ER 193-01) presumed that up to 15 percent of workers would be new to the community. In several studies conducted during the 1980s in neighboring Santa Barbara County, the County found an in-migration factor (i.e., new to the community) of 19 to 21 percent for lower-income service and retail workers (County of Santa Barbara 1980; 1985). While no such studies appear to be available for San Luis Obispo County, it does not appear reasonable to assume that all new jobs would be filled by existing residents. While many of the part-time or retail sector jobs may be filled by existing residents such as university students, an unknown portion are likely to be filled by full-time workers who are a primary wage earner for a household. Based on the assumptions in the Copelands EIR and data from adjacent Santa Barbara County, it would appear reasonable to assume that 15 to 21 percent of these new jobs (85 to 119 employees) may be “induced” directly or indirectly

to move to the community, with an associated increased demand for housing. Given the projected wages of the majority these workers, the demand would be mostly for affordable housing units. [The City of San Luis Obispo Inclusionary Housing Requirement states that commercial development located within City limits should have two affordable dwelling units per acre, but not less than one affordable dwelling unit per project or that in-lieu fees should be paid equal to 5 percent of building valuation. Affordable housing would be affordable to very-low-, low-, or moderate-income persons \(City of San Luis Obispo 2006c\).](#) Secondary impacts would likely result from increased commuter traffic, including increased traffic congestion on U.S. Highway 101 and associated air quality impacts. For low and very-low income households which relocate to the City, secondary impacts would likely result from overcrowding and overpayment for housing and an associated inability to afford other necessities, such as food.

Implementation of the following mitigation measures to include housing units consistent with the ALUP (refer to Section 6.0, *Alternatives* for residential development consistency analysis under the ALUP), as well as an employee survey/study for in-migration data, would ensure the project's consistency with General Plan goals and policies regarding jobs/housing relationships and reduce potential impacts to city housing supplies to less than significant levels. The following mitigation measures may also reduce secondary impacts associated with increased commuter traffic and/or overcrowding due to lack of affordable housing opportunities within the City. A mitigation measure is also recommended for the applicant to work with the City to determine whether additional on-site housing, over and above the required units, would be feasible; however, this may be inconsistent with the ALUP as evaluated in Section 6.0, *Alternatives*.

### Mitigation Measures

#### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM LU-1a* *The proposed project shall [comply with the City's Inclusionary Housing Ordinance requirements \(SLOMC 17.91\).](#) ~~In addition, the project shall contribute to the City's housing in-lieu fee program to fund construction of affordable housing units off-site to reduce the project housing demand offset and~~ meet the goals of Land Use Element Policies 1.4 and 8.7, and Housing Element Policy 3.21.1 [by implementing.](#) ~~As an option, the applicants may choose to~~ [one or more of the following options:](#)*

1. Meet the Inclusionary Housing Ordinance by providing a combination of low and very-low income units instead of moderate income units. incorporate affordable housing units on-site, subject to the Airport Land Use Plan density restrictions

2. Increase the total number of affordable units provided through the Inclusionary Housing Ordinance requirements, including units that meet the full range of affordability (Low, Very Low and Moderate), consistent with MM LU 1-c.

*MM LU-1b The applicant shall submit to the City an employee survey/study, including information such as where employees lived prior to hire and where employees have relocated since hire, in order to provide the City with data on impacts associated with in-migration for larger commercial projects.*

*MM LU-1c The applicant should work with the City to determine whether on-site housing would be feasible to help offset project-related increased demand for affordable housing. If provision of on-site housing is not feasible, the applicant should work with the City to negotiate additional exaction of fees paid to the City Housing Authority and/or an acceptable local private non-profit housing provider sufficient to offset project-related increased demand for affordable housing.*

Impact

**LU-2 The site design of the proposed project is potentially inconsistent with adopted City policies designed to protect public views, open space, pedestrian connections, and natural resources.**

The proposed project would include a pedestrian path along the west bank of Prefumo Creek that connects to a focal point landscape feature (overhead trellis, table, and seating) located within the creek corridor. However, the majority of the Creek is not treated as a focus of the development and the overall site design does not incorporate the Creek as a project amenity (e.g., buildings not orientated around the Creek), per General Plan *Land Use Element* Policy 6.4.3, Amenities and Access. Further, per General Plan *Land Use Element* Policy 2.2.9, large parking lots should be avoided, and parking should

be screened from street views. The proposed project would create areas of large uninterrupted surface parking lots totaling approximately 838 spaces. Landscaped buffer strips along the project site's frontages on LOVR and Froom Ranch Way would provide some screening from street views. In addition, a network of internal pedestrian walkways and parking lot shade trees would "break up" some of the lots in the site interior. However, the overall site design and locations of the buildings still emphasize the large parking areas, particularly the largest parking area located in the southwest portion of the development site, between LOVR and Anchor E. Per the City's Circulation Element, Policy 5.0.2, *Sidewalks and Paths*, housing areas and activity centers (e.g., shopping centers) should be connected with a contiguous network of sidewalks and separated pedestrian paths. The proposed project would include pedestrian access between the project site and the adjacent residential neighborhood to the north; however, pedestrian connections are not continued south through the site to the auto dealerships and service facilities to the south.

The site design of the proposed project is also potentially inconsistent with several goals/objectives in the City's *Community Design Guidelines*. Per Chapter 3.2, *Large Scale Retail Projects*, project site planning should provide views through the property to the background hills and/or other natural features (Guideline A.3). The view corridor proposed through the project site is limited due to the size of Anchor E, the project's largest tenant. In addition, Guideline B.1 of the *Community Design Guidelines* states that large, expansive paved areas between the building and the street are to be avoided in favor of smaller multiple lots separated by landscaping or buildings, or located to the sides and rear of buildings. Overall, the guidelines indicate that "*Large-scale, monolithic 'big-box' structures surrounded by extensive parking lots are not considered acceptable*" (City of San Luis Obispo 2002; 2007). The proposed project's physical impacts related to principles outlined in the *Community Design Guidelines* are analyzed in Section 3.1, *Aesthetics and Visual Resources*.

Since these impacts are generally considered site design policy inconsistencies rather than direct and indirect physical environmental effects, impacts are considered adverse but less than significant. Recommended measures to reduce these adverse affects include reorienting buildings to focus on the Creek as a site amenity, providing additional pedestrian access to link adjacent properties to the south and pedestrian plazas with greater visual access to the Creek, breaking up large uninterrupted surface parking, and proving a greater view corridor to the creek and open space. Section 6.0, Alternatives,

includes the *Improved Site Design Alternative*, which would reduce or potentially eliminate these project impacts.

Mitigation Measures

*No mitigation measures would be required.*

Residual Impacts

Implementation of mitigation measures described above would ensure consistency with all General Plan, Zoning Ordinance, and ALUP goals, policies, and programs, and would reduce land use impact to less than significant levels.

## 3.7 NOISE

This section addresses the noise impacts associated with construction and operation of the proposed project. Noise is generally defined as unwanted sound that is heard by people or wildlife and that interferes with normal activities or otherwise diminishes the quality of the environment. Noise is usually measured as sound level on a logarithmic decibel (dB) scale.

### 3.7.1 Existing Conditions

According to the *City of San Luis Obispo General Plan Noise Element (1996)*, the major exterior noise source in the vicinity of the proposed project site is vehicular traffic. Community Noise Equivalent Levels (CNEL)<sup>1</sup> of 70, 65, and 60 extend approximately 30, 60 and 125 feet, respectively, from the centerline of Los Osos Valley Road (LOVR) which is located adjacent to the project site.

#### 3.7.1.1 Land Use Compatibility

Noise associated with vehicle movement similar to that expected with a regional arterial roadway occurs at the project site. Noise-sensitive uses in the vicinity are located to the north of the project site and include single-family residences in a Low Density Residential (R-1) zoned neighborhood and a high school. Noise-sensitive uses located immediately adjacent to the project site include Pacific Beach High School (11950 LOVR), eight (8) single-family residences located along Cayucos Drive (1209, 1223, 1235, 1241, 1253, 1269, 1275, and 1287 Cayucos Drive), and one (1) single-family residence located at 1986 Oceanaire Court. Noise-sensitive uses within approximately 500 feet of the project site include approximately 44 additional single-family residences along Garcia Drive, Vincente Drive, Huasna Drive, Lima Drive, and Oceanaire Drive to the north. In addition, Laguna Lake Park is located approximately 3,200 feet to the north of the project site, near the intersection of Madonna Road and Oceanaire Drive. Outdoor noise levels along LOVR, the primary existing source, as described within the City's *General Plan Noise Element*, exceed acceptable criteria for noise-sensitive uses (e.g.,

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<sup>1</sup> CNEL is the energy-averaged sound level measured over a 24-hour period, with a 10-dB penalty assigned to noise events occurring between 10:00 P.M. and 7:00 A.M., and a 5-dB penalty for noise during the evening (7:00 P.M. to 10:00 P.M.).

residences) (Table 3.7-1). Outdoor activity area sound levels should not exceed 60 CNEL at the property line of such uses (City of San Luis Obispo 1996).

**Table 3.7-1. Maximum Noise Exposure for Noise-Sensitive Uses Due To Transportation Noise Sources**

Land Use	Outdoor Activity Areas <sup>1</sup>		Indoor Spaces
	L <sub>dn</sub> <sup>2</sup> or CNEL	L <sub>dn</sub> <sup>2</sup> or CNEL	L <sub>eq</sub> <sup>3</sup>
Residences, hotels, motels, hospitals, nursing homes	60	45	—
Theaters, auditoriums, music halls	—	—	35
Churches, meeting halls, office building, mortuaries	60	—	45
Schools, libraries, museums	—	—	45
Neighborhood parks	65	—	—
Playgrounds	70	—	—

<sup>1</sup> 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.

<sup>2</sup> L<sub>dn</sub> (day-night average sound level) is the energy-averaged sound level measured over a 24-hour period, with a 10-dB penalty assigned to noise events occurring between 10:00 P.M. and 7:00 AM. and a 5-dB penalty assigned to noise events occurring between 7:00 P.M and 10 P.M.

<sup>3</sup> L<sub>eq</sub> (equivalent sound level) is the constant or single sound level containing the same total energy as a time-varying sound, over a certain time. 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.

Source: City of San Luis Obispo 1996.

### 3.7.2 Regulatory Setting

#### 3.7.2.1 State Regulations

*State of California’s Guidelines for the Preparation and Content of Noise Element of the General Plan* (1987). These guidelines reference land use compatibility standards for community noise environments as developed by the California Department of Health Services, Office of Noise Control. Sound levels up to 65 L<sub>dn</sub> or CNEL are determined to be normally acceptable for multi-family residential land uses. Sound levels up to 70 CNEL are normally acceptable for buildings containing professional offices or defined as business commercial. However, a detailed analysis of noise reduction requirements is recommended when new office or commercial development is proposed in areas where existing sound levels approach 70 CNEL.

*The California Administrative Code (CAC), Title 24, Noise Insulation Standards.* These standards regulate interior noise levels for all new multi-family residences to 45 L<sub>dn</sub> or

below. If exterior sound levels exceed 60 L<sub>dn</sub>, CAC Title 24 requires the preparation of an acoustical analysis showing that the proposed design would limit the sound level to, or below the 45 L<sub>dn</sub> requirement.

### 3.7.2.2 Local Regulations

*City of San Luis Obispo, General Plan Noise Element and Noise Guidebook (1996).* According to state law, a Noise Element is required in all city and county general plans. The City of San Luis Obispo slightly modified land use compatibility standards recommended by the California Department of Health Services. The City's maximum noise exposure standards for noise-sensitive land use (specific to transportation noise sources) are shown in Table 3.7-1. Since commercial land uses are not considered noise-sensitive, there are no recommended maximum noise exposure guidelines.

Noise generated by new stationary sources shall be mitigated so as not to exceed the exposure standards for noise-sensitive uses, as measured at the property line of the receiver. The City's *Noise Element* lists mitigation strategies in a descending order of desirability. If preferred strategies are not implemented, it is the responsibility of the applicant to demonstrate through a detailed noise study that the more desirable approaches are either not effective or not practical, before considering other design criteria contained in the General Plan. The City would consider the following mitigation measures appropriate where existing sound levels significantly impact noise-sensitive land uses, or where cumulative increases in sound levels resulting from new development significantly impact existing noise-sensitive land uses:

- A. Rerouting traffic onto streets that can maintain desired levels of service, consistent with the *Circulation Element*, and which do not adjoin noise-sensitive land uses.
- B. Rerouting trucks onto streets that do not adjoin noise-sensitive land uses.
- C. Constructing noise barriers.
- D. Reducing traffic speeds through street or intersection design methods.
- E. Retrofitting buildings with noise-reducing features.
- F. Establishing financial programs, such as low-cost loans to owners of a noise-impacted property, or developer fees to fund noise-mitigation or trip-reduction programs.

*City of San Luis Obispo Municipal Code, Title 9, Chapter 9.12 (Noise Control).* The City’s municipal code specifies noise standards for various categories of land use. These limits, shown in Table 3.7-2, would apply to long-term operation of the site, and are not applicable during construction.

**Table 3.7-2. Exterior Noise Limits**

Zoning Designation <sup>1</sup>	Time Period	Maximum Acceptable Noise Level (dBA <sup>2</sup> ) <sup>3</sup>
Low- and Medium-Density Residential (R-1 and R-2); Conservation/Open Space (C/OS)	10:00 P.M. – 7:00 A.M.	50
	7:00 A.M. – 10:00 P.M.	55
Medium- and High-Density Residential (R-3 and R-4)	10:00 P.M. – 7:00 A.M.	50
	7:00 A.M. – 10:00 P.M.	55
Office and Public Facility (O and PF)	10:00 P.M. – 7:00 A.M.	55
	7:00 A.M. – 10:00 P.M.	60
Neighborhood, Retail, Community, Downtown and Tourist Commercial (C-N, C-R, C-C, C-D, C-T)	10:00 P.M. – 7:00 A.M.	60
	7:00 A.M. – 10:00 P.M.	65
Service Commercial (C-S)	Any Time	70
Manufacturing (M)	Any Time	75

<sup>1</sup> The classification of different areas of the community in terms of environmental noise zones shall be determined by the Noise Control Office(r) based upon community noise survey data. Additional area classifications should be used as appropriate to reflect both lower and higher existing ambient levels than those shown. Industrial noise limits are intended primarily for use at the boundary of industrial zones rather than for noise reduction within the zone (Ord. 1032 § 2 [part] 1985)

<sup>2</sup> dBA (A-weighted decibel scale) emphasizes the range of sound frequencies that are most audible to the human ear (between 1,000 and 8,000 Hertz).

<sup>3</sup> Levels not to be exceeded more than 30 minutes in any hour.

Source: City of San Luis Obispo 2008a.

Where technically and economically feasible, construction activities shall be conducted so that maximum sound levels at affected properties would not exceed 80 A-weighted dB (dBA) for multi-family residential and 85 dBA for mixed residential/commercial land uses, as shown in Tables 3.7-3 and 3.7-4. Except for emergency repair of public service utilities, or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur daily between the hours of 7:00 P.M. and 7:00 A.M., or any time on Sundays or holidays, such that the sound creates a noise disturbance across a residential or commercial property line.

**Table 3.7-3. Maximum Noise Levels for Nonscheduled, Intermittent, Short-Term Operation (Less than 10 Days) of Mobile Equipment at Residential Properties**

Zoning Category	Time Period	Noise Level (dBA)
Single-Family Residential	Daily 7:00 A.M. to 7:00 P.M., except Sundays and legal holidays	75 dBA
Multi-Family Residential		80 dBA
Mixed Residential/Commercial		85 dBA
Single-Family Residential	7:00 P.M. to 7:00 A.M., all day Sunday and legal holidays	50 dBA
Multi-Family Residential		55 dBA
Mixed Residential/Commercial		60 dBA

Source: City of San Luis Obispo 2008a.

**Table 3.7-4. Maximum Noise Levels for Repetitively Scheduled, Relatively Long-Term Operation (10 Days or More) of Stationary Equipment at Residential Properties**

Zoning Category	Time Period	Noise Level (dBA)
Single-Family Residential	Daily 7:00 A.M. to 7:00 P.M., except Sundays and legal holidays	60 dBA
Multi-Family Residential		65 dBA
Mixed Residential/Commercial		70 dBA
Single-Family Residential	Daily 7:00 P.M. to 7:00 A.M., including all day Sunday and legal holidays	50 dBA
Multi-Family Residential		55 dBA
Mixed Residential/Commercial		60 dBA

Source: City of San Luis Obispo 2008a.

### 3.7.3 Environmental Impacts

#### 3.7.3.1 Thresholds for Determining Significance

Sound levels for the proposed project must comply with relevant noise policies, standards, and ordinances. If project-generated sound levels exceed land use compatibility guidelines summarized earlier, they would comprise a significant impact.

#### 3.7.3.2 Impact Assessment Methodology

Anticipated construction sound levels were estimated and analyzed based on projected construction vehicle requirements, distance between sensitive receptors and construction activities, and proposed daytime operational levels. Standard noise generation levels for typical construction equipment were used to estimate construction sound levels.

Long-term impacts were analyzed for the existing and future noise environment, and appropriate noise-control mitigation measures are recommended below.

### 3.7.4 Project Impacts, Mitigation Measures, and Residual Impacts

#### Impact

**NO-1**            **Short-term construction activities would temporarily generate significant unavoidable noise levels that would exceed thresholds established in the *City of San Luis Obispo, General Plan Noise Element and Noise Guidebook*.**

#### On-site

Noise-sensitive receptors located nearest to the project site include Pacific Beach High School located immediately adjacent to the project site on LOVR and nine (9) single-family residences located immediately adjacent to the project site along Cayucos Drive and Oceanaire Court. The grading and site preparation phase of the project would generate the highest construction sound levels because of the operation of heavy equipment; specifically, work associated with the improvement and extension of From Ranch Way would potentially generate the greatest noise levels for the Pacific Beach High School and the nearby residences which are all located adjacent to the proposed From Ranch Way right-of-way. Peak sound levels associated with heavy equipment typically range between 75 and 95 dBA at 50 feet from the source (USEPA 1971). Typical major sources of noise during the project's grading and earthwork period and their estimated sound levels at 50 feet are: excavators (85-95 dBA), tractors (75-95 dBA), loaders (75-85 dBA), compactors (75 dBA), trucks (75-95 dBA), and backhoes (75-95 dBA) (USEPA 1971). Demolition and site preparation would take place over a period of approximately eight months. While construction would occur during normal workday hours, not all construction equipment would be operated simultaneously. Peak sound levels associated with construction equipment would occur sporadically throughout the 9-hour work day.

Given that the noise-sensitive Pacific Beach High School and single-family residences along Cayucos Drive and Oceanaire Court are located at a distance less than 50 feet from proposed construction activities, sound levels at these locations associated with construction activity would exceed the estimated sound level ranges of construction

equipment (exact noise levels of construction equipment is dependent on year, make, model, condition, and presence or absence of noise mufflers) and would exceed maximum sound level criteria (refer to Table 3.7-4). Included in these construction activities is a proposed 6-foot high wall immediately adjacent to the existing residences (refer to Figure 2.4-4). This solid masonry-type construction wall would provide a break in line-of-sight between the construction activities and potential sensitive receivers and is intended to reduce sound levels for residences adjacent to From Ranch Way.

Anticipated sound levels at other noise-sensitive receptor locations within 500 feet of the project site (44 additional single-family residences along Garcia Drive, Vincente Drive, Huasna Drive, Lima Drive, and Oceanaire Drive) would also most likely exceed construction-related sound level criteria (refer to Table 3.7-4). These residential units, at their maximum distance of 500 feet from the project boundary, would experience construction-related sound levels approximately 20 dBA less than the estimated noise levels of the construction equipment (e.g., 55-75 dBA for trucks and backhoes instead of 75-95 dBA); however, construction activities could still potentially generate noise that would exceed city noise standards for mixed residential use and cause periodic annoyance to nearby residents. Therefore, because estimated sound levels associated with construction activities would exceed the City's threshold for noise exposure during construction, on-site short-term noise impacts would be significant.

#### Off-site

Off-site construction vehicles would exceed maximum noise level criteria for mobile equipment (refer to Table 3.7-4). Sound levels associated with large haul trucks would have an approximate range of 75 to 95 dBA at 50 feet from the noise source and these large haul truck trips would occur approximately 14 times per day during the import and stockpile period of construction phasing. This sound level range would most likely exceed maximum allowable mobile source noise levels associated with residences located along construction truck routes in the vicinity of the project site including LOVR and Madonna Road. Therefore, during construction, off-site short-term impacts would be significant.

Mitigation Measures

Implementation of the following mitigation measures would reduce short-term construction noise impacts; however, impacts would remain significant and unavoidable, even after mitigation.

***Standard Regulatory Conditions***

*MM NO-1a Except for emergency repair of public service utilities, or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur on Monday through Saturday between the hours of 7:00 P.M. and 7:00 A.M., or any time on Sundays or holidays, such that the sound creates a noise disturbance across a residential or commercial property line.*

*MM NO-1b Where technically and economically feasible, construction activities shall be conducted so that the maximum noise levels at affected properties will not exceed 80 dBA for multi-family residential and 85 dBA for mixed residential/commercial land uses, restaurants, and meeting places, including schools.*

***Additional Mitigation Measures (Consultant-Recommended)***

*MM NO-1c For all construction activity at the project site, additional noise attenuation techniques shall be employed as needed 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:*

- *Sound blankets on noise-generating equipment.*
- *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.*
- *All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.*
- *The movement of construction-related vehicles, with the exception of 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).*

- *Temporary sound barriers shall be constructed between construction sites and affected uses.*

*MM NO-1d In addition to MM NO-1a, the applicant shall ensure that construction of the 6-foot high wall proposed along the northern edge of the project site and Froom Ranch Way would not occur on Saturdays. The applicant shall also ensure that the wall be constructed during early stages of on-site improvements in order to provide additional sound reduction for residences and Pacific Beach High School during the majority of construction activities.*

*MM NO-1e The contractor shall inform residents, Pacific Beach High School administrators and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Noise-related complaints shall be directed to the City of San Luis Obispo's Community Development Department.*

### Impact

**NO-2 Long-term noise impacts from traffic associated with the project could result in the exceedance of thresholds in the City of San Luis Obispo, General Plan Noise Element and Noise Guidebook.**

Sound levels associated with existing and projected traffic conditions were determined using the Federal Highway Administration (FHWA) Traffic Noise Model 2.5 Look Tables (see Appendix F). To determine input data for the FHWA noise model, the following information on LOVR and Froom Ranch Way was obtained or determined: 1) hourly traffic volume; 2) fleet mix (e.g., the type of vehicles operating on the described roadways); 3) speed limit; 4) type of surface (e.g., hard or soft); and, 5) distance from the centerline of the roadway to the receptor. Once this data was determined and input, the Look-Up Tables calculated A-weighted hourly equivalent sound levels (dBA). The hourly equivalent sound levels were then assessed penalties of 5 dB for sound levels that occurred between 7:00 PM and 10:00 PM and 10 dB for sound levels occurring between 10:00 PM and 7:00 AM. From these hourly equivalent sound levels, the 24-hour average CNEL was calculated for both roadways under both existing and projected scenarios.

Hourly traffic volume was determined using P.M. peak traffic volumes for LOVR and Froom Ranch Way provided in the traffic study performed for the proposed project (see Appendix E). Using hourly breakdowns of traffic volumes based on 2001 counts on LOVR, P.M. peak hour traffic conditions from the traffic study were assumed to be 8.6 percent of total daily traffic volume (see Table 3.7-5). The remaining hourly traffic volumes were calculated by applying the hourly percentages to the estimated total daily traffic volumes on LOVR and Froom Ranch Way (see Appendix F).

**Table 3.7-5. Hourly Percent of Daily Traffic Volume**

Hour	Percent (%)	Hour	Percent (%)
12:00 – 12:59 AM	0.7	12:00 – 12:59 PM	6.7
1:00 – 1:59 AM	0.4	13:00 – 13:59 PM	6.8
2:00 – 2:59 AM	0.2	14:00 – 14:59 PM	7.2
3:00 – 3:59 AM	0.1	15:00 – 15:59 PM	7.7
4:00 – 4:59 AM	0.2	16:00 – 16:59 PM	8.3
5:00 – 5:59 AM	0.8	17:00 – 17:59 PM	8.6
6:00 – 6:59 AM	2.8	18:00 – 18:59 PM	6.1
7:00 – 7:59 AM	5.3	19:00 – 19:59 PM	4.3
8:00 – 8:59 AM	6.9	20:00 – 20:59 PM	3.4
9:00 – 9:59 AM	5.4	21:00 – 21:59 PM	2.9
10:00 – 10:59 AM	5.7	22:00 – 22:59 PM	1.9
11:00 – 11:59 AM	5.7	23:00 – 23:59 PM	1.0

Source: City of San Luis Obispo 2001.

Vehicle speed was assumed to be constant at 45 miles per hour (mph) on LOVR and 25 mph on the proposed extension of Froom Ranch Way and the vehicle fleet mix was assumed to be 98 percent passenger automobiles and 2 percent heavy trucks, based on recent traffic studies completed for other City of San Luis Obispo projects (City of San Luis Obispo 2008b). A hard surface was included in the sound level determinations as it provides a conservative estimate and accounts for the majority of land use in the area (hard surfaces [e.g., concrete, water, etc.] help to reflect sound waves and increase sound levels, while soft surfaces [e.g., grass, etc.] absorb sound waves).

Sound levels along LOVR were determined at 80 feet from the center of the outer-most lane of traffic to account for noise experienced at residences located on the frontage road along LOVR between Madonna Road and Froom Ranch Way. Sound levels along the proposed extension of Froom Ranch Way were determined at 55 feet from the center of

the outer-most lane of traffic to account for noise experienced at Pacific Beach High School and residential properties that are located adjacent to the proposed extension. Additionally, a 6-foot high wall was included in the sound level determination for Froom Ranch Way (this wall was not included in the sound level determination for existing conditions along Froom Ranch Way). This wall would consist of solid masonry-type construction and would be installed to ensure sound level reductions for residences and Pacific Beach High School adjacent to Froom Ranch Way by providing a break in line-of-sight between the roadway noise source and potential sensitive receivers. Based on a slight rise in elevation from Froom Ranch Way to the proposed wall (approximately 3.8 feet), the final height of the wall was input at 9.8 feet to account for this change in elevation (Irish Hills Plaza East, LLC 2008).

The projected 24-hour sound levels along the segment of LOVR between Madonna Road and Froom Ranch Way would be approximately 70.2 CNEL, an increase of 0.4 dBA from the existing noise level of 69.8 CNEL. Estimated increases in traffic sound levels along LOVR are associated with projected traffic volume increases of approximately 193 trips during the P.M. peak hour (a 7.5 percent increase). The projected 24-hour sound levels along the extension of Froom Ranch Way would be approximately 46.2 CNEL, a decrease of 2.3 dBA from the existing noise level of 48.5 CNEL. Although the project would add approximately 255 trips (from 50 to 305) to the Froom Ranch Way extension during the P.M. peak hour (a 510.0 percent increase), sound levels are anticipated to decrease due to the installation of the 6-foot high sound barrier located approximately 3.8 feet above the finished elevation of Froom Ranch Way along northern edge of the property.

Although resulting outdoor sound levels for residences located on the frontage road along LOVR between Madonna Road and Froom Ranch Way would be anticipated to be higher than acceptable exterior noise levels of 60 CNEL (see Table 3.7-1), existing noise levels already exceed this standard. The estimated increase of approximately 0.4 dBA would not be perceptible to a receptor and would be considered adverse but less than significant. Further, anticipated exterior noise levels due to traffic sources for properties located adjacent to the extension of Froom Ranch Way would result in reductions from current conditions and would be well below acceptable levels. Therefore, this impact would be considered beneficial and less than significant.

Typical reductions in noise levels from exterior to interior conditions for older construction style residences is approximately 22-25 dBA (City of San Luis Obispo 2003). Based on reductions to projected exterior noise levels (70.2 CNEL), resulting 24-hour interior noise levels for residences along LOVR would be approximately 45.2 to 48.2 CNEL and would exceed the acceptable interior noise standard of 45 CNEL (see Table 3.7-1). Although the resulting interior sound level range would only be 0.4 dBA higher than the existing conditions (44.8 to 47.8 CNEL) and would generally not be perceptible to the human ear, this impact would be considered potentially significant due to the increase from a conservative existing interior noise level of 44.8 CNEL to a projected level above the 45 CNEL threshold. In addition, this impact would be considered potentially significant due its potential to affect normal indoor residential activities of people including speech interruption and/or sleep interference. Mitigation to address this potential impact has been provided below.

Due to the relatively low level of noise associated with Froom Ranch Way and the proposed sound barrier, interior noise levels for residences along this roadway would not exceed the noise standard. In addition, anticipated interior noise levels at Pacific Beach High School would not exceed the accepted hourly noise standard for schools of 45 dBA (see Table 3.7-1) due to the relatively low level of noise generated along Froom Ranch Way and associated sound barrier as well as a 240-foot setback between LOVR and the school's closest interior spaces. Typically, traffic noise levels decrease by approximately 3 dBA for every doubling of distance from the noise source. The highest anticipated hourly sound level along LOVR between the hours of 8 A.M. and 4 P.M. (typical school hours) would be approximately 69.9 dBA at 80 feet from LOVR. This noise level would be reduced by approximately 6 dBA over the 240-foot setback and an additional 22-25 dBA from exterior to interior conditions, resulting in an interior sound level of approximately 38.9 dBA to 41.9 dBA. Therefore, anticipated interior noise impacts for Pacific Beach High School and residences located along Froom Ranch Way would be less than significant.

Projected increases in noise levels on other roadway segments in the vicinity of sensitive receptors near the project due to traffic increases are anticipated to result in adverse but less than significant noise impacts. Trip generation on other roadways in the vicinity of the project near sensitive receptors would result in increases ranging from approximately 0.6 percent to 8.7 percent (see Appendix E). These increases would not be expected to

result in noise level increases of more than 1 dBA and would not be perceptible to the human ear.

### Mitigation Measures

#### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM NO-2 In order to achieve indoor noise levels below 45 CNEL along the frontage road on LOVR between Madonna Road and Froom Ranch Way, the applicant shall implement noise reduction measures, including but not limited to:*

- *construct sound barriers or offer to retrofit existing residences with noise-reducing features; and*
- *establish a developer fee program to pay for trip reduction programs.*

### Impact

**NO-3 Long-term operational noise impacts associated with the project could result in the exceedance of thresholds in the *City of San Luis Obispo, General Plan Noise Element and Noise Guidebook.***

Long-term operational noise impacts associated with the proposed project would include maintenance and pickup/delivery activities and noise-generating rooftop equipment such as air conditioners or kitchen ventilation systems. While mitigation measures would reduce the noise impacts of such activities, specific attention needs to be paid to the proposed Anchor C truck dock and trash pickup area which is located approximately 100 feet from the nearest residential property boundary (see Figure 2.4-1). Sounds levels associated with diesel trucks and trash pickup activities generate noise levels of approximately 80 dB at 50 feet and could potentially exceed acceptable levels for maximum noise exposure to noise-sensitive uses (City of San Luis Obispo 2002). The Anchor C truck dock and delivery area is oriented such that the exterior of the commercial building would act as a sound barrier to existing nearby residences that would result in a noise reduction of approximately 5 dB by providing a break in line-of-sight between the noise source and potential sensitive receivers (City of San Luis Obispo 1996). At 100 feet, these noise levels would be further reduced by approximately 6 dB due to sound attenuation over this distance and would be additionally reduced approximately 5 dB by the 6-foot-high sound barrier between Froom Ranch Way and the adjacent residences (City of San Luis Obispo 1996). These reductions are likely to result

in maximum noise levels associated with delivery and trash pickup activities at Anchor C of approximately 64 dB which would exceed both the acceptable nighttime and daytime maximum exterior sound levels of 50 dBA and 55 dB, respectively, for nearby residences (see Table 3.7-2). Therefore, this impact would remain significant even with implementation of the proposed noise reduction measures.

#### Mitigation Measures

##### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM NO-3a All noise-generating rooftop building equipment, such as air conditioners and kitchen ventilation systems, shall be installed away from existing and proposed noise-sensitive receptors (i.e., residences) or be placed behind adequate noise barriers.*

*MM NO-3b The applicant shall submit a truck traffic plan to the City Public Works Department which will address timing, noise, location, and number of deliveries for each project component. The applicant shall cooperate with the City to ensure that impacts to noise-sensitive receptors are mitigated to the maximum extent feasible.*

#### Residual Impact

Even with implementation of the above-mentioned mitigation measures, City noise standards for residential and school uses may be temporarily exceeded during grading and construction activities. Standard mitigation measures restricting hours of construction would minimize impacts; however, due to the location of sensitive land uses adjacent to the project site, noise standards may be periodically exceeded.

Potential interior noise level impacts for residences located along the frontage road on LOVR could be mitigated to less than significant levels through retrofitting of existing residences or construction of sound barriers; however, the City's General Plan was adopted with overriding considerations with respect to noise impacts to the outside areas of residences on LOVR. For example, while a sound barrier is the standard approach to mitigation, it was determined that the aesthetic impacts of a sound barrier for the recent and nearby Costco Project would have exceeded the advantages of reducing traffic noise and no mitigation was proposed (City of San Luis Obispo 2003). In addition,

establishment of a developer fee program to pay for trip reduction programs (as recommended in MM TT-1a to reduce traffic impacts) would help to reduce sound levels; however, this measure would not be expected to reduce impacts to less than significant on its own.

Further, long-term operational noise levels associated with truck delivery and trash pickup activities would exceed exterior noise limits at adjacent residences and result in significant impacts even after mitigation.



### 3.8 TRANSPORTATION AND TRAFFIC

This section was prepared based on the Transportation Impact Analysis (TIA) prepared by Fehr & Peers Transportation Consultants (Fehr & Peers) for the proposed Prefumo Creek Commons Project (see Appendix E; Fehr & Peers 2009). The TIA contains detailed analyses of local traffic circulation issues, with particular attention to potential increases in congestion at major intersections along the area's limited arterial system. Pedestrian, transit, bicycle, and parking impacts anticipated to result from construction and operation of the proposed project are also analyzed. Two visits by Fehr & Peers were made to the project site in February and August 2008. During these site visits, Fehr & Peers personnel assessed existing traffic operations and pedestrian facilities against calculated operations. Field observations indicated that most of the eight study intersections are operating at or near the calculated levels of service (LOS) (see Appendix E).

The proposed project would involve the development of an 188,658-square foot (sf) regional shopping center on 19 acres on the portion of the project site west of Prefumo Creek. Project access would be provided by an extension of a four-lane segment of Froom Ranch Way from the intersection with Los Osos Valley Road (LOVR) for approximately 980 feet along the northwest side of the project site to its terminus at Prefumo Creek. Two driveways would provide access into the site off this extension of Froom Ranch Way (refer to Figure 2.4-1). At its intersection with LOVR, the Froom Ranch Way extension would have a 220-foot left-turn pocket and shared through-right lane. A double left-turn lane with 160-feet of storage would be installed on LOVR to access Froom Ranch Way. Vehicular access to the project site for northbound traffic on LOVR is also provided by a separated ingress/egress point located roughly in the middle of the project's frontage with LOVR. An additional driveway at the project site's southern boundary, as well as complete pedestrian frontage improvements (6-foot sidewalks) along the site's LOVR frontage and on both sides of Froom Ranch Way would also occur as part of the proposed project.

The roadways and intersections included in the TIA were identified jointly by Fehr & Peers and City staff based on the magnitude and specific location of project-generated traffic and the potential for newly generated trips to impact streets and roadways in the project area. [The team also considered previous area circulation studies and care was taken to ensure that potentially affected facilities were studied.](#) Existing and project

conditions were evaluated during the weekday P.M. peak hour period, which is expected to be the worst-case scenario for project trip generation. A review of available traffic data (e.g., Irish Hill Phase 1 TIA, June 2005) demonstrated that traffic volumes on the study streets are generally lower during the A.M. peak hour and on weekends than during the P.M. peak hour. The estimated project trip generation during the A.M. peak hour is not expected to result in impacts



*Photo 1. LOVR in the project vicinity is a 5 to 7 lane, high-volume arterial designed to serve the area's auto-oriented uses.*

beyond those identified in the P.M. peak period; therefore, per City direction, no quantitative analysis was conducted during the A.M. peak period or on weekends. Cumulative traffic volumes addressed in Section 5.0 were developed using forecasts from the traffic models developed by the City and the San Luis Obispo Citywide Traffic Model (SLOCTM). This section also addresses the adequacy of existing and proposed parking areas to accommodate parking demand anticipated to result from project implementation, as well as the project's affect on parking facilities associated with existing businesses and other vehicular destinations in the vicinity of the site. Additionally, this section provides the results of analyses conducted to address potential project impacts to and the resulting adequacy of pedestrian, bicycle, and public transit facilities.

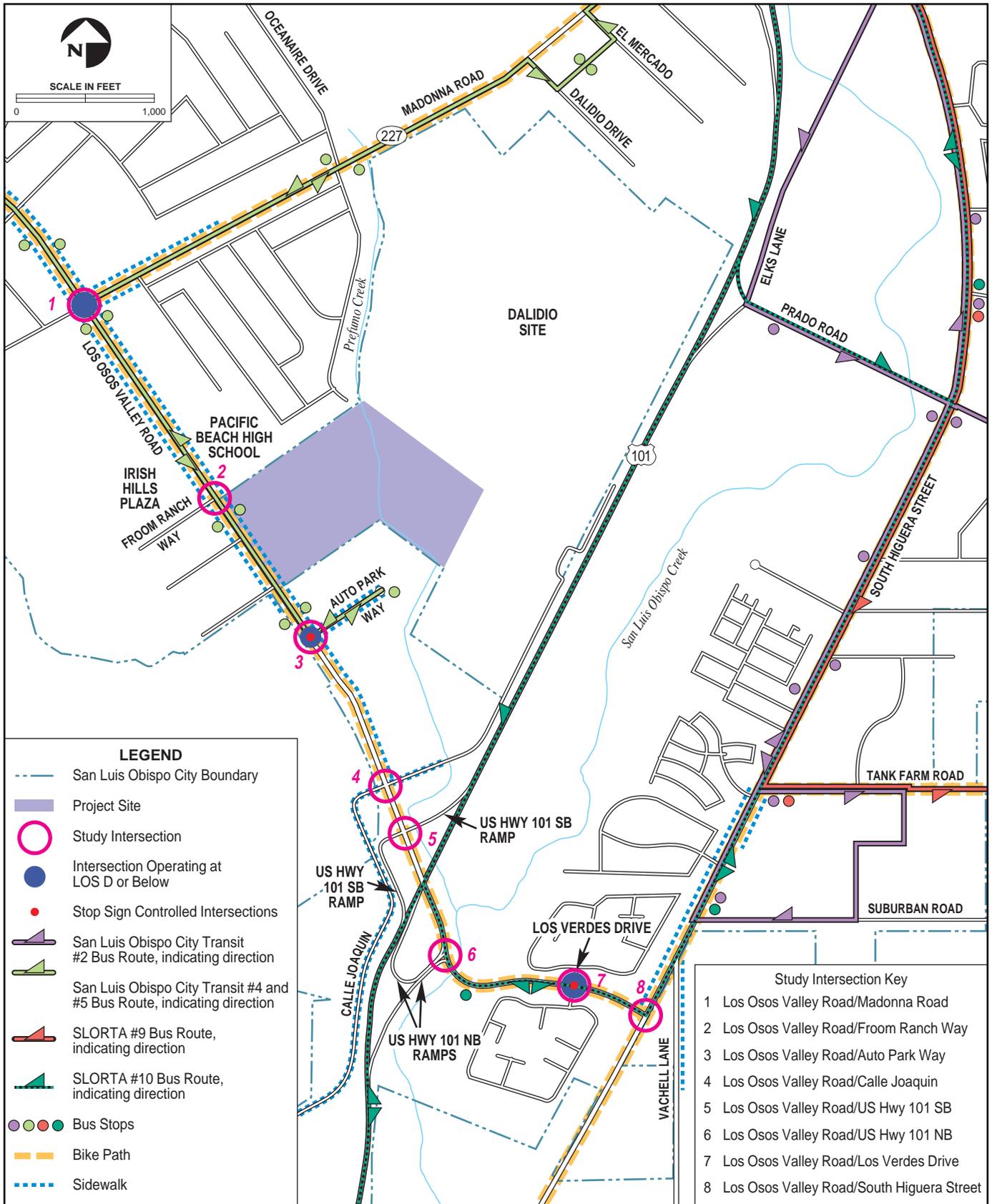
The scope of the TIA was developed in consultation with City of San Luis Obispo staff and conforms to standards for such analysis set forth in adopted City guidelines. In particular, careful consideration was given to which intersections could be substantially affected by project-generated traffic and the likely outer boundary of such impacted facilities. ~~All such~~ These intersections and transportation network elements were reviewed and assessed in this EIR. The initial screening of which facilities could be substantially impacted by project-generated traffic took into account existing traffic volumes, traffic control systems (e.g., signals), existing operational characteristics, and the order of magnitude of project-generated traffic and its likely distribution.

### 3.8.1 Existing Conditions

#### 3.8.1.1 Area Roadway Network

Regional access to southwestern San Luis Obispo is provided via interchanges at LOVR and Madonna Road with U.S. Highway 101 (U.S. 101), located south and west of downtown San Luis Obispo. These two interchanges provide access to a limited arterial system which funnels large volumes of traffic generated in this auto-oriented area to a few key intersections. For orientation purposes, LOVR is considered an east-west arterial roadway, while U.S. 101 and Madonna Road are considered north-south facilities. Local access to the site is provided via LOVR, Madonna Road, Froom Ranch Way, and South Higuera Street (Figure 3.8-1). Vehicular access to the site would be provided via a northeastward extension of Froom Ranch Way and two right-in/right-out only driveways on LOVR. Key streets and highways which provide access to the project site and vicinity are described below:

- *U.S. 101*, located east of the project site, is a multi-lane interstate highway which extends through the City of San Luis Obispo, south to Los Angeles, and north to San Francisco and beyond. Within the study-area, U.S. 101 contains four lanes. Primary highway access to and from the site would be provided via the LOVR and Madonna Road interchanges.
- *LOVR*, located along the southwestern boundary of the project site, is a two- to six-lane roadway with an east-west alignment extending between South Higuera Street in San Luis Obispo to the unincorporated community of Los Osos to the west on the coast. LOVR serves as both a state highway carrying through traffic to Los Osos and beyond and provides access to residential neighborhoods and commercial centers at the City's southern end, particularly a newly developed "big box" regional shopping center at Irish Hills Plaza. LOVR is four lanes west of U.S. 101 and two-lanes east of U.S. 101. A short section of LOVR is six lanes between Madonna Road and the southern entrance to the Home Depot at Irish Hills Plaza; however, the curb lanes in this section terminate into turn lanes and do not continue through major intersections.
- *Froom Ranch Way*, located directly across LOVR from the project site, is a two- to four-lane roadway with a north-south alignment that serves as a driveway to the Irish Hills Plaza/Home Depot/Costco retail center. A short segment of the roadway north of LOVR along the proposed project boundary also serves as an entrance to the Garcia Drive neighborhood.



Existing Transportation Facilities in the Proposed Project Area

**FIGURE 3.8-1**

- *Madonna Road*, located northwest of the project site, is a north-south roadway that connects LOVR to South Higuera Street. Madonna Road includes an interchange with U.S. 101 and provides access to the Madonna Plaza and San Luis Obispo Promenade retail centers. Between U.S. 101 and LOVR, Madonna Road is a four-to six-lane arterial with a median north of Dalidio Drive; south of LOVR, Madonna Road narrows to two lanes and serves residential uses. The section of Madonna Road between the southbound U.S. 101 ramps and South Higuera Street is designated State Route (SR) 227.
- *South Higuera Street*, is a two- to four-lane roadway linking the southern section of the City with the northerly Downtown area. South Higuera Street includes two lanes south of LOVR and four lanes north of LOVR. This roadway is parallel to U.S. 101 and serves a mixture of residential and commercial land uses.

Substantial improvements to the area roadway network have been recently constructed or are under planning for construction. Recently constructed improvements include the construction of through and turn lanes along LOVR near the project site developed as part of the Costco project and the realignment of Calle San Joaquin to the south to align formerly disjointed road segments to provide a symmetrical intersection of this road with LOVR. The LOVR/U.S. 101 overpass was also recently re-stripped to provide for two northbound and one southbound lane which led to a substantial improvement in LOS at this location. Major improvements to the LOVR/U.S. 101 interchange are currently planned for completion in 2015. These improvements would include construction of a four-lane overpass and realignment and lengthening of the on- and off-ramp system to improve storage, merging and operational safety. Longer term improvements would include the extension of From Ranch Way across Prefumo Creek to Dalidio Road, as well as the eventual construction of the Prado Road interchange. However, both of these improvements are closely linked to the construction of the regional shopping center on the Dalidio site and their timing and exact design remains unknown (refer also to Figure 5.3-1, *Regional Circulation Improvements*).

#### 3.8.1.2 Transit Services

SLO Transit operates bus service within the City of San Luis Obispo. Routes 4 and 5 (two of the seven fixed SLO Transit routes) serve the proposed project site (refer to Figure 3.8-1). San Luis Obispo Regional Transit Authority (SLORTA) operates intercity bus service within San Luis Obispo County and to Santa Maria in Santa Barbara County. SLORTA also operates Runabout, the County-wide Americans with Disabilities Act (ADA) transportation service.

Hours and operation and service frequencies for SLO Transit and SLORTA routes that operate in the project vicinity are described in Table 3.8-1. SLO Transit Routes 4 and 5 provide service along LOVR and stop near the proposed project site. Additional service on South Higuera Street is provided by Route 2; however, the end of this route has no direct connections to routes that continue to the west of U.S. 101. All routes serve the downtown transit center, which is located at the corner of Osos and Palm streets in downtown San Luis Obispo. There is no direct transit service to the project site, but the nearest transit stop is halfway between Froom Ranch Way and Auto Park Way on LOVR near the southwestern corner of the proposed project site. Route 4 travels from west to east along LOVR and includes transit stops at Laguna Lane, Oceanaire Drive, and between Royal Way and Madonna Road. The route continues north on Madonna Road to Dalidio Drive and El Mercado and returns back to Madonna Road, making another stop at LOVR. The route then continues east on LOVR and stops between Froom Ranch Way and Auto Park Way (refer to Figure 3.8-1). Route 2 travels both directions on South Higuera Street, with stops north of Prado Road and along Prado Road. The route continues along South Higuera Street to Tank Farm Road and returns to South Higuera via Suburban Road (refer to Figure 3.8-1).

**Table 3.8-1. Existing Transit Service**

Route	Service To Project Site	Day of Week	Service Span	Headway <sup>1</sup> (minutes)
<b>SLO Transit</b>				
2	From Downtown along South Higuera Street <sup>2</sup>	Mon – Fri Mon – Thurs <sup>3</sup> Sat & Sun	6:03 A.M. – 6:20 P.M. 6:50 P.M. – 10:18 P.M. 8:03 A.M. – 6:03 P.M.	40 40 40
4	From Downtown along Madonna Road and LOVR	Mon – Fri <a href="#">Sat &amp; Sun</a>	6:00 A.M. – 10:40 P.M. <a href="#">8:10 A.M. – 6:05 P.M.</a>	30 <a href="#">60</a>
5	From Downtown along Madonna Road and LOVR	Mon – Fri <a href="#">Sat &amp; Sun</a>	6:20 A.M. – <a href="#">12 P.M.</a> <a href="#">12 P.M. - 6:50 P.M.</a> <a href="#">8:20 A.M. – 6:17 P.M.</a>	<del>30</del> <a href="#">60</a> <a href="#">60</a>
<b>SLORTA</b>				
9	San Luis Obispo – Cal Poly – Santa Margarita – Atascadero – Templeton – Paso Robles – San Miguel	Mon – Fri Sat Sun	5:50 AM – 9:40 PM 8:06 AM – 7:54 PM 8:06 AM – 6:54 PM	60 180 240
10	San Luis Obispo – Five Cities – Nipomo – Santa Maria	Mon – Fri Sat Sun	6:08 A.M. – 8:48 P.M. 8:08 A.M. – 6:48 P.M. 8:08 A.M. – 5:48 P.M.	60 180 240

Notes: <sup>1</sup> Headway is the amount of time elapsed between pick-ups at any given transit stop.

<sup>2</sup> This service ends approximately 1 mile from the proposed project site.

<sup>3</sup> This service does not operate from June 16 to Labor Day.

Source: City of San Luis Obispo 2008a; SLORTA 2008.

Although several transit stops exist within 0.25 miles of the site, transit service frequency (also known as headway) in the project vicinity is relatively infrequent, with the two key routes in the project vicinity (Routes 4 and 5), operating at 30- to 60-minute headways. This relatively low headway can lead to delays for transit-dependent individuals and may not make public transportation an attractive option for non-transit-dependent individuals. Ideal headways to make transit most useful to transit dependent households and attractive to non-transit dependent individuals are generally from 10 to 15 minutes during peak hours. However, the auto-oriented, low-density nature of area land uses and large-block, arterial-based street system present a challenge to improving transit service to the area.

SLORTA is currently updating the San Luis Obispo Short Range Transit Plan (SRTP), a five-year transit operating plan and capital program for public transportation in the County. The updated SRTP will provide an overview of the status of regional services in SLORTA's service area and provide a blueprint for improvements to current services, including potential changes to routes and schedules to improve headway and accommodate more riders (SLORTA 2009).

SLORTA Routes 9 and 10 are the only regional transit routes with stops in the project vicinity. SLORTA Route 9 stops at South Higuera Street and Tank Farm Road, approximately 1.3 miles from the project site. SLORTA Route 10 stops at South Higuera Street and Suburban Road, approximately 1.5 miles from the project site.

In addition to inner-city transit, Amtrak provides intercity rail and bus service at the station located at 1011 Railroad Avenue, approximately 4 miles northeast of the project site. The Pacific Surfliner line operates two trains daily from the station to destinations south of San Luis Obispo.

Amtrak's Coast Starlight line operates one train daily from the station to points south and north. The Pacific Surfliner bus service provides four additional trips daily to points south and five additional trips daily to points north. The San Joaquin bus service provides two trips daily from the station to points east, and the Capitol Corridor bus service provides one trip daily from the station to points north. SLO Transit Route 5 (which encompasses portions of the project vicinity; refer to Figure 3.8-1) and SLORTA Route 10 provide bus service between the Downtown transit center and the Amtrak station. Existing regional rail and bus service serves mainly regional long-distance or

through travel and is not necessarily designed or scheduled to address growing intercity commuter traffic within the 5 Cities area (which includes San Luis Obispo in addition to Pismo Beach, Grover Beach, Oceano, and Halcyon), northern Santa Barbara County to the south, and San Luis Obispo County communities to the north such as Templeton, Atascadero, and Paso Robles.

#### 3.8.1.3 Bicycle Facilities

No existing formalized Class I bike paths are located adjacent to the project site; however, recreationally oriented Class I bike paths are located in Laguna Lake Park near the project site. Class II bike lanes are striped in both directions on South Higuera Street, LOVR, and Madonna Road north of LOVR. The South Higuera Street lanes are striped between the southern city limits south of LOVR and Marsh Street in the Downtown area. The LOVR lanes are



*Photo 2. Class II bike lanes and widely spaced transit stops are available along LOVR in the project vicinity.*

striped from the western city limits to South Higuera Street. The Madonna Road lanes are striped north of LOVR. Class III bike routes are provided along frontage roads parallel to U.S. 101 and in areas north of Madonna Road. All of Oceanaire Drive and parts of Laguna Lake Park include Class III bike routes. Bicycle traffic volumes are relatively high at the intersections of LOVR and Madonna Road; however, volumes along the high speed/high volume section of LOVR between From Ranch Way and South Higuera Street are relatively low (see Appendix E).

In addition, several improvements are planned to the bike network in the project vicinity. The City's Bicycle Transportation Plan identifies a Class 3 bike route on From Ranch Way with a bridge over Prefumo Creek connecting with the Class I trail system east of the Creek. This Class I trail system would entail a major extension of the Bob Jones Class I bikeway east of Prefumo Creek that would eventually connect with Calle Joaquin through the eastern half of the project site and extend northeast through the Dalidio property.

#### 3.8.1.4 Pedestrian Facilities

Pedestrian facilities comprise sidewalks, crosswalks, and off-street paths that are intended to provide safe and convenient routes for pedestrians to access destinations such as institutions, businesses, public transportation, and recreation facilities. The project site is located along LOVR between Madonna Road and Auto Park Way, which is not considered one of the City's pedestrian-oriented commercial streets. Sidewalks are in place on all major streets in the



*Photo 3. The project frontage is currently served by an asphalt path.*

vicinity except along the south side of LOVR roughly between Irish Hills Plaza and Calle Joaquin (refer to Figure 3.8-1). The project frontage is currently served by an asphalt path. Several informal pedestrian paths exist in the project vicinity, including one which links Cayucos Drive and its residential neighborhood to the site, and one which traverses the site from Froom Ranch Way across Prefumo Creek to neighborhoods to the north. In general, the LOVR corridor near the project site is not a pedestrian oriented area. Relatively long distances between destinations, a wide high-speed arterial, and the auto-oriented design and nature of recent commercial development reduce the attractiveness of the vicinity for pedestrian activity. As a result, pedestrian volumes between Froom Ranch Way and South Higuera Street are relatively low.

The Madonna Road/LOVR intersection is a well-used pedestrian crossing point within the project study area. Crosswalks and pedestrian signals are provided on all approaches of the Madonna Road/LOVR intersection. Field observations and pedestrian counts at this location have shown that up to 25 pedestrians crossed at least one leg of the intersection during the P.M. peak hour and approximately 45 percent of signal cycles during the P.M. peak hour included a pedestrian call (see Appendix E).

To accommodate the existing level of pedestrian activity, the City implemented a pedestrian-oriented phasing plan at the Madonna Road/LOVR intersection. Pedestrians using the crosswalk across the west leg (i.e., crossing LOVR) are given right-of-way (ROW) at the same time the westbound right lane turns from LOVR onto Madonna Road,

and also when southbound left turns occur from Madonna Road onto LOVR. Consistent with City policy which emphasizes protecting and enhancing pedestrian use, this phasing plan reduces vehicle turning capacity, but minimizes pedestrian and vehicle conflicts at a location with both high pedestrian and vehicle volumes. Pedestrian calls at signalized intersections increase the minimum green time for various signal phases to allow pedestrians adequate time to reach the far side of the street. This phasing plan and frequent pedestrian use have been included in the intersection analysis in order to accurately portray its affect on intersection vehicular capacity.

#### 3.8.1.5 Traffic Counts

Traffic counts taken in March 2008 by the City were used for four of the traffic study intersections. New counts at the remaining four intersections were conducted by Fehr & Peers in June 2008. The following eight study intersections within the project vicinity, from west to east along LOVR, were evaluated (refer to Figure 3.8-1):

1. LOVR/Madonna Road
2. LOVR/Froom Ranch Way
3. LOVR/Auto Park Way
4. LOVR/Calle Joaquin
5. LOVR/U.S. 101 southbound on- and off-ramps
6. LOVR/U.S. 101 northbound on- and off-ramps
7. LOVR/Los Verdes Way
8. LOVR/South Higuera Street

Traffic counts are provided in Appendix E. The March 2008 counts were conducted when Cal Poly University and Cuesta College were in session, but only Cal Poly was in session for the June 2008 counts. Per City direction, the P.M. peak hour period was selected for the intersection analysis because the traffic demands at the intersections are typically higher during this time period than the A.M. peak hour, and the Prefumo Creek Commons Project would generate substantially higher volumes in the P.M. peak hour period than during the A.M. peak period. For examples, during the A.M. peak hour, shopping centers such as the proposed Prefumo Creek Commons Project typically generate about 20 percent of the traffic experienced during the P.M. peak hour. In addition, the potential need for Saturday counts was also considered. However, the results of the *Irish Hills Phase 1 TIA* (June, 2005) indicate that the PM and Saturday intersection operations are all at acceptable LOS. In addition, weekday PM peak hour intersection delays were greater than Saturday delays at all locations except for the

LOVR/Froom Ranch Road intersection. Although P.M. peak hour operations are known to be generally worse than either A.M. peak hour or Saturday, operations at area intersections were screened to consider the potential for impacts during non-P.M. peak periods and are discussed as appropriate below.

#### 3.8.1.6 Intersection Operations

Because traffic flow on urban arterials is most constrained at intersections, detailed traffic flow analyses focus on operating conditions of critical intersections during peak travel periods. The quality of service offered by any roadway can be described by measuring its LOS, a qualitative method for describing operational conditions within a traffic stream or at an intersection, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. In rating intersection operations, LOS A through F are used, with LOS A indicating free-flow operations and LOS F indicating congested operations. The Transportation Research Board (TRB)'s 2000 *Highway Capacity Manual (HCM)* is the standard used for evaluating all types of LOS (e.g., signalized, unsignalized, freeway intersections). The City of San Luis Obispo considers LOS D as the minimum acceptable operating standard for intersections for signalized and unsignalized intersections in the City during peak hour traffic (City of San Luis Obispo 1994). The control delay values for signalized and unsignalized (e.g., stop-sign controlled) intersections used to determine intersection LOS are summarized in Table 3.8-2.

**Table 3.8-2. LOS Criteria for Signalized and Unsignalized Intersections**

LOS	Description	Control Delay Per Vehicle (seconds)	
		Signalized	Unsignalized
A	Uncongested operations; all vehicles clear in a single cycle.	≤ 10	≤ 10
B	Uncongested operations; all vehicles clear in a single cycle.	10.1 – 20	10.1 – 15
C	Light congestion; occasional backups on critical approaches.	20.1 – 35	15.1 – 25
D	Congestion on critical approaches, but intersection functional. Vehicles wait through more than one cycle during short peaks. No long-standing lines formed.	35.1 – 55	25.1 – 35
E	Severe congestion with some long-standing lines on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements.	55.1 – 80	35.1 – 50
F	Total breakdown with stop-and-go operations.	> 80	> 50

Source: TRB 2000.

Based upon this analysis, existing signalized intersections in the study area generally operate at acceptable free flowing conditions of LOS D or better. Only the intersection of LOVR and Madonna Road currently operates at LOS D, while all other signalized intersections operate at LOS B or C. The two stop sign-controlled intersections of LOVR with Auto Park Way and Los Verdes Drive currently operate at overall acceptable LOS; however, both intersections experience severe side-street delays as motorists attempting to cross LOVR to enter or exit these streets experience extended delays as they are required to wait for breaks in traffic on LOVR. This matter is discussed in more detail below.

The LOS criteria for stop-sign-controlled intersections have different threshold values than those for signalized intersections primarily because drivers expect different levels of performance from different types of transportation facilities. The expectation is that a signalized intersection is designed to carry higher traffic volumes than a stop-sign-controlled intersection. Thus, a higher level of control-related delay is acceptable at a signalized intersection for the same LOS.

Operations on freeways are generally governed by merge and diverge areas where vehicles enter and exit the freeway mainline. Freeway ramp junction operations on U.S. 101 were evaluated at the LOVR interchange where they meet the freeway mainline. Freeway ramp merge/diverge operations are evaluated based on density, which is equal to the number of passenger cars per hour per lane-mile. The LOS used to evaluate density for freeway ramps is shown in Table 3.8-3.

LOS was calculated for the area intersections using the SYNCHRO LOS analysis software program, which implements the HCM methodology. The methodology accounts for geometry, traffic controls, signal timing, and the mix of traffic using the facility, including autos, trucks, buses, bicycles, and pedestrians. Measured against the City of San Luis Obispo's LOS standards, at least one turning movement at the LOVR/Auto Park Way and LOVR/Los Verdes Drive



*Photo 4. Queuing and some congestion are present at the LOVR and U.S. 101 interchange during the PM peak hour.*

**Table 3.8-3. LOS Criteria for Freeway Ramp Merge and Diverge Intersections**

LOS	Description	Density (vehicles per mile per lane)
A	Free-flow speeds prevail; vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream.	≤ 10
B	Free-flow speeds are maintained; the ability to maneuver with the traffic stream is only slightly restricted.	11 – 20
C	Flow with speeds at or near free-flow speeds; freedom to maneuver within the traffic stream is noticeably restricted and lane changes require more care and vigilance on the part of the driver.	21 – 28
D	Speeds decline slightly with increasing flows; freedom to maneuver with the traffic stream is more noticeably limited and the driver experiences reduced physical and psychological comfort.	29 – 35
E	Operation at capacity; virtually no usable gaps within the traffic stream, leaving little room to maneuver; any disruption can be expected to produce breakdown with queuing.	36 – 43 <sup>1</sup>
F	Complete breakdown in flow.	**

Notes:

<sup>1</sup>The maximum density for ramp junctions under LOS E is not defined in the 2000 HCM. Fehr & Peers uses the maximum density of 43 veh/mi/ln, as identified for weaving sections in the 2000 HCM.

\*\* = Demand flow exceeds capacity.

Source: Fehr & Peers 2009 (see Appendix E); TRB 2000.

intersections currently operates at an unacceptable level during the P.M. Peak Hour (Table 3.8-4). Field observations of the key intersections were conducted during the P.M. peak hour in February, March, June, and September 2008 and results indicated that most of the study intersections are operating at or near the calculated LOS. Queuing was noted at most intersections for both eastbound and westbound traffic along LOVR. During the P.M. peak hour, westbound LOVR traffic at the southbound U.S. 101 off-ramp usually queued back to the northbound U.S. 101 off-ramp. Westbound vehicles on LOVR also intermittently queued at the Madonna Road and Froom Ranch Way intersections, but typically cleared within one or two signal cycles (see Appendix E).

**Table 3.8-4. Existing P.M. Peak Hour Intersection LOS**

Intersection	Control	P.M. Peak Hour	
		Delay (seconds per vehicle)	LOS
LOVR/Madonna Road	Signal	50.3	D
LOVR/Froom Ranch Way	Signal	20.3	C
<b>LOVR/Auto Park Way</b>	<b>Side-street stop</b>	<b>48.4</b>	<b>E</b>
LOVR/Calle Joaquin	Signal	13.2	B
LOVR/U.S. 101 southbound ramps	Signal	15.7	B
LOVR/U.S. 101 northbound ramps	Signal	26.8	C
<b>LOVR/Los Verdes Drive</b>	<b>Side-street stop</b>	<b>&gt; 150</b>	<b>F</b>
LOVR/South Higuera Street	Signal	14.3	B

Note: Intersections in **bold** operate at an unacceptable LOS.

Source: Fehr & Peers 2009 (see Appendix E).

[LOVR and Madonna Road and Laguna Village Shopping Center \(~~LOVR and Madonna Road~~\)](#)

[P.M. peak hour congestion at the intersection of LOVR/Madonna Road creates potential operational issues at the intersection of driveways and roads along both Madonna Road and LOVR in the vicinity of this intersection.](#) The Laguna Village Shopping Center located on the northwest corner of the LOVR and Madonna Road intersection has [three access driveways \(including one shared with the corner gas station lot\) on access to LOVR and two access driveways onto Madonna Road.](#) During the P.M. peak hour, [high increasing traffic volumes can have caused congestion at this location. In particular, where traffic volumes on LOVR require significant green time to process their maneuvers.](#) These long green times for LOVR can sometimes result in southbound queues on Madonna Road [that](#) extend from LOVR past the northern of two Laguna Village Shopping Center driveways. In addition, traffic queues extending past the northern driveway in conjunction with left turn-access into the shopping center were [identified by the City as](#) contributing to a persistent collision pattern. [As a result To mitigate these collisions and address queuing,](#) the City [has limited restricted left turn egress access to both of this shopping center's driveways on Madonna Road, with turn restrictions](#) to minimize queuing conflicts. [These restrictions, which](#) include: (1) right-in-right-out access at the southern driveway near the gas station, and (2) right-in-right-out with left turn out access at the northern driveway across from Pereira Drive.

In addition to these issues, the intersection of Madonna Road with Pereira Drive currently experiences side street delays for access onto Madonna Road due to relatively high volumes on Madonna Road; however, overall LOS appears to remain acceptable. Such delays can interfere with the ability of Oceanaire neighborhood residents attempting to turn left onto southbound Madonna Road. Operations at this intersection are also affected by an offset between the shopping center driveway and Pereira Drive which adds to difficulties in vehicles trying to make turning movements at this location. When these periodic southbound queues occur at this intersection, delays and difficulties with left turns off Pereira Drive also occur. These operational difficulties appear to be limited to short periods during peak times and periodically in limited circumstances during the remainder of the day.

#### LOVR/Auto Park Way and LOVR/Los Verdes Drive Intersections

Two unsignalized intersections along LOVR in the project vicinity currently exhibit substantial side street delays for turns across and onto LOVR. Because of this, the peak-hour signal warrant from the Manual on Uniform Traffic Control Devices (MUTCD) was evaluated for the unsignalized LOVR/Auto Park Way and LOVR/Los Verdes Drive intersections to determine if installation of traffic signals is warranted. The result of the peak hour warrant analysis indicated that both intersections do not satisfy the minimum volume thresholds (see Appendix E). However, the decision to install a signal should not be based solely upon the signal warrants, because the installation of signals can interrupt primary arterial flows increasing delays and congestion and lead to certain types of collisions. To reach such a decision, the full set of signal warrants should be investigated based on a thorough study of traffic and roadway conditions. This issue is under active investigation at the LOVR/Los Verdes Drive intersection. City staff has developed a strategy and toolbox to address vehicular access to/from LOVR at Los Verdes Drive for residents of Los Verdes Park I and II. This strategy includes monitoring of the LOVR/Los Verdes Drive intersection as a part of the *Annual Traffic Safety Report to identify and address safety issues*, investigation of options for provision of secondary access via Higuera Street, and evaluation of a bypass road connection during the City's Circulation Element or Regional Transportation Plan update.

Freeway Ramp Junctions

Freeway ramp junction volumes were obtained from the adjacent ramp terminal intersection. Freeway mainline volumes were obtained from 2007 and 2008 counts conducted by California Department of Transportation (Caltrans) staff. Density is calculated by using the travel speed and volume from the adjacent segment, adjusted by the volume entering and/or exiting the freeway at the interchange and is represented in the number of passenger cars per mile per lane. Freeway ramp junction LOS were calculated (see Appendix E) and it was determined that all merge/diverge ramp junctions operate at an acceptable LOS under existing conditions during the P.M. Peak Hour (Table 3.8-5). It should be noted that the City and Caltrans have identified existing A.M. period queuing and operational issues at the northbound off-ramp; however, Caltrans is scheduled to implement improvements which will address these issues during spring or summer of 2009 (City of San Luis Obispo 2009a).

**Table 3.8-5. Existing PM Peak Freeway Ramp Junction LOS**

Ramp Location		Density (cars per mile per lane)	LOS
U.S. 101 northbound ramps	LOVR northbound off-	24.2	C
	LOVR northbound on-	21.7	C
U.S. 101 southbound ramps	LOVR southbound off-	25.3	C
	LOVR southbound on-	27.1	C

Source: Fehr & Peers 2009 (see Appendix E).

**3.8.2 Regulatory Setting**

3.8.2.1 General Plan Land Use Element

Policy 2.2.9 Large parking lots should be avoided. Parking lots should be screened from street views. In general, parking should not be provided between buildings and the street.

3.8.2.2 General Plan Circulation Element

The City has adopted a Circulation Element (Adopted November 1994, last amended April 2006) as part of its General Plan (City of San Luis Obispo 2006). The following policies are relevant to the proposed project:

Policy C 2.0.5 The City will support trip reduction programs as a long-term sustained effort to reduce traffic congestion and maintain air quality. If air quality degrades or LOS standards are exceeded, the City will pursue more stringent measures to achieve its transportation goals.

Policy C 2.1.5 The City will work with area employers with 50 or more employees on a voluntary trip reduction program.

Policy C 3.0.2 The City should improve and expand city bus service to make the system more attractive, convenient, and accessible. Transit ridership should be expanded so that it accounts for 8 percent of all in-city trips by 2010.

Policy C 3.0.6 The City supports the following service standards for the existing transit system and future development proximate to the transit network:

- A. Bus fares will be set at levels where cost is not a constraint for people to use buses;
- B. The frequency of city transit service will compare favorably with the convenience of using private vehicles;
- C. Routes, schedules, and transfer procedures of the City and regional transit systems should be coordinated to encourage commuter use of buses;
- D. In existing developed areas, transit routes should be located within 1/4-mile of existing businesses or dwellings; and,
- E. In city expansion areas, employment-intensive uses or medium, medium-high, or high density residential uses should be located within 1/8-mile of a transit route.

Policy C 3.0.7 New development should be designed to facilitate access to transit service.

Policy C 3.1.2 To help reduce traffic and the demand for parking, employers should be encouraged to purchase monthly transit passes in bulk at a discount rate and make them available to their employees.

Policy C 4.0.4 New development should provide bikeways, secure bicycle storage, parking facilities, and showers, consistent with city plans and standards.

Policy C 4.0.5 Bikeways should be designed and maintained to improve bicycling safety, convenience, and encourage people to use bicycles to commute to work or school.

Policy C 5.0.4 New or renovated commercial and government public buildings should provide convenient pedestrian access from nearby sidewalks and pedestrian paths separate from driveways and vehicle entrances.

Policy C 5.0.5 To improve pedestrian crossing safety at heavily used intersections, the City should institute the following:

- A. Install crossing controls, where warranted, that provide adequate time for pedestrians to cross the street.
- B. On arterial streets, parkways, or regional routes with four or more travel lanes, install medians at pedestrian crossings where roadway width allows.

Policy C 8.0.1 The City will attempt to manage the use of arterial streets and regional routes/highways to accommodate increases in traffic levels limited to and permitted by the City's adopted growth management plan so that levels of traffic congestion do not exceed the peak hour LOS standards set forth in the Circulation Element. To maintain these standards, the City will pursue the following strategies:

- A. When traffic reaches LOS C, the City will 1) limit increases in all traffic via traffic management programs; 2) institute programs that require the use of alternative forms of transportation and establish policies and programs that act as disincentives to the use of vehicles; and, 3) make minor changes within existing roadways to improve pedestrian and bicycling safety while improving traffic flow; and,

- B. When traffic reaches LOS E, the City will consider the selective widening of arterial streets, regional routes, and highways when improvements to public safety and traffic flow outweigh the fiscal and environmental costs, and do not conflict with alternative transportation policies.

Policy C 8.0.3 The City should manage the street network so that the standards presented in the Circulation Element are not exceeded. This will require new development to mitigate the traffic impacts it causes or the City to limit development which affects streets where congestion levels may be exceeded. The standards may be met by strengthening alternative modes of transportation besides single occupant motor vehicles.

Policy C 9.1.8 As part of any proposal to further develop the Dalidio-Madonna-McBride Area, the alignment and design of a road connecting Prado Road (west of U.S. 101) with LOVR shall be evaluated and established.

Policy C 16.0.7 Development projects should bear the costs of new transportation facilities or upgrading existing facilities need to serve them.

Policy C 16.0.11 The City shall evaluate development proposals to determine their effect on the entire community's traffic, transportation, and circulation.

Policy C 16.1.2 The City will adopt a transportation impact fee ordinance that requires developers to fund projects and programs that mitigate city-wide transportation impacts associated with their projects.

### 3.8.2.3 General Plan Conservation and Open Space Element

Policy 2.2.4 Promote walking, biking, and use of public transit use to reduce dependency on motor vehicles. City actions shall seek to reduce dependency on gasoline- or diesel-powered motor vehicles and to encourage walking, biking, and public transit use.

The proposed project would create potential conflicts or concerns with several of these policies. In particular, increasing congestion along LOVR may raise conflicts with City

standards for minimizing traffic congestion. In addition, the land use development pattern in the vicinity, including the mix of low- to medium-density residential uses with auto-oriented regional and neighborhood commercial centers located along widely spaced arterials, presents a challenge for managing congestion and increasing use of alternative transportation. The auto-oriented nature of the project, its location at the southern edge of the City in a low-density area with modest transit service increases the difficulty of attaining some of the policies which seek to increase use of transit. This is particularly important for the project's 566 primarily low- and moderate-income wage earners, as such employees tend to be more transit dependent than those with higher incomes. Similarly, although the project provides bike and pedestrian facilities, the factors described above ~~work against~~ [limit](#) these forms of transportation playing a major role in mobility for project employees or patrons. These policy issues are discussed below where they intersect with environmental impacts.

#### 3.8.2.4 City of San Luis Obispo Municipal Code

The City's Municipal Code identifies development requirements such as the number of automobile and bicycle parking spaces required. The following code is relevant to the proposed project:

§17.16.060 A minimum of one automobile parking space for every 300 sf of general merchandise retail development for stores less than 45,000 sf; a maximum of one space for every 200 sf for stores larger than 45,000 sf.

The number of bicycle parking spaces shall be 15 percent of the required auto spaces.

### 3.8.3 Environmental Impacts

#### 3.8.3.1 Thresholds for Determining Significance

Significance thresholds for determining transportation and traffic impacts were identified in the City of San Luis Obispo Circulation Element and CEQA Guidelines as described below.

Roadways

Significant impacts to a roadway are defined to occur when the increase in project-related traffic is substantial in relation to the existing traffic load and capacity of the street system.

Intersections

Significant impacts at signalized intersections are defined to occur when:

- C. The addition of project traffic causes intersection operations to degrade from an acceptable level (LOS E or better on downtown arterials, LOS D or better on other streets) to an unacceptable level (LOS F on downtown arterials, LOS E or F on other streets); or,
- D. Project traffic is added to an intersection already operating at unacceptable levels.

Significant impacts at unsignalized intersections are defined to occur when:

- E. The addition of project traffic causes intersection operations to degrade to an unacceptable level and satisfy the peak hour signal warrant from the MUTCD; or,
- F. The project's access to a major street causes a potentially unsafe situation or requires a new traffic signal based on standard warrant criteria.

Pedestrian and Bicycle Facilities

Significant impacts to pedestrian and bicycle facilities are defined to occur when:

- G. The project conflicts with existing or planned pedestrian or bicycle facilities; or,
- H. The project creates pedestrian and bicycle demand without providing adequate facilities.

Transit Facilities

Significant impacts to transit facilities are defined to occur when:

- I. The project conflicts with existing or planned transit facilities; or,
- J. The project generates potential transit trips without providing adequate facilities for pedestrians and bicyclists to access transit routes and stops.

#### Parking

Significant impacts to parking are defined to occur when:

- K. The project would result in inadequate parking capacity; or,
- L. The project would substantially increase hazards due to a design feature of the parking facilities; or,
- M. The project would result in the loss of existing public parking spaces and cause an increase in demand in excess of available on and offsite parking.

#### Emergency Access

Significant impacts to emergency access are defined to occur when:

- N. The project would result in inadequate access for emergency vehicles.

#### 3.8.3.2 Impact Assessment Methodology

The impacts of the proposed project related to traffic were evaluated using trip generation, trip distribution, and trip assignment. Trip generation estimates the amount of added traffic to the roadway network. Trip distribution estimates the direction of travel to and from the project site. Trip assignment allocates trips to specific street segments and intersection turning movements. The results of these three components, as well as the intersection LOS calculations, are considered traffic data under Project Conditions and are compared to traffic data under Existing Conditions (presented previously in Section 3.8.1), to determine impacts on traffic in the project area.

#### Project Trip Generation

The amount of traffic added to the surrounding roadway system by the proposed project was estimated by applying the applicable trip generation rates to the development proposal. Project trip generation estimates were calculated based on the shopping center land use rates presented in the Institute of Transportation Engineers (ITE) 2003 Trip

Generation Report (7<sup>th</sup> edition). The retail trip generation also accounts for pass-by trips (i.e., trips to the site made by vehicles already traveling by the site on the adjacent street, vehicles that would make an interim stop between their primary origin and destination). Pass-by trips are not considered “new” trips added to the street system by the project, per se, but are included in the analysis of traffic that enters and exits the site. For this traffic analysis, a [conservative](#) 15 percent pass-by trip reduction was applied to daily retail trip estimates and a 25 percent pass-by trip reduction was applied to the P.M. peak hour retail trip estimates in accordance with the *Traffic Impact Study Preparation Guidelines* published by the City of San Luis Obispo Public Works Department in June 2000. The Shopping Center (Land Use Code #820) rate was used to calculate the trip generation estimates for the proposed retail project (Tables 3.8-6 and 3.8-7).

**Table 3.8-6. Proposed Project Daily Peak Hour Trip Generation Rates and Estimates**

Proposed Land Use	Size	Daily	
		Rate	Total
Retail	188,658 sf <sup>2</sup>	54.45	10,236
<i>15% Daily Pass-by Reduction<sup>1</sup></i>			1,535
<b>Total Net New Trips</b>			<b>8,701</b>

Note: <sup>1</sup> For this traffic analysis, a 15 percent pass-by trip reduction was applied to the daily retail trip estimates in accordance with the *Traffic Impact Study Preparation Guidelines* published by the City of San Luis Obispo Public Works Department in June 2000.

<sup>2</sup> Project square footage continues to evolve slightly. These project trip estimates are based on the original application submittal and do not reflect minor changes in square footage which would not have a substantial effect on trip generation or result in impacts.

Source: Fehr & Peers 2009 (see Appendix E).

**Table 3.8-7. Proposed Project P.M. Peak Hour Trip Generation Rates and Estimates**

Proposed Land Use	Size	P.M. Trip Generation Rates (per 1,000 sf)			P.M. Trip Generation Estimates		
		In	Out	Total	In	Out	Total
Retail	188,658 sf <sup>2</sup>	2.43	2.63	5.05	456	494	950
<i>25% Peak Hour Pass-by Reduction<sup>1</sup></i>					114	124	238
<b>Total Net New Trips</b>					<b>342</b>	<b>370</b>	<b>712</b>

Note: <sup>1</sup> For this traffic analysis, a 25 percent pass-by trip reduction was applied to the P.M. peak hour retail trip estimates in accordance with the *Traffic Impact Study Preparation Guidelines* published by the City of San Luis Obispo Public Works Department in June 2000.

<sup>2</sup> Project square footage continues to evolve slightly. These project trip estimates are based on the original application submittal and do not reflect minor changes in square footage which would not have a substantial effect on trip generation or result in impacts.

Source: Fehr & Peers 2009 (see Appendix E).

The proposed regional shopping center would be located on a site that is currently undeveloped and used for commercial agriculture. The TIA for the proposed project found an estimated total increase of 712 new P.M. peak hour trips in and out of the project area. This approach provides a reasonable worst-case analysis of potential project traffic impacts.

Project Trip Distribution and Assignment

The project-generated traffic volumes were distributed and assigned onto the adjacent street network based on existing traffic patterns in the area and the relative locations of complementary land uses in the community (Table 3.8-8). The major directions of approach and departure form the trip distribution pattern for the project, as illustrated in Figure 6 of Appendix E. Figure 6 also shows the project trip additions at the study-area intersections.

**Table 3.8-8. Project Trip Distribution**

Origin/Destination	Inbound		Outbound	
	Direction	%	Direction	%
LOVR to Madonna Road	From west	15%	To east	15%
Madonna Road, south of LOVR	From south	1%	To north	1%
Madonna Road, north of Dalidio Drive	From north	10%	To south	10%
Oceanaire Drive	From south	1%	To north	1%
U.S. 101 north of Prado Road	From north	36%	To south	36%
U.S. 101 south of LOVR	From south	15%	To north	15%
South Higuera Street	From north	5%	To south	5%
Froom Ranch Way	From south	1%	To north	1%
Tank Farm Road	From east	15%	To west	15%
Vachell Lane	From south	1%	To north	1%
<b>Total</b>		<b>100%</b>		<b>100%</b>

Source: Appendix E (Fehr & Peers 2009).

The trips generated by the proposed project were assigned to the roadway system based on the directions of approach and departure referenced above. Project trips were assigned to each turning movement at the eight study intersections (refer to Figure 7 of

Appendix E). Project trips were added to existing traffic volumes to establish intersection volumes, and are presented in Figure 8 of Appendix E.

### Project Roadway Improvements

The project description includes intersection lane configurations and traffic control devices that are the same as those that currently exist at all locations except for the LOVR/Froom Ranch Way intersection, which would be modified as part of the proposed project. Froom Ranch Way would be extended as a two-lane road with Class II bike paths from the intersection with LOVR along the northwest boundary of the proposed project (refer to Figure 2.4-1 in Section 2.0, *Project Description*). At the intersection, Froom Ranch Way is proposed to have a 220-foot southbound left turn pocket and shared through right lane. Two eastbound left turn lanes with 160-foot storage pockets are included under project conditions.

#### **3.8.4 Project Impacts, Mitigation Measures, and Residual Impacts**

The proposed project's 8,701 new ADT with 712 trips in the P.M. peak hour would substantially increase localized area traffic volumes in relationship to existing flows on the local arterial network and turning movements and related has the potential to increase congestion at several area intersections. LOS for the study-area intersections was calculated assuming existing plus project traffic and compared to adopted City thresholds (Table 3.8-9). Both through traffic on LOVR and turning movement volumes off Madonna Road onto LOVR are projected to increase substantially in relation to existing capacity at the intersection of LOVR with Madonna Road. Physical improvements (i.e., intersection widening) available to address this congestion may raise conflicts with Circulation Element goals to avoid substantial increases in congestion and minimize the need for major roadway widening projects, along with related potential secondary impacts to pedestrians and area aesthetics (e.g. tree removal). As a result, a combination of reduction in project size and trip reduction programs is recommended to address this issue. The addition of heavy traffic volumes accessing the site from U.S. Hwy. 101 and South Higuera Street to the south would also substantially increase side street delays at the uncontrolled intersections of LOVR with Auto Park Way and Los Verdes Drive. However, in spite of these congestion issues, the majority of the intersections in the project vicinity would continue to operate at an acceptable LOS with project added traffic, particularly the critical interchange of LOVR with U.S. Hwy. 101.

**Table 3.8-9. Existing and Existing + Project P.M. Peak Hour LOS**

Intersection	Existing		Existing + Project		Significant Impact?
	Delay <sup>1</sup>	LOS	Delay <sup>1</sup>	LOS	
<b>LOVR/Madonna Road</b>	<b>50.3</b>	<b>D</b>	<b>55.3</b>	<b>E</b>	<b>Yes</b>
LOVR/Froom Ranch Way	20.3	C	30.9	C	No
<b>LOVR/Auto Park Way</b>	<b>48.4</b>	<b>E</b>	<b>97.4</b>	<b>F</b>	<b>No<sup>2</sup></b>
LOVR/Calle Joaquin	13.2	B	14.9	B	No
LOVR/U.S. 101 southbound ramps	15.7	B	29.3	C	No
LOVR/U.S. 101 northbound ramps	26.8	C	34.6	C	No
<b>LOVR/Los Verdes Drive</b>	<b>&gt; 150</b>	<b>F</b>	<b>&gt; 150</b>	<b>F</b>	<b>No<sup>2</sup></b>
LOVR/South Higuera Street	14.3	B	15.2	B	No

Notes: Intersections in **bold** operate at an unacceptable LOS.

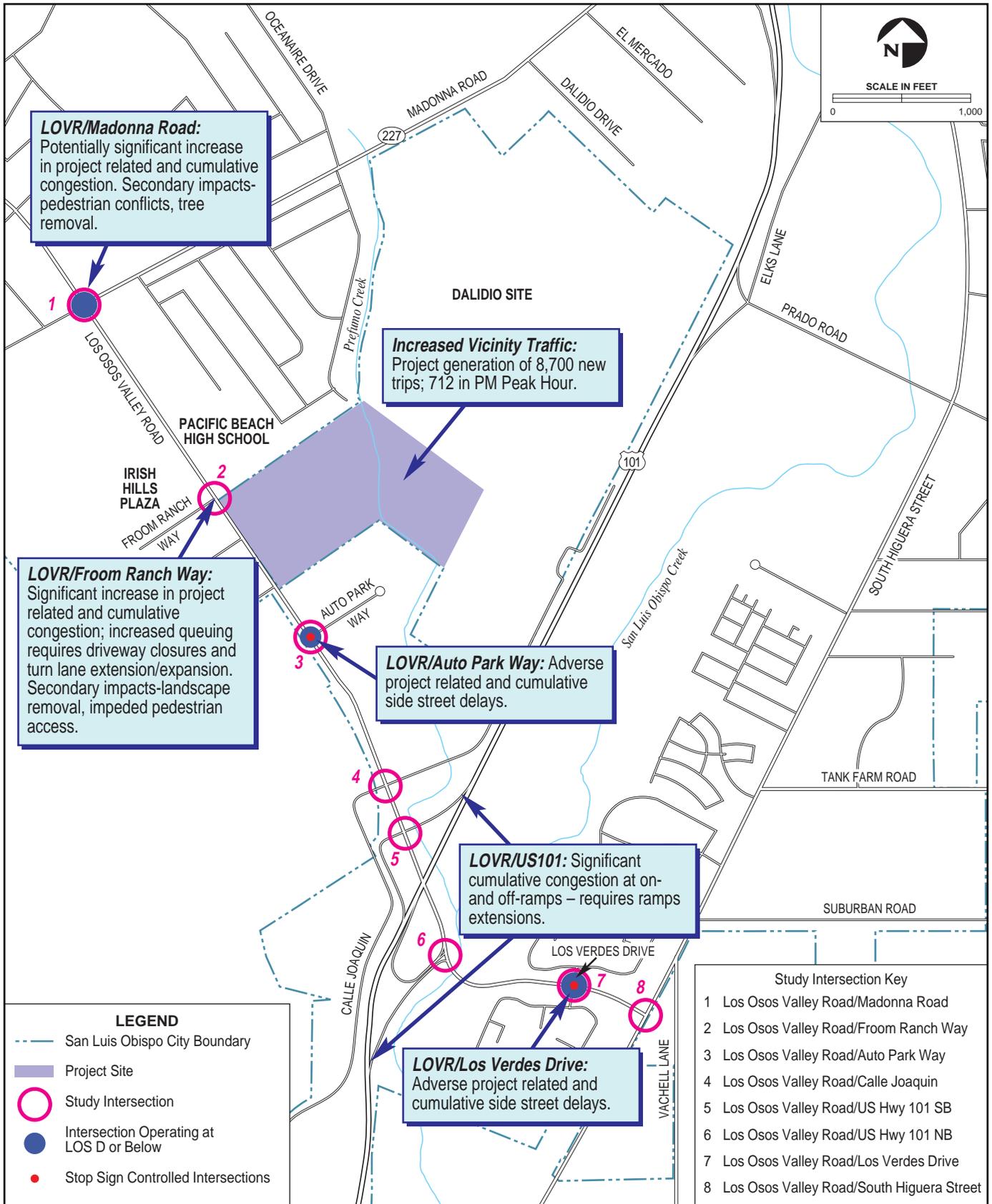
<sup>1</sup> Delay expressed in average seconds per vehicle. LOS is based on delay.

<sup>2</sup> Although intersections would exceed City LOS standards, the P.M. peak hour signal warrant requirement was not met; therefore, impacts at these intersections are considered adverse, but not significant.

Source: Fehr & Peers 2009 (see Appendix E).

In addition to substantial increases in traffic volumes, the proposed project would increase demand for transit in an area currently underserved in terms of peak hour headways (i.e. bus frequency), presenting a challenge to transit dependent households. This would affect a portion of the proposed project's 566 low and moderate-income employees' ability to use transit as a reasonable mode of commuting. The barriers to providing frequent and cost effective transit service in this auto-oriented area also present a challenge to fulfilling City policy goals of making transit "compare favorably with use of the private automobile" (refer to Circulation Element Policy 3.0.6)<sup>1</sup>. The proposed project generally provides pedestrian and bicycle facilities consistent with those required by City standards. However, as discussed above, existing vicinity land use patterns of low density housing and big box retail stores combined with widely spaced high-speed arterials are strongly auto-oriented. Consequently other modes of transportation would be limited in their ability to provide substantial contribution to project mobility needs, or address the City policy to foster a balanced transportation system. Project related transportation impacts are described below and are shown in Figure 3.8-2.

<sup>1</sup> [Although it would not address relatively low frequency headways in the area, it should be noted that Cal Poly SLO subsidizes transit to provide free bus passes for its students. Thus, Cal Poly students who are employed by or shop at business at Prefumo Creek Commons would be able to use free transit to access the site.](#)



Potential Project Transportation Impacts

**FIGURE  
3.8-2**

Impact

**TT-1            The proposed project would potentially cause LOS at the LOVR/Madonna Road intersection to deteriorate from acceptable to unacceptable levels during the P.M. peak hour.**

Based on the City's project impact criteria and thresholds, the proposed project would result in a significant impact at the LOVR/Madonna Road intersection (refer to Section 3.8.4). Operations at this intersection would degrade from an acceptable LOS D to unacceptable LOS E with an average delay of 55.3 seconds per vehicle, a 5.0 second increase in delay created by project generated traffic that would exceed the City's threshold by a relatively small increment of three tenths of one second (0.3 seconds) during the P.M. peak hour. In addition to increased delays and declining LOS, particular, this increased congestion would lengthen queues at the northbound and southbound Madonna Road approaches to this intersection. Because available green time for these approaches is limited by the need to serve the heavy through volumes on LOVR, potential increases in the length and frequency of queues at this intersection would incrementally exacerbate existing operational issues (e.g., delays) at the driveways for existing business in the area, as well as those at the intersection of Madonna Road and Pereira Drive as discussed below.

Traffic volumes and vehicle queues on Madonna Road result in sporadic conflict delays ins-with turning movements from the driveways of the existing businesses, particularly those at the Laguna Village Shopping Center during the PM peak period. Project traffic volumes and queuing from the intersection of Madonna/LOVR would exacerbate this existing condition if not mitigated. and potentially increaseAs discussed further, mitigation may take the form of the needthe need to to further limit business access in this area or perform substantial road improvements in this area, additional access control or restriction of future development in this area. However, the project's limited contribution to existing operational issues at these driveways is not anticipated to be significant as it would not exceed any designated City threshold or standard. In addition, with implementation of mitigation measure MM TT-1a described below, the project's contribution to increased length and frequency of queues is anticipated to be minimal, further reducing the potential for increased operational problems at these driveways and even reducing the frequency of the queues if green time can be reallocated to Madonna Road.

Increased traffic volumes and queuing could also interfere with operation of the intersection of Madonna Road/Pereira Drive. This could incrementally exacerbate existing side street delays for drivers attempting to exit the Oceanaire neighborhood, particularly via left turns onto Madonna Road. Existing southbound queues at this intersection and the offset of the shopping center driveway with Pereira Drive already add to delays and difficulties with left turns into and out of the Pereira Drive neighborhood. However, project impacts at this intersection are not anticipated to be significant as project generated traffic would create minimal new turning movements at this location and would only add incrementally to through volumes along Madonna Road as well as existing queues. In addition, mitigation measure MM TT-1a would ensure that LOS at the LOVR/Madonna Road intersection remains acceptable under City standards. If widening occurs along LOVR, even with the addition of project-added traffic, LOS would improve from current levels (45.3 sec/delay versus 50.3 sec/delay) and signal timing could be modified to allow better service for the Madonna Road approach. This mitigation would also ensure that project-added traffic would not substantially increase queuing at this intersection. Therefore, the potential for increased delays and/or turning movement conflicts at this intersection due to project traffic is not considered significant and can be mitigated by physical improvements to the intersection of Madonna Road/LOVR or by limiting (or phasing) development on the Prefumo Creek Commons Project.

Finally, as a result of public input, the EIR was revised to consider potential impacts at the intersection of LOVR/Royal Way. The proposed project would incrementally increase average delay at the signalized intersection of LOVR/Royal Way due to the increase of through movements on LOVR. However, project impacts at this intersection are not anticipated to be significant as project generated traffic would create minimal new turning movements at this location and would only add incrementally to through volumes along LOVR that currently experience minimal delay (compared to the side street). LOS calculations for this intersection reveal that it currently operates at LOS B and will continue to do so even with project traffic. Therefore, the potential for increased average delay at this intersection would be considered insignificant.

~~This finding is~~These findings are consistent with previous studies of development projects in the area that have discussed, existing poor operational conditions, as well as the constraints at this intersection which may limit the ability to perform capacity improvements without substantial secondary impacts and potential policy issues.

[Further, although mitigation measure MM TT-1a would reduce project impacts to this intersection to insignificant and avoid exacerbating operational impacts at area driveways and collector street intersections, this EIR provides for a final mitigation measure \(see MM TT-1d below\) which recommends that the City undertake a study of long-term circulation issues surrounding this intersection to identify how best to improve both existing congestion and that associated with continued development in the vicinity.](#)

[As discussed in detail below, three intersection improvement options have been identified to mitigate the impact to the intersection. With the exception of Option 3, m](#)Mitigation of impacts to this intersection through the typical approach of addition or lengthening of turn lanes would present major challenges; right-of-way acquisition costs would be substantial and potential conflicts could arise with City *Circulation Element* and other policies due to secondary impacts (e.g., tree removal, pedestrian friction, etc.) which could arise from intersection widening. [Because of conflicts with the City's Circulation Element, unknown and potentially high cost, and potential secondary impacts to trees and pedestrians. For these reasons,](#) these improvements are not considered feasible from a CEQA perspective; ~~because~~ substantial financial and policy barriers exist for their successful implementation. However, in order to fully disclose this issue and foster informed decision-making, a set of potential intersection improvements and their associated secondary impacts are described below.

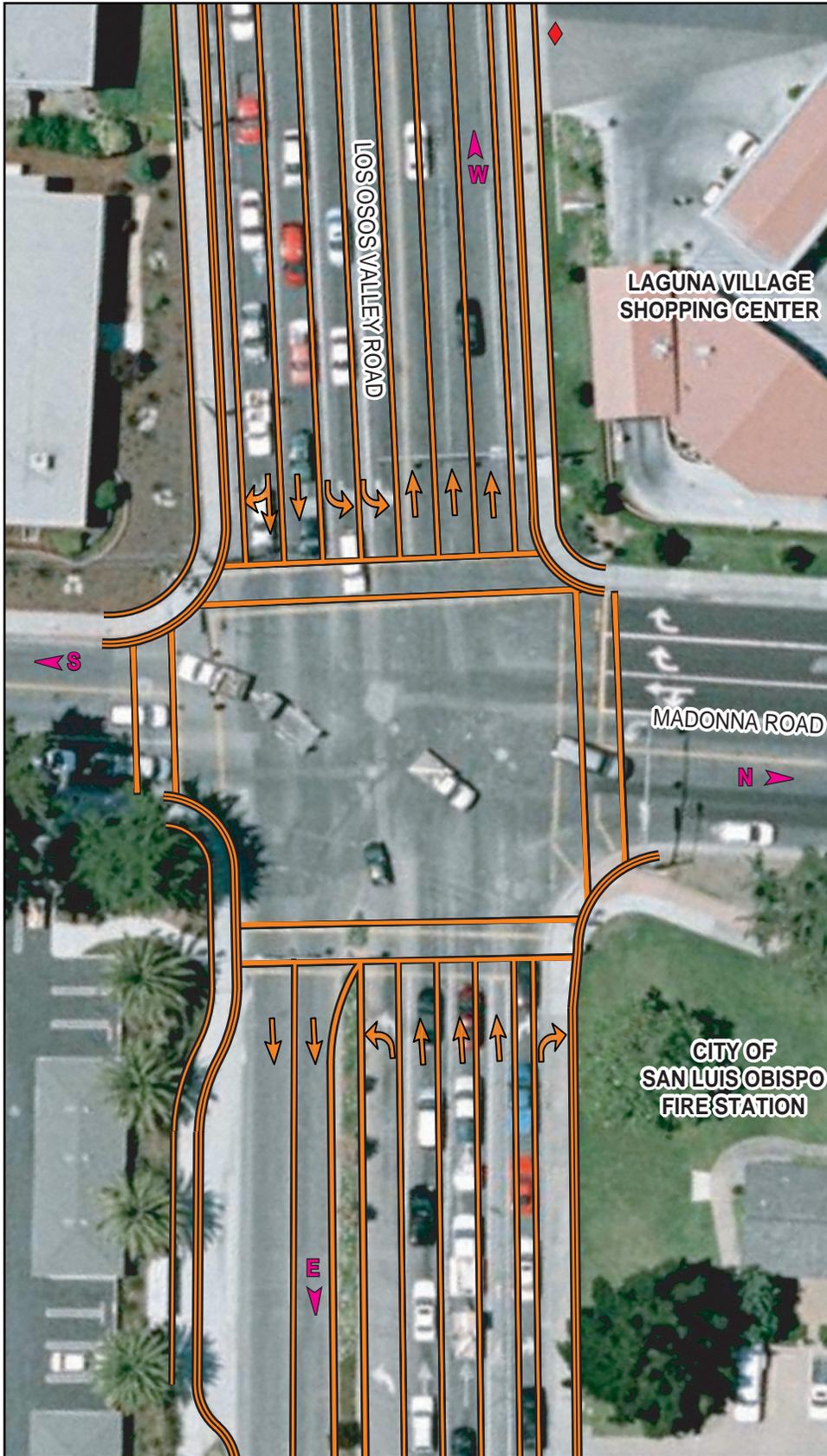
Intersection Improvement Option 1: The conversion of the southbound Madonna Road approach to include a right-turn lane with overlap phasing, one through lane, and two left lanes with north/south protected phasing would result in LOS C operations and reduced impacts (Figure 3.8-3). However, this configuration would require acquisition of ROW from the gas station in the northwest corner of the intersection for the widened approach. Furthermore, ROW acquisition in the southwest corner would be needed to allow for proper alignment of the through lane across the intersection and transition within the existing Madonna Road curb-to-curb width. Alternately, the north/south intersection approaches can be widened to the east, but would still require acquisition of ROW from the adjacent parcel owners. In addition to ROW acquisition, secondary impacts will include tree removal, lengthening of crosswalks, and/or modification of signal phasing that could increase the exposure of pedestrians to vehicle traffic. These improvements may create potentially significant secondary impacts depending upon the number and size of trees to be removed and the degree of impact to pedestrian activity. Major intersection



widening, tree removal and the potential for increased pedestrian-vehicular conflict may also raise inconsistencies with City Circulation Element Policies 8.0.1 and 8.03.

Intersection Improvement Option 2: Similar to Option 1, this option includes the conversion of the southbound approach to include two right-turn lanes with overlap phasing, one through lane, and two left lanes with north/south protected phasing would provide LOS C operations (see Appendix F). In addition to right-of-way acquisition, secondary impacts would include tree removal, lengthening of crosswalks (more than Option 1), and/or modification of signal phasing that could increase the exposure of pedestrians to vehicle traffic. The two southbound right-turn lanes would not queue to Pereira Drive. Major intersection widening, tree removal, and the potential for increased pedestrian-vehicular conflict may also raise inconsistencies with City *Circulation Element* Policies 8.0.1 and 8.03.

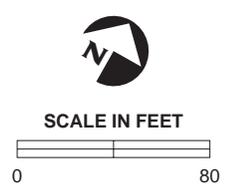
~~As stated above, addressing this impact through intersection improvements is not deemed feasible at this time and would require further investigation either as part of a special study or during an overall update to the City's *General Plan*.~~ Intersection Improvement Option 3: This option would include the conversion of the westbound approach on LOVR to include three through lanes on LOVR through the intersection by widening the southeast corner of the intersection in front of the City fire station, relocating signal equipment and restriping LOVR north of the intersection (Figure 3.8-4). This improvement would result in an overall intersection operation of LOS D (45.3 sec/delay). This would be an approximately 5-second decrease in delay for the intersection in comparison to existing conditions. This potential improvement is currently ~~the most~~ feasible ~~feasible~~ physical widening option for reducing LOVR/Madonna Road intersection impacts to a less than significant level since it does not require additional environmental or policy level work to complete. Unlike Options 1 and 2 above, this proposed improvement would appear to be more consistent with the intent of the City's Circulation Element to minimize road widening where possible as LOVR is already three through lanes up to this approach to the intersection and this improvement would just extend a three-lane segment of the road for several hundred feet. In addition, although crosswalks would be marginally extended, this increased crosswalk length would not affect the most significant pedestrian movement at this intersection. Further, only the removal of two



**LEGEND**

-  Option 3 Improvements Lane Configurations
-  Laguna Village Shopping Center Access Concern

Note: For traffic analysis, LOVR is considered east-west and Madonna Road is north-south.



Option 3 Improvements  
Los Osos Valley Road Widening

**FIGURE**  
**3.8-4**

trees along LOVR and potentially two more along Madonna Road would appear to be required if widening improvements are required on Madonna Road. Because potential inconsistencies with the Circulation Element would be avoided and secondary impacts minimized, this potential improvement would be considered feasible.

A final option for the City would be to reduce the project size (and thus, the number of project trips that would travel through this intersection) or phase the construction of the project to ultimately coincide with other determined physical improvements that would keep project impacts below City thresholds. However, the proposed project would need to be reduced in size by at least 28,000 sf in order to reduce project generated traffic sufficiently (by 10 percent or 19 P.M. peak hour vehicle trips) to avoid significant impacts to the intersection. Such a reduction in project size would ~~require~~ defer construction ~~elimination~~ of a portion of the main anchor building, or Anchor C and/or the equivalent reduction in square footage throughout the project. In addition, even with this reduction, the project would utilize most or all of this intersection's remaining capacity, leaving none for other future proposed growth (refer to Section 5.0; *Cumulative Impacts*). Implementation of a reduction in project size as a mitigation measure, in conjunction with Transportation Demand Management (TDM) measures MM TT-1b and MM TT-1c below and trip reduction measures MM AQ-3bc, MM AQ-3de, MM AQ-3de, MM AQ-3ef, and MM AQ-4a discussed in Section 3.2, *Air Quality*, would reduce impacts to the LOVR/Madonna Road intersection to less than significant.

#### Mitigation Measures

##### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM TT-1a* Prior to occupancy, the applicant shall design and construct the installation of three westbound through lanes on LOVR and any associated intersection improvements (e.g., signal equipment relocation) as described under mitigation Option 3. Portions of this work may be eligible for Transportation Impact Fee (TIF) credits or reimbursement subject to City approval.

or

The proposed project shall be phased or reduced in size to not exceed approximately 160,658 square feet and required to implement ~~a~~ trip reduction programs to reduce the number of project trips that would travel through this intersection by at least 10 percent (equal to 19 P.M. peak hour vehicle trips). Based on review of project trip generation characteristics, this would require a reduction in project size by a minimum of 28,000 square feet. ~~If this measure is implemented, additional traffic analysis~~ Monitoring of the trip reduction plan would be required to verify the exact reduction necessary to meet the decrease in trips.

MM TT-1b All businesses leasing space in Prefumo Creek Commons shall implement TDM measures identified the Project Trip Reduction Program per MM AQ-3f including providing free bus passes to their employees (similar to the SLO Transit Gold Pass program or the Home Depot Flash Pass program).

MM TT-1c Pedestrian, bicycle, and transit facilities shall be improved in the proposed project area, such as providing bicycle parking. Employer participation in the Transportation Choices Program promoted by SLO Regional Rideshare should be required.

#### Impact

**TT-2 The proposed project would create adverse but not significant increases in side street delays and associated declines in LOS at the intersections of LOVR with Auto Park Way and Los Verdes Drive.**

The intersection of LOVR with Auto Park Way would degrade from LOS E to LOS F as a result of the proposed project and the intersection of LOVR with Los Verdes Drive would continue to operate at its existing unacceptable LOS F with project added traffic (refer to Table 3.8-9). Measurable side street turning movement delays would almost double from 48 to 97 seconds at LOVR/Auto Park Way with project added traffic, while delays at Los Verdes/LOVR would remain greater than 2.5 minutes. Although LOS at these intersections would exceed City standards, signal warrants (e.g., accepted standards for signal installation) would not be met. A peak hour signal warrant from the MUTCD conducted for these two unsignalized intersections, to determine if a traffic signal would

be warranted under the proposed project, indicated that neither intersection satisfies the minimum volume thresholds for a new traffic signal. Therefore, impacts at these intersections would be considered adverse, but not significant. However, the peak hour signal warrant analysis should not serve as the only basis for determining whether installation of a signal is necessary. Therefore, the following measures are recommended.

#### Mitigation Measures

##### *Additional Mitigation Measures (Consultant-Recommended)*

*MM TT-2a The City of San Luis Obispo should continue to monitor these intersections as part of the Annual Traffic Safety Report to identify and address safety issues.*

*MM TT-2b In order to foster increased pedestrian connectivity in the area and reduce the need for superfluous auto trips, the project applicant should be required to negotiate with the owners of adjacent auto dealerships to provide a pedestrian walkway between these dealerships and the project site.*

*MM TT-2c ~~During and after the project approval process~~As a possible alternative to future signalization of Auto Park Way, the City's Transportation Division should preserve the ability as part of project approval so as to not preclude investigate the provision of a through-street-vehicle connection between the eastern edge of the project site to Auto Park Way in order to provide additional vehicular connectivity between the project site and properties along Auto Park Way.*

#### Impact

**TT-3 The proposed project would create potentially significant impacts at the LOVR/Froom Ranch Way intersection from extended queuing at the westbound LOVR left turn pocket due to high demand for U-turns to access U.S. 101.**

As proposed, project access would be provided at the Froom Ranch Way intersection with LOVR. However, vehicles would also exit the site from two project driveways on

LOVR that are located approximately 250 and 700 feet east of the Froom Ranch Way intersection (see Figure 2.4-1 in Section 2.0, *Project Description*). The proposed site plan includes a one-way, inbound-only aisle from Froom Ranch Way parallel to LOVR and fronting the main retail building. This configuration requires that the majority of exiting vehicles destined for eastbound LOVR and U.S. 101 exit the site via one of the two LOVR driveways and make a U-turn at Froom Ranch Way. This would result in approximately 160 cars exiting the site LOVR driveway (adjacent to Pad F) having to maneuver across LOVR to access the westbound left turn pocket at LOVR/Froom Ranch Way. Back up and queues at this intersection could extend into the through traffic lane, causing confusion, delays, and increased risk of collisions (refer to Appendix E for detailed queuing analysis). Therefore, this is a potentially significant operational impact which would occur during the P.M peak hour, as well as potentially during the Saturday peak hour when delays are higher than the PM peak hour. Implementation of mitigation measure MM TT-3 below would redirect drivers exiting the site to access U.S. 101 to the internal driveway off Froom Ranch Way, reducing queuing and associated safety hazards at westbound LOVR and Froom Ranch Way to a less than significant level.

#### Mitigation Measures

##### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM TT-3 Internal project circulation (site layout and drive aisles) shall be reconfigured to allow full egress and ingress at the project driveway on Froom Ranch Way, immediately north of the LOVR/Froom Ranch Way intersection.*

#### Impact

**TT-4 The proposed project would result in less than significant impacts to LOS at nearby U.S. 101 freeway ramp junctions during the P.M. hour period.**

Under the proposed project, all merge/diverge freeway ramp junctions are expected to operate at the accepted LOS C. Ramp junction volumes were obtained from the adjacent ramp terminal intersection. Density is calculated using the travel speed and volume from the adjacent segment adjusted by the volume entering/exiting the freeway at the interchange. Freeway mainline volumes include the project traffic and traffic from approved and pending projects. The proposed project would slightly increase the number

of passenger cars per mile per lane (density) at all four freeway ramp junctions at the LOVR/U.S. 101 interchange, but would maintain LOS C, a less than significant impact (Table 3.8-10 and Appendix E).

**Table 3.8-10. Existing and Existing + Project Freeway Ramp Junction LOS**

Ramp Location		Existing		Existing + Project	
		Density (veh/mi/ln)	LOS	Density (veh/mi/ln)	LOS
U.S. 101 northbound ramps*	LOVR northbound off	24.2	C	24.7	C
	LOVR northbound on	21.7	C	22.8	C
U.S. 101 southbound ramps	LOVR southbound off	25.3	C	26.5	C
	LOVR southbound on	27.1	C	27.6	C

\* As noted in Table 3.8-5 above, the City and Caltrans have identified existing A.M. period queuing and operational issues at the northbound off ramp; however, Caltrans is scheduled to implement improvements which will address these issues during spring or summer of 2009.

Source: Fehr & Peers 2009 (see Appendix E).

Mitigation Measures

*No mitigation measures would be required.*

Impact

**TT-5 Project site design would result in potential safety hazards and/or provision of inconvenient pedestrian access at several driveways and entrances to the site, potential conflict with a Circulation Element policy, and would result in potentially significant impacts to pedestrian use and facilities in the project vicinity.**

The proposed project would increase pedestrian demand in the area from patrons and employees that will access nearby bus stops, Irish Hills Plaza, the adjacent neighborhood and Pacific Beach High School. The project would accommodate pedestrian demand by installation of sidewalks along the site’s LOVR frontage and along both sides of From Ranch Way. A network of internal walkways would also accommodate pedestrian demand across the large central parking lot and along the creek bank. A pedestrian path would be provided between the existing residential area at Oceanaire Drive and the project site (refer to Figure 2.4-1 in Section 2.0, *Project Description*).

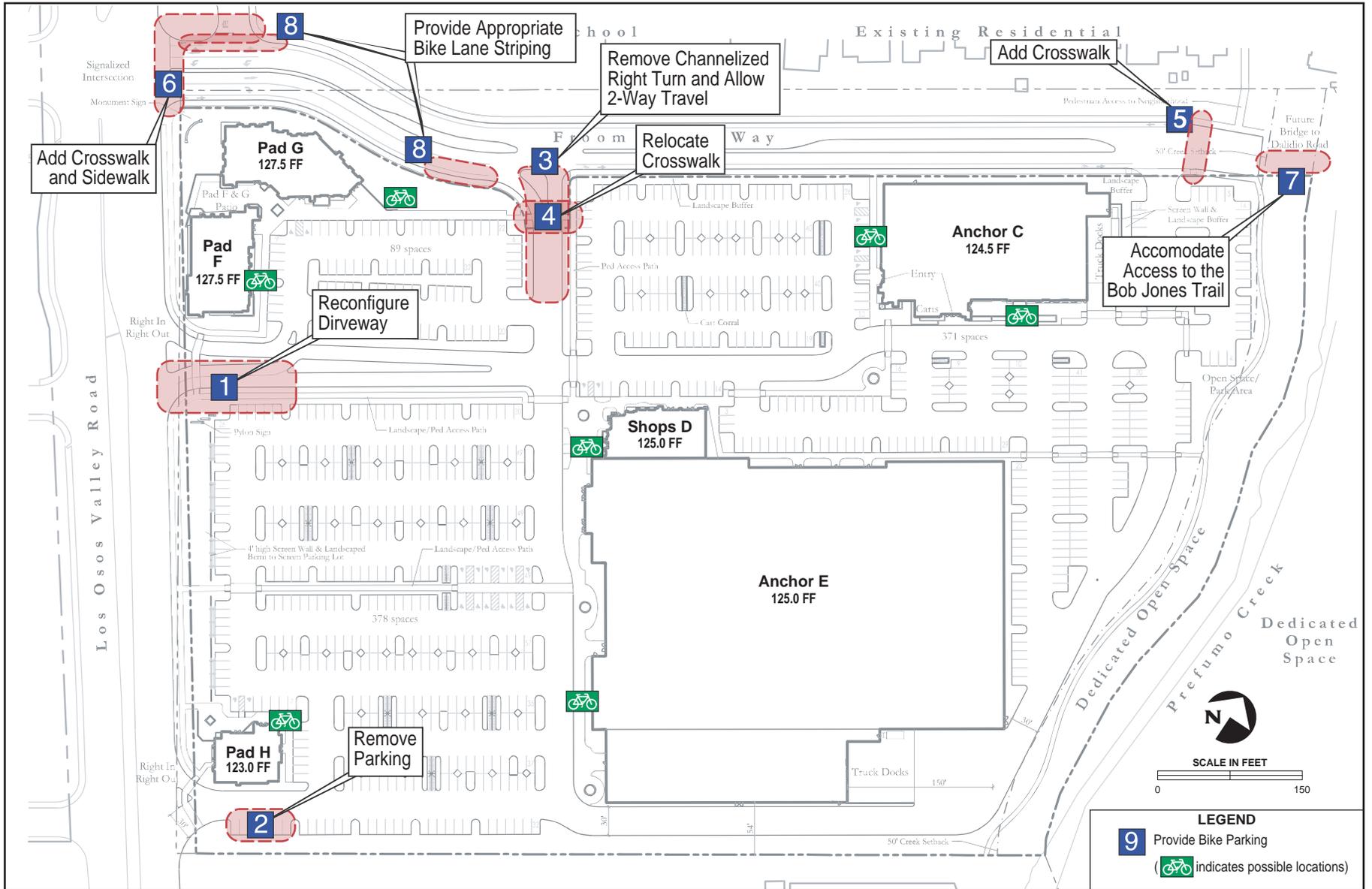
However, several project design features would create inconvenient pedestrian access and present potential safety hazards at pedestrian crossing points at the intersection of

LOVR and Froom Ranch Way, at project driveways off LOVR and Froom Ranch Way and at the Oceanaire Drive trail access to the project site. Provision of inadequate or potentially unsafe pedestrian access would conflict with an adopted City policy (refer to *Circulation Element Policy 5.0.4*), and would be considered a potentially significant impact. Implementation of mitigation measures below, as shown in Figure 3.8-45, in conjunction with mitigation measure MM TT-3, would reduce impacts to pedestrian facilities in the project vicinity to a less than significant level.

### Mitigation Measures

#### ***Additional Mitigation Measures (Consultant-Recommended)***

- MM TT-5a* The proposed project shall provide only one exit lane (versus the two proposed) from LOVR at the right-in/right-out project driveway east of Pad F to avoid driver confusion and minimize the crossing distance for pedestrians across the driveway.
- MM TT-5b* The inbound, on-site left-turn pocket from the LOVR driveway accessing parking for Pads F and G ~~off LOVR~~ shall be shortened and/or relocated further inward towards the project site from LOVR to reduce driver confusion and enhance pedestrian safety.
- MM TT-5c* The crossing location across the one-way, inbound-only driveway at Froom Ranch Way shall be relocated closer to Froom Ranch Way. The channelized right-turn at this location should be modified to minimize pedestrian crossing distance and sight distance for pedestrians and bicyclists.
- MM TT-5d* Project's site design shall be modified to improve pedestrian connectivity between the pedestrian access path between Oceanaire Drive and the project site and the future Bob Jones Trail and the project site. ~~A marked, Americans with Disabilities Act (ADA) compliant crosswalk should be provided across Froom Ranch Way north of Anchor C to provide access to the adjacent neighborhood. Any further design improvements to the crosswalk (such as bulb-outs) should be made in consultation with City staff.~~



Prefumo Creek Commons  
Site Plan Recommendations

**FIGURE**  
**3.8-45**

MM TT-5e *The proposed project shall-should include a crosswalk on the north leg of the LOVR/Froom Ranch Way signalized intersection, paralleling LOVR and crossing Froom Ranch Way to create a continuous pedestrian facility along the northern side of LOVR if it is ultimately determined by the City that pedestrian access on this leg of the intersection does not constitute an operational or safety issue. If this crosswalk is authorized, a sidewalk and additional crosswalk across the LOVR frontage road should also be added to connect the frontage road sidewalk with the crosswalk at the LOVR/Froom Ranch Way intersection.*

MM TT-5f *The raised median channelizing right-turning vehicles into the site on Froom Ranch Way should be modified or eliminated from the proposed project design to reduce vehicle speeds and pedestrian crossing distance at the one-way inbound driveway.*

#### Impact

**TT-6           The proposed project could potentially result in inadequate bicycle facilities per City code requirements.**

In order to foster a balanced transportation system, reduce congestion, and protect air quality, the City requires that the number of bicycle parking spaces equal a percentage of required vehicle parking spaces. City allocation requirements are outlined below in Table 3.8-11. City code requires that retail projects the size of the proposed Prefumo Commons Project (approximately 188,000 sf) include a total number of bicycle parking spaces equal to 15 percent of the total vehicle parking spaces provided. The proposed project would provide approximately 838 vehicle parking spaces, and though the project does not specify the number of bicycle parking spaces, 126 spaces would be required. Of these bicycle parking spaces, at least 63 would be designated short-term and 50 would be designated long-term, with 13 or more additional spaces for either time period. Therefore, the following mitigation measure would be required to reduce impacts to less than significant.

**Table 3.8-11. Bicycle Parking Requirements**

Requirement	Commercial
Bicycle Parking Ratios	15% of vehicle parking spaces
Total Spaces Required <sup>1</sup>	838 spaces @ 15% = 126 spaces
Short-Term/Long-Term Ratios	50% short-term/40% long-term
Short-Term Requirement	126 spaces @ 50% = 63 spaces
Long-Term Requirement	126 spaces @ 40% = 50 spaces
Either Storage Type	13 spaces

Note: <sup>1</sup> City Code requires between 628 and 942 vehicle parking spaces for the proposed project’s approximately 188,000 sf of retail uses. The project would provide a total of approximately 838 vehicle parking spaces.

Mitigation Measures

***Additional Mitigation Measures (Consultant-Recommended)***

MM TT-6a *The applicant shall demonstrate that the project would provide long- and short-term bicycles parking to meet project demand and City code requirements including location standards. The proposed bicycle parking shall be:*

- *installed at highly visible locations that are as close to the main entrance of the destination as possible;*
- *located at least as conveniently as the most convenient automobile parking space available to the general public;*
- *bBe distributed to serve all tenants and visitors;*
- *visible from the interior of the destination;*
- *in places where clear and safe pedestrian circulation is ensured;*
- *located so that they will not be obstructed by project activities (i.e., delivery trucks, boxes, etc.);*
- *illuminated at night to the extent that the destination supports nighttime activity; and,*
- *sheltered, where shelter can be attractively integrated with project architecture.*

MM TT-6b *The applicant shall install three bike lockers to be managed by the City for use by non-standard employees of the work site (such as contract security) or commuters.*

Impact**TT-7            The proposed project design would result in potentially significant impacts to vehicular access and circulation within the project site.**

As proposed, vehicle access in and out of the project site would be provided via a northward extension of Froom Ranch Way and two right-in/right-out driveways on LOVR. The northward extension of Froom Ranch Way would extend from the existing signal at LOVR to Prefumo Creek. Direct access to the parking lots on the site would be provided by two right-in/right-out driveways on LOVR and two driveways on the Froom Ranch Way extension – an inbound-only driveway approximately 400 feet north of LOVR and a full-access driveway approximately 1,000 feet north of LOVR (refer to Figure 2.4-1 in Section 2.0, *Project Description*). The one-way inbound driveway located approximately 400 feet from the intersection of LOVR and Froom Ranch Way would force vehicles entering from LOVR to be channeled into the site or continue northward on Froom Ranch Way. This could result in high vehicle speeds and increased pedestrian crossing distance. [Driveway spacing and proximity to the busy intersection of Froom Ranch Way/LOVR may also be of concern, particularly as volumes increase when roadway is extended northward.](#)

The site plan indicates two lanes exiting LOVR and entering the site at the right-in/right-out project driveway located east of Pad F (see Figure 2.4-1 in Section 2.0, *Project Description*). The second inbound lane becomes a left-turn pocket leading to the parking area serving retail Pads F and G. This could potentially cause driver confusion and lengthen the crossing distance for pedestrians across the driveway. The site plan also currently contains parking spaces located less than 100 feet from the right-in/right-out-only driveway near Pad H. This could potentially result in conflicts between inbound vehicles entering the project site and vehicles that would otherwise be accessing the parking spaces. Implementation of mitigation measures MMs TT-5a and -5b would avoid driver confusion and reduce the pedestrian crossing distance, thereby reducing the impact to vehicular access and circulation at the driveway east of Pad F and at the left-turn pocket for Pads F and G. Implementation of mitigation measure MM TT-5f would reduce inbound vehicle speeds at the LOVR/Froom Ranch Way intersection and reduce the pedestrian crossing distance, thereby improving vehicular access and circulation. Implementation of the additional mitigation measure below would reduce remaining impacts to vehicular access and circulation within the project site to a less than significant level.

Mitigation Measures

***Additional Mitigation Measures (Consultant-Recommended)***

*MM TT-7 The applicant shall coordinate with the City to review internal site circulation and implement potential realignment/redesign of internal roads, ~~and~~ parking, and Froom Ranch driveway locations as determined necessary by the City. At a minimum, the parking spaces that would be located less than 100 feet from the right-in/right-out only driveway near Pad H shall be removed to reduce conflicts between inbound vehicles entering the project site and vehicles that would otherwise be accessing the parking spaces.*

Impact

**TT-8 The proposed project would create potentially significant impacts by ~~substantially~~ potentially increasing demand for transit services in an underserved area, presenting a barrier to both transit dependent and non-transit dependent households for using transit, and would potentially be in conflict with City policy that supports the frequency of City transit service comparing favorably with the convenience of using private vehicles.**

Although an auto-oriented use, the proposed project would create a substantial increase in transit demand from both transit dependent households and the project's 566 predominantly low income employees<sup>2</sup>. As discussed previously in Section 3.8.1.2, *Existing Conditions*, the average headway or frequency of service during the P.M. peak hour for SLO Transit Routes 4 and 5 is 30 and 60 minutes respectively, with headways of an hour on weekends or more outside of the peak hour (see Table 3.8-1 and Appendix E). Therefore, although a bus stop is located approximately 300 feet from the project site on LOVR between Froom Ranch Way and Auto Park Way (in addition to two "time stops" directly in front of the project site on LOVR), the relatively low frequency of transit service would not be conducive to meeting the needs of transit dependent employees or customers or the intent of City policy. Transit service frequency (headway), hours of

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<sup>2</sup> Low income households are disproportionately transit dependent and may commute to San Luis Obispo from less expensive outlying communities such as Santa Maria and Atascadero (refer also to Sections 3.3, *Air Quality* and 3.6, *Land Use*).

operation (span), and on-time performance (schedule reliability) are generally cited as the main factors that determine whether people who have the choice to drive a car or take the bus, will choose to take the bus (Beimborn, Greenwald, and Jin 2003). Because of the relatively long headway in this portion of the City, it is not assumed that employees or shoppers that have the choice to drive or take public transit would choose public transit. Therefore, although existing transit stops exist near the site and area transit routes may provide adequate capacity to serve the demand created by the project, increased demand for relatively convenient transit service would remain unmet. Implementation of the mitigation measures below, in conjunction with mitigation measures MM AQ-3**cb** and MM AQ-3**ed** in Section 3.3, *Air Quality*, would ensure that impacts to transit facilities would be less than significant. In addition, it should be noted that if Froom Ranch Way accommodates a future transit route, the addition of new transit stops along the project's Froom Ranch Way frontage would require City acquisition of right-of-way currently planned for landscaping and parking.

#### Mitigation Measures

##### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM TT-8a* Consistent with the City of San Luis Obispo's Short Range Transit Plan, bus and trolley stop locations and amenities shall be developed in consultation with the City of San Luis Obispo to mitigate potential project impacts related to new transit trips associated with the project. Further evaluation of any bus stop locations shall include an analysis of pedestrian circulation to and from the stop and the potential for vehicle-pedestrian conflicts. The project applicant shall be responsible for the development and installation of any identified improvements.

*MM TT-8b* The applicant shall fund public transit through the implementation of the Project Trip Reduction Program per MM AQ-3f by providing their employees with a free or discounted public transit pass or a ~~\$100~~-per month stipend for use in public transit and/or an employee cash-out program, as determined appropriate by the City Public Works Department. The applicant shall also contribute to a marketing fund, which the City can use to promote the public transit program onsite and on buses to encourage employee awareness.

*MM TT-8c As part of the General Plan amendment and rezone application for the project site, the City should determine if the probable need exists to reserve right-of-way for future transit stop(s) along the project's Froom Ranch Way frontage. If the City deems the expansion of transit along this route reasonably foreseeable, then the City should require that right-of-way or easements be provided in the appropriate location. Given the uncertainty of the timing of implementation of such future transit, these areas may still be developed in landscaping or parking until such as time as the City requires use of the right-of-way.*

Impact

**TT-9 The proposed project could potentially result in a shortage of required motorcycle facilities per City vehicle code requirements (1 per 20 vehicle spaces).**

As specified by the City's vehicle code, the proposed project must provide motorcycle parking at a rate of one space per 20 vehicle spaces. The proposed project would provide approximately 838 vehicle parking spaces. Though the project does not specify the number of motorcycle parking spaces, approximately 42 spaces would be required. Therefore, the following mitigation measure would be required to reduce impacts to less than significant.

Mitigation Measures

*MM TT-9 The applicant shall demonstrate that the project would provide sufficient motorcycle parking to meet project demand and City code requirements.*

Residual Impacts

The proposed project would substantially impact vehicular traffic along the roadways in the project vicinity. In addition, the project would increase pedestrian activity in an auto-oriented area characterized by high traffic volumes and speeds. Finally, the project would also increase demand for transit service in an area that is underserved by transit and where challenges exist to improving transit service due to the nature of area land uses and circulation network. However, with the implementation of standard regulatory and

additional consultant-recommended mitigation measures, impacts to transportation and traffic would be reduced to less than significant levels.

~~It should be noted that although~~ mitigation measures have been provided to reduce impacts to the LOVR/Madonna Road intersection, including options to either construct new roadway improvements along LOVR or recommended mitigation to both reduce project size ~~and/or implement intersection improvements may be considered infeasible.~~ Either of these measures would fully address project impacts. However, additional mitigation measures have been provided to address longer term intersection design issues. However, First, intersection improvement Options 1 and 2 would require acquisition of considerable ROW, tree removal, potential for interference with pedestrian circulation, and would raise potential conflicts with adopted City policies. Option 3 would mitigate the impacts in the near-term ~~Second either through construction of s or ; the proposed project would need to be a~~ reduction in project size ed in size by at least 28,000 sf in order to reduce project generated traffic sufficiently to avoid significant impacts to this intersection. Such a reduction in project size would require elimination of Anchor C and/or the equivalent reduction in square footage throughout the project.

With regard to adverse but less than significant impacts at the intersections of LOVR with Auto Park Way and Los Verdes Drive, ~~City staff is considering methods to potentially reduce congestion at these intersections~~ the City should continue to investigate alternative connections for properties along LOVR in order to reduce the need to have future traffic signals that only serve a limited number of properties. ~~As part of the review of the proposed project, City staff would review options for providing a road connection between Auto Park Way and the project site. Increased access and traffic volumes through the Auto Park Way/LOVR intersection may justify or warrant signalization, thereby reducing project adverse impacts at this point.~~ In addition, City staff has developed a strategy and toolbox to address the singular vehicle access to/from LOVR at Los Verdes Drive for ~~residence of~~ Los Verdes Park I and II. This strategy includes on-going monitoring of the LOVR/Los Verdes Drive intersection as a part of the City's *Annual Traffic Safety Report*, provision of secondary access via Higuera Street, and evaluation of a bypass road connection to Higuera Street during the Circulation Element or Regional Transportation Plan update (City of San Luis Obispo 2008b). However, because neither of the approaches can be guaranteed to eliminate project impacts to these two intersections, impacts would remain adverse, but less than significant.



### 3.9 UTILITIES AND PUBLIC SERVICES

The following section describes existing and planned utilities and public services, and evaluates the operation and capacity of these utilities and services with the development of the proposed project. Utilities and public services utilized during construction and operation of the proposed project include water, wastewater, solid waste disposal, police and fire protection, and energy services. Annexation and development of the project site with commercial-retail uses will increase demand on city services, including fire protection, police protection and other city supported public services; however, the required impact fees and potential tax revenue is designed to accommodate such services. As discussed previously, development of this site has already been anticipated in the City's *General Plan, Land Use Element*.

#### 3.9.1 Existing Conditions

##### 3.9.1.1 Potable Water

As required by municipal ordinance, the City of San Luis Obispo is the sole purveyor of potable water within city limits. This requirement allows the City to maintain uniformity in its water service and distribution standards and infrastructure, and to be consistent in developing and implementing water policy. The City receives water from the Salinas Reservoir, Whale Rock Reservoir and three groundwater wells. Treated wastewater is also recycled and distributed to certain areas of the City for irrigation purposes (City of San Luis Obispo 2008e). The Water Reuse Project initiated in 2003, began delivery to the first customers in spring 2006, and is intended to expand its customer base by about 100 acre-feet of water per year. Ultimately, the Water Reuse Project is expected to provide approximately 1,000 acre-feet per year (afy) of recycled water for irrigation throughout the City (City of San Luis Obispo 2008e). The City's *General Plan, Conservation and Open Space Element*, Policy 10.2.2 promotes the Ahwahnee Water Principles, including maximizing the use of recycled water for appropriate applications, including outdoor irrigation, toilet flushing, and commercial and industrial processes. Recycled water is currently available to customers along LOVR. The City's estimated present water demand for 2008 is 7,240 afy, based on a demand of 145 gallons per person per day (0.162 acre-foot/person/year) for approximately 44,697 people (City of San Luis Obispo 2008g; Urban Water Management Plan 2005).

The City of San Luis Obispo has adopted policies addressing the distribution of water supply among new and existing development in the *General Plan, Water and Wastewater Management Element* (2006). These policies are based on a Safe Annual Yield concept; defined as the amount of water that can reliably be produced by the City’s water supply sources to meet estimated water demand under critical drought conditions. Each water source for the City has a Safe Annual Yield; estimates developed by simulating the operation of the City’s water supply sources over a historical period to determine the maximum level of demand that could be met during the most severe droughts on record. The drought of 1986-1991 is the controlling period for this analysis. In addition, the Safe Annual Yield takes into consideration the gradual accumulation of silt in reservoirs, which reduces the combined Safe Annual Yield from the Salinas and Whale Rock reservoirs by approximately 10 afy. The groundwater basin underlying the City is relatively small; therefore, the City’s Safe Annual Yield model assumes that groundwater contributes an average of only 500 afy.

The total Safe Annual Yield for the City of San Luis Obispo for 2008 was determined to be 7,460 afy, which includes 130 afy of recycled water and 120 afy from additional water conservation efforts (City of San Luis Obispo 2005; City of San Luis Obispo 2007). Based on the City’s estimated water demand and Safe Annual Yield, the City has approximately 220 acre-feet of water available to allocate to new development (Table 3.9-1).

**Table 3.9-1. Current Water Demand and Safe Annual Yield in the City of San Luis Obispo**

<b>Water Yield and Demand</b>	<b>afy</b>
Current Safe Annual Yield (2008)	7,460
Current Water Demand*	7,240
<b>Surplus Remaining</b>	<b>220</b>

\* Based on the estimated 2008 City population of 44,697 people.  
Sources: California State Department of Finance 2008; City of San Luis Obispo 2007.

Existing city infrastructure in the vicinity of the project site includes tie-ins to the public water system located at several points along a water main that runs parallel to LOVR; at the project site, proposed tie-ins are on Fromm Ranch Way along the northern edge of the project site, and at the southern edge of the property. According to the City of San Luis Obispo Utilities Department, the existing water supply distribution system is considered

adequate and no deficiencies have been identified (City of San Luis Obispo 2009a). Current water use at the project site is minimal due to the recent cessation of agricultural activity. Previous water use was occasional sprinkler irrigation for row crops from a well located on the Dalidio property in the County across Prefumo Creek, and no definitive records of usage exist (City of San Luis Obispo 2008).

#### 3.9.1.2 Wastewater Treatment

The City of San Luis Obispo provides public wastewater treatment within City limits. In addition, the City's *General Plan, Water and Wastewater Management Element* (1996), Policy 2.1.2 states that wastewater services adequate for potential uses allowed by the Land Use Element shall be provided for all areas within the Urban Reserve Line. In 1994, the City completed improvements to its wastewater treatment plant to improve the quality of the treated effluent, and to increase the capacity of the facility to handle wet-weather flows. The City's sewer pipe collection system conveys approximately 4.5 million gallons per day (mgd) of wastewater to the City's Water Reclamation Facility (WRF) (City of San Luis Obispo 2008e). The current treatment capacity of the WRF during dry weather conditions is 5.2 mgd of wastewater (City of San Luis Obispo 2008c). Therefore, the estimated remaining capacity is 0.7 mgd or 13.5 percent of the total wastewater treatment capacity. The WRF is scheduled to undergo upgrades and expand treatment capacity to between 5.6 and 6.0 mgd by 2011 (City of San Luis Obispo 2008c).

Existing City infrastructure in the vicinity of the project site includes existing sewer mains that run along the west and east sides of LOVR. According to the City of San Luis Obispo Utilities Department, the system is considered adequate and no deficiencies have been identified (City of San Luis Obispo 2009a). Wastewater services are not currently provided at the project site.

#### 3.9.1.3 Solid Waste Disposal

According to the San Luis Obispo County Integrated Waste Management Authority, non-residential disposal per \$100 taxable sales in San Luis Obispo County is approximately 13.2 pounds of solid waste per day (California Integrated Waste Management Board 2009). Cold Canyon Landfill is the primary disposal facility for the City of San Luis Obispo, which is projected to reach its capacity around 2018. The landfill is currently in the process of CEQA review regarding plans to expand its capacity from 1,620 to 2,500

tons per day (tpd) and the overall landfill footprint from 121 acres to 209 acres. If the proposed expansion is approved, the projections to reach capacity would be extended by 25 years to approximately 2040 (San Luis Obispo County 2009).

In 1989, the State of California passed into law Assembly Bill 939 (AB 939), which requires all cities and counties to reduce waste directed to local landfills. The waste reduction requirements are based on weight. AB 939 required a 25 percent waste reduction by the year 1995 and a 50 percent waste reduction by 2000. Both goals have been met due to increased recycling efforts by the citizens of the City and County of San Luis Obispo (San Luis Obispo County 2007). The City's *General Plan, Conservation and Open Space Element* promotes waste diversion and material recycling in private development, business and operations (Policy 5.4.3) and requires facilities in new developments to accommodate and encourage recycling (Policy 5.5.8).

Garbage collection services are not currently provided at the project site.

#### 3.9.1.4 Police and Fire Protection Services

##### Police Protection

The San Luis Obispo Police Department (SLOPD) provides a variety of law enforcement and community services. Police services are based at 1042 Walnut Street at the intersection of Santa Rosa (Highway 1) and U.S. Highway 101. Full-time staff includes 87 employees, 61 of whom are sworn police officers who provide law enforcement, supervision, and management duties. The Department is divided into two police bureaus, with a Police Captain commanding each. The Operations Bureau includes Patrol Services, Traffic Safety, and Neighborhood Services (City of San Luis Obispo 2008d). According to SLOPD, the Department is currently operating at capacity (City of San Luis Obispo 2008c).

According to the Safety Element of the City's General Plan, the Department has a 30 percent available-time objective for patrol response. Available time is the portion of total time that a patrol unit is not previously assigned or otherwise unavailable for response to a new emergency call for service.

### Fire Protection

The San Luis Obispo City Fire Department (SLOFD) provides emergency and non-emergency fire and protection services. Emergency services include fire response, emergency medical response, hazardous materials response, and public assistance. Non-emergency services include fire and life safety inspections, building inspections, fire code investigations, code compliance and public education. The SLOFD currently operates four fire stations and with a total of 55 full-time employees. Ten of these are administrative personnel, and the remaining 45 are firefighters with emergency response capabilities (City of San Luis Obispo 2008b). There is currently an adequate firefighter-to-population ratio of approximately one firefighter for every 800 residents. According to the SLOFD, response times to urban development should be a maximum of 4 minutes, 90 percent of the time, and a firefighter-to-population ratio of approximately one fire fighter to every 1,000 citizens. As part of the 2001-2003 Financial Plan, the City approved increases in regular staffing for the SLOFD. Further, as part of the Memorandum of Understanding entered into between the City and the International Association of Firefighters (Local 253) on July 17, 2001, effective July 2002, the City is committed to meeting a 14-minimum sworn staffing requirement on all shifts that further guarantees that there will be three-person engine companies at all four stations at all times (City of San Luis Obispo 2004).

The closest fire station is located at 1395 Madonna Road, just north of the project site along the LOVR. The response time for emergencies to the project site would consistently be less than 3 minutes.

#### 3.9.1.5 Energy Services

California's three main energy sources are electricity, natural gas, and crude oil. Approximately 45.2 percent of the State's total electricity came from natural gas, 14.8 percent came from nuclear, 11.7 percent came from large (non-renewable) hydroelectric power, 16.6 percent came from coal, and 11.8 percent came from renewable sources. Renewable energy sources used to produce electricity include geothermal, small hydroelectric power, wind power, biomass and waste products, and solar energy (CEC 2008a; 2008b).

In 2007, California consumed approximately 284,510 million kilowatt-hours of electricity and 12,854 million Therms (thm) of natural gas (CEC 2008). As the population in California grows over the next few years, consumption is anticipated to steadily increase at a rate of 1.29 percent annually for electricity and 0.49 percent annually for natural gas (CEC 2007).

Pacific Gas and Electric Company (PG&E) provides electrical services for the City of San Luis Obispo. Southern California Gas Company (SCG) supplies gas services to the City. Currently, electrical and gas services are considered adequate and no deficiencies in service capacities have been identified (SCG 2009; PG&E 2009).

Existing infrastructure in the vicinity of the project site includes a gas main infrastructure that runs along LOVR. Gas services are not currently provided to the project site.

#### **3.9.2 Regulatory Setting**

The City of San Luis Obispo is the provider of water, wastewater treatment, and emergency protection services to residents of the City. Applicable regulations that would affect the provision of city utilities and public services are based on local policies and other regulations that place requirements on the level of service that must be provided. Established policies and regulations that would apply to the proposed project are contained in the plans and policies section of the following planning documents.

- *General Plan, Land Use Element*
  - *Policy 1.13, Costs of Growth*
- *General Plan, Water & Wastewater Management Element*
  - *Policy 2.1.2, Service Areas Within the Urban Reserve Line*
- *General Plan, Conservation and Open Space Element*
  - *Policy 4.3.4, Use of Energy Efficient, Renewable Energy Resources*
  - *Policy 4.3.6, Energy Efficiency and Green Building in New Development*
  - *Policy 4.4.1, Pedestrian- and bicycle-friendly design*
  - *Policy 4.4.2, Alternative transportation*

- *Policy 4.5.1, Solar Access Standards*
- *Policy 4.5.7, Unwanted Solar Heat Gain*
- *Policy 4.6.5, Encourage Sustainable Employee Commuting Practices*
- *Policy 4.6.8, Energy Efficient Project Design*
- *Policy 4.6.9, Solar Access for New Development*
- *Policy 5.4.3, Material Recycling in Private Development, Businesses, and Operation*
- *Policy 5.5.8, Recycling Facilities in New Development*
- *Policy 10.2.2 H, Ahwahnee Water Principles*
- *San Luis Obispo Municipal Code, Title 13 - Public Services*
- *San Luis Obispo Municipal Code, Chapter 8.05, Mandatory Construction and Demolition Debris Recycling Program (Ordinance 1381)*
- *San Luis Obispo Municipal Code, Chapter 17.18, Performance Standards - Section 17.18.080, Energy Conservation (Ordinance 1265)*

The CEQA Guidelines Appendix F includes state guidelines for the discussion of energy conservation in environmental documents. In addition, the following state regulation applies to the consumption of energy by the proposed project:

- *Title 24, Part 6 of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Non-Residential Buildings.* This law is the primary legislation governing energy use in new buildings in the State. Relevant prescriptive and mandatory requirements of this law include, but are not limited to:
  - incorporation of cool-roofs on non-residential buildings;
  - skylights for daylighting buildings; and,
  - installation of certified insulation materials.

### 3.9.3 Environmental Impacts

#### 3.9.3.1 Thresholds for Determining Significance

- Impacts to water supplies would be significant if any component of the project generated a demand that would potentially exceed the capacity of existing or forecasted supplies, facilities, or service lines.
- Impacts to wastewater infrastructure would be significant if the proposed project would potentially exceed the design capacity of sewer lines or the wastewater treatment plant.
- Impacts to solid waste disposal would be significant if the project site generated solid waste which could not be accommodated by the designated landfill's permitted capacity.
- Impacts to police protection services would be significant if response times to the project site were inadequate, or if police staffing would be inadequate to support the proposed project.
- Impacts to fire protection services would be significant if response times to the project site did not meet established requirements (e.g. less than 4 minutes), or if the firefighter/population ratio would decline, or if firefighter staffing or equipment would be inadequate to support the proposed project.
- Impacts would be significant if operation of the project consumed energy beyond PG&E or SCG capacity to supply or produce.
- Impacts would be significant if the proposed project conflicted with adopted energy conservation plans.
- Impacts would be significant if construction or operation of the proposed project used non-renewable resources in a wasteful and inefficient manner.

#### 3.9.3.2 Impact Assessment Methodology

In order to assess impacts on utilities and public service systems, existing and forecast capacities of public and private utility and service providers were obtained from management personnel, General Plan documents, and prior studies.

The City's *General Plan Water & Wastewater Management Element* and coordination with the City of San Luis Obispo Utilities Department provided additional information used to establish levels of significance for water supply and distribution, and sewer

system impacts. Projected water demand for proposed facilities at the project site was compared against the current amount of water available for allocation within the City.

The City’s Solid Waste Department provided guidelines regarding reducing the amount of solid waste produced by the proposed project.

SLOPD and SLOFD provided guidelines for determining potential impacts to police and fire protection services, specifically staffing and service demands.

**3.9.4 Project Impacts, Mitigation Measures, and Residual Impacts**

3.9.4.1 Water Supply

Impact

**UT-1            The proposed project could result in potentially significant impacts on the City’s potable water supply and water supply infrastructure.**

To determine the impacts of projected water consumption rates associated with the proposed project on the City’s water supply, water use for the project site was estimated using City of San Luis Obispo Utilities Department standard generation rates. The total potential annual water use estimated is approximately 33.02 afy, or 29,470 gallons per day (gpd) (Table 3.9-2).

**Table 3.9-2. Estimated Water Use for the Proposed Project Based on Historical Water Usage Rates**

Water Use	Size (sf)	Use Factor (afy/sf)*	Demand (afy)
Large retail	166,158	.068/1000	11.30
Retail	5,000	.11/1000	0.55
Restaurant	17,500	1.07/1000	18.73
Landscape Area	116,396	.021/1000	2.44
<b>TOTAL</b>	<b>305,054</b>		<b>33.02</b>

\* Use factors based on historical water usage rates for similar land uses in the City of San Luis Obispo.  
 afy = acre-feet/year  
 sf = square feet

The total Safe Annual Yield for the City of San Luis Obispo at the time construction is completed in 2010 is estimated to be 7,440 (City of San Luis Obispo 2005). Based on an

average annual growth rate of 0.25 percent (City of San Luis Obispo 2008g), it is estimated that the population of the City in 2010 would be 44,921. Using the water consumption rate of 145 gallons/person/day (0.162 acre-foot/person/year), water demand is calculated to be approximately 7,277 afy in 2010 (City of San Luis Obispo 2006c). Based on these estimates, the City would have approximately 163 afy of water available to allocate to new development. Half of this amount is designated for infill and intensification projects within City limits and in accordance with current City policies. Therefore, based on project-related water demand estimates, the project would require approximately 41 percent of the remaining amount of water anticipated to be available in 2010.

[The City is currently considering several options to increase future water supply. Three supply project options are being considered to meet future potable water supply goals: The Nacimiento Pipeline Project, which involves the construction of a 50+ mile pipeline project that could supply the City with 3,380-afy; Further implementation of recycled water infrastructure and use and; a new operable gate in the spillway of the Salinas Dam which would increase storage capacity of the lake by 75 percent and could provide the City with and additional 1,650-afy \(City of San Luis Obispo 2009\).](#)

Development of the project site would require a water allocation and the payment of water impact fees to the City of San Luis Obispo. In addition, the project's proposed landscape irrigation system would be designed for maximum water efficiency and would include an automatic controller, a backflow prevention device, and low-gallon heads for turf and large ground cover areas. A drip-type system would be used where appropriate and trees would be irrigated on separate bubbler systems.

With regard to water supply infrastructure, the City has conducted a preliminary review of the existing water supply distribution system and has determined that it should be adequate to serve the proposed project (City of San Luis Obispo 2009a). If it is determined during the city permitting process that off-site improvements are necessary, the developer would be required to construct improvements to the distribution system in order to accommodate the project.

The proposed project will create an additional long-term usage of existing city water supplies. Impacts to the City's water system would be considered adverse but less than significant. Implementation of standard regulatory procedures listed below (e.g.,

payment of water impact fees, correction of potential delivery system deficiencies, maximizing use of recycled water and waster conservation best management practices) would be required.

### Mitigation Measures

#### ***Standard Regulatory Conditions***

*MM UT-1a The project shall obtain a water allocation and pay water impact fees to the City of San Luis Obispo for the incremental increase in water demand at the site.*

*MM UT-1b If it is determined that off-site improvements to the City's existing water distribution system are necessary to accommodate the proposed project, the applicant shall be responsible for funding and constructing the improvements.*

*MM UT-1c Consistent with Ahwahnee Water Principles and the City's General Plan, Conservation and Open Space Element, Policy 10.2.2, the applicant shall design all irrigation and water utilities infrastructure for compatibility with on-site use of recycled water.*

*MM UT-1d The applicant shall implement water conservation best management practices including: selection of drought-tolerant, low water-consuming plant varieties and use of high-quality, low-flow toilets, urinals, and faucets.*

*MM UT-1e The applicant shall submit a Plan for Services consistent with the Cortese-Knox-Hertsberg Act to the San Luis Obispo Local Agency Formation Commission. The Plan for Services shall include all of the following information and any additional information required by the commission or executive officer:*

- *an enumeration and description of the services to be extended to the affected territory;*
- *the level and range of those services;*
- *an indication of when those services can feasibly be extended to the affected territory;*

- *an indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed; and*
- *information with respect to how those services will be financed.*

#### 3.9.4.2 Wastewater Treatment

##### Impact

**UT-2 Wastewater from the project site may potentially exceed the remaining capacity of the City's Water Reclamation Facility.**

The project proposes to tie into the existing sewer main that runs along the east side of LOVR via a wastewater line extending along the southern edge of the property. Review and approval of proposed utility plans by the City of San Luis Obispo Utilities Department is a standard regulatory requirement. Per the City's *General Plan, Land Use Element*, Policy 1.13, payment of water and wastewater impact fees to the City of San Luis Obispo would be required to ensure that the project applicant pays a fair share of costs associated with the infrastructure needed to serve the proposed project.

Estimates for total wastewater flow were calculated using the City of San Luis Obispo Public Works Department standard generation rates based on the assumption that 90 percent of water used becomes wastewater. The estimated total water use for project is 33.02 afy and therefore wastewater generation was estimated to be 29.71 afy. Based on this estimate, the City of San Luis Obispo Public Works Department has concluded that the WRF has sufficient capacity to accommodate the proposed project (City of San Luis Obispo 2009a). Further, the WRF is currently in the process of expanding treatment capacity, with improvements to be completed by 2011. Therefore, with implementation of standard regulatory conditions, including payment of impact fees, impacts to the local and regional wastewater treatment infrastructure would be less than significant.

##### Mitigation Measures

###### ***Standard Regulatory Conditions***

*MM UT-2a The project shall comply with all standard regulatory reviews and obtain approvals from the City of San Luis Obispo Utilities Department for wastewater facilities, including payment of impact fees.*

*MM UT-2b If it is determined that off-site improvements to the City's existing wastewater collection system are necessary to accommodate the proposed project, the applicant shall be responsible for constructing the improvements.*

***Additional Mitigation Measures (Consultant-Recommended)***

3.9.4.3 Solid Waste Disposal

Impact

**UT-3 The proposed project may potentially produce solid waste above existing capacity levels of the primary disposal facility for the City of San Luis Obispo.**

Garbage collection services at the project site would be provided by the San Luis Obispo Garbage Company. Trash enclosures and trash compactors would be located throughout the project site adjacent to the proposed buildings. Proposed garbage truck access to Anchor E would be provided by a driveway that would extend through the parking lot along the southern site boundary from LOVR. Multiple trash storage areas would be located behind Anchor E (refer to Figure 2.4-1). Trash storage areas would adhere to the design considerations provided in the California Stormwater Quality Association New Development and Redevelopment handbook, including screening, bin lining, paving, and secondary containment.

The proposed project would create additional sources of solid waste generation at the project site. According to the California Integrated Waste Management Board and the San Luis Obispo County Integrated Waste Management Authority, retail sources produce 6.8 pounds of solid waste per employee. The number of employees is estimated by a factor of 3 employees per 1,000 sf of retail space and 2.6 employees per 1,000 sf of services related business. The proposed project would generate approximately 1.9 tpd of solid waste (694 tons per year) (Table 3.9-3).

**Table 3.9-3. Estimated Waste Production**

<b>Building Use</b>	<b>Size (sf)</b>	<b>Estimated Employees<sup>1</sup></b>	<b>Estimated Waste Produced (tpd)<sup>2</sup></b>
Retail	171,158	514	1.748
Restaurant	17,500	46	0.155
<b>TOTAL</b>	<b>188,658</b>	<b>560</b>	<b>1.903</b>

<sup>1</sup> Number of employees is estimated by a factor of 3 per 1,000 sf of retail space and 2.6 per 1000 sf of services related business.

<sup>2</sup> Based on 6.8 pounds of solid waste per employee per day.

As mentioned previously, the Cold Canyon Landfill is projected to reach capacity by about 2018; however, the landfill is currently undergoing review for potential facility expansion, which would increase capacity by 54 percent to 2,500 tpd. Upon approval of the landfill expansion plan, impacts from the proposed project would be less than significant. Pending approval of the plan, waste from the project may exceed landfill capacity. Consistent with the requirements specified in AB 939, the City of San Luis Obispo’s Source Reduction and Recycling Element called for the diversion of 50 percent of all solid waste from landfills by January 1, 2000 through source reduction, recycling, and composting activities (San Luis Obispo County 2007). Implementation of diversion requirements outlined in the Source Reduction and Recycling Element would reduce project impacts to less than significant.

Mitigation Measures

***Standard Regulatory Conditions***

*MM UT-3a Pursuant to the City of San Luis Obispo’s Ordinance 1381, Chapter 8.05, a Recycling Plan for the proposed project to be implemented during construction will be submitted for approval by the City’s Solid Waste Coordinator or the Community Development Director, prior to building permit issuance. The plan shall include plans to recycle at a minimum 50 percent of discarded materials, such as concrete, sheetrock, wood, and metals, from proposed construction.*

*MM UT-3b Pursuant to the City of San Luis Obispo’s Source Reduction and Recycling Element, the project shall provide a plan for the disposal, storage, and collection of solid waste material for the project. The development of the plan shall be coordinated with the City’s franchised solid waste collection and disposal firm, San Luis Obispo Garbage*

*Company. The plan must be submitted for approval by the City's Utilities Conservation Coordinator and the Community Development Director.*

***Additional Mitigation Measures (Consultant-Recommended)***

*MM UT-3c Newly established businesses should include convenient facilities for interior and exterior on-site recycling.*

*MM UT-3d Recycled-content materials shall be used in structural and decorative building components and in surfacing wherever feasible.*

3.9.4.4 Police and Fire Protection Services

Impact

**UT-4 The project would potentially increase demand on the SLOPD as additional new commercial and parking areas would need to be patrolled by police officers.**

The proposed project would potentially result in a potential impact on police staff, as implementation of the proposed project is anticipated to increase SLOPD response to general incidents related to theft, public intoxication, noise complaints, and other similar incidents. The SLOPD is presently operating at capacity and additional patrol responsibilities could potentially result in a significant impact (City of San Luis Obispo 2008c). However maintenance under private ownership and patrol by a private security company would reduce impacts to less than significant. In addition, review of proposed plans by SLOPD is a standard regulatory requirement.

Mitigation Measures

***Standard Regulatory Conditions***

*MM UT-4a The project shall comply with all standard regulatory reviews by SLOPD.*

***Additional Mitigation Measures (Consultant-Recommended)***

*MM UT-4b The applicant shall incorporate a full-time security staff to patrol the proposed development complex.*

#### Impact

**UT-5            The project would potentially increase the demand for SLOFD services due to additional commercial uses.**

The proposed project would potentially result in a population increase associated with employment opportunities for the additional commercial-retail development; therefore, changes in the firefighter-to-population ratio could occur. However, fire protection would be augmented by sprinkler requirements in all proposed buildings. In addition, the Fire Marshal would review all plans submitted with a building permit application for compliance with fire codes. The review would also ensure that adequate points of entry are maintained to allow fire apparatus to access remote parts of the project site, per city standards. Compliance with these required and standard SLOFD regulatory conditions would ensure that the project's impacts to fire protection would be reduced to less than significant.

#### Mitigation Measures

##### ***Standard Regulatory Conditions***

*MM UT-5        The applicant shall incorporate all site design features required by the Fire Marshal into the project in case of emergency, including:*

- *adequate fire department access;*
- *proper placement of street numbers;*
- *water supply capable of providing adequate fire flow;*
- *a knox box;*
- *installation of fire protection systems and equipment;*
- *implementation of fire safety measures during construction; and,*
- *portable fire extinguishers.*

#### Impact

**UT-6            The project could potentially consume energy resources beyond existing service provider capacity levels.**

Energy supplies to the project site would be provided by PG&E and the SCG. PG&E was contacted to determine if energy services in the project area are considered adequate and could support the requirements for the Prefumo Creek Commons Project. According to the representative, the applicant would be required to submit a formal application to PG&E at which time a determination would be made regarding the available energy

services. If it is determined that the current energy services in the area are not adequate to support the proposed project, the applicant would be required to pay a fee to PG&E to cover the costs of the additional energy services required. SCG was contacted to determine if natural gas services in the project area are still considered adequate and could support the proposed project. According to SCG, natural gas service could be provided to the project without significant impact to existing resources (SCG 2009). The proposed project would include a 12-inch high pressure gas main and 4-inch gas main to tie into the existing infrastructure along LOVR. Currently, electrical and gas services are considered adequate and no deficiencies in service capacities have been identified or projected (SCG 2009; PG&E 2009). Incorporation of standard regulatory requirements outlined in the mitigation measure below would reduce impacts to less than significant levels.

### Mitigation Measures

#### *Standard Regulatory Conditions*

*MM UT-6 If additional electrical energy services are required to accommodate the proposed project the applicant would be required to pay a mitigation fee to PG&E.*

### Impact

**UT-7 Construction and operation of the proposed project could potentially use non-renewable resources in a wasteful or inefficient manner.**

Future development of the project site must comply with the policies contained in the City's *General Plan, Conservation and Open Space Element*, adopted by the City Council in April 2006. Construction of the project must meet all the energy conservation standards for residential and nonresidential construction outlined in the California Energy Code. In addition, the City strongly encourages energy-efficient green building as certified by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program or equivalent certification. Nonresidential projects greater than 60,000 sf gross floor in area are encouraged to achieve at least a LEED Silver Certification. [The LEED certification process involves rating buildings according to sustainability incorporated into the project design and operation. To obtain a LEED Silver rating the facility must obtain 50-59 points out of a maximum of 100 \(USGBC 2009\).](#) *Conservation and Open Space Element* policies 4.4.1, 4.4.2, 4.6.5 promote

pedestrian- and bicycle-friendly design, alternative transportation, and employee commuting to reduce impacts from additional energy use and emissions, and to address global climate change.

The City also implements energy conservation goals through Architectural Review. Project designers are asked to show how a project makes maximum use of passive means of reducing conventional energy demand, as opposed to designing a particular image and relying on mechanical systems to maintain comfort. However, the consumption of energy by the proposed project and the design of the project buildings with regard to energy use may be in non-conformance with some city policies outlined in the *Conservation and Open Space Element* of the General Plan. The proposed project is estimated to use 3,157MW-hrs/year (California Climate Action Registry 2008; also refer to Appendix D). Therefore, incorporation of the Architectural Review process discussed above and the standard regulatory conditions and consultant-recommended mitigation measure listed below would be required to ensure impacts are less than significant.

#### Mitigation Measures

In addition to the following mitigation measures, the Air Quality section of this document (Section 3.3) outlines additional measures which also address potential impacts from an air quality and/or global climate change standpoint.

#### ***Standard Regulatory Conditions***

*MM UT-7a The applicant shall comply to the maximum extent feasible with all adopted city policies regarding energy consumption such as:*

- *incorporation of cost-effective, renewable, non-depleting energy resources into the project design, wherever possible; and,*
- *site and building design to avoid unwanted heat gain from solar exposure. Features that provide shading at suitable times of the day and year generally shall be “passive” or automatic, avoiding the need for occupants to regularly monitor or adjust them.*

#### ***Additional Mitigation Measures (Consultant-Recommended)***

*MM UT-7b Construction vehicles shall be turned off when not in use to avoid idling. Construction vehicles shall be left on site for the duration of construction to avoid wasteful or inefficient use of gasoline.*

*MM UT-7c The project applicant shall provide the City with additional information necessary to obtain at least a LEED Silver Certification from the U.S. Green Building Council.*

Residual Impacts

With the implementation of standard regulatory procedures and consultant-recommended mitigation measures all impacts would be reduced to less than significant levels.



## 4.0 OTHER CEQA SECTIONS

### 4.1 IRREVERSIBLE ENVIRONMENTAL IMPACTS

CEQA Guidelines, Section 15126.2(c) requires that irretrievable commitments of resources be evaluated to assure that such current consumption is justified. This includes use of nonrenewable resources, the commitment of future generations to similar uses, and irreversible damage which can result from environmental accidents associated with the project.

Construction of new buildings and paved surfaces would involve consumption of building materials and energy, some of which are nonrenewable or locally limited natural resources (e.g., fossil fuels and wood). Nonrenewable resources utilized for the proposed project could no longer be utilized for other purposes. Consumption of building materials and energy is associated with any development in the region, and these commitments of resources are not unique or unusual to the proposed project. The proposed project would represent an incremental commitment to long-term use of nonrenewable resources, particularly gasoline for substantially increased automobile use and oil, coal, and natural gas for power generation. Although not unique to the proposed project, the auto-oriented nature of the proposed project would result in it being one of the larger energy consuming developments, particularly for gasoline, of those recently considered by the City. In addition, as discussed in Section 3.3, *Air Quality*, use of each of these forms of non-renewable energy would contribute to the generation of GHGs with an incremental contribution to global climate change. Thus while project energy demand and use of non-renewable sources itself would not be significant, resultant secondary impacts to other resources, such as air quality would be significant.

Implementation of the proposed project would irreversibly commit 19 acres of prime soils from active agricultural production to commercial development. The proposed project would commit future generations to similar uses. The irretrievable commitment of this site for these uses is considered justified given that the site is surrounded by existing development and would have access to city services (e.g., wastewater). Further, the site is expected to serve the needs of city residents through the establishment of a regional shopping center.

The proposed project would not be expected to result in environmental accidents that have the potential to cause irreversible damage to the natural or human environment.

#### 4.2 GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines requires a discussion of how the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Induced growth is distinguished from the direct economic, population, or housing growth of a project. Induced growth is any growth that results from new development that would not have taken place in the absence of the project and that exceeds planned growth. CEQA Guidelines also state that growth in any area should not be assumed to be necessarily beneficial, detrimental, or of little significance to the environment.

Growth-inducing impacts are caused by those characteristics of a project that tend to foster or encourage population and/or economic growth. Inducements to growth include the generation of construction and permanent employment opportunities in the support sectors of the economy. The proposed project could result in three types of growth-inducing impacts: 1) the creation of short- and long-term employment opportunities which draw newcomers to the region; 2) the associated increase in housing demand; and, 3) the generation of new commercial and tourist accommodations to entice people to the area.

As discussed in Section 3.6, *Land Use and Planning Policies*, the proposed project would provide a significant amount of long-term employment opportunities through the creation of an estimated 566 new long-term jobs, the majority of which would pay very-low to low income wages (see Table 3.6-2). It is not known how many of these new workers would in-migrate or be new to the community. The Copelands EIR (EIR Case #ER 192-01 and ER 193-01) presumed that up to 15 percent of workers would be new to the community. In several studies conducted during the 1980s in neighboring Santa Barbara County, the County found an in-migration factor (i.e., new to the community) of 19 to 21 percent for lower-income service and retail workers (County of Santa Barbara 1980; 1985). While no such studies appear to be available for San Luis Obispo County, it does not appear reasonable to assume that all new jobs would be filled by existing residents. While many of the part-time or retail sector jobs may be filled by existing residents such as university students, an unknown portion are likely to be filled by full-time workers

who are a primary wage earner for a household. Based on the assumptions in the Copelands EIR and data from adjacent Santa Barbara County, it would appear reasonable to assume that 15 to 21 percent of these new jobs (85 to 119 employees) may be “induced” directly or indirectly to move to the community, with an associated increased demand for housing. Given the projected wages of the majority these workers, the demand would be mostly for affordable housing units. Secondary impacts would likely result from increased commuter traffic, including increased traffic congestion on U.S. Highway 101 and associated air quality impacts, particularly generation of GHGs. For low and very-low income households which relocate to the City, secondary impacts would likely result from overcrowding and overpayment for housing and an associated inability to afford other necessities, such as food.

Growth-inducing impacts associated with affordable housing and jobs/housing balance are discussed in Section 3.6, *Land Use*, under Impact LU-1, along with mitigation measures to reduce impacts to less than significant.

### **4.3 GLOBAL WARMING**

Recent state legislation and opinions by the California Attorney General have indicated that CEQA evaluations are to include an assessment of a proposed project’s potential to contribute to global climate change (also known as “global warming”) impacts. The evaluation of climate change impacts in CEQA documents is a new requirement, and methodologies for conducting such analyses have not been defined at a state or local level. Despite the absence of adopted analysis procedures or thresholds of significance, CEQA requires that Lead Agencies inform decision-makers and the public about potential significant environmental effects of the proposed project.

As discussed in Section 3.3, *Air Quality*, long-term operation of the proposed project would result in the generation of greenhouse gas (GHG) emissions from area, vehicular and indirect sources. Vehicular and area sources of emissions generate CO<sub>2</sub> primarily from gasoline-powered automobiles. Under the proposed project, vehicular and area sources would generate approximately 5,125 tons/year of CO<sub>2</sub> emissions. Indirect sources of emissions primarily derive from the generation of electricity at large power-producing facilities, which would supply the proposed project with utilities (energy use). Under the proposed project, indirect sources would generate approximately 1,387 tons/year of CO<sub>2</sub> emissions. In addition, due to the size and nature of the proposed project, long-term

operation could generate GHG emissions from increased transportation and long-distance commuting. Increased transportation would result from visitors patronizing the project's regional shopping center. Increased long-distance commuting could result from shopping center employees commuting from more affordable communities such as Santa Maria or Paso Robles, which would generate substantially higher levels of GHGs than an employee living in the City. In general, the proposed project would be inconsistent with the land use planning recommendations set forth in the California Air Pollution Control Officers Association (CAPCOA) white paper *CEQA and Climate Change* (e.g., does not include high-density development along a transit corridor) and the intent of SB 375 to reduce vehicle miles traveled (VMT). In addition, this project could hinder attainment of the State's goals of reducing GHG emissions to 1990 levels by the year 2020 as stated in AB 32; therefore, GHG emissions from the proposed project are considered potentially significant. Global warming impacts associated with GHG emissions are discussed in Section 3.3, *Air Quality*, under Impact AQ-4, along with mitigation measures to reduce project-level impacts to less than significant. However, in combination with existing GHG emissions, direct and indirect emissions from the proposed project would be considered cumulatively significant and unavoidable.

In addition, as discussed in Section 3.5, *Hydrology*, the proposed project's location within a floodplain may expose future development to increased flood hazards associated with erratic rainfall patterns. Changing rainfall patterns may also incrementally affect water quality in Prefumo Creek along with available groundwater quantity and quality in underlying aquifers (DWR 2008). However, as discussed in Section 3.5, *Hydrology*, given available data and models, it is not possible to quantify such impacts.

#### 4.4 EFFECTS FOUND NOT TO BE SIGNIFICANT

CEQA Guidelines state that the EIR shall contain a statement briefly indicating the reasons that various potentially significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR (Section 15128). After standard regulatory conditions and/or mitigation measures are applied, several resource areas were found to be below a level of significance, as identified in the Initial Study Checklist (Appendix A). Some of these issues have been reassessed in this EIR, and further analysis resulted in mitigation measures provided as appropriate. Results of the environmental analyses are either presented in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*, or discussed below.

#### 4.4.1 Cultural Resources

Cultural resources were identified on the Initial Study Checklist as having *less than significant impacts* associated with proposed project. The project would not be located within a Historic District, and it is not within close proximity to any known historic resources. The closest known historic resource is the Froom Ranch property, located on the west side of LOVR, over 0.5 miles from the project site.

The entire project site was assessed with an archaeological surface survey and local records search (Heritage Discoveries, Inc., March 29, 2007). No potential archaeological resources were discovered at the site. Further, there are no known historic resources located within the property, nor any known former resources associated with the project site. No further archaeological studies were recommended for the site.

Should potential archaeological or paleontological resources be discovered during site preparation or construction, activities would cease until such resources are surveyed and a determination is made regarding their potential significance.

#### 4.4.2 Geological Resources

With regard to the proposed project, geological resources were identified on the Initial Study Checklist as having *potentially significant impacts unless mitigation measures are incorporated*. No known fault lines are located on or in the immediate vicinity of the project site. However, the project is located within a seismically active region of the state of California, and strong ground shaking should be expected during the life of the proposed project. As a result, structures have been engineered to withstand significant seismic activity, and impacts associated with potential seismic activity are expected to be *less than significant*.

The project site lies within an area identified as having a High Liquefaction Potential (City of San Luis Obispo 1978). A soils engineering report (Earth Systems Pacific, March 8, 2007) found that soils at the project site are moderate to high in expansion. The report recommended engineering practices which could be incorporated into structural design to address potential expansion and liquefaction. Incorporation of these measures to address potential soil expansion and liquefaction would reduce impacts to *less than significant*.

### 4.4.3 Hazards and Hazardous Materials

Hazards and hazardous materials were identified on the Initial Study Checklist as having *less than significant impacts* associated with proposed project. The proposed project's commercial uses are not expected to create health hazards, and there are no known existing health hazards at the project site. A Phase I Environmental Assessment (Secor International, January 2, 2007) did not identify any current or past uses of the project site or adjacent properties which could potentially create hazardous environmental conditions.

Project site grading and construction activities have the potential to introduce dust and/or emissions to areas adjacent to the project site, including Pacific Beach High School and nearby residential neighborhoods. Potential impacts with regard to dust and emissions are further discussed in Section 3.3, *Air Quality*.

### 4.4.4 Mineral Resources

No known mineral resources are associated with the project site; therefore, *no impacts* to mineral resources are expected from the proposed project.

### 4.4.5 Population and Housing

The proposed project's retail shopping center is expected to create growth in the number of workers seeking housing in the City of San Luis Obispo. Impacts with regard to the jobs/housing balance within the City and consistency with associated General Plan policies are discussed in Section 3.6, *Land Use and Planning Policies*.

### 4.4.6 Public Services

The Initial Study Checklist identified the proposed project as increasing the demands for city services (e.g., police and fire protection, etc.). However, the proposed project would include fees and potential tax revenue to offset such demands, thereby reducing potential impacts to *less than significant*. Potential impacts related to public services are discussed in Section 3.9, *Utilities and Public Services*.

Roads and other transportation infrastructure were identified on the Initial Study Checklist as having *potentially significant impacts unless mitigation measures are incorporated*. Potential impacts related to roads and transportation are discussed in Section 3.8, *Transportation and Traffic*.

#### **4.4.7 Recreation**

The proposed project would not create any additional housing and is therefore not expected to result in any significant population increases which would impact recreational resources. As part of the proposed project, the developer shall dedicate an easement for construction of a portion of the proposed Bob Jones Bike Trail which runs through the project site along the east side of Prefumo Creek. Consequently, any impacts to recreational resources are expected to be *less than significant*.

#### **4.5 UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS**

CEQA Guidelines, Section 15126.2(b) requires a description of any significant impacts resulting from implementation of a project, including impacts that cannot be mitigated to below a level of significance. The proposed project was evaluated with respect to specific resource areas to determine whether implementation would result in significant adverse impacts. A detailed discussion of each of the impacts can be found in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*.

Specific significance thresholds were defined for each potential impact associated with each resource area. Based on the environmental impact assessment presented in Section 3.0, *Environmental Impact Analysis and Mitigation Measures*, of this EIR, the resource areas of aesthetics and visual resources, air quality, agricultural resources, biological resources, hydrology and water quality, land use and planning policies, noise, transportation and traffic, and utilities and public services would result in some form of significant impact. Mitigation measures were developed that would reduce impacts to below a level of significance. However, the following impacts cannot be mitigated below a level of significance:

- Short- and long-term air pollutant emissions that exceed the County of San Luis Obispo Air Pollution Control District (APCD) standards;

#### 4.0 OTHER CEQA SECTIONS

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- Air quality impact inconsistencies with assumptions in the County of San Luis Obispo APCD's 2001 Clean Air Plan (CAP);
- Temporary exceedance of City noise standards during grading and site preparation construction activities; and,
- Long-term operational exceedance of City noise thresholds associated with delivery truck and trash pickup activities at the proposed Anchor C truck dock.

Under CEQA Guidelines Section 150565, when an EIR demonstrates that implementation of a proposed project will cause significant unmitigable impacts, the agency must issue a Statement of Overriding Considerations before approving the project. A Statement of Overriding Considerations is a report of the lead agency's findings regarding the merits of approving a proposed project despite its environmental impacts, and reflects the balancing of competing public objectives. Therefore, the City of San Luis Obispo will be required to adopt a Statement of Overriding Considerations to address the unmitigable impacts listed above. In this instance, the City may weigh the long-term benefits of the project, such as fostering additional regional shopping opportunities and sales tax revenue, in light of the potentially adverse air quality and noise impacts created by such a project. To facilitate consideration of these issues, this EIR discloses potential impacts and also provides a range of project alternatives which could more fully alleviate environmental concerns. In addition, Section 3.6, *Land Use and Planning Policies*, provides an overview of the City's policy context, which provides information on how the project meets a number of important city policy objectives and where it may raise concerns over consistency with other city policies. All of this information should be reviewed when considering this project.

## 5.0 CUMULATIVE IMPACTS

### 5.1 INTRODUCTION

The CEQA Guidelines define cumulative impacts as “two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts”. The Guidelines further state that the individual effects can be various changes related to a single project or the change involved in a number of other closely related past, present, and reasonably foreseeable future projects (Section 15355). The Guidelines allow for the use of two different methods to determine the scope of projects for the cumulative impact analysis:

- List Method - A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency (Section 15130).
- General Plan Projection Method - A summary of projections contained in an adopted General Plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact (Section 15130).

This EIR examined cumulative effects using the List Method. Table 5.1-1 contains a list of pending and approved projects within the project vicinity. The approximate locations of the projects listed in Table 5.1-1 are shown in Figure 5.1-1.

### 5.2 AFFECTED ENVIRONMENT

The list of pending and approved projects includes all projects within the vicinity of the proposed Prefumo Creek Commons Project (see Figure 5.1-1). The affected environment for most of the resource areas analyzed in this EIR was determined to be limited to the project vicinity at the western end of the City limits. The analysis of cumulative impacts contained in this chapter includes the impacts of the proposed Prefumo Creek Commons Project plus all other pending or approved projects within the affected area for each resource.



**Table 5.1-1. Pending and Approved Projects in the Project Area**

<b>Map Key</b>	<b>Project Name / Address</b>	<b>Description</b>	<b>Status</b>
1	King Map Margarita Specific Plan Area – 3000 Calle Malva	• Construction of 80 Single Family Residential Units, 32 apartments, and 85 condominiums	• Approved • Extension requested by applicant; potentially delayed
2	Creekston – 791 Orcutt	• Construction of 10,000 sf of Residential-Commercial development, including 86 condominiums	• Pending • Currently under redesign • ARC approval needed
3	DeBlauw Map Margarita Specific Plan Area – 408 Prado	• Construction of 110 Single Family Residential units, 15,000-sf of business park, and 6,000 to 6,500-sf of mixed-use office/residential on 18 lots.	• Approved
4	Cowan Map Margarita Specific Plan Area – 392 Prado	• Construction of 41 Single Family Residential units and 80,000 sf of medical office uses on 25 lots totaling 238,000 sf.	• Approved
5	Orcutt Specific Plan – Orcutt/Tank Farm (Righetti)	• Construction of 979 Residential units on 231 acres (600-1,000 sf)	• DEIR 2/08; Pending
6	Tumbling Waters – 861 Orcutt	• Construction of 178 residential condos	• Currently under redesign
7	Calle Joaquin Auto Sales lots – 1413 Calle Joaquin	• Construction of 100,000 sf of Retail-Commercial auto sales on four lots, each with potential of 40,000 sf floor area and outdoor sales	• Pending
8	Chevron Commerce Park – 276 Tank Farm Road	• Development of 800,000 sf of Service/Manufacturing Commercial	• Pending (long-term development - 2035 future scenario)
9	Dalidio – 0 Dalidio	• Construction of 500,000 sf Retail-Commercial center, including overpass at Prado Road	• Currently under redesign • No pending application at this time; however, considered reasonably foreseeable future project
10	Hampton Inn – 1525 Calle Joaquin	• Construction of 52,891-sf , 84-room hotel	• Approved • City to complete road abandonment
11	Long Bonetti Ranch - 3897 South Higuera	• Construction of 30,000 sf of Retail/Service Commercial	• Pending • City Council review in 2009
12	Prado Road Business Center – 400 Prado Road	• Construction of 160,000-sf Office Park	• Pending

Source: City of San Luis Obispo 2008.

### 5.3 CUMULATIVE IMPACTS

The findings of the proposed project's contribution to potential cumulative impacts are summarized by resource area.

#### 5.3.1 Aesthetics and Visual Resources

The triangular area roughly bordered by Los Osos Valley Road (LOVR), U.S. Highway 101, and Madonna Road was determined to be the area of analysis for cumulative impacts on visual resources. In this area, viewer groups would most likely be able to see the proposed project in combination with three other projects that have been identified as reasonably foreseeable on the City's project list.

A cumulative visual impact would occur if a viewer perceives that the general visual quality in the area of analysis has been diminished as a result of the proposed project, in combination with the three projects listed below. Referred to as cumulative projects in this analysis, the general location of these projects is illustrated in Figure 5.1-1.

- **Calle Joaquin Auto Sales Lot – 1413 Calle Joaquin** - Construction of 100,000 square feet (sf) of retail-commercial auto sales on four lots, each with potential of 40,000-sf floor area and outdoor sales
- **Dalido Project – 0 Dalido Drive** - Construction of a 500,000-sf retail-commercial center, including overpass at Prado Road
- **Hampton Inn – 1525 Calle Joaquin** - Construction of 52,891-sf, 84-room hotel

The significance of a cumulative visual impact depends on the degree to which: (1) the view shed is altered, (2) visual access to scenic resources is impaired, (3) scenic character is diminished, or (4) the project's visual contrast is increased.

The following is a list of locations within the area of analysis where potential cumulative, visual impacts could occur.

#### Southbound LOVR

For viewer groups traveling southbound on LOVR, there may be points at which the proposed project would be visible in combination with all three cumulative projects, but especially the projects on Calle Joaquin. The overall effect on the visual setting from this

location would be an increase in urbanization as the expanse of developed area increases in relation to open space. These projects would further the suburban, large block, big box retail shopping mall aesthetic that has increasingly defined this segment LOVR and the southern end of the City over the last 20 years. The proposed project and cumulative projects would generally be visually compatible with the type, scale, and pattern of the existing retail-commercial development. Therefore, the proposed project and the cumulative projects would not collectively result in a strong visual contrast to existing development in the area.

Key resources that define the view shed and scenic character in the area of analysis are eastward views to the Morros and the Santa Lucia Mountains, westward views of the Irish Hills, and limited views to the riparian corridor bordering Prefumo Creek. Views to the Morros and the Santa Lucia Mountains would change due to the introduction of cumulative development in the foreground. However, overall visual quality in the area would be preserved in that the distant views to these features would be maintained from public points of view on southbound LOVR. Long-range vistas to the scenic resources, although altered, would be preserved in that development would not obscure the associated ridgelines.

Due to the location of the proposed project on the eastern side of LOVR and the cumulative projects, there would not be a cumulative effect on westward views to the Irish Hills. In terms of views to the Prefumo Creek riparian corridor, although the proposed project and cumulative projects may further reduce views of this resource, such views are already limited from southbound LOVR due to existing land uses. In relation to existing conditions, cumulative development would not result in a substantial reduction in views to this resource or the quality of those views.

Therefore, while the visual setting will change for viewer groups on southbound LOVR as a result of cumulative development, the overall effect on visual quality would be less than significant.

#### Northbound LOVR

For viewer groups on northbound LOVR, the project may be visible in combination with development on the Dalido property, however it is not expected that the projects on Calle

Joaquin would contribute to a cumulative change as these would be located behind and to the south of viewer groups headed northbound on LOVR.

The cumulative effect of the Dalido Project in combination with the proposed project would be less than significant. At most points along northbound LOVR where the Dalido development may be visible, the viewshed would be primarily defined by the proposed project and existing development to the north and south of the project site. In addition, the landscaping for the proposed project, which includes trees along LOVR, and the riparian vegetation along Prefumo Creek, would further reduce the possibility that the proposed project would be visible in combination with development on the Dalido property. In terms of long-range views to the east of the Morros and the Santa Lucia Mountains, these views would be altered as a result of the project; however, the cumulative effect would not be substantial. At points along northbound LOVR where views to these features would be maintained, the distance to the Dalido property is such that development on the property, in combination with the proposed project, would not substantially degrade views to the mountain ridgelines.

Therefore, the overall cumulative effect on visual quality along northbound LOVR would be less than significant.

### Westbound Madonna Road

For viewer groups on a portion of westbound Madonna Road, the proposed project may be partially visible in combination with development on the Dalido property. However, due to the screening that would be provided by buildings on the Dalido property, riparian vegetation associated with Prefumo Creek, and traffic in the eastbound lanes of Madonna Road, it is expected that the proposed project could scarcely be seen, in combination with development on the Dalido property. As a result, the project's contribution cumulative impacts on the visual quality for viewer groups on westbound Madonna Road would be less than significant.

### Southbound U.S. Highway 101

For motorists traveling southbound on U.S. Highway 101, the proposed project may be visible in combination with all three cumulative projects. The key features contributing to the visual quality from this vantage point include open space, riparian vegetation

associated with Prefumo Creek, and long-range views of the Irish Hills to the west. The project would include a dedication of 11.9 acres of open space on the eastern side of the Creek. In addition, the riparian vegetation would be preserved and long-range views to the Irish Hills would be maintained. As a result, the project's contribution to potential cumulative impacts on the visual quality from southbound U.S. Highway 101 would be less than significant.

The potential for the proposed project to affect cumulative nighttime lighting conditions could occur either directly, due to the increased visibility of lamps within lighting fixtures, or indirectly, by adding illumination to the night sky. Lighting associated with the proposed project would be used for public safety as well as aesthetic appeal. The cumulative addition of light fixtures within the existing development commercial-retail development pattern would be compatible with the character of the area. Mitigation to require light fixtures to be shielded and directed downward would reduce the overall impact of unwanted light to a less than significant cumulative level.

### **5.3.2 Agricultural Resources**

Planned buildout of the City of San Luis Obispo area will eventually lead to conversion of an estimated 700 acres of agricultural land within the City's Urban Reserve Line by about 2020. This loss of agricultural land would contribute to overall cumulative impacts associated with conversion of agriculture to urban use in southern San Luis Obispo County associated with ongoing development in other incorporated cities (e.g., Arroyo Grande) and unincorporated communities (e.g., Nipomo). The proposed project would incrementally contribute by converting approximately 19 acres of prime soils to urban use. Conversion of agricultural land within the City's Urban Reserve Line was assessed in the 1994 certified EIR on the City's Land Use Element Update (City of San Luis Obispo 1994). The conversion of agricultural land was considered a significant and unavoidable impact for which overriding considerations were adopted. The Prefumo Creek Commons Project would be contiguous to existing development and is therefore consistent with the City's overriding consideration. The project would be required to implement appropriate mitigation measures set forth in the City's General Plan. These measures include the dedication of agricultural land east of Prefumo Creek to contribute to an existing preservation area.

5.3.3 Air Quality

Cumulative long-term construction emissions estimates are shown in Table 5.3-1 and the URBEMIS data is provided in Appendix D. Bold text represents APCD threshold exceedances.

**Table 5.3-1. Cumulative Operational (Long-Term) Emissions**

Emission Source	Emissions (lbs/day)							Emissions (tons/year)						
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
<b>Proposed Project</b>														
Vehicle Sources	45.82	61.21	408.63	0.23	41.04	8.06	22,905	7.33	9.74	64.92	0.04	7.49	1.47	4,316
Area Sources	1.23	1.82	1.53	0.00	0.00	0.00	2,186	0.24	0.33	0.53	0.00	0.00	0.00	400
Indirect	--	--	--	--	--	--	7,600	--	--	--	--	--	--	1,387
Sub-Total	47.05	63.03	410.16	0.23	41.04	8.06	32,691	7.57	10.07	65.45	0.04	7.49	1.47	6,103
<b>Pending Projects</b>														
Vehicle Sources	374	549	4,198	2.14	426	82.28	212,680	61.88	85.31	693	0.39	77.66	15	40,196
Area Sources	152	35	702	2.28	113	109	45,806	17.14	3.73	32	0.09	4.63	4.46	4,704
Indirect	--	--	--	--	--	--	85,466	--	--	--	--	--	--	15,598
Sub-Total	526	583	4,900	4.42	538	191	343,952	79.02	89.04	725	0.48	82.29	19.46	60,498
<b>Approved Projects</b>														
Vehicle Sources	53.8	100.91	598.61	0.42	77.56	15.13	42,280	9.05	16.05	100.19	0.08	14.16	2.76	7,973
Area Sources	20.7	5.13	2.74	0.00	0.01	0.01	6,439	4.21	0.98	3.73	0.00	0.01	0.01	1,181
Indirect	--	--	--	--	--	--	19,690	--	--	--	--	--	--	3,593
Sub-Total	74.5	106.04	601.35	0.42	77.57	15.14	68,409	13.26	17.03	103.92	0.08	14.17	2.77	12,747
Total	606.14	696.54	5,540.78	4.86	619.38	206.89	424,271	93.35	107.3	835.47	0.56	97.15	22.37	75,432
<b>APCD Thresholds</b>														
Tier I	10	10	50	10	10	--	--	--	--	--	--	--	--	--
Tier II	25	25	550	25	25	--	--	--	--	--	--	--	--	--
Tier III	--	--	--	--	--	--	--	25	25	--	25	25	--	--
Significant?	YES	YES	YES	NO	YES	N/A	YES	YES	YES	N/A	NO	YES	N/A	YES

Operational (long-term) emissions from all the projects on the City’s cumulative list, along with the proposed project, would contribute cumulatively to increased air pollutant emissions. These cumulative impacts are significant and unavoidable. Major projects in the City that affect cumulative air quality include a number of mixed-use developments, an office park, 800,000 sf of service/manufacturing uses, auto sales lots, and other projects.

Air pollutant emissions are cumulatively significant for ROG, NO<sub>x</sub>, CO and PM<sub>10</sub>. Since ozone is created on a regional scale, reduction and control of ozone precursors is managed on a regional basis, and off-site mitigation measures are effective air quality planning tools. Similarly, cumulative emissions of particulate matter are above the APCD Tier II significance thresholds. Since the County is currently out of attainment for particulate matter this is considered a significant and unavoidable cumulative impact.

CO and PM<sub>10</sub>, on the other hand, are pollutants that often result in localized “hot-spots” where the ambient air quality standards may be exceeded. Typically, this occurs in areas where there is heavy traffic and significant congestion. Traffic studies for the proposed project demonstrate that the surrounding intersection performance, as characterized by their level of service, would not be cumulatively adversely impacted by the project. While cumulative emissions of CO are potentially significant, they are unlikely to result in localized air quality impacts because the approved and proposed projects are dispersed throughout City.

#### 5.3.3.1 Greenhouse Gases and Global Climate Change

The proposed project would generate greenhouse gases (GHGs) that are known to contribute to global climate change, primarily through emissions of CO<sub>2</sub> associated with vehicle emissions during construction, electricity and heat generation, and vehicle trips after the project is constructed. Projected calculations of CO<sub>2</sub> emissions resulting from the proposed project (as calculated by URBEMIS) are 32,691 lb/day. No state or federal standards have yet been established to govern such emissions. However, GHGs have been linked to global climate change and its known environmental consequences. To help reduce emissions from vehicle trips and building energy usage, mitigation measure MM AQ-4a would contribute to regional transit, MM AQ-4b calls for the use of green building techniques, and MM UT-7a and MM UT-7c would require compliance with city policies regarding energy consumption and energy efficiency. However, in combination with existing GHG emissions, direct and indirect emissions from the proposed project would be considered cumulatively significant and unavoidable.

#### 5.3.4 Biological Resources

Construction of the proposed project would continue the trend of conversion of the southern end of the City into a major regional shopping destination, with resultant loss of

open space and habitats, and increases in impervious surfaces, night light, noise, and traffic that come with such development. These changes would both directly and indirectly affect sensitive habitats and wildlife species.

The project itself would result in the development of approximately 19 acres of agricultural/ruderal land. This area likely contains Congdon's tarplant seed bank and provides foraging/nesting habitat for sensitive bird species. Removal of this habitat would also reduce the amount of foraging and breeding habitat for other non-sensitive mammals, birds, and reptiles. These areas, although currently impacted, continue to act as wildlife corridors to Prefumo Creek from surrounding undeveloped areas. These project impacts when combined with other recent and proposed developments such as the Irish Hills Plaza and Dalidio Project all add to impervious surfaces and pollutant loading in the Prefumo Creek watershed. The development of a Costco (23.4 acres) and the proposed development of the Dalidio Project (131 acres) have already (or soon will) significantly reduced the wildlife corridor and forage habitat in the vicinity of the project area. Although these projects would retain Prefumo Creek and its sensitive riparian corridor, this habitat would be come increasingly isolated in an expanse of surrounding urban development.

The proposed project would contribute to cumulative impacts on the Prefumo Creek corridor, as the project extends for approximately 1,100 linear feet along the Creek corridor, or approximately 15 to 20 percent of its reach from Laguna Lake to San Luis Obispo Creek. Despite the 50-foot buffer and new native plantings, impacts from increased levels of light, noise, runoff (pollution and siltation), waste material, and human interaction (foot traffic) will potentially impact the species that use and reside in and around Prefumo Creek (refer to Impact BIO-4). In particular, long-term impacts to steelhead from water quality pollution and siltation, and potential cumulative degradation of water quality in Prefumo Creek are of concern. However, because of the relatively low value of on-site upland habitats, the project's retention of 11 acres of on-site open space and the imposition of water quality protection Best Management Practices (BMPs), project contribution to regional cumulative impacts to biological resources would be potentially significant, but subject to feasible mitigation (refer to Sections 3.4, *Biological Resources*, and Section 3.5, *Hydrology and Water Quality*).

### 5.3.5 Hydrology

#### 5.3.5.1 Water Quality

Cumulative development would result in an increase of urban pollutant discharge to surface and groundwater. Storm runoff concentrations of oil, grease, heavy metals, and debris increases as the amount of urban development increases in the watershed. However, properly implemented, water quality requirements of the Regional Water Quality Control Board and the City and County of San Luis Obispo would be expected to mitigate any adverse impacts resulting from new development. Therefore, the proposed project, in conjunction with those projects considered for cumulative analysis would not significantly increase the concentration of urban pollutants such as oil, grease, and vehicular heavy metals in surface run-off. Polluted runoff which may be generated during construction activities of the proposed project and projects considered in this analysis would be regulated by the State Water Resources Control Board (SWRCB) under General Construction, National Pollutant Discharge and Elimination System (NPDES) permits and would be minimized through the use of standard construction BMPs. Cumulative impacts would therefore be less than significant for water quality.

#### 5.3.5.2 Flooding

Cumulative development in the City of San Luis Obispo and the San Luis Obispo Watershed are anticipated to contribute to an incremental increase in runoff. Projects upstream of the proposed project site would contribute to the risk of flooding at the proposed project site. Each cumulative project would be expected to provide its own facilities or other mitigations where feasible to mitigate increased peak flows and exacerbated downstream flooding. Project-specific mitigation measures would reduce cumulative impacts associated with the proposed project to the extent feasible.

#### Cumulative Impact

**CU HYD-1 The vehicular bridge proposed to be constructed over Prefumo Creek in the future to provide access to and from the Dalidio property to the east could create potentially significant cumulative impacts to flood water surface elevations upstream and downstream of the project site.**

In the event of future development on the east side of Prefumo Creek, a bridge has been proposed to be built across the Creek at the end of the extension of Froom Ranch Way to provide access to the east side of the Creek. Based upon the following assumptions and the proposed cumulative mitigation measure below, the impact of the future bridge can be mitigated to *less than significant* if:

- The future bridge is a clear-span bridge;
- The future bridge maintains adequate freeboard for the design flow as determined by the City Engineer; and
- The future bridge minimizes approach footprints on either side of the Creek, and ensures adequate overland flow conveyance at the design flow as determined by the City Engineer.

### Mitigation Measure

#### *Standard Regulatory Conditions*

*CU MM HYD-1 Compliance with [Flood—Waterway Management Policy Book Program](#). All bridges, culverts, [outfalls](#), and modifications to the existing creek channels must be in compliance with the City’s Drainage Design Manual (DDM) and approved by the City Engineer, U.S. Army Corps of Engineers, and California Department of Fish and Game [and Central Coast Regional Water Quality Control Board](#), and must meet City standards and policies.*

### Cumulative Impact

**CU HYD-2 Pending and approved projects within the proposed project vicinity could create potentially significant cumulative impacts due to increased flows in the Prefumo Creek Channel.**

With regard to flooding, several projects included on the cumulative projects list are located within the 100-year floodplain associated with San Luis Obispo Creek. Two projects, specifically the Dalidio Project and the Calle Joaquin Auto Sales Lots, occur within the Lower Prefumo Creek sub-basin. While mitigation measures have been

included in this document to minimize potential impacts to the floodplain and to the project area by flooding, all projects considered in this cumulative project analysis that are located in the floodplain would also be required to conform to the City's plans and ordinances.

Future cumulative impacts also include potential improvements to alleviate split flows into the Lower Prefumo Creek sub-basin from San Luis Obispo Creek and alterations to Prefumo Creek culverts as part of future projects, including the LOVR/U.S. Highway 101 Interchange Improvement project.

The City/Zone 9 Drainage Design Manual (DDM) (Questa 2003) provides for imposition of a Drainage Impact Fee on new development projects that create adverse hydrological impacts. The Drainage Impact Fee can only be used to pay for drainage improvements made necessary by the hydrologic impacts of a project.

#### Mitigation Measure

#### ***Additional Mitigation Measures (Consultant-Recommended)***

*CUMM HYD-2      The applicant shall participate in their "fair share" of any mitigation fee established by the City of San Luis Obispo to be used to pay for drainage improvements such as culvert replacement made necessary by cumulative project development.*

#### 5.3.5.3 Global Climate Change

Over the long-term, global climate change is expected to affect flooding and water quality in three ways: 1) increased flood frequency and intensity, 2) decreased instream surface water quality, and 3) increased demand on groundwater with possible declines in groundwater quality (Department of Water Resources 2008).

Increased frequency of erratic weather patterns, including increased rainfall intensity are expected to have the potential to increase the frequency and severity of flooding of California's rivers and streams (Department of Water Resources 2008). The forecast are for such changes in flooding to occur over the next 25 to 50 years; however, changes in

flood frequency and severity along some of the State's major rivers have already been recorded (Department of Water Resources 2008).

Increasingly erratic rainfall patterns and extended and more frequent droughts are anticipated to result in increased stress on aquatic systems due to extended periods of decreased flows (Department of Water Resources 2008). This has the potential to increase water quality concerns such as increased temperatures and pollutant loading. The proposed project and other pending development could contribute to this concern. Decreased surface water supplies could increase demand on groundwater as a long-term source of supply with associated potential for overdrafting and related groundwater water quality concerns. However, the project and other pending area development would not rely on water from the underlying basin.

Therefore, although this data indicates that the Prefumo Creek Commons site could be exposed to more frequent or severe floods than currently predicted by available models and may contribute to future surface and groundwater quality concerns, it is not possible to quantify or identify potential impacts associated with this issue. Consistent with the guidance provided in CEQA regarding forecasting or speculation, this discloses this issue and the potential for related impacts without detailed and potentially speculative analysis.

### 5.3.6 Land Use

The proposed project would include the commercial development of a parcel bordered on two sides by existing development and an area identified for long-term preservation of open space and agriculture on the east. Such uses are generally consistent with the intent of the goals and policies established within the City's General Plan and Zoning Ordinance, and would not cumulatively contribute to the loss of open space or agricultural land beyond that already anticipated in the City's 1994 General Plan and EIR. Further, the proposed project complies with the San Luis Obispo County Airport Land Use Plan (ALUP) goals and policies, and is not expected to cumulatively contribute to potential airport noise and/or safety issues (ALUC 2002). Mitigation would be incorporated to ensure the proposed project provides acceptable levels of accessible open space, and that the project complies with all applicable zoning development standards. Consequently, implementation of the proposed project is not expected to cumulatively impact land use.

Development of open space and agricultural land within the City's Urban Reserve Line was assessed in the 1994 *City of San Luis Obispo Land Use Element/Circulation Element Updates Final EIR* (City of San Luis Obispo 1994). Such development was considered a significant adverse impact. However, an overriding consideration was made to allow development to occur *within* the Urban Reserve Line when contiguous to existing development, thereby preventing potential development from occurring in areas outside the Urban Reserve Line. Implementation of the proposed project would be inherently consistent with the findings of this EIR.

However, it should be noted that the proposed project would raise substantial land use consistency issues with the San Luis Obispo County Clean Air Plan (CAP) (refer to Section 3.3, *Air Quality*). In addition, as a single-use commercial center at the urban edge of the City with high traffic generation and associated air quality impacts, the project has the potential to conflict with the mandates and goals set forth for land use and urban development in the State's Scoping Plan for AB 32 and with the provisions of SB 375. These measures generally encourage development of urban infill projects and mixed-use or transit-oriented development as a means of meeting the State's goals for a substantial reduction in GHG emissions by the Year 2020, approximately 9 to 10 years after project occupancy. As discussed above and in Section 3.3, *Air Quality*, the project would create potential significant impacts associated with GHG generation and its contribution to cumulative climate change impacts would be deemed unavoidable and significant.

### **5.3.7 Noise**

Additional traffic to Los Osos Valley Road (LOVR) and Froom Ranch Way would result as a consequence of the increased commercial operations of the Prefumo Creek Commons Project. Therefore, noise associated with vehicle traffic would cumulatively increase. Noise is an issue of concern to sensitive receptors, particularly for residences where exterior noise above 60 CNEL is considered to be incompatible with exterior living areas and interior spaces should be mitigated to 45 CNEL or below. Exterior noise levels in the vicinity of the proposed project along LOVR between Madonna Road and Froom Ranch Way are currently in excess of 60 CNEL, the City's accepted residential exterior noise limit. Further, an increase in noise levels along LOVR can be anticipated along with an increase in vehicle trips associated with future regional development. The

Prefumo Creek Commons Project would add incrementally to this cumulatively significant impact.

Cumulative traffic projections, included in the proposed project's traffic study (Fehr and Peers 2009), were developed using data from the San Luis Obispo Citywide Traffic Model to reflect traffic conditions in 2035 after the development of all approved, pending, and foreseeable projects in the study area in addition to city-wide and regional growth over the next 25 years (see Appendix E). Cumulative sound levels for future traffic conditions were determined using the Federal Highway Administration (FHWA) Traffic Noise Model 2.5 Look Tables (see Appendix F). To determine input data for the FHWA noise model, the following information on LOVR and Froom Ranch Way was obtained or determined: 1) hourly traffic volume, 2) fleet mix (i.e., the type of vehicles operating on the described roadways), 3) speed limit, 4) type of surface (e.g., hard or soft), and 5) distance from the centerline of the roadway to the receptor. Once this data was determined and input, the Look-Up Tables calculated A-weighted hourly equivalent sound levels (dBA). The hourly equivalent sound levels were then assessed penalties of 5 dB for sound levels that occurred between 7:00 PM and 10:00 PM and 10 dB for sound levels occurring between 10:00 PM and 7:00 AM. From these hourly equivalent sound levels, the 24-hour average CNEL was calculated for both roadways under both existing and projected scenarios.

Hourly traffic volume was determined using P.M. peak traffic volumes for LOVR and Froom Ranch provided in the traffic study performed for this project (see Appendix E). Using hourly breakdowns of traffic volumes based on 2001 counts on LOVR, P.M. peak hour traffic conditions from the traffic study were assumed to be 8.6 percent of total daily traffic volume (see Table 3.8-5). The remaining hourly traffic volumes were calculated by applying the hourly percentages to the estimated total daily traffic volumes on LOVR and Froom Ranch Way (see Appendix F).

Vehicle speed was assumed to be constant at 45 miles per hour (mph) on LOVR and 25 mph on the proposed extension of Froom Ranch Way and the vehicle fleet mix was assumed to be 98 percent passenger automobiles and 2 percent heavy trucks. A hard surface was included in the sound level determinations as it provides a conservative estimate and accounts for the majority of land use in the area. Hard surfaces (e.g., concrete, water) help to reflect sound waves and increase sound levels, while soft surfaces (e.g., grass, etc.) absorb sound waves.

Sound levels along LOVR were determined at 80 feet from the center of the outer-most lane of traffic to account for noise experienced at residences located on the frontage road along LOVR between Madonna Road and Froom Ranch Way. Sound levels along the proposed extension of Froom Ranch Way were determined at 55 feet from the center of the outer-most lane of traffic to account for noise experienced at Pacific Beach High School and residential properties that are located adjacent to the proposed extension. Additionally, a 6-foot high wall was included in the sound level determination for Froom Ranch Way. This wall would consist of solid masonry-type construction and would be installed to ensure sound level reductions for residences adjacent to Froom Ranch Way by providing a break in line-of-sight between the roadway noise source and potential sensitive receivers. Based on a slight rise in elevation from Froom Ranch Way to the proposed wall (approximately 3.8 feet), the final height of the wall combined with the change in grade was input at 9.8 feet (Irish Hills Plaza East, LLC 2008).

The projected cumulative 24-hour exterior sound levels along the segments of LOVR and Froom Ranch Way fronting the project site are summarized in Table 5.3-2.

**Table 5.3-2. Projected Cumulative 24-Hour Exterior Sound Levels**

	LOVR		Froom Ranch Way	
	Interior CNEL*	Exterior CNEL	Interior CNEL*	Exterior CNEL
With proposed project	45.7 to 48.7	70.7	<45	50.9
Without proposed project	45.6 to 48.6	70.6	<45	48.5
<i>Threshold</i>	45	60	45	60
Significant?	<b>Yes</b>	<b>Yes</b>	No	No

\* Typical reductions in noise levels from exterior to interior conditions for older construction style residences is approximately 22 to 25 dBA.

The projected cumulative 24-hour exterior sound levels along the segment of LOVR between Madonna Road and Froom Ranch Way would be approximately 70.7 CNEL, an increase of 0.1 dBA from the cumulative noise level of approximately 70.6 CNEL without the proposed project. The projected cumulative 24-hour exterior sound levels along the extension of Froom Ranch Way would be approximately 50.9 CNEL, an increase of 1.4 dBA from the cumulative noise level of approximately 48.5 CNEL without the proposed project. Estimated increases in cumulative traffic sound levels along LOVR and Froom Ranch Way are associated with projected traffic volume increases. Typical reductions in noise levels from exterior to interior conditions for older

construction style residences is approximately 22 to 25 dBA (City of San Luis Obispo 2003); therefore, resulting 24-hour cumulative interior noise levels for residences along LOVR would be approximately 45.7 to 48.7 CNEL, while cumulative interior noise levels without the proposed project would be approximately 45.6 to 48.6 CNEL. Cumulative interior noise levels for residences located along Froom Ranch Way would be below 45 CNEL under both scenarios. Therefore, considering the 60 CNEL threshold for exterior noise and 45 CNEL threshold for interior spaces, the Prefumo Creek Commons Project would add incrementally to cumulatively significant exterior and interior noise impacts along LOVR between Madonna Road and Froom Ranch Way.

Projected cumulative increases in noise levels on other roadway segments in the vicinity of sensitive receptors near the project due to traffic increases are anticipated to result in adverse but less than significant noise impacts. Trip generation above cumulative levels on other roadways in the vicinity of the project near sensitive receptors would result in increases ranging from approximately 0.5 percent to 7.3 percent (see Appendix E). These increases would not be expected to result in noise level increases of more than 1 dBA and would not be perceptible to the human ear. In addition, noise reduction measures associated with the U.S. Highway 101/LOVR interchange project would include rubberized asphalts or alternative paving technology that would reduce cumulative noise levels to less than significant for sensitive receptors on LOVR near the U.S. Highway 101/LOVR interchange (e.g., Los Verdes Park I and II).

### 5.3.8 Transportation and Traffic

The following analysis of potential project related cumulative transportation impacts includes two scenarios: 1) a short-term analysis is provided through approximately the Year 2015 for informational purposes only, and 2) a longer-term analysis to the Year 2035 for purposes of identification of significant effects under CEQA. The 2015 analysis discloses the short range effects of the development of pending and approved projects prior to completion of major funded and scheduled improvements to the U.S. Highway 101/ LOVR interchange. This will permit the public and decision-makers to understand the short-term (5 +/- years) consequences of development approvals on traffic flows and congestion in the project vicinity absent completion of these improvements. The second scenario identifies longer-range transportation issues in the project vicinity involving a greater level of anticipated development (e.g., Dalidio Project), [as shown in Figure 5.3-1](#).



Future Circulation Network and Estimated Traffic Volumes  
Prefumo Commons Project

**FIGURE  
5.3-1**

This scenario also considers completion of improvements to the U.S. Highway 101/LOVR interchange. Also included in this longer-range analysis is a brief discussion of the relationship of the project and its potential impacts to longer-term state planning efforts such as the initial AB 32 Scoping Plan and goals of SB 375 (see also Section 4.0, *Other CEQA Sections*). These discussions are particularly relevant because the project involves an amendment to the City's General Plan, the long-range blue print for development of the City. Such amendments need to be considered in light of relevant long-range state plans and regulations.

### 5.3.8.1 Near-Term Cumulative Plus Project Traffic Projections

Near-term cumulative plus project traffic projections reflect anticipated traffic operations after the development of all approved, pending, and foreseeable projects in the study area, plus the traffic anticipated from implementation of the proposed project. The project volumes were added to the cumulative traffic volumes to develop the cumulative plus project volumes (see Appendix E). A list of approved and pending projects was obtained from the City of San Luis Obispo. For the description and assignment of the trips generated by these approved and pending projects, see Appendix E. Because the goal of this short-term cumulative analysis is to identify potential interim increases in congestion prior to completion of major road improvements (e.g., LOVR interchange), no roadway improvements were included as part of the near-term cumulative conditions. This analysis provides worst-case review of the effects of potential increases in congestion that could occur prior to the completion of major improvements such as the LOVR interchange (2015) or the Prado Road extension (longer-term). Intersection operations were evaluated with LOS calculations under the near-term cumulative plus project conditions, as summarized in Table 5.3-3.

Four of the eight study-area intersections are forecast to operate at LOS E or below under cumulative plus project conditions P.M. peak hour traffic projections (refer to Table 5.3-3). However, as explained below, two of these would be unsignalized intersections where the majority of approaches would continue to be free flow. The LOVR/Madonna Road intersection and the LOVR/U.S. Highway 101 northbound ramps would operate at LOS E during the P.M. peak hour under near-term cumulative with project conditions [\(refer to Table 5.3-3\)](#). One or more turning movements at the

**Table 5.3-3. Near Term Cumulative + Project Conditions P.M. Peak Hour LOS**

Intersection	Traffic Control	Near-Term Cumulative + Project	
		Delay <sup>1</sup>	LOS
<b>LOVR / Madonna Road</b>	<b>Signal</b>	<b>60.8<sup>2</sup></b>	<b>E</b>
LOVR / Froom Ranch Way	Signal	36.8	D
<b>LOVR / Auto Park Way</b>	<b>Side-street stop</b>	<b>&gt;150</b>	<b>F</b>
LOVR / Calle Joaquin	Signal	16.0	B
LOVR / U.S. 101 southbound ramps	Signal	52.5	D
<b>LOVR / U.S. 101 northbound ramps</b>	<b>Signal</b>	<b>63.0</b>	<b>E</b>
<b>LOVR / Los Verdes Drive</b>	<b>Side-street stop</b>	<b>&gt;150</b>	<b>F</b>
LOVR / South Higuera Street	Signal	22.6	C

Notes: Intersections in **bold** operate at an unacceptable LOS. LOS reflects operations prior to completion of LOVR interchange improvements.

<sup>1</sup> Delay expressed in average seconds per vehicle. LOS is based on delay.

<sup>2</sup> [Near-term cumulative LOS, including project-generated traffic, would be improved to LOS D \(54 second-delay\) with the application of the proposed mitigation for this intersection \(i.e., three lanes on LOVR\).](#)

Source: Fehr & Peers 2009 (see Appendix E).

unsignalized intersections of LOVR/Auto Park Way and LOVR/Los Verdes Drive would operate at LOS F during the P.M. peak hour under near-term cumulative with project conditions. The project would add substantial traffic to the study-area intersections under near-term cumulative conditions based on the City's thresholds.

A peak hour signal warrant analysis was conducted for the unsignalized intersections at LOVR/Auto Park Way and LOVR/Los Verdes Drive, per the MUTCD first referenced in Section 3.8, *Transportation and Traffic*. The results of the peak hour warrant analysis indicated that both intersections do not satisfy the minimum volume thresholds (see Appendix E). Therefore, installation of a traffic signal is not warranted based on near-term cumulative with project conditions P.M. peak hour traffic volumes. However, as noted previously, the peak hour signal warrant analysis should not serve as the only basis for deciding whether and when to install a signal. The City would continue to monitor the conditions at these intersections and make improvements as needed to maintain safety and ensure that operations meet City standards. The decision to install a signal should not be based solely upon the warrants, since the installation of signals can lead to certain types of collisions. The City should undertake regular monitoring of actual traffic conditions and accident data, and a timely reevaluation of the full set of warrants to prioritize and program intersections for signalization.

Ramp junction volumes were obtained from the adjacent ramp terminal intersection. Freeway mainline volumes include the traffic from approved and pending projects, and the traffic generation by the proposed project. Using Caltrans standards, all merge/diverge ramp junctions operated at an acceptable LOS except the LOVR southbound on-ramp which operates at LOS D (Table 5.3-4).

**Table 5.3-4. Near-Term Cumulative + Project Conditions Freeway Ramp Junction LOS**

Ramp Location		Density <sup>1</sup>	LOS
U.S. 101 northbound ramps	LOVR northbound off-	26.0	C
	LOVR northbound on-	23.0	C
U.S. 101 southbound ramps	LOVR southbound off-	26.8	C
	<b>LOVR southbound on-</b>	<b>28.0</b>	<b>D</b>

Notes: Intersections in **bold** operate at an unacceptable LOS.  
<sup>1</sup> Delay expressed in average seconds per vehicle. LOS is based on delay.  
 Source: Fehr & Peers 2009 (see Appendix E).

5.3.8.2 Near-Term Cumulative Plus Project Transportation Issues

The following discussion is provided for information purposes to provide a snapshot of transportation and congestion issues in the project vicinity prior to 2015. Major improvements to the U.S. Highway 101/LOVR interchange are currently scheduled to be completed in approximately 2015 and the majority of funding for this project has been secured. As discuss in Section 5.3.8.2 below, these improvements would ensure the intersections and ramps at the U.S. Highway 101/ LOVR interchange would operate at an acceptable LOS after completion of improvements. However, congestion at the LOVR/Madonna road intersection would remain substantial ~~due to the need for considerable intersection improvements to accommodate projected traffic increases and the resultant ROW acquisition requirements and related secondary impacts and policy inconsistencies unless the recommended mitigation measure for the installation of the three lanes on LOVR is completed. This improvement would restore operation at this intersection to an acceptable LOS D, even with project-added and near-term traffic~~ (Table 5.3-5).

**Table 5.3-5. Near Term Cumulative + Project Conditions P.M. Peak Hour LOS with Mitigation**

<u>Intersection</u>	<u>Existing LOS</u>	<u>Near-Term Cumulative + Project</u>		<u>Near-Term Cumulative LOS After Mitigation</u>
		<u>Delay<sup>1</sup></u>	<u>LOS</u>	<u>LOS/Delay</u>
<u>LOVR / Madonna Road</u>	<u>LOS D (50.3 sec delay)</u>	<u>60.8</u>	<u><b>E</b></u>	<u>LOS D (45.3 sec delay)</u>

Notes: Intersections in bold operate at an unacceptable LOS.

<sup>1</sup> Delay expressed in average seconds per vehicle. LOS is based on delay.

Source: City of San Luis Obispo.

Side-street delays would continue to increase at the intersections of LOVR with Auto Park Way and Los Verdes Drive, but overall traffic flow on LOVR at these intersections would remain uncongested. Pedestrian facilities would remain the same as under the proposed project. Auto-oriented commercial development, low residential densities in the southern end of the City, and the lack of funding for improvements in the frequency of transit service is anticipated to result in this area continuing to be served by relatively low- to moderate-frequency transit service. This is expected to result in transit-dependent households, such as a portion of the project's 566 primarily low-income employees, being underserved by transit. and in difficulty in meeting City goals for provision of convenient transit.

### 5.3.8.3 Year 2035 Cumulative Traffic Conditions

The Year 2035 cumulative traffic conditions analysis reflects transportation conditions after the development of all approved, pending, and foreseeable projects in the study area plus citywide and regional growth over the next 25 years. Cumulative traffic forecasts were developed using data from the San Luis Obispo Citywide Traffic Model (SLOCTM). Year 2035 cumulative conditions were calculated both with and without traffic generated by the proposed project. Traffic growth in the Margarita and Airport Specific Plan Areas, as well as from other development projects such as Irish Hills Plaza and Dalidio Marketplace is included under Year 2035 cumulative without project conditions. In addition, the following major roadway improvements near the interchange were included in the model under Year 2035 conditions:

- Modification of the LOVR/U.S. Highway 101 interchange with the Alternative 3 configuration;
- Prado Road extension from Madonna Road to Broad Street;
- Full interchange at Prado Road/U.S. Highway 101;

- Collector road from Dalidio property to Froom Ranch Way with vehicle bridge over Prefumo Creek;
- Extension of Buckley Road to Higuera Street and prohibition of westbound left-turns at Higuera Street/Vachell Lane intersection; and,
- Construction of the south leg and signalization of the LOVR/Auto Park Way intersection to accommodate future retail development.

Fehr & Peers conducted a “No Prado Road” analysis as a part of the LOVR/U.S. Highway 101 interchange Project Analysis and Environmental Document (PA&ED) study (LOVR/U.S. Highway 101 Interchange – No Prado Interchange Scenario Forecasts and Operations, August 2007). As expected, this analysis demonstrated that the removal of the Prado Road over-crossing and the U.S. Highway 101 southbound ramps to Prado Road caused the model to reassign traffic to the Madonna Road and LOVR interchanges. Specifically, under the Alternative 3 LOVR/U.S. Highway 101 interchange configuration, the LOVR/U.S. Highway 101 southbound ramps would operate unacceptably (LOS D or worse) during the A.M. and P.M. While the LOVR/U.S. Highway 101 northbound ramp would operate unacceptably during the P.M. peak hour. With respect to this project analysis, the project assignment would not change because the LOVR/U.S. Highway 101 interchange is the primary access to/from U.S. Highway 101.

It should be noted that with the exception of the funded improvements at the U.S. Highway 101/LOVR interchange, the above listed improvements, particularly the Prado Road interchange are unfunded and would represent major capital improvements costing tens of millions of dollars, only a portion of which would be born by pending development. Such a major commitment of city, state, and federal funding would need to be considered in light of changing state planning goals and requirements, such as those set forth in the AB 32 Scoping Plan and SB 375.

Peak hour intersection turning movement outputs from the Year 2005 (the base year) and Year 2035 (the design year) model runs were used to project traffic growth in the study area. This growth was added to existing volumes to develop Year 2035 turning movement forecasts. Refinements were made to account for the variation in peak hour volume forecasts and the limited local roadway network inherent in travel demand models. Year 2035 freeway mainline volumes were developed by applying an annualized growth rate obtained from model forecasts to existing freeway counts provided by Caltrans.

Year 2035 P.M. peak hour forecast volumes in the study area are projected to significantly increase with traffic from nearby developments and regional growth. In addition, future traffic generated by specific plan areas in the south central area of the City will use LOVR via Higuera Street and Tank Farm Road to access U.S. Highway 101 and points south. This growth represents an increase ranging between 30 to 70 percent (250 and 700 vehicles in each direction) over existing volumes on the LOVR overpass. Year 2035 without project volumes are presented in Figure 12 in Appendix E.

The project-generated volumes were added to the Year 2035 cumulative without project traffic volumes to develop the Year 2035 with project volumes. Note that the trip assignment for the Year 2035 with project scenario changes slightly. Any project trips expected to use Madonna Road north of LOVR in the near-term are shifted to Froom Ranch Way north of LOVR once the vehicular bridge over Prefumo Creek is in place. Year 2035 with project weekday peak hour traffic volumes for each study intersection are shown on Figure 13 in Appendix E.

Year 2035 cumulative with project intersection LOS was calculated with the net traffic added by the project to evaluate the operating conditions of the intersections and identify potential impacts to the local roadway system. The LOS calculation sheets are included in Appendix E. The results of the intersection LOS calculations for Year 2035 cumulative with- and without project conditions are presented in Table 5.3-56. A peak hour factor of 0.95 was applied to these forecasts to account for increased congestion within the study area. Year 2035 intersection lane configurations and traffic control devices are assumed to be the same under existing conditions for all off-site locations except the following:

- An eastbound double left-turn lane is provided at the intersection of LOVR and Froom Ranch Way;
- LOVR and Auto Park Way is signalized. This intersection includes a northbound left-turn lane and a shared through/right-turn lane due to the construction of the south leg of that intersection for access to future development. Although not included in this analysis, the City is considering providing access to the project site via a driveway connection to Auto Park Way. This would improve efficient use of the signal and traffic circulation, by enhancing traffic distribution along the LOVR corridor;
- LOVR has two lanes in each direction between Calle Joaquin and South Higuera Street;
- An eastbound right-turn pocket is provided at the intersection of LOVR and Calle Joaquin; and,

**Table 5.3-56. Year 2035 Cumulative Traffic Conditions with- and without Project Intersection LOS**

Intersection	Traffic Control	Year 2035 Cumulative without Project		Year 2035 Cumulative with Project	
		Delay <sup>1</sup>	LOS	Delay <sup>1</sup>	LOS
LOVR/Madonna Road	Signal	<b>78.8</b>	<b>E</b>	<b>83.2</b>	<b>F</b>
LOVR/Froom Ranch Way	Signal	39.7	D	52.9	D
LOVR/Auto Park Way	Signal	24.1	C	28.1	C
LOVR/Calle Joaquin	Signal	10.4	B	12.2	B
LOVR/U.S. 101 southbound ramp	Signal	23.5	C	45.8	D
LOVR/U.S. 101 northbound ramp	Signal	22.2	C	24.1	C
LOVR/Los Verdes Drive	Side-street stop	<b>91.9</b>	<b>F</b>	<b>128.5</b>	<b>F</b>
LOVR/South Higuera Street	Signal	27.4	C	28.9	C

Notes: Intersections in **bold** have a significant cumulative impact.

<sup>1</sup> Delay expressed in average seconds per vehicle. LOS is based on delay.

Source: Fehr & Peers 2009 (see Appendix E).

- The eastbound right-turn lane on LOVR at the U.S. Highway 101 northbound ramp has been removed. The northbound approach at the same intersection is restriped to an exclusive left-turn lane and a shared left/right turn lane.

Measured against the City's LOS standards, the LOVR/Madonna Road signalized study intersection would operate at an unacceptable LOS during the P.M. peak hour under Year 2035 cumulative conditions. The LOVR/Los Verdes Drive unsignalized study intersection operates at an unacceptable LOS F during the P.M. peak hour under both Year 2035 cumulative scenarios. All remaining study intersections operate at an acceptable LOS D or better under Year 2035 cumulative conditions based on city standards.

The peak hour signal warrant from the MUTCD (first referenced in Section 3.8, *Transportation and Traffic*) was evaluated for the unsignalized intersection LOVR/Los Verdes Drive to determine if a traffic signal would be warranted. The result of the peak hour warrant analysis indicated that the LOVR/Los Verdes Drive does not satisfy the minimum volume thresholds (see Appendix E). Therefore, installation of a traffic signal is not warranted based on Year 2035 with project peak hour volumes. As mentioned

previously, the peak hour signal warrant analysis should not serve as the only basis for deciding whether and when to install a signal. To reach such a decision, the full set of warrants should be investigated based on a thorough study of traffic and roadway conditions. The decision to install a signal should not be based solely upon the warrants, since the installation of signals can lead to certain types of collisions. The City should undertake regular monitoring of actual traffic conditions and accident data, and timely re-evaluation of the full set of warrants to prioritize and program intersections for signalization.

It should be noted that the City's transit plans typically focus on short-term five-year horizons and does not have a longer range transit plan to direct improvements to transit facilities, headways, and interrelationship with land use on the same level that is performed for roadway planning. However, the County of San Luis Obispo does have a general long-range transit plan that addresses a 20-year horizon. In addition, transportation related issues such as the City's jobs/housing balance and its affect on long-distance commuting and related congestion are also not well studied or modeled to the Year 2035. These issues will likely receive increased levels of study during preparation of the City's revised General Plan due to the requirements of SB 375 which mandates improved integration of land use planning, including infill development and improved jobs/housing balance, with overall planning for all modes of transportation.

#### 5.3.8.4 Year 2035 Cumulative LOS Impacts

Based on the City of San Luis Obispo impact criteria discussed in Section 3.8, *Transportation and Traffic*, the proposed project would result in unacceptable LOS F operations at the LOVR/Madonna Road intersection under Year 2035 cumulative with project conditions, a significant impact. This finding is consistent with previous studies of development projects in the area, and was expected due to the poor operations under existing conditions and the lack of any planned vehicle capacity enhancements. Several options exist for improvements to this intersection, each of which would require careful consideration of issues related to ROW acquisition, cost, tree removal, affects on pedestrian circulation, and consistency with the policies of the City's *Circulation Element*. Options for improvements include:

Option 1: The conversion of the southbound approach to include a channelized free right-turn lane with receiving lane on LOVR, one through lane, and two left lanes with

north/south protected phasing would provide LOS D operations. This configuration requires acquisition of ROW from the gas station in the northwest corner of the intersection for the widened approach on Madonna Road and the receiving lane on LOVR. The channelized right-turn lane may also require the closure of the driveway along LOVR adjacent to the gas station to allow for a transition from the channelized southbound right-turn lane to the westbound LOVR through-lanes. Additional ROW acquisition in the southwest corner would be required to allow for proper alignment of the through lane across the intersection and transition to the existing Madonna Road curb-to-curb width.

Option 2: This option includes the conversion of the southbound approach to include two right-turn lanes with overlap phasing, one through lane, and two left lanes with north/south protected phasing would help offset cumulative congestion (see Appendix F). In addition to ROW acquisition, secondary impacts would include tree removal, lengthening of crosswalks (more than Option 1), and/or modification of signal phasing that could increase the exposure of pedestrians to vehicle traffic. The two southbound right-turn lanes would not queue to Pereira Drive.

Option 3: ~~The north/south intersection approaches can be widened to the east but would still require acquisition of ROW from the adjacent parcel owners. In addition to ROW acquisition, secondary impacts would include tree removal, lengthening of crosswalks, and/or modification of signal phasing that could increase the exposure of pedestrians to vehicle traffic. This option would include the conversion of the westbound approach on LOVR to include three through lanes on LOVR through the intersection by widening the southeast corner of the intersection in front of the City fire station, relocating signal equipment and restriping LOVR north of the intersection. This improvement would result in an overall intersection operation of LOS E (70.3-second delay) with projected 2035 cumulative traffic volumes.~~

Traffic generated by the proposed Prefumo Creek Commons Project would utilize all or most of remaining capacity at the intersection of LOVR with Madonna Road, leaving limited capacity for other area developments without substantial improvement to the intersection. Installation of the improvements recommended under mitigation Option 3 would improve operation to LOS E (70.5 seconds delay) from the projected LOS F (83.2 seconds of delay) with cumulative traffic volumes. Further improvements to this intersection, such as those outlined under mitigation Options 1 and 2, will have related

potential Circulation Element policy inconsistencies and possible secondary impacts. These improvements would require further study to determine their feasibility and consistency with City policy. However, installation of the three lanes on the LOVR westbound approach to the LOVR/Madonna intersection (Option 3) would reduce the project's contribution to—Therefore, the project's contribution to substantial cumulative significant impacts to this intersection to a level of insignificance. would remain unavoidable and significant.

Although it would not fully mitigate the impact, TDM measures such as providing increased funding for transit, free bus passes to employees, similar to the SLO Transit Gold Pass program or the Home Depot Flash Pass program, could reduce project traffic through the LOVR/Madonna Road intersection. Other TDM measures include improving pedestrian, bicycle, and transit facilities and public information programs. Another recommended TDM measure is the provision of bicycle parking (see Recommendation #9 in Appendix E and MMs TT-1b and -1c in Section 3.8, *Transportation and Traffic*). However, as discussed above, in order for transit to play a major role in serving the transportation needs of the project area, changes in both land use and transit service would be necessary. Substantial increases in headways to 10 to 15 minutes during the peak hours would have some potential to increase ridership in the vicinity. However, to be most effective, such an increase in transit frequency would also need to be accompanied by changes to the area's land use pattern, such as added mixed-use and higher-density residential development proximate to the area's commercial centers. These changes would need to be accompanied by improved vehicular, pedestrian, and bicycle circulation connectivity. All of these measures would be either required or encouraged by the recommendations and mandates contained in the AB 32 Scoping Plan and SB 375.

The unsignalized intersection at LOVR/Los Verdes Drive exceeds the City of San Luis Obispo LOS threshold but does not meet the peak hour signal warrants. Thus, the proposed project is estimated to have a less than significant impact to the unsignalized intersection under Year 2035 with Project Cumulative Conditions. City staff has developed a strategy and toolbox to address the singular vehicle access to/from LOVR at Los Verdes Drive for residence of Los Verdes Park I and II. This strategy includes on-going monitoring of the LOVR/Los Verdes Drive intersection as a part of the Annual Traffic Safety Report, provision of secondary access via Higuera Street, and evaluation

of a bypass road connection during the Circulation Element or Regional Transportation Plan update (City of San Luis Obispo 2008b).

5.3.8.5 Year 2035 Cumulative Queuing Impacts

**CU TT-1 The proposed project would result in a potentially significant cumulative queuing impact as a result of vehicles exiting the project site on LOVR making a westbound U-turn at Froom Ranch Way.**

Similar to the traffic analysis under Project Conditions, a queuing analysis was conducted at the LOVR/Froom Ranch Way intersection to determine if vehicles exiting the site on LOVR would have difficulty making a westbound U-turn at Froom Ranch Way. According to the SYNCHRO output sheets, the maximum queue (95<sup>th</sup> percentile) for the westbound left-turn movement is estimated to be 500 feet and the westbound through-movement is estimated to be approximately 460 feet during the P.M. peak hour (see Appendix E). Therefore, westbound queuing from LOVR/Froom Ranch Way is considered a significant operational impact. These queues would block the estimated 160 project vehicles that, based on the current site plan access, would egress to LOVR and make a U-turn at the LOVR/Froom Ranch Way intersection. Implementation of mitigation measures CU MM TT-1a and CU MM TT-1b and the dual southbound left-turn lanes from LOVR to Froom Ranch Way would help alleviate some of the cumulative impacts to this intersection (refer to Figure 3.8-4).

Mitigation Measure

***Additional Mitigation Measures (Consultant Recommended)***

*CU MM TT-1a Lengthen the southbound left-turn storage pocket on Froom Ranch Way at LOVR to 370 feet.*

*CU MM TT-1b Allow full egress and ingress at the driveway immediately north of the LOVR and Froom Ranch Way intersection to improve operations on LOVR east of Froom Ranch Way.*

CU MM TT-~~2~~1b above is based off recommendations described in the Transportation Impact Analysis (TIA) (Appendix E) and would mitigate this impact. However, the additional southbound volume on Froom Ranch Way would result in an unacceptable

LOS E with 64.3 seconds of average vehicle delay, which creates a secondary significant LOS impact. The following two mitigation options (i.e., one or the other) would reduce this secondary impact:

*CU MM TT-1c (Option 1) (1) Restripe the southbound shared through-right lane on Froom Ranch Way to a shared left-through-right lane; and (2) add a separate 100-foot eastbound right-turn lane on LOVR with a 100-foot storage pocket. With these improvements, the LOS would improve to LOS D. This configuration requires ROW acquisition for the eastbound right-turn lane and modifications to the existing bioswale in the southwest corner of the intersection;*

- or -

*CU MM TT-1d (Opt.2) (1) Widen the southbound approach on Froom Ranch Way to include two southbound left-turns and a shared through-right lane. This configuration would require ROW acquisition for the north leg widening and shifting the planned building Pad G by approximately 20 feet to the east, (2) Widen the northbound approach to include two left turn lanes, a through-lane and a separate right-turn lane. The widening of the southern leg to the east requires ROW acquisition and relocation of the existing intersection controller boxes, and (3) Modify signal timings to implement north/south protected phasing. These improvements with north/south protected phasing would result in LOS D operations. Compared to Option 1, such a configuration with north/south protected phasing (rather than split phasing) would more effectively serve pedestrians across all four legs of the intersection.*

**CU TT-2      The proposed project would result in a potentially significant cumulative queuing impact at the LOVR/U.S. Highway 101 interchange.**

The LOVR/U.S. Highway 101 southbound ramps intersection also has a Year 2035 cumulative queuing impact where traffic on the ramp is projected to extend the entire length of the ramp (e.g., approximately 800 feet to painted gore point, or the point where

two roads diverge, usually delineated by solid white lines) with an estimated maximum queue (95th percentile) of 766 feet (Appendix E). Construction of an additional southbound right-turn lane and extension of the left-turn storage pocket to 300 feet would reduce impacts to a less than significant level. The addition of this second right-turn lane would require widening of an existing embankment and culvert.

These improvements to address this 2035 impact are in addition to those currently included in the LOVR interchange project. These improvements are long-term regional improvements to which many projects contribute the need for. Because the City does not currently have a development impact fee program, there is no existing vehicle for individual projects to contribute their fair-share to help fund these physical improvements. The City should consider adopting a vehicle for individual projects to contribute their fair-share to regional improvements and require the Prefumo Creek Commons Project to contribute its fair-share to help fund the mitigation measure below.

### Mitigation Measure

#### *Additional Mitigation Measures (Consultant Recommended)*

*CU MM TT-2 An additional southbound right-turn lane and extension of the left-turn storage pocket to 300 feet shall be constructed at the LOVR/U.S. Highway 101 interchange.*

#### 5.3.8.6 Year 2035 Freeway Ramp Junctions Cumulative LOS Impacts

**CU TT-3 The proposed project would result in potentially significant cumulative impacts to LOVR/U.S. Highway 101 ramp junction LOS.**

Ramp junction volumes were obtained from the adjacent ramp terminal intersection. Year 2035 freeway mainline volumes were developed by applying an annualized growth rate obtained from model forecasts to existing freeway counts provided by Caltrans. Table 5.3-6-7 presents the project scenario freeway merge/diverge service levels at ramp junctions. The freeway ramp junction LOS calculation sheets are contained in Appendix E. All merge/diverge ramp junctions operate at an unacceptable LOS D under Year 2035 cumulative conditions except the LOVR/U.S. Highway 101 northbound on-ramp, which would operate at LOS C under this scenario.

**Table 5.3-67. Year 2035 Cumulative with- and without Project Freeway Ramp Junction LOS**

Ramp Location		Year 2035 without Project		Year 2035 with Project	
		Density	LOS	Density	LOS
U.S. 101 northbound ramps	LOVR northbound off-	<b>31.1</b>	<b>D</b>	<b>31.5</b>	<b>D</b>
	LOVR northbound on-	25.8	C	26.8	C
U.S. 101 southbound ramps	LOVR southbound off-	<b>34.3</b>	<b>D</b>	<b>35.4</b>	<b>E</b>
	LOVR southbound on-	<b>34.1</b>	<b>D</b>	<b>34.5</b>	<b>D</b>

Notes: Intersections in **bold** have a significant cumulative impact.

<sup>1</sup> Delay expressed in average seconds per vehicle. LOS is based on delay.

Source: Fehr & Peers 2009 (see Appendix E).

Based on the impact criteria listed in Section 3.8.3, the proposed project would have an impact at the four ramp junctions except for the U.S. Highway 101 northbound on-ramp for Year 2035 cumulative with project conditions (refer to Table 5.3-67; Appendix E). Based on the merge/diverge LOS calculations, each impacted ramp junction can be mitigated back to Year 2035 cumulative without project levels. Implementation of mitigation measures below can be incorporated into the final design of the LOVR/U.S. Highway 101 interchange construction project. Implementation of all of ramp extensions would reduce the ramp impacts to a less than significant level.

It should be noted that while the southbound improvements are feasible improvements that would reduce the ramp impacts to a less-than-significant level, initial review of the implementation of northbound off-ramp deceleration lane extension may not be feasible due to the needed modification to the retaining wall and other physical structures adjacent to U.S. 101. Thus, the northbound off-ramp diverge would be considered a potentially significant and unavoidable impact. However, this extension of the northbound off-ramp deceleration lane could be implemented with the realignment of U.S. 101 into the median. The widening of U.S. 101 to 6 lanes (3 northbound and 3 southbound) would also mitigate these cumulatively significant ramp junction impacts.

Mitigation Measure

*Additional Mitigation Measures (Consultant Recommended)*

CU MM TT-3a *Prior to the issuance of any building permits, the project applicant shall make “fair share” contributions to the City’s Los Osos Valley Road Sub Area Fee program for the cost of upgrading the LOVR/Us 101 interchange.*

CU MM TT-3b *The following measures shall be incorporated into the final design of the LOVR/U.S. Highway 101 interchange construction project:*

- *Extending the northbound off-ramp deceleration lane by 50 feet (may require realignment of U.S. 101 into the median);*
- *Extending the southbound off-ramp deceleration lane by 130 feet;*
- and,*
- *Extending the southbound on-ramp acceleration lane by 60 feet.*

*-or-*

- *Widen U.S. 101 to 6 lanes (3 northbound and 3 southbound).*

**CU TT-4** **Regional cumulative traffic growth would cause LOS at the LOVR/Madonna Road intersection to deteriorate from acceptable to unacceptable levels during the P.M. peak hour.**

Projected development through the year 2035 and the associated increase in traffic at the intersection of LOVR/Madonna Road would cause increased delay at this intersection from the existing 45 seconds (LOS D) to approximately 82.3 seconds (LOS F). Even with the application of the Option 3 mitigation measure identified for the proposed project (i.e., widening LOVR westbound approaches to three lanes), delay would still increase to approximately 70 seconds (LOS E).

Mitigation MeasureAdditional Mitigation Measures (Consultant Recommended)

MM CU TT-4a The City should study the options available to improve the operation of the LOVR/Madonna Road intersection and associated operation of streets and driveways that are adversely affected by existing and potential future congestion. This study should consider the range of intersection improvements available, identify needed right-of-way acquisition and associated costs, potential consistency with Circulation Element policies and identify the range of potential secondary impacts to trees, pedestrians and other affected resources.

**5.3.9 Utilities and Service Systems**

## 5.3.9.1 Water Supply

The estimated Prefumo Creek Commons Project water demand of approximately 33.02 acre-feet per year (afy) would amount to 41 percent of the remaining amount of water anticipated to be available in 2010. Implementation of all projects included in this cumulative analysis would increase water use; however, all projects would be required to conduct a water use analysis and pay a water impact fee to the City of San Luis Obispo to mitigate impacts to the city water supply. Further, since the City's *Water & Wastewater Management Element* describes a comprehensive strategy for allocating water supplies in accordance with safe annual yield, the proposed project would not add significantly to cumulative water demand (City of San Luis Obispo 2006).

## 5.3.9.2 Wastewater

The City's *Water & Wastewater Management Element, Section 12.0* states that the City shall provide wastewater service adequate for existing uses and new development pursuant to the *General Plan Land Use Element* for all areas within the city limits. In 1994, the City completed improvements to its wastewater treatment plant to improve the quality of the treated effluent, and to increase the capacity of the treatment facility for wet weather flows. As of 2002, the City's sewer pipe collection system conveys approximately 4.5 million gallons per day (mgd) of wastewater to the City's Water

Reclamation Facility (WRF). The current treatment capacity of the WRF during dry weather conditions is 5.1 mgd of wastewater. Therefore, the estimated remaining capacity is 0.6 mgd or 12 percent of the total wastewater treatment capacity. Since the WRF is currently operating above 80 percent capacity, cumulative impacts to wastewater are potentially significant. However, a project to increase capacity, water quality and reliability at the WRF is currently being designed and is expected to be completed by 2011. The City's Utilities Department does not anticipate exceeding the WRF capacity prior to completion of the expansion project; therefore, cumulative impacts would be considered less than significant.

### 5.3.9.3 Solid Waste

In 1989, the State of California passed into law Assembly Bill 939 (AB939), which requires all cities and counties to reduce waste to local landfills by 50 percent by the Year 2000. In order to meet state-mandated solid waste reduction goals, the City of San Luis Obispo requires designated waste recycling areas to be included in new development. The proposed project and projects on the City's cumulative list would comply with the City's comprehensive strategy for minimizing the waste stream going to Cold Canyon Landfill. In addition, Cold Canyon Landfill is currently undergoing review for potential facility expansion, which would increase capacity by 54 percent to 2,500 tpd. Therefore, the project's contribution to cumulative impacts would be less than significant.

### 5.3.9.4 Police and Fire Protection Services

Based on the City's current population, the existing level of police protection services is approximately one sworn officer for every 800 residents. The average citywide emergency response time is approximately five minutes, which is considered adequate. However, according to the San Luis Obispo Police Department (SLOPD), the Department is considered to be operating at capacity. Further development in the City may incrementally increase demands on police officers. With incorporation of mitigation to minimize law enforcement monitoring by police officers, the project's contribution to this potentially significant cumulative impact would be considered less than significant.

With regard to Fire Department services, standard regulatory conditions would require all applicants for projects included in this cumulative impacts analysis to submit project

plans to the San Luis Obispo Fire Department (SLOFD) for review and approval. Since existing fire response times are adequate, the project would result in less than significant cumulative impacts on fire response services. Therefore, cumulative impacts are anticipated to be less than significant.

#### 5.3.9.5 Energy

Existing electric and gas services to LOVR area are considered adequate. No deficiencies in service capacities were identified. Therefore, the proposed project would not add significantly to cumulative electricity and gas demand. In addition, each individual project would be required to meet state and city standard regulatory conditions regarding use of non-renewable materials. Therefore, the cumulative use of non-renewable resources is not expected to result in significantly wasteful or inefficient use of such resources.



## 6.0 ALTERNATIVES

### 6.1 INTRODUCTION

The CEQA Guidelines state that an “EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” (Section 15126.6).

The CEQA Guidelines state that “the range of alternatives required in an EIR is governed by a rule of reason” that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the project (Section 15126.6).

In defining feasibility of alternatives, the CEQA Guidelines state that “among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site” (Section 15126.6).

The alternatives must adequately represent the spectrum of environmental concerns in order to permit a reasonable choice of alternatives. The document must also provide the rationale for selecting or defining the alternatives evaluated throughout the document, including identifying any alternatives that were considered by the Lead Agency but rejected as infeasible during the scoping process.

The alternatives analysis for this EIR is presented in four major parts. The first section describes the objectives of the Prefumo Creek Commons Project. The second section summarizes the potentially *significant unavoidable* short- and long-term impacts of the Prefumo Creek Commons Project from information presented in Section 3.0. The third section discusses potential impacts under the project alternatives. The final section concludes with the selection of an environmentally superior alternative, based on the

project configuration with the fewest significant impacts while meeting the greatest number of project objectives.

## **6.2 PROJECT OBJECTIVES**

The primary applicant and City objectives of the Prefumo Creek Commons Project are discussed in Section 1.2 and summarized below.

- Objective #1. Implement Section 8.7 of the City's General Plan, including appropriate commercial and/or residential development, open space protection, trail development and creek restoration/protection;
- Objective #2. Construct a mid-sized regional shopping mall which incorporates design features and amenities that comply with the City's General Plan goals and policies and the Community Design Guidelines for large-scale retail projects;
- Objective #3. Increase commercial retail space in the City with associated increases in shopping opportunities and sales tax revenue to the City;
- Objective #4. Reduce regional flooding while offsetting impacts to sensitive resources in Prefumo Creek;
- Objective #5. Offset impacts to 19 acres of prime agricultural land by dedicating 11.9 acres as permanent open space; and,
- Objective #6. Phase project construction to minimize increased traffic congestion at the LOVR/U.S. Highway 101 Interchange.

### **6.3 SUMMARY OF POTENTIALLY SIGNIFICANT UNAVOIDABLE PROJECT IMPACTS**

#### **6.3.1 Short-Term Impacts**

##### 6.3.1.1 Air Quality

The projected emissions for the proposed project were found to be above the established CEQA thresholds for construction emissions NO<sub>x</sub> and PM<sub>10</sub>. Implementation of standard APCD-recommended conditions at the project site would minimize construction-related air quality impacts; however, this impact would remain significant and unavoidable, even after mitigation.

##### 6.3.1.2 Noise

Even with implementation of mitigation measures, city noise standards for residential uses may be temporarily exceeded during grading and construction activities. Standard mitigation measures restricting hours of construction would minimize impacts; however, due to the location of sensitive land uses adjacent to the project site, noise standards may be periodically exceeded.

#### **6.3.2 Long-Term Impacts**

##### 6.3.2.1 Air Quality

Air emission impacts from ROG, NO<sub>x</sub> and PM<sub>10</sub> as a result of motor vehicle trips associated with the proposed project are significant and unavoidable. In accordance with the San Luis Obispo APCD's *CEQA Air Quality Handbook*, all standard mitigation measures and feasible discretionary mitigation measures must be incorporated into the project. Implementation of these measures cannot be quantified in terms of reduction of air pollutant emissions; however, the residual impacts would remain above the significance threshold identified in the San Luis Obispo APCD's *CEQA Air Quality Handbook*.

The design of the proposed project would require relatively substantial changes (e.g., inclusion of mixed-use, housing) to reduce inconsistency with overall land use planning principles contained in the County of San Luis Obispo APCD's 2001 Clean Air Plan

(CAP) to less than significant. Therefore, inconsistencies with assumptions in the CAP would remain significant and unavoidable, even after mitigation.

#### 6.3.2.2 Noise

Long-term operational exceedance of City exterior noise limits at adjacent residences associated with delivery truck and trash pickup activities at the proposed Anchor C truck dock would result in significant impacts even after mitigation.

### **6.4 ALTERNATIVES ANALYSIS**

This section discusses alternatives to the proposed project, including alternatives which were considered and discarded. Each of these considers the ability of a particular alternative to comply with the City's General Plan or substantially reduce or eliminate the project's significant environmental impacts, while still meeting basic project objectives. The EIR also includes a No-Project Alternative and an analysis of possible alternative sites that may not have the same environmental resource sensitivity as the selected project site. These alternatives include:

- Incorporation of Mixed-Use Alternative;
- Improved Site Design Alternative;
- Other Comparable Sites Alternative; and
- CEQA "No-Project" alternative.

#### **6.4.1 Alternatives Considered but Discarded**

As discussed above, CEQA Section 15126.6(c) requires that an EIR disclose alternatives that were considered and discarded and provide a brief explanation as to why such alternatives were not fully considered in the EIR. In particular, as required by the State CEQA Guidelines, the selection of alternatives included a screening process to determine which alternatives could reduce significant effects but also feasibly meet project objectives. The following alternatives were considered but eliminated from further analysis by the Lead Agency due to infeasibility or inconsistency with primary project objectives.

#### 6.4.1.1 Auto Sales Development

Development of the site as an auto sales facility was considered as an alternative to the proposed project; however, the City's General Plan already designates approximately 50 acres for vehicle sales on parcels located south and southeast of the existing Auto Park Way. This amount is expected to be sufficient for relocation of dealerships located elsewhere in the City, plus expansion of dealerships in proportion to projected county population growth. Because there does not appear to be market demand for this type of use and the City has other higher priority land uses for this site, this alternative was discarded.

#### 6.4.1.2 Residential Development

Development of the site solely for residential use was considered as an alternative to the proposed project. According the City's General Plan, one of the possible uses for the site includes multi-family housing. However, constructing a solely residential project would be contrary to project objectives for commercial-retail development and related City sales tax revenue. In addition, since the maximum density for residential development is restricted to 0.2 dwelling units per acre (DUA) under the site's Airport Land Use Safety Area S-1b designation, a solely residential development on this property would be highly inconsistent with the Airport Land Use Plan (ALUP). Therefore, this alternative was discarded.

#### 6.4.1.3 Agriculture or Conservation/Open Space

Zoning the site as either Agriculture (i.e., limited to farming) or Conservation/Open Space (i.e., limited to farming or parkland) was considered as an alternative to the proposed project. However, the site has been recognized as a potential development site according the City's General Plan. Otherwise known as the "Los Osos Valley Gap" property, the site consists of a relatively small agricultural parcel surrounded on three sides by development and abutting an arterial roadway. From a land use perspective, the City's General Plan identifies the site as being appropriate for development over the long term. Therefore, this alternative was discarded.

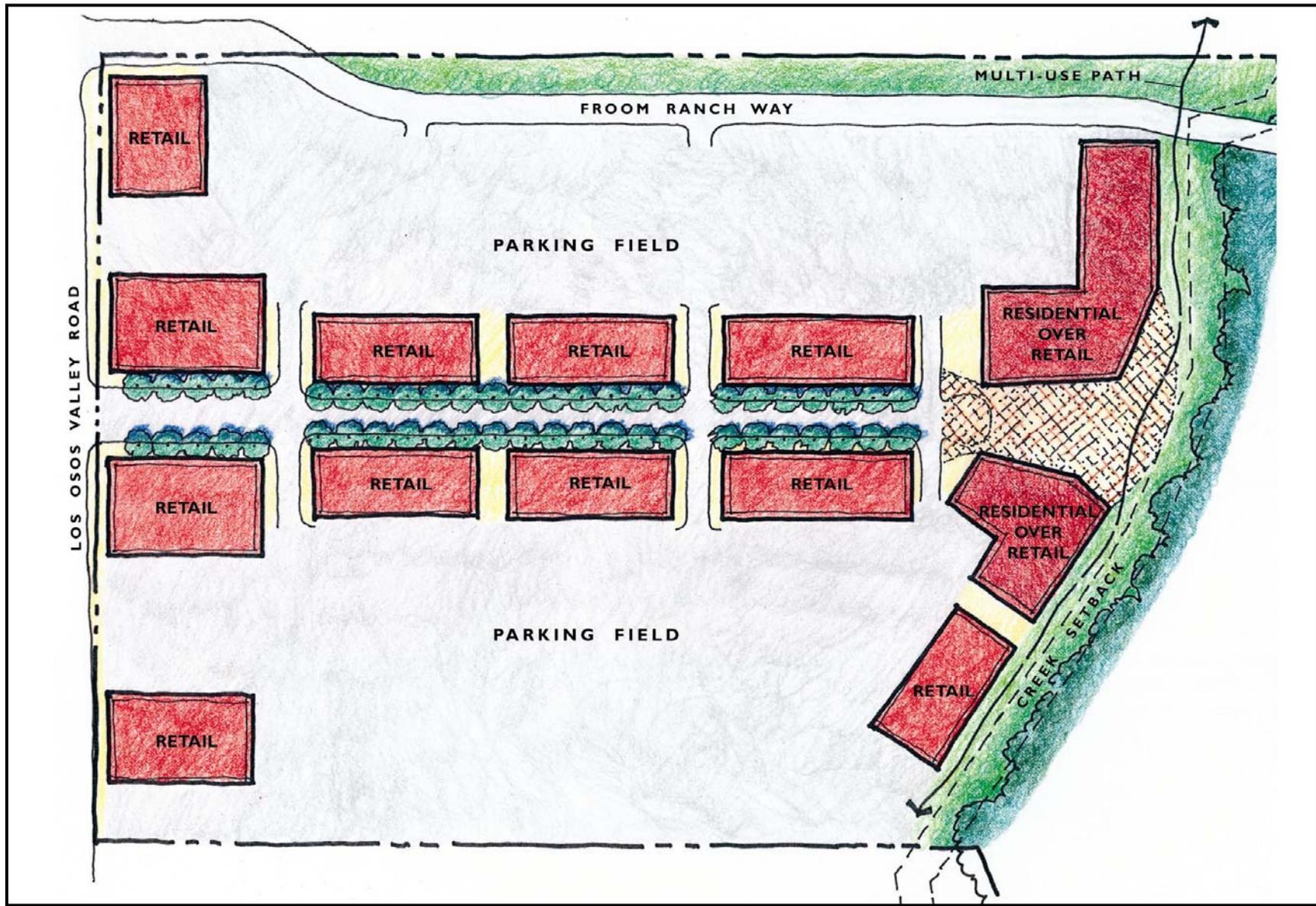
### 6.4.2 Incorporation of Mixed-Use Alternatives

The objective of the proposed Incorporation of Mixed-Use Alternative would be to comply with the City's General Plan Land Use Element Policy LU 8.7. This policy recommends that the site be considered for development of multifamily housing, which could assist in helping the City meet long-term housing demands, as well as balancing the substantial new retail commercial developments recently constructed or planned for the southern end of the City (i.e., Irish Hills, Dalidio) with new housing opportunities. Therefore, this alternative reviews development of on-site mixed-use housing, including an analysis of the compatibility of such a development with allowable residential densities included in the San Luis Obispo County ALUP. [The ALUP is the governing land use document for airport zones in the project area and analysis of policy conflicts and potential impacts in the alternatives in the EIR are based upon the guidelines of this document. However, for information purposes, additional discussion of the Caltrans Airport Land Use Planning Handbook \(Caltrans 2002\) has been added to Section 3.6 \(Land Use\) and Section 6.0 \(Alternatives\). The purpose of this additional information is to provide City decision-makers and the public with a fuller description of the range of possible approaches to address land use planning decisions for the project site. Given the importance of public safety in areas near airports, additional focused study would be required to more fully assess the safety implications of developing mixed-use projects on this site.](#) Two scenarios were analyzed for the Incorporation of Mixed-Use Alternative, as discussed below.

#### 6.4.2.1 Vertical Mixed-Use

Under this alternative, 16 dwelling units would be provided in two 2- to 3-story, mixed-use buildings located in the eastern portion of the project site's development area. The conceptual site plan for this alternative is illustrated in Figure 6.4-1. Due to the exceedance of the density allowance, this alternative would be inconsistent with the ALUP.

Each of the mixed-use buildings would contain retail and/or restaurants on the ground floor and residences on the second floor overlooking Prefumo Creek. Approximately 10 residential units and 27,000 square feet (sf) of commercial space would be contained within the larger mixed-use building whereas the smaller building would contain approximately six units and 16,000 sf of commercial space.



The mixed use-buildings would have a strong orientation to the creek that borders the eastern edge of the proposed development area. A 35-foot city-required setback in addition to a 20- to 30-foot buffer would separate the mixed-use buildings from the Creek, although outdoor areas (e.g., sidewalk cafes) associated with the ground-floor commercial uses could encroach into the outer edge of the buffer to strengthen the connection with the Creek. The pedestrian trail would still be constructed within this buffer area.

The main entrance to the site would encompass a neighborhood-oriented “main street” atmosphere and end in a public space and plaza. The plaza would serve as a significant termination of the pedestrian-oriented main street and provide a significant public open space that engages with the creek amenity. The majority of surface parking would be located between the mixed-use buildings on the eastern side of the development area and the retail buildings on the western side of the development area. Approximately 900 parking spaces would be provided.

Development under this alternative would accommodate a total of 185,000 sf of retail space and 16 dwelling units. Similar to the proposed project, development of the remainder of the site would accommodate necessary drainage improvements along Prefumo Creek, dedication of public open space, and an extension of Froom Ranch Way.

Under this alternative, visual impacts could be slightly greater than those from the proposed project. The increase in square footage of building space immediately fronting LOVR would incrementally reduce the width of the view corridor through the site to the Morros and the Santa Lucia Mountains from LOVR. For both northbound and southbound viewer groups, this alternative would introduce a higher degree of interference in the immediate foreground of the long range viewshed; however, this could be addressed by clustering buildings that front on LOVR to retain this view corridor. Impacts from lighting and glare would be similar to the proposed project.

Impacts to Land Use and jobs/housing balance would be partially reduced through the construction of 16 dwelling units (refer to Impact LU-1). However, Construction of excess of four dwelling units on the site would result in inconsistency with the ALUP; due to the project’s location in ALUP Safety Area S-1b. Based on ALUP standards therefore, impacts would be greater under this alternative. However, as discussed in

Section 3.6 (Land Use), further research would be required to ascertain which Caltrans safety area most closely corresponds to the project site. Under the Caltrans Guidelines more conservative *Inner Turning Zone*, the project's retail component would not be recommended because the usage density of retail (300 persons/acre) is greater than the maximum usage density of 160 persons/acre recommended under this safety corridor. However, the construction of 16 or more dwelling units may be potentially consistent with the recommended provisions of this Caltrans safety corridor if the development is determined to constitute *infill* at a similar density to surrounding residential areas. Further, under Caltrans *Traffic Pattern Zone* guidance, this alternative's retail and residential components could both be found consistent. It should be noted that the usage density of retail, 300 persons/acre, is the maximum nonresidential density recommended under this Caltrans safety corridor. Residential development is not subject to any density restrictions in the *Traffic Pattern Zone*.

In addition, operational noise impacts associated with maintenance and pickup/delivery activities and noise-generating rooftop equipment such as air conditioners or kitchen ventilation systems would be greater than the proposed project due to the close proximity of proposed residential units on-site. Implementation of mitigation measures would be required to achieve an interior noise level no greater than 45 dB for residential units proposed to be built under this alternative. Traffic and transportation impacts would also be slightly greater than under the proposed project since approximately 9 additional P.M. peak hour trips would occur.

Operational air quality impacts would be incrementally greater than those described for the proposed project due to the additional number of delivery and maintenance trucks generated from adding multifamily housing; however the relatively small number of residential units means that this increase would not be significant. Some operational emission reductions would occur as mixed-use development typically results in fewer automobile trips for residents. Therefore, impacts would be similar to the proposed project.

Impacts to Utilities would slightly increase with 16 dwelling units requiring water, wastewater, solid waste, and police and fire services; however, the overall size of commercial development would slightly decrease, and impacts would remain similar to the proposed project. Impacts to Hydrology, Biological Resources, and Agriculture would also be similar to those described for the proposed project.

#### 6.4.2.2 Horizontal Mixed-Use Inconsistent with ALUP Density

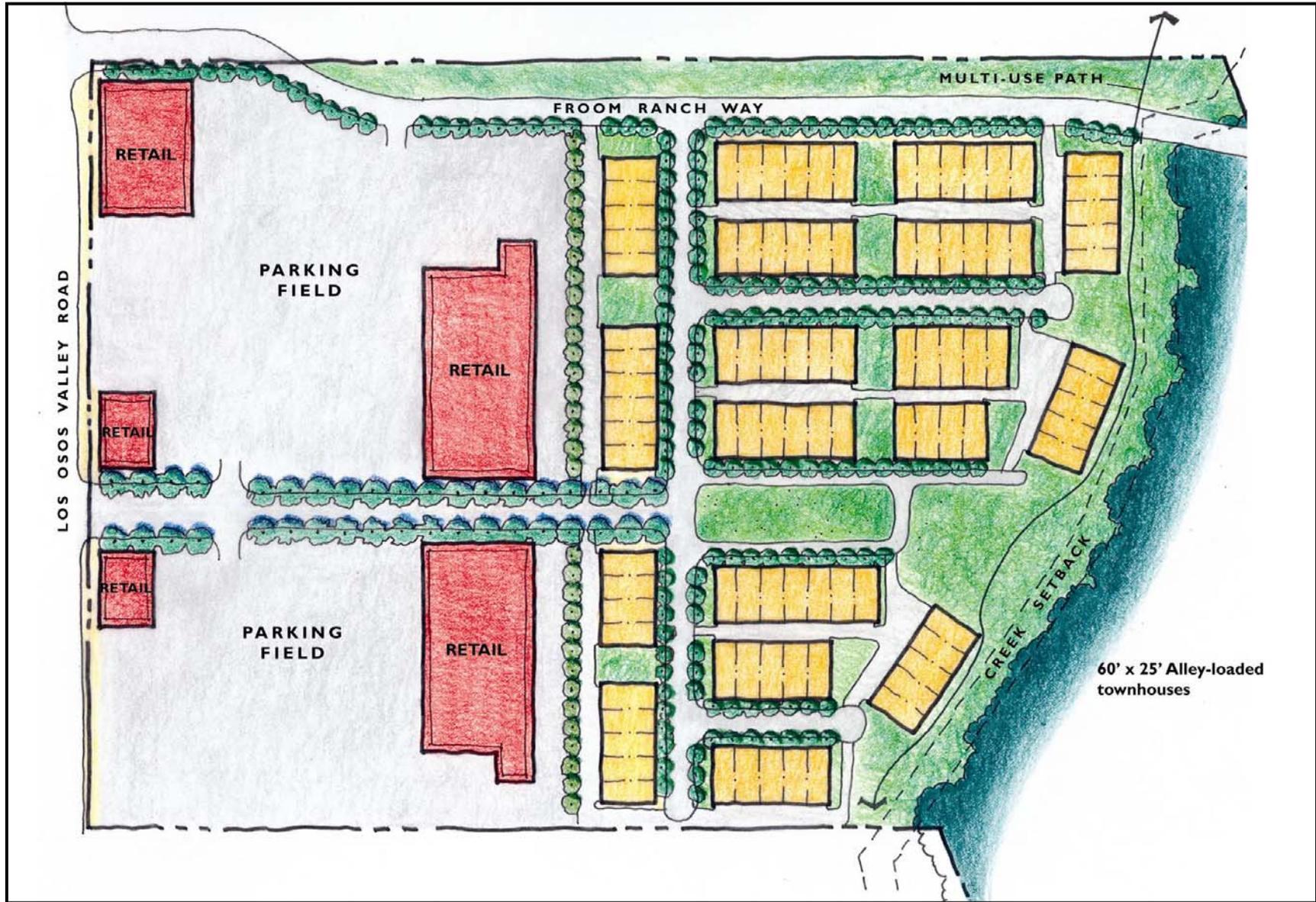
This scenario would more fully explore development of the site consistent with direction of the City's General Plan to consider expansion of the existing residential neighborhood to accommodate multifamily housing. However, this alternative would be inconsistent with the ALUP due to exceedance of the density allowance of approximately four units. Under this alternative, approximately 78,000 sf of retail and 97 dwelling units would be constructed. The conceptual site plan for this alternative is illustrated in Figure 6.4-2.

Retail buildings would be focused on the western side of the site along LOVR. Most or all retail buildings and their associated parking would directly front LOVR. The size and positioning of buildings would allow for views through the site for motorists, bicyclists, and pedestrians traveling along LOVR.

The proposed dwelling units would consist primarily of medium-density attached townhouse buildings that would be on 60-foot by 25-foot parcels. Landscaped alleys would separate the buildings. Residential buildings would be located primarily on the eastern side of the development area in closer proximity to the creek. Ground-floor garages for these residences would be accessed by alleys.

Similar to the proposed project, development of the remainder of the site would accommodate drainage improvements along Prefumo Creek, dedication of public open space, and an extension of Froom Ranch Way.

With regard to aesthetics, retail uses and dense clustering of townhouses on the eastern portion of this alternative would eliminate views through the site to the Prefumo Creek riparian corridor. Impacts on long range views from LOVR to the Morros and the Santa Lucia Mountains would be slightly greater than those from the proposed project due to a higher concentration of new building in the viewshed. Lighting and glare impacts would also be somewhat greater due to the increased amount of development in proximity to the existing residential uses to the north of the site.



For land use impacts, job/housing balance would be addressed through the construction of 97 dwelling units and the reduction of the number of new jobs due to smaller retail component. However, construction of excess of four dwelling units on the site would result in inconsistency with the ALUP due to the project's location in ALUP Safety Area 1b. Based on ALUP standards, impacts would be greater under this alternative. However, as discussed in Section 3.6 (Land Use), further research would be required to ascertain which Caltrans safety area most closely corresponds to the project site. Under the Caltrans Guidelines more conservative *Inner Turning Zone*, the project's retail component would not be recommended because the usage density of retail (300 persons/acre) is greater than the maximum usage density of 160 persons/acre recommended under this safety corridor. However, the construction of 97 dwelling units may be potentially consistent with the recommended provisions of this Caltrans safety corridor if the development is determined to constitute *infill* at a similar density to surrounding residential areas. Further, under Caltrans *Traffic Pattern Zone* guidance, this alternative's retail and residential components could both be found consistent. It should be noted that the usage density of retail, 300 persons/acre, is the maximum nonresidential density recommended under this Caltrans safety corridor. Residential development is not subject to any density restrictions in the *Traffic Pattern Zone*.

~~However, excess of four dwelling units on the site would result in inconsistency with the ALUP; therefore, impacts would be greater under this alternative.~~

Operational noise impacts associated with maintenance and pickup/delivery activities and noise-generating rooftop equipment such as air conditioners or kitchen ventilation systems would also be greater than the proposed project due to the close proximity of proposed residential units onsite. Implementation of mitigation measures would be required to achieve an interior noise level no greater than 45 dB for residential units proposed to be built under this alternative. In addition, demand for utilities would increase somewhat with the adoption of the Horizontal Mixed-Use Alternative due to the addition of 97 dwelling units which would increase demands on water, wastewater, solid waste, and police and fire services.

Operational air quality impacts would be less than those described for the proposed project due to emission reductions associated with fewer automobile trips for residents. Impacts to biological resources would also be expected to be less than those described for

the proposed project. During operation, the residential units would cause fewer disturbances to the Prefumo Creek ecosystem than the retail activities of the proposed project. In addition, the relocation of expansive parking fields farther from the Creek would reduce the impacts of contaminated runoff on the creek ecosystem. Traffic and transportation impacts would also be less than the proposed project because the reduced amount of retail space and emphasis on mixed-use development would eliminate several hundred vehicle trips. This would result in less than significant impacts to transportation and traffic in the project area.

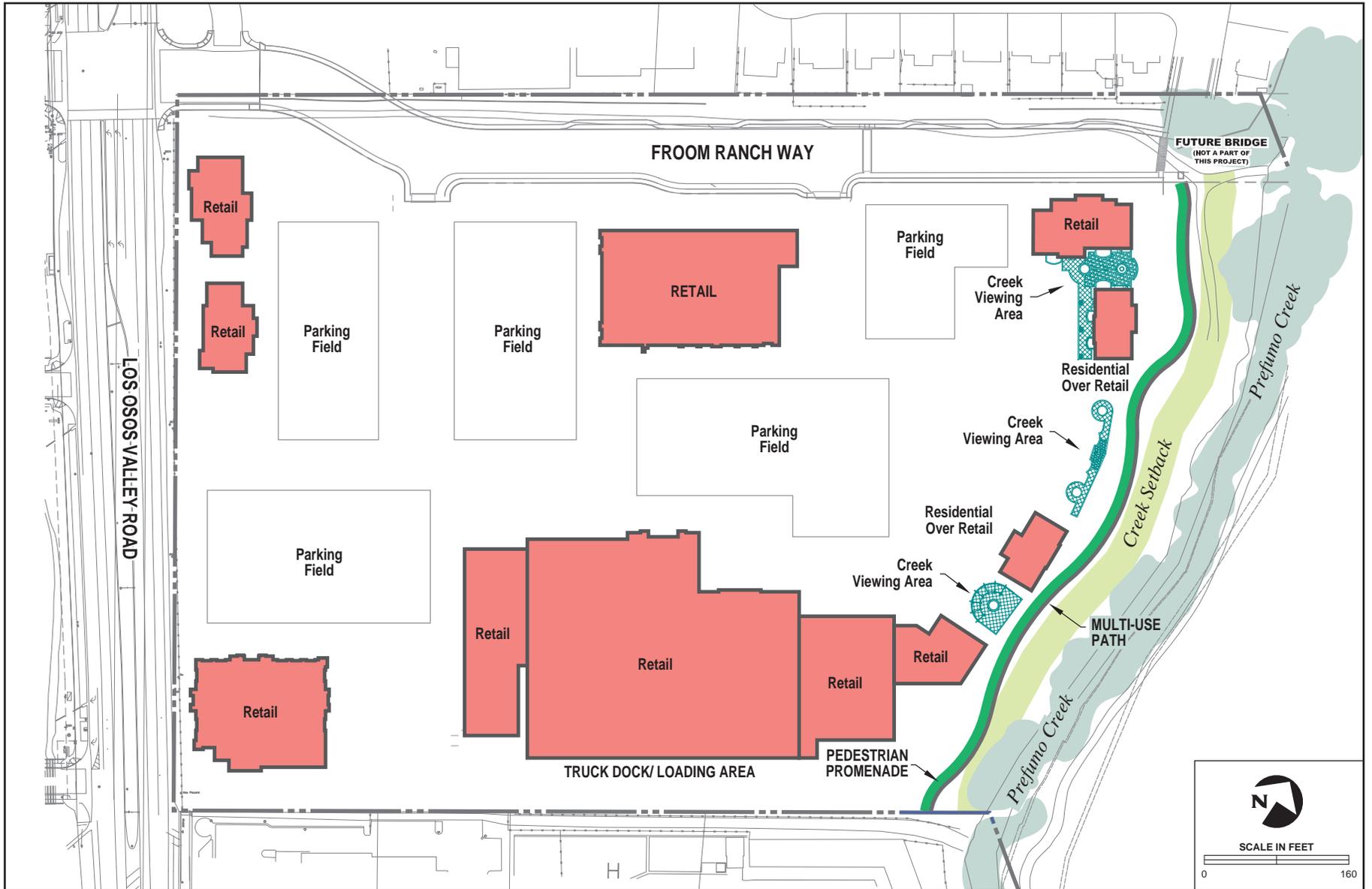
Hydrological and agricultural impacts would be the same as those described for the proposed project.

### **6.4.3 Improved Site Design Alternative**

The primary objective of the Improved Site Design Alternative would be to address potential land use impacts, such as inconsistencies with General Plan policies and Community Design Guidelines (e.g., incorporation of the creek as a site design amenity, breaking up large expanses of parking lots, and improving views through the property to natural features). This alternative also includes the addition of up to four units of affordable housing to partially address jobs-housing balance issue.

Similar to the proposed project, development of the site under the Improved Site Design Alternative would include annexation and development of the 31-acre site. Approximately 19 acres of the site would be developed for Commercial-Retail (C-R) use while 11.9 acres would be designated as open space. Similar to early designs of the proposed project, this design would include approximately 160,000 sf of commercial retail development. However, under this alternative, the site layout would be redesigned to feature the Creek more as a project amenity (Figure 6.4-3).

In compliance with General Plan Policy 6.4.3, *Amenities and Access*, “New public or private developments adjacent to the lake, creeks, and wetlands must respect the natural environment and incorporate natural features as project amenities, provided doing so does not diminish natural features. Developments along creeks should include public access across the development site to the creek and along the creek, provided that wildlife habitat, public safety, and reasonable privacy and security of the development can be



Prefumo Creek Commons  
Improved Site Design Alternative

**FIGURE  
6.4-3**

maintained, consistent with the Conservation and Open Space Element.” Further, per Chapter 3.2 of the Community Design Guidelines, project site planning should provide views through the property to the background hills and/or other natural features. With regard to parking lots, General Plan Policy 2.2.9, *Parking*, and Chapter 3.2 of the City’s Community Design Guidelines, specify that:

- Large parking lots should be avoided.
- Parking lots should be designed to be equally pedestrian and vehicular oriented.
- Parking should not be the dominant visual element of a site.
- Large, expansive paved areas between the building and the street are to be avoided in favor of smaller multiple lots separated by landscaping or buildings, or located to the sides and rear of buildings.

Overall, the Community Design Guidelines for *Large Scale Retail Projects* indicate that “Large-scale, monolithic ‘big-box’ structures surrounded by extensive parking lots are not considered acceptable.” Therefore, this alternative would include a site redesign to incorporate the Creek as a project amenity, to avoid the expansive parking lot layout, and to provide more compatibly sized buildings offering a greater view corridor to the Creek and open space.

*Creek-Focused Site Redesign.* This alternative would establish a strong connection between the proposed development and Prefumo Creek. Possible features that could enhance the interface between the Creek and project include, but are not limited to, a bicycle/pedestrian path, creek side cafes and restaurants, outdoor gathering spaces, benches, overlooks, and educational signage about the Creek’s unique functions and values. These features would serve to provide the development with a physical and visual connection to the Creek as opposed to reducing access to the Creek.

Buildings would be positioned and oriented so that the backs of buildings do not face Prefumo Creek and the four housing units would be located on the second floor of creek side buildings. Appropriate setbacks would be established to ensure protection of the riparian corridor. Any type of fencing or railing intended to limit public access within the setback zone would be designed so as to aesthetically complement and contribute to overall visibility of creek features. In addition to creek-focused design of structures, the plant community along Prefumo Creek would be enhanced by selective native tree and shrub plantings, and by managing the existing willows.

*Parking Lot Layout Redesign.* This alternative would redesign the site to break up the mass of the parking area. Parking lots would be designed to be equally pedestrian and vehicular oriented. Large, expansive paved areas would be designed to include a clearly defined, and comprehensively planned tree-lined pedestrian circulation system connecting all parking spaces to the retail buildings.

*Reduced Building Size and Enhanced View Corridor.* This alternative would include smaller-scale buildings compared to the traditionally sized ‘big-box’ structures, offering a greater view corridor through the project site to Prefumo Creek and open space.

Under this alternative, land use impacts would be greatly reduced due to consistency with several General Plan and Community Design Guideline policies as previously discussed. The inclusion of four affordable housing units would also help reduce land use impacts. In addition, because this alternative would maintain a view corridor from LOVR toward Prefumo Creek, impacts to views of riparian habitats would be less than those described for the proposed project. In addition, provision of creek viewing areas would improve views from within the site toward Prefumo Creek. The lesser quantity of building square footage along LOVR would also reduce the impact on long range views to the east. Impacts resulting from lighting and glare would be expected to be similar to those described for the proposed project.

Construction (short-term) air quality impacts would be less than the proposed project, due to the elimination of the heavy-duty construction equipment associated with the widening of the east bank of Prefumo Creek. This Alternative would also reduce the exposure of toxic diesel particulate matter to nearby sensitive receptors (i.e., Pacific Beach High School). Impacts to utilities and public services would also be slightly reduced due to the smaller building size.

Impacts to traffic could be substantially reduced under this alternative. Initial analysis indicates that elimination of approximately 28,000 sf from the project, particularly when combined with an aggressive TDM Program, would avoid potentially significant impacts to the intersection of LOVR/Madonna Road. Delays and congestion at other area intersections would also be incrementally reduced. In addition, a more pedestrian-focused site design would partially alleviate impacts to pedestrian activity, while reduced employment and the addition of some affordable housing could incrementally reduce long-distance commuting.

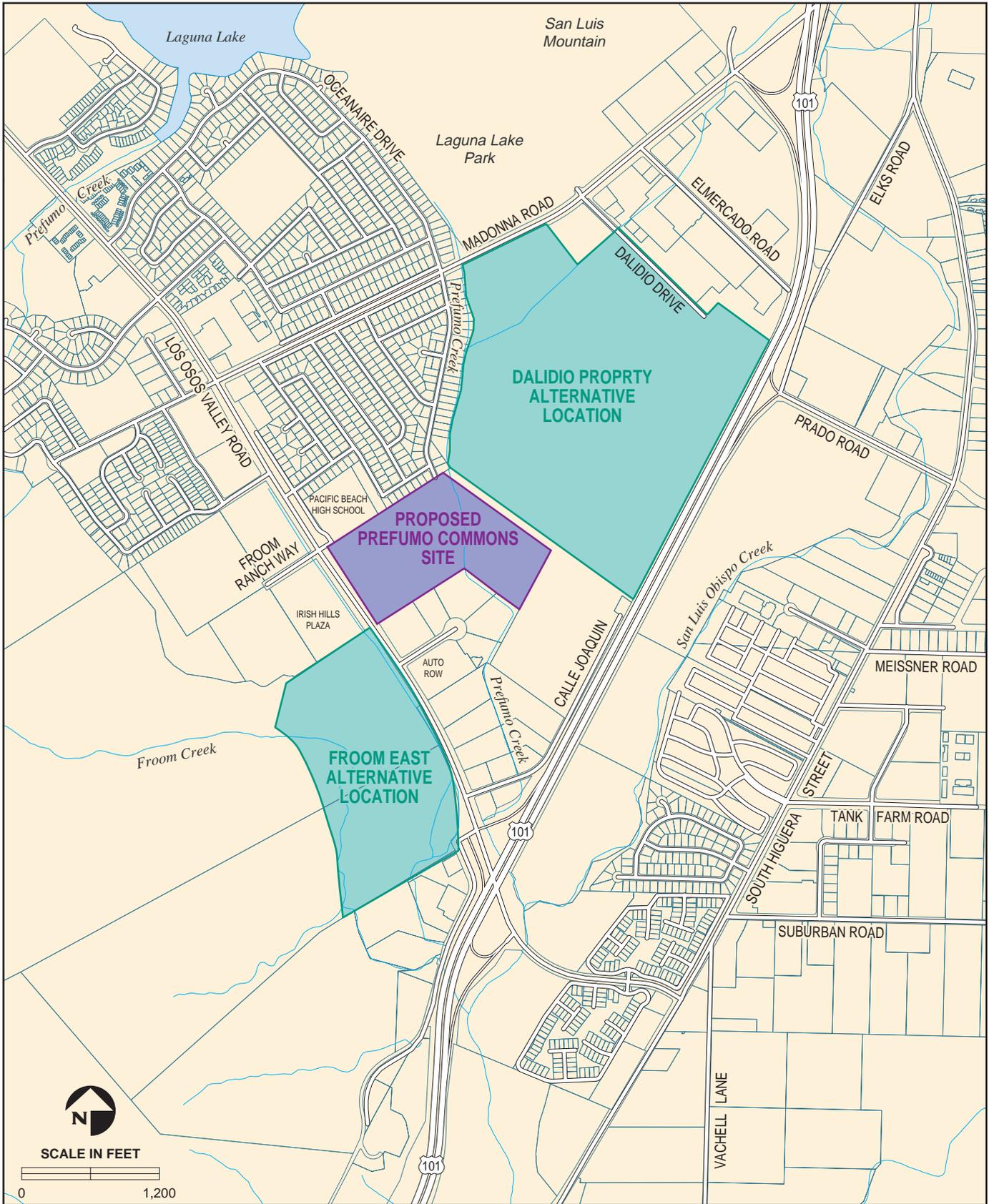
Impacts to biological resources from this alternative would be similar to those described for the proposed project. Encouraging public use of the Prefumo Creek area could result in increased risk of trampling or litter in the riparian corridor; however, this risk is not expected to be significant. Likewise, impacts to agriculture, hydrology, and noise would be similar to those described for the proposed project.

#### **6.4.4 Other Comparable Sites Alternative**

This alternative involves review of the potential to construct a development of similar size and scale as the proposed Prefumo Creek Commons Project at alternative locations, thereby avoiding site-specific impacts to agricultural, hydrologic, and other resources. Under the Other Comparable Sites Alternative, the proposed project would be located at another large, predominantly vacant property to meet the project's objectives of commercial-retail development. Potential off-site alternative locations were screened for consideration based on size requirements (approximately 19 to 20 acres of developable area) and objectives for a commercial development, similar to the proposed project. As a result, the Froom Ranch East and Dalidio Property sites were determined to be the most feasible sites to be analyzed under this alternative (Figure 6.4-4).

##### **6.4.4.1 Froom Ranch East**

The Froom Ranch East alternative site is bound by the Irish Hills Plaza development on the northwest, LOVR and Auto Row on the northeast, commercial development and the LOVR/U.S. Highway 101 Interchange to the southeast, and Froom Ranch's undeveloped agricultural land on the southwest. The approximately 120-acre site currently consists of undeveloped agricultural land predominantly used for cattle grazing. The majority of the site, comprised of assessor's parcel numbers (APNs) 067-241-023 and 067-241-024, is located outside of the City of San Luis Obispo Urban Reserve Line. The site is known to contain wetland areas and riparian communities, sensitive plant species, and threatened wildlife species, including habitat for the burrowing owl. This property was evaluated for commercial service and auto park uses in 1989 (Madonna General Plan Amendment) and an EIR was prepared on an 80-acre portion of the 374-acre parcel (including the recently constructed Irish Hills Plaza property).



Prefumo Creek Commons  
Other Comparable Sites Alternative

**FIGURE  
6.4-4**

Under this alternative, impacts to biological resources would be greater than those described for the proposed project due to the more undisturbed current condition of the Froom Ranch East site. Approximately 40 acres of freshwater marsh and approximately 10 acres of transitional wetland areas and riparian communities are located within this alternative site. The project would remove approximately 30 acres of this habitat. In addition, the existing Froom Creek could require realignment, thus disturbing this riparian corridor. Impacts to sensitive plant species and threatened wildlife species would occur, including habitat for the burrowing owl.

With regard to Land Use and Utilities, impacts would be greater than under the proposed project since the site is located outside of the City of San Luis Obispo Urban Reserve Line. Similar to the proposed project, the property would require annexation in order to connect with existing City infrastructure and receive City services. In addition, because this site is located outside of the ALUP Safety Area, any potential impacts related to airport noise and safety would be eliminated; however, the site's use for commercial development would eliminate the potential use of at least a portion of this property from being developed as housing to partially offset housing demand impacts associated with the project and other area commercial developments.

Development on the Froom Ranch East site would have no effect on views to the riparian corridor from LOVR or long range eastern views because it would be located on the western side of the roadway. However, construction of the project on this site would impact long-range views to the Irish Hills. Impacts from lighting and glare would be reduced because the site would not be bordered by residential uses on any side. In addition, impacts from noise would be reduced for this same reason.

Implementation of proposed project at the Froom Ranch East location would result in impacts to agriculture, air quality, and transportation and traffic that are similar to those described for the proposed project. Without further analysis, the potential hydrological impacts of the Froom Ranch East site alternative are unknown and may be less or greater than the proposed project; however, because the amounts of proposed fill and impervious surfaces are likely to remain unchanged, impacts would likely be similar.

### 6.4.4.2 Dalidio Property

The 131-acre Dalidio site, comprised of APN 067-121-022, is located within the Urban Reserve area of the City of San Luis Obispo. The site is bound by Madonna Road on the northwest, Dalidio Drive on the northeast, U.S. Highway 101 on the southeast, the proposed project site and Gearhart properties to the southwest, and Prefumo Creek on the west. The site was formerly used for agricultural purposes, primarily for cultivation of dry and partially irrigated row crops but now lies vacant. Broad swales and drainage channels bisect the western portion of the property and drain toward Prefumo Creek at the property's southern edge. The northwestern portion of the property adjacent to Madonna Road consists of a farmhouse and outbuildings used as a produce packing facility. Plans for development of big box stores at the site were originally approved by the City Council in 2004; however, the project was rejected by City voters in 2005. In 2006, the project was revised and approved by 65 percent of County voters under Measure J. However, two groups filed a lawsuit that ultimately ruled Measure J to be invalid in 2008, finding that it should have never gone before the voters. This location was determined to be an alternative site that could sufficiently meet size requirements and objectives similar to the proposed project.

Under this alternative, development would not obstruct views to the Prefumo Creek riparian corridor from LOVR. Portions of development on the Dalidio property would likely be visible within long range views looking east from LOVR. However, due to the spatial separation between the Dalidio property and LOVR and city design guidelines that restrict building height, this development would not obstruct views to the Morros or the Santa Lucia Mountains. However, visual impacts from development would potentially be greater as seen from Madonna Road and U.S. Highway 101. Urbanization of a portion of the Dalidio property would represent a major change of the aesthetic character of the area as seen from a much more heavily traveled view corridor.

Implementation of proposed project at the Dalidio Property location would result in impacts to agriculture, air quality, biological resources, land use, noise, and utilities that are similar to those described for the proposed project. Without further analysis, the potential hydrological impacts of the Dalidio Property site alternative are unknown and may be less or greater than the proposed project; however, because the amounts of proposed fill and impervious surfaces are likely to remain unchanged, impacts would likely be similar. Transportation and traffic impacts would also be similar to those under

the proposed project, but would shift from the LOVR/Madonna Road intersection to a future Prado Road/U.S. Highway 101 interchange and/or the Madonna Road/Dalidio Road intersection.

#### **6.4.5 No-Project Alternative**

The No-Project Alternative assumes continuation of the existing setting. Under this alternative, the existing property may remain a vacant field unless agricultural uses are resumed. Continuation of the former agricultural use at the project site would not generate additional car trips, disturb hydrologic and biological resources, or adversely affect scenic views. Additionally, geology and soils, and public utilities and service systems would remain as described under the existing setting. Therefore, no changes would occur with regard to agricultural resources, air quality, biological resources, visual resources, hydrology and water quality, land use, noise, utilities and public services, or transportation and traffic. With regard to land use, the No-Project Alternative would delay achievement of goals in the *General Plan Land Use Element*, since provisions for annexation, development, and open space preservation would not occur at this Interim Open Space.

### **6.5 IDENTIFICATION OF ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Table 6.5-1 summarizes the environmental advantages and disadvantages associated with the proposed project and the analyzed alternatives. CEQA Guidelines section 15126.6 states that if the environmentally superior alternative is the No-Project Alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives.

The *Improved Site Design Alternative* is considered to be the environmentally superior alternative since impacts would be reduced for most issue areas and all project objectives would be met.

**Table 6.5-1. Impact Comparison of Alternatives to the Proposed Project**

Issue Area	Incorporation of Mixed-Use		Improved Site Design	Other Comparable Sites		No-Project
	Vertical	Horizontal		Froom	Dalidio	
Aesthetics and Visual Resources	Greater	Greater	Less	Less	Greater	Less
Agricultural Resources	Similar	Similar	Similar	Similar	Similar	Less
Air Quality	Similar	Less	Less	Similar	Similar	Less
Biological Resources	Similar	Less	Similar	Greater	Similar	Less
Hydrology and Water Quality	Similar	Similar	Similar	Similar	Similar	Less
Land Use and Planning Policies	Greater	Greater	Less	Greater	Similar	Less
Noise	Greater	Greater	Similar	Less	Similar	Less
Transportation and Traffic	Greater	Less	Similar	Similar	Similar	Less
Utilities and Public Services	Similar	More	Less	Greater	Similar	Less
Project Objectives Met	Yes	Partially	Yes	Yes	Yes	No

**7.0 COMMENTS AND RESPONSES TO COMMENTS ON DRAFT EIR**

Copies of all written comments received during the public review period, as well as a copy of the transcript of the May 13, 2009 Planning Commission hearing on the Draft EIR, held during the public review period, are provided in this section.

Responses to these comments have been prepared to address the environmental concerns raised by the commentors and to indicate where and how the EIR addresses relevant environmental issues. Changes made to the text of the Draft EIR to correct or clarify information are noted in the EIR using underlined text to show revised or additional text, and by striking out text proposed for deletion.

The following agencies and individuals commented on the Draft EIR, either by written correspondence or by testimony at the Planning Commission public hearing. Copies of the letters received have been reduced so that responses can be seen within the context of the comment. Responses to comments are keyed to the written comment using an abbreviation for the commenting agency or individual, as shown below.

Federal, State, and Local Agencies

APCD	Air Pollution Control District, County of San Luis Obispo
CALTRANS	State of California, Department of Transportation
CONSERVE	Department of Conservation, Division of Land Resource Protection
DAWM	Department of Agriculture/Weights and Measures, County of San Luis Obispo
FWS	U.S. Fish and Wildlife Service
LAFCO	San Luis Obispo – Local Agency Formation Commission
RWQCB	California Regional Water Quality Control District, Central Coast Division
SLO PW	City of San Luis Obispo, Public Works Department
SLOCOG	San Luis Obispo Council of Governments

Individual Comments

AT	Alan Thomas
ATE	Associated Transportation Engineers
CM	Christine Mulholland
DA	Diane Anthony
GRF	G.R. Flores
MD	Marie Maziarz Dickson
RW	Rosemary Wilvert, President, Citizens for Planning Responsibly (CPR)
SHUBERT	P. Terence Shubert, Esq.
TJ	Theodore Jones
WG	Wallace Group

Public Hearings Comments

SLOPC San Luis Obispo Planning Commission Minutes, May 13, 2009



May 28, 2009

Mr. Phil Dunsmore  
City of San Luis Obispo  
990 Palm Street  
San Luis Obispo CA 93401

SUBJECT: APCD Comments Regarding the GAP Property Annexation/Prefumo Creek Commons DEIR

Dear Mr. Dunsmore,

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the above referenced project.

The project as proposed includes annexation of approximately 31 acres of agricultural land located at the edge of the City limits of the City of San Luis Obispo and development of 16.7 acres west of Prefumo Creek with a regional shopping center. This proposed regional commercial center would include 188,658 square feet of new retail space with six separate retail buildings along with approximately 838 on-site parking spaces.

*The following are APCD comments that are pertinent to this project.*

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

*Page 3.3-15, Greenhouse gases*

**Greenhouse gases from the construction activities should be amortized over the life of the project and added to the operational phase greenhouse gas emissions.**

APCD-1

*Page 3.3-18, MM AQ-2*

As indicated, the PM from diesel exhaust will result from both the hauling of fill material on site and the diesel construction equipment operating during the construction phase of the project. **To minimize the exposure to diesel exhaust to sensitive receptors (i.e. school and residences in the area), in addition to the measures proposed, the APCD recommends the following:**

APCD-2

- **MMAQ-1a calls for idle reduction and posting signs in queuing areas. In addition to this requirement, the project proponent should locate all queuing, staging and stockpiling areas, as far from the school and residential areas as possible. The staging area, queuing and stockpile locations should be identified on all site plans.**

APCD-1

Comment noted. Due to the lack of data on the average length of commercial projects in the County, as well as the continually evolving regulations on automobile fuel economy, as well as advances in combustion technology, it is not feasible to accurately amortize greenhouse gases over the life of the project. Please refer to Impact AQ-1, Tables 3.3-5 and 3.3-6, to see the estimated unmitigated and mitigated greenhouse gas emissions during construction phases of the proposed project. Please refer to Impact AQ-4, Tables 3.3-9 and 3.3-10, to see the estimated unmitigated and mitigated greenhouse gas emissions from operation of the proposed project per year. Construction and operational greenhouse gas emissions are analyzed under separate impact statements since construction emissions are determined to be less than significant, while operational emission are determined to be significant.

APCD-2

Comment incorporated. Mitigation measures to reduce exposure of sensitive receptors to diesel particulate material have been incorporated in MM AQ-2.

Project Referral for Airport - Private Jet Center & Hanger  
 April 27, 2009  
 Page 2 of 3

- All on-road hauling trucks should be 2003 or newer to reduce diesel PM and NOx emissions, not 1998 as referenced in the mitigation measure.
- The Diesel Emission Control Plan should be reviewed and approved by the APCD prior to the start of construction.
- The last bullet item in MM AQ-2 should be deleted. We no longer recommend the use of Caterpillar pre-chamber diesel engines.
- All onsite off-road construction equipment should be 2003 or newer or be retrofitted with diesel particulate filters (CDPF) or diesel oxidation catalysts. The reference made to 1998 or newer equipment should be removed from the mitigation measure.

*Page 3.3-14 Short Term Air Quality Impacts*

Short term air quality impacts as indicated on table 3.3-5 will exceed the District CEQA threshold for construction emissions. After all feasible emission reduction technologies as detailed in MMAQ -1a and MMAQ-2 have been implemented; if the thresholds are still exceeded then offsite mitigation will be required. The current off site mitigation rate is \$16,000 per multi-pollutants (ROG +NOx) over the APCD threshold (185 lb/day), evaluated over the length of the expected exceedence.

Operational Phase Emissions

*Page 3.3-21 Long Term Air Quality Impacts*

As shown on Table 3.3-7 and 3.3-8 even after mitigation is accounted for, the project as proposed will still exceed the CEQA 25/day threshold for ROG, NOx, and PM10. In addition, greenhouse gases generated from the project are estimated to be 34,867 lbs/day.

One potential mitigation measure could be to consider one of the mix use alternatives that were discussed in the EIR, thereby providing much needed workforce housing within the city. As with the other sensitive receptors (school and existing residents), housing should be located to minimize impacts from diesel delivery vehicles.

If the project moves forward as proposed without the inclusion of additional mitigation measures to bring this project's air quality impacts below the APCD's significance thresholds, then offsite mitigation will be required. The current off site mitigation rate is \$16,000 per multi-pollutants (ROG +NOx) over the APCD threshold (25 lb/day), evaluated over the length of the expected exceedence. The project proponent could implement the approved offsite mitigation on their own or forward funds to the APCD for implementation. Please note that if APCD implementation is necessary, additional administrative fees will be necessary.

The development is located directly adjacent to a school and sensitive receptor. Diesel emissions from delivery trucks will impact these receptors. The following measures should be incorporated into the EIR

1. The site should be designed such that all loading facilities associated with the stores are as far away from the school and residential development as possible.
2. All loading zone should have no idling signed posted to limit idling to no more than 3 minutes

APCD-3

Comment incorporated. The offsite mitigation rate required for short-term construction emissions was added to MM AQ-1a.

APCD-2,  
cont.

APCD-4

Comment noted; however, consideration of one of the mixed-use alternatives is not a mitigation measure and is left up to City decision makers. The offsite mitigation rate required for operational emissions was added as MM-AQ-3b.

APCD-5

APCD-3

Comment incorporated. The additional recommended mitigation measures regarding diesel particulate matter were added to MM AQ-2.

APCD-4

APCD-5

Project Referral for Airport - Private Jet Center & Hanger  
April 27, 2009  
Page 3 of 3

3. Conifer trees should be planted between the development and the school and residential development as a PM control measures.

APCD-5,  
cont.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-4667.

Sincerely,

Melissa Guise  
Air Quality Specialist

MAG/arr

cc: Karen Brooks, Enforcement Division, APCD  
Tim Fuhs, Enforcement Division, APCD  
Gary Willey, Engineering Division, APCD

Attachments:

1. Naturally Occurring Asbestos – Construction & Grading Project Exemption Request Form, Construction & Grading Project Form
2. Guidelines for the Development of a Construction Activity Management Plan

[http://airquality.ca.gov/project\\_review/3042-4/3042-5.doc](http://airquality.ca.gov/project_review/3042-4/3042-5.doc)

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET  
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May 21, 2009

SLO-101 PM 25.91

Phil Dunsmore  
Community Development Department  
City of San Luis Obispo  
919 Palm Street  
San Luis Obispo, CA. 93401

Dear Mr. Dunsmore:

RE: Perfumo Creek Commons (PCC) Draft Environmental Impact Report (DEIR) – Gap Property Annexation, General Plan Amendment/Re-Zone/Annexation/Conditional Use Permit (CUP) SCH # 2008021028

The California Department of Transportation (Caltrans) has reviewed the above referenced project information and as a result, the following comments were generated.

1. (Ref. Page 3.8-13 - Table 3.8-4, Existing P.M. peak hour Intersection LOS)  
A level of service (LOS) analysis was not performed for the U.S. 101/Madonna Road Interchange (I/C) in light of the fact that the trip generation table indicates distributes at least 10% of the proposed project traffic as coming from the direction on Madonna Road. The decision to define the scope of the analysis of the traffic study was established by the City Staff. Caltrans suggests that an LOS analysis of the U.S. 101/Madonna Road I/C be included in the traffic analysis in order to disclose any traffic impacts created by this proposed project. If significant traffic impacts at U.S. 101/Madonna Road I/C are identified in a possible traffic analysis revision, please include an appropriate traffic mitigation strategy for any project-specific and cumulative traffic impacts.
2. (Ref. Appendix E, Draft Traffic Impact Analysis, Page 35 – Year 2035 Cumulative Volumes: Year 2035 Cumulative Without project Volumes ) The construction of a full interchange at Prado Road is listed as being constructed by the 2035 date. Please note that the City of San Luis Obispo does not have a funding plan in place to pay for the support and construction costs of building the Prado Road Interchange.

**CALTRANS-1** Thank you for your comment. During the scoping process, Fehr & Peers initially evaluated operations at the Madonna Road/US 101 ramp intersections using March 2008 PM peak hour turning movement counts. This preliminary evaluation showed that these locations currently operate at LOS C, and that they would continue to operate at LOS C with the addition of fewer than 40 project trips. Therefore, these intersections were not included in the detailed Traffic Impact Analysis (TIA) report.

**CALTRANS-2** Thank you for your comment. Consistent with previous environmental documents in the area and the City of San Luis Obispo *General Plan Circulation Element*, the TIA cumulative conditions scenario includes reasonably foreseeable roadway improvements in both the Near Term (e.g., 2015) and 2035 Cumulative scenarios; the 2035 Scenario does include improvements at the US 101/Prado Road interchange. The *Circulation Element* includes modifications to the US 101/Prado Road interchange, which will be needed to support the increase in land use projected for the City over the next 25 plus years. It is important to note that the 2035 Scenario also includes land use development in the land surrounding the Prado Road Interchange to be commensurate with infrastructure needs.

CALTRANS-1

CALTRANS-2

It is unknown at this time when, or if development on the Dalidio Property will occur, or if annexation to the City will ultimately happen. The assumptions in scenarios of the EIR are based upon conservative forecasting that assumes worst-case traffic generated by substantial build out of City land use possibilities. The EIR's analysis forecasts a 2035 Scenario consistent with the City's General Plan, buildout as well as implementation of the corresponding Circulation Element infrastructure

Phil Dunsmore  
May 21, 2009  
Page 2

Nor does the San Luis Obispo Council of Governments (SLOCOG) have the Prado Road Interchange listed on its constrained lists of projects in its updated Regional Transportation Plan (RTP). There are also numerous design exceptions that would be needed and may not be forthcoming from Caltrans in order to build a full interchange at 101/Prado Road.

It is therefore a far-reaching assumption that the Prado Road I/C could be funded and built by the 2035 cumulative conditions scenario. With the Prado Road I/C being shown as constructed by 2035, the cumulative impact LOS analysis at both the U.S. 101/Madonna Rd. I/C and the 101/LOVR I/C would be skewed to show fewer impacts at both of those locations. Caltrans suggests studying the cumulative traffic impacts without the Prado Road I/C being constructed by 2035.

CALTRANS-2,  
cont.

If you have any questions regarding the foregoing, please contact me at 549-3683.

Sincerely:



James Kilmer  
District 5  
Development Review

cc: Ron DeCarli, Executive Director of SLOCOG,

and the County's Regional Transportation Plan (2005).

The US 101/Prado Road interchange is included on the constrained project list as project SLO0331-01 in the *Vision 2025: The 2005 Regional Transportation Plan for San Luis Obispo County* (April 2005) with no committed funding. The City does have a funding plan for the US 101/Prado Road interchange that consists of developer participation, Transportation Impact Fee (TIF) ordinance, and other sources. This funding plan relies heavily on developer contributions. The Prefumo Creek Commons project is participating with their payment of TIF fees and is also paying the LOVR interchange sub-area fee. Finally, the US 101/Prado Road interchange Project Study Report approved in 1996 identified design exceptions that will be used as a basis for beginning design plans.



# DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 16-01 • SACRAMENTO, CALIFORNIA 95814  
PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2556 • WEBSITE conservation.ca.gov

May 21, 2009

**VIA FACSIMILE (905) 781-7173**

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

Dear Mr. Dunsmore:

Subject: Prefumo Creek Commons Draft Environmental Impact Report  
(San Luis Obispo County) - SCH# 2008021028

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The Prefumo Creek Commons project proposes the development of a 16.7-acre shopping center. The project is located on the east side of Los Osos Valley Road, between the interchange with U.S. Highway 101 to the south and Madonna Road to the north. The project would also include the annexation of approximately 31 acres of agricultural land located at the edge of the City of San Luis Obispo (City) limits. There are no lands in the project site that are under Williamson Act contracts. However, the project would convert 19 acres of Prime Farmland to non-agricultural uses. With mitigation, this impact has been classified as less than significant.

Mitigation Measures

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. Under the framework of the City's General Plan, the project would propose a dedication of approximately 12 acres of agricultural land east of Prefumo Creek to reduce impacts resulting from the conversion of the 19 acres of Prime Farmland to non-agricultural uses. However, the Department recommends the use of permanent agricultural conservation easements on land of *at least equal quality and size* as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project

CONSERVE-1

**CONSERVE-1** Thank you for your comments on the Draft EIR. In regards to your comments on the consistency of the proposed project with the City's General Plan, the Draft EIR acknowledges Policy 8.6.3, which specifies required mitigation to address the loss of prime agricultural land. Specifically, Subpart C requires that the loss of farmland shall be mitigated by the permanent protection of an equal area of equal quality within the San Luis Obispo Planning Area. However, as stated in the Draft EIR on page 3.2-10, the 1994 citywide Land Use Element Update Program EIR found that the Los Osos Valley Gap property would be "part of approximately 700 acres of prime soils which would be converted to urban uses." Further, the proposed project is included within a 180-acre "Optional Use and Special Design Area" identified in the City's General Plan Policy 8.8. As noted on page 3.6-3 of the Draft EIR and displayed in Figure 3.2-1, the 11.9-acres of the project site located east of the Prefumo Creek corridor is identified as part of the 180-acre "Dalidio-Madonna-McBride Area" and would become part of an approximately 90-acre agricultural preserve if and when this area is developed, as outlined under *Land Use Element* Policy 8.8. This policy states that at least one-half of the planning area should be dedicated as Open Space. The City has deemed the proposed dedication of 11.9 acres for proposed rezone to Conservation/Open Space (C/OS), and associated proposed potential future uses (i.e., Froom Ranch Road and Bob Jones Bikeway) as sufficient for achieving the directives of Policy 8.8. In addition, under Policy 8.7, future development is permitted in this area if the portion of the project site located east of Prefumo Creek is permanently preserved as open space. Therefore, the proposed project is consistent with the General Plan.

Mr. Phil Dunsmore  
May 21, 2009  
Page 2 of 2

impacts in accordance with California Environmental Quality Act (CEQA) Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

CONSERVE-1,  
cont.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence the search for replacement lands should be conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project. One mitigation option would be to direct a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region. This would be accomplished through the use of a mitigation bank that would invest in agricultural infrastructure, water supplies, marketing, etc.

CONSERVE-2

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below. General information about agricultural conservation easements, the Williamson Act, and provisions noted above is available on the Department's website:

<http://www.conservation.ca.gov/dlrp/index.htm>

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Thank you for giving us the opportunity to comment on this DEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Elliott Lum, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0869.

Sincerely,



Dan Otis  
Williamson Act Program Manager

cc: State Clearinghouse

**CONSERVE-2** With regard to CEQA requirements, impacts associated with conversion of agricultural land have been addressed and are considered less than significant; no mitigation measures would be required (see discussion under Impact AG-1). However, since the project involves a General Plan amendment and rezone, the City retains substantial discretion on how best to address this issue.



COUNTY OF SAN LUIS OBISPO  
**Department of Agriculture/Weights and Measures**  
2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556  
ROBERT F. LILLEY (805) 781-5910  
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035  
www.slocounty.ca.gov/agcomm AgCommSLO@co.slo.ca.us

**DATE:** April 28, 2009  
**TO:** Phil Dunsmore, City of San Luis Obispo Community Development Dept.  
**FROM:** Michael Isensee, County Agriculture Department *MI*  
**SUBJECT:** Prefumo Creek Commons DEIR City of SLO File 7-07 (AG#1331)

Thank you for the opportunity to comment on the proposed Prefumo Creek Commons Draft Environmental Impact Report (DEIR). The following comments and recommendations are based on current department policy to conserve agriculture resources and to provide for public health, safety and welfare while mitigating the negative impacts to agriculture from development.

The project as proposed has the potential to impact agricultural resources and operations in several ways. The DEIR accurately identifies the direct conversion of productive farmland (AG Impact 1), the fragmentation of agricultural land resulting in areas too small or without adequate resources such as irrigation infrastructure to effectively be utilized for production agriculture (Ag Impact 2) and increased incompatibilities with the proposed commercial use and/or with increased public use of the site (Ag Impact 3). However, the DEIR does not discuss specific feasible measures that could mitigate agriculture impacts. Specifically, the DEIR does not:

- require an equivalent area and quality of agricultural land as mitigation for the proposed 19+ acres of productive farmland conversion;
- address how the small remaining agricultural area will remain a productive agricultural site;
- include specific mitigation for addressing incompatibilities between agricultural uses and increased public access, postponing measurable mitigation measures;

The DEIR also does not discuss the potential impacts of increased stormwater runoff onto adjoining or downstream agricultural lands. Please see the enclosed comments for details.

If you have any questions, I can be reached at 781-5753.

**DAWM-1** Thank you for your comment. Please refer to response to comment Conserve-1 which addresses farmland conversion and agricultural productivity. Please refer to response to comment DAWM-11 below which addresses mitigation for potential incompatible uses.

DAWM-1

**PROJECT DESCRIPTION**

The project is a 31 acre parcel (APN 067-242-001) located at 11980 Los Osos Valley Road. The site is bisected by Prefumo Creek and has a history of intensive agricultural production. The proposed project would annex the site to the City of San Luis Obispo (City), subdivide a 19 acre portion with a 2.3 acre road right of way and 16.7 acre commercial retail space, retaining most of the remainder as open space. Future extension of the road right of way, development of a bridge, and placement of a public trail east of Prefumo Creek are anticipated results of the project.

**DRAFT EIR COMMENTS**

Project Description

The document accurately notes that the site is currently within the County’s jurisdiction and is currently designated Agriculture (Section 2.2). The project description, specifically section 2.3.1, could be strengthened by detailing some of the history of the area and how this history relates to the project site. This additional information could note:

- The property is one of three parcels which until 2005 comprised a 185-acre area under the jurisdiction of the County and is designated Agriculture;
- The County’s San Luis Obispo Planning Area document discusses this area, stating it produces “some of the highest quality production of ‘salad bowl’ vegetables in the county and larger region” (County of San Luis Obispo, San Luis Obispo Planning Area, p. 4-35);
- The smallest parcel (25 acres) was annexed by the City in 2005. A 12 acre portion was designated for commercial car sales, subdivided, and the right of way was extended to serve the resulting parcels. Over half (12.97 acres) was retained in City ownership as open space and project mitigation. Within the open space area, approximately 10 acres remain available for agricultural production, while about 3 acres consist of riparian setbacks and stormwater/runoff modifications to mitigate for stormwater generation.

Figure 2-2.2 and other figures throughout the DEIR (such as Figures 3.1-1, 3.2-1, 3.2-2, 3.4-2, 3.6-1), do not appear to accurately portray the area immediately beyond the property boundaries. Specifically, the figures in the DEIR do not accurately reflect the boundaries of the city-owned open space parcel. This parcel includes a narrow arm of City-owned open space which separates the project site from the Dalidio property.

Project Overview

The overview (Section 2.4) specifies that the project includes the “dedication of 11.9 acres of public open space to be preserved as agricultural land.” The figure (2.2-2) on the following page accurately shows that a substantial portion of the 11.9 acre open space cannot function as agricultural land, as it consists of land located to the west side of Prefumo Creek, Prefumo Creek and its associated riparian zone, and city-required creek setbacks. The 11.9 acre open space should be accurately described and the EIR should specify the actual future uses and their aerial extent within the open space area. Based upon statement in the DEIR and City policy documents, these uses appear to be:

1. Prefumo Creek and associated riparian area (specified as 2 acres of mature Central Coast Arroyo Willow Riparian Forest on page 3.4-4);

**DAWM-2** Please note the additions to text on page 3.2-2 to include additional historical details of the project area.

**DAWM-3** Figure 2.2-1 and other figures throughout the EIR have been revised to accurately portray the property boundaries. City-owned property is not specifically identified if property ownership was not relevant to the function of the figures. The labeling of the Dalidio and Gearheart properties are intended for general reference.

**DAWM-4** Sections 2.4 and 2.4.4.1 have been revised to clarify that the dedication of 11.9 acres is for open space, including the entire Prefumo Creek riparian corridor, creek setbacks, a bikeway, a bridge crossing and road right-of-way, and agricultural preserve.

DAWM-2

DAWM-3

DAWM-4

2. a minimum 50 foot landscape buffer strip including 35-foot riparian setbacks and a 15 foot filter strip including 5 foot wide footpath west of the riparian area (DEIR 2.4.2.1);
3. a minimum 20 foot setback east of the riparian area with a Class I Bikeway located outside the riparian setback (San Luis Obispo Bicycle Transportation Plan, 2007);
4. a bridge crossing and road right of way (DEIR p Figure 2.2-2);
5. the remainder, which appears to be less than 9 acres, is to be protected for agricultural use.

Items three and four appear to be reasonably foreseeable consequences of on the initial project and the anticipated consequences of these future actions should be discussed in more detail.

### 3.2 AGRICULTURAL RESOURCES

The DEIR's Agricultural Resources section accurately reflects the agricultural resources on the 31 acre property. The property includes less than 29 acres of area available for cultivation, including approximately 19 acres to the west of Prefumo Creek (DEIR 3.2.1.3).

#### 3.2.1.3 Project Site

The characteristics of the soils are generally accurate. However, some information should be clarified in this section (pg 3.2-5).

The DEIR references the California Department of Conservation Important Farmlands Mapping Program. The official name of the Department and its program is the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program (FMMP). The DEIR states that this program considers the soils prime. While this is true, the FMMP utilizes U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS) definition of prime farmland and other important farmland as found in Code of Federal Regulations ([http://www.access.gpo.gov/nara/cfr/waisidx\\_00/7cfr657\\_00.html](http://www.access.gpo.gov/nara/cfr/waisidx_00/7cfr657_00.html)). This definition is based upon specific physical and chemical criteria. For the FMMP to label land as prime farmland, it not only must meet the federally determined physical and chemical criteria, it must also have been utilized for the production of irrigated crops at some point during the previous four years prior to the mapping date. Thus, the FMMP utilizes a base map consisting of NRCS mapped soils, overlays recent land use, and develops maps which enable the public to see changes in use over time. Updated NRCS soils information and maps are available at <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

The statement that the *Salinas* soil type is prime farmland even when non-irrigated appears to be based upon the FMMP. The FMMP only identifies soils as prime when they are or have recently been irrigated and planted with crops. Identifying non-irrigated land as prime can occur when using the definition of prime agricultural land from either the Land Conservation Act (Williamson Act, Gov't Code Section 51201.c) or the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov't Section 56064). Each of these programs uses a definition of prime farmland that is different than the NRCS or FMMP definitions. These government code sections specify that a soil can be considered prime even when non-irrigated due to a high Storie index (*Excellent*, or between 80 and 100) or based upon the value of crops produced from the soil.

DAWM-4,  
cont.

DAWM-5

**DAWM-5** Comment noted. Text has been revised to indicate the official name of the FMMP. The NRCS is considered the authoritative source for soil determination. As such no amendments to text on this issue have been made however this information on other soil ranking systems is included in the final EIR via this comment letter.

3.2.2 Regulatory Setting

The regulatory setting section does not include any information about the Local Area Formation Control (LAFCO) Agricultural Policies related to the annexation of prime agricultural land. Policy 12 requires mitigation at a minimum of a one to one ratio for the conversion of prime agricultural land. Guidelines associated with the policy discuss the environmental information required by LAFCO.

DAWM-6

**DAWM-6** LAFCO Policy 12 has been added as Section 3.2.2.5. However, please refer to response to comment LAFCO-1.

3.2.2.1 Regulatory Setting: State Policies

Two statements in this section should be clarified.

The Land Conservation Act (Williamson Act) requires a minimum 10-year agreement (page 3.2-6). Longer terms are allowed, and under the Farmland Security Zone provisions of state code (Gov't Code Section 51296 *et seq.*) contract terms are a minimum of 20 years.

**DAWM-7** Please note revisions to page 3.2-7 to address comments regarding clarifications to the Williamson Act and pesticide regulation.

The California Department of Pesticide Regulation, not the California Department of Food and Agriculture, regulates pesticide use (page 3.2-6). Pesticide use is regulated in both agricultural and non-agricultural settings, including in structural situation, landscaping, parks and open space. The paragraph about pesticide use regulation should be reworded. The County Agriculture Department would recommend the following:

DAWM-7

**DAWM-8** Comment noted.

“The use of pesticides is governed by state laws and regulations. The California Department of Pesticide Regulation (DPR) is the state agency with regulatory authority over the use of pesticides, while the San Luis Obispo County Department of Agriculture acts as the local enforcement authority. Pesticide laws and regulations apply to the project site and govern the use of pesticides in both the agricultural and non-agricultural portions of the project site and adjacent sites.”

**DAWM-9** Please refer to response to comments Conserve-1.

3.2.2.2 Regulatory Setting: City Policies

It appears that City policies regarding productive agricultural lands within the city direct applicants to provide compensatory mitigation for the conversion of such lands to the maximum extent feasible, which has been determined to be the protection of an equal quantity of farmland of equal [or presumably better] quality (Land Use Policies 1.12.5.E and 8.8; Conservation and Open Space Policy 8.6.3). The City recognizes that this reduces, but does not eliminate, the significant adverse impacts associated with converting productive land to non-agricultural uses. The County Agriculture Department supports mitigation to the maximum extent feasible to reduce the significant impacts related to the permanent conversion of highly productive farmland and concurs that this does not eliminate the significant impact associated with the conversion of productive farmland to non-agricultural use.

DAWM-8

3.2.4 Project Impacts and Mitigation

**Agriculture Impact 1** states that 12 acres of agricultural land will be protected while at least 19 acres of prime farmland will be converted. The DEIR conclusion is that this significant impact is therefore adequately mitigated, even though it falls short of meeting the city-required ratio by nearly 37 percent (7+ acres). Based upon the Department's review of the project and foreseeable future actions on the project site, it appears that there may be less than 8 acres of agricultural

DAWM-9

land protected on the project site. This is due to the previously noted fact that multiple acres of open space will be devoted to the protection of riparian habitat and other areas are being protected as riparian setbacks, and public right of way (bridge, road, and trail). These areas will not be available for agricultural use and do not serve a mitigation function for the conversion of 19 acres of productive agricultural land. Whether 8 or 12 acres remains, the proposed mitigation does not appear to meet the City's requirement to protect, at a minimum, an amount of farmland equal to the amount being converted to non-agricultural use. The Department would recommend that the project protect a minimum of 19 acres of prime farmland to be made available as part of the "working agricultural landscape" discussed in Land Use Policy 8.8. The Department would also consider the conversion of 19 acres of the project site to be a significant impact to agricultural resources even with the mitigation.

The Agriculture Department agrees with the analysis of **Agriculture Impact 2**. However, it may be appropriate to ensure that an irrigation supply is developed which is adequate to irrigate the protected farmland on the project site and on the adjoining protected farmland (open space parcel). It has been the Department's experience that mitigation requiring on-site agricultural water development is most appropriate and protective of a site's sustainable agricultural use.

In order to address the fragmentation of agricultural land, the creation of this 8 acre remnant could be discussed in context of the adjoining 10 acres of city-owned open space and the anticipated eventual additional of 72 acres of protected farmland on the Dalidio property to become the 90+ acre "working agricultural landscape" described in the City's general plan. When considered collectively and within this policy framework, the fragmentation issue may be considered minimized to the extent feasible.

**Agriculture Impact 3** relates to incompatibilities that can be created when introducing new non-agricultural development into agricultural areas. In order to avoid conflicts with neighbors, farmers may find it necessary to change farming practices or cropping patterns. Farmers also face increased trespass, litter, theft, and, ultimately, liability. Additionally, increased run-off and flooding associated with impervious surfaces can impact both neighboring and downstream farm operations. As noted, Prefumo Creek and its existing and proposed riparian vegetation provide a substantial buffer from the eastern portion of the site proposed for future agricultural uses. It is reasonable to expect that incompatibilities associated with the commercial project itself are largely mitigated by retaining and enhancing this riparian area.

However, a foreseeable result of approving the proposed project will be the extension of a public right of way into the eastern area of the site. A public trail is also a likely foreseeable result of this project as noted in DEIR Sections 2.4.4.2 and 4.4.7. While the development of a trail in this area may have positive recreation or transportation outcomes, it also has the potential for impacts to agriculture unless adequately mitigated. These impacts include:

- the conversion of additional prime farmland;
- the potential to divide the site's remaining farmland;
- an increase in the potential for conflicts between agricultural and non-agricultural uses.

Ideally, a public trail would be located across the creek from production agricultural operations to mitigate for the incompatibilities between the two uses. If this has been determined to be infeasible, specific measures to limit additional conversion and increase compatibility should be

DAWM-9.  
cont.

DAWM-10

DAWM-10 Comments noted. The EIR is consistent with these comments.

included. Some such measures currently exist as policies in the City's Bicycle Transportation Plan. The EIR should include specific mitigation measures such as:

- Detailing the location of a future trail at the edge of the creek setback into order to avoid unnecessarily fragmenting agricultural fields;
- Specifying the type of fencing that will effectively prevent vandalism, theft, or trespass, including pet trespass into the agricultural production area;
- Specifying the signage types to be utilized, including trail information signs, interpretive signs, and "do's and don'ts";
- Deferring creation of the trail east of the creek until it connects with destinations in order to ensure the trail receives frequent use could limit the potential for theft and vandalism;
- Ongoing trail maintenance including trash removal, noxious weed control, and patrols.
- Maintaining the ability to temporarily close the trail during times of intense farm use or sensitive farm operations that might pose a safety concern to trail users.

#### Stormwater Impacts

There is no mention of potential impacts to agricultural resources or operations in relation to changes in the Prefumo Creek watershed drainage patterns that will result from the proposed project. Increased stormwater can potentially damage agricultural infrastructure, erode productive soils, limit the types of crops that can be grown due to food safety or other marketplace concerns, or reduce the season during which the land can be in productive agricultural use due to increased problems with drainage. The DEIR (Section 3.5 Hydrology) notes that the project will significantly increase stormwater flows. No mitigation is proposed to reduce these flows due to sensitivity regarding the timing of peak flows in the watershed. The DEIR identifies a threshold of significance to "be no significant net decrease in floodplain storage volume" which "can be achieved by a zero-net fill grading plan" (page 3.5-17). The grading plan identifies the import of 75,000 yards of material (page 3.5-20) but does not identify any mitigation to create a zero-net fill grading plan.

The DEIR identifies the excavation of agricultural soils east of the creek or the creation of detention basins as potential mitigation for the effects of this fill. Excavating the farm fields would increase impacts to agricultural resources, and was identified as infeasible. No other mitigation measures are discussed. Some potential measures are listed in City Conservation and Open Space policy 10.2.2, including the incorporation of runoff retention (which could reduce rather than delay peak flows), the use of permeable surfaces, and the minimization of parking.

Similarly, there does not appear to be an evaluation of parking reductions to increase pervious surfaces on the western portion of the project site. Reductions appear feasible. For instance, the DEIR (page 2-6) states that the proposed project includes 1 parking space per 228 square feet of commercial space for a total of 838 parking spaces. Could the project meet City parking standards with as few 629 parking spaces, or one space per 300 square feet of general retail space? Additionally, implementation of proposed traffic mitigation measure TT-1a (page 3.8-29), could result in a reduced project size, which would allow for further parking reductions. Reduced parking increases pervious surfaces, provide space for on-site retention basins, and reduces overall stormwater flows. Reduced stormwater flows would reduce the potential adverse impacts to adjoining protected agricultural lands.

DAWM-11

**DAWM-11** Comments are respectfully noted; however, improvements for the onsite segment of the Bob Jones bikeway is not part of the proposed project. Although the bike path is included within the City's existing bicycle master plan and the easement is dedicated to the City, it will be at the City's discretion how, when, and if the bike path will be built. The City has standard procedures for bike paths constructed near agricultural land to address concerns noted in your comment. However, given the uncertainty of this project, analysis at this time would be speculative. Therefore, no further mitigation is required.

DAWM-12

**DAWM-12** Thank you for your comments. Please refer to response to comments RWQCB-3 and RWQCB-4 to address concerns.



IN REPLY REFER TO:  
2009-FA-0081

United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



May 22, 2009

Phil Dunsmore, Associate Planner  
City of San Luis Obispo  
Community Development Department  
919 Palm Street  
San Luis Obispo, California 93401-3218

Subject: Comments on the Draft Environmental Impact Report for the Proposed Prefumo Creek Commons Project (APN 067-242-001), San Luis Obispo, San Luis Obispo County, California

Dear Mr. Dunsmore,

We are responding to your request, received in our office on April 2, 2009, for comments on the draft environmental impact report (DEIR) for the subject project. Under the preferred alternative, the proposed project includes the annexation of 31 acres of prime agricultural land to the City of San Luis Obispo, construction of a 188, 658 square foot shopping center, creation of 838 parking spots, enhancement of the banks of Prefumo Creek, and dedication of almost 12 acres of open space, including the portion of Prefumo Creek that runs through the subject parcel. The proposed project site is located on the outskirts of the City of San Luis Obispo, on the northeastern side of Los Osos Valley Road between Madonna Road to the north and Highway 101 to the south. The proposed development, under the preferred alternative, would result in the clearing and grubbing of 19 acres on the west bank of the project site, and the importation of approximately 75,000 cubic yards of soil to raise this area by approximately 3 feet in elevation. The terrain in the project area is generally flat and sparsely vegetated, except the portion of the parcel that adjoins Prefumo Creek. Most of the surrounding areas have been developed, except the properties to the east and southeast. The majority of the project area was historically planted with vegetable crops and now consists of ruderal vegetation, while the portion alongside the creek consists of willows (*Salix* spp.) and a mixture of other native riparian vegetation.

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly

FWS-1

Thank you for your comment. Potential for impacts to the Chorro Creek bog thistle (*Cirsium fontinale* var. *obispoensis*) are noted in Section 3.4.1.2. This section acknowledges the identification of this species 0.5-mile to the southwest of the project site in an area of wetland and marsh vegetation. However as discussed in the DEIR, the habitat requirements of the Chorro Creek bog thistle render its potential for occurrence on the site as extremely unlikely. Due to the site's history of agricultural development, continuous plowing and cultivation and associated drainage improvements, the project site is generally unsuitable for this species. The species' dependence on seeps and serpentine soils would restrict even a low potential for occurrence to areas bordering Prefumo Creek and the drainage facilities along the site's southern and eastern borders which support limited wetlands and ACOE other waters. No individuals were identified during the wetland assessment conducted by the Morro Group, Inc., nor during AMEC site visits. No individuals are recorded in existing data bases (e.g. CNDDDB). Further, these perimeter drainages would be largely protected and restored under the proposed project and supervised by the City's Natural Resources Manager as noted on page 3.4-26.

FWS-2

Please note additions to text in Section 3.4 regarding the southwestern willow flycatcher (*Epidonax traillii extimus*). As discussed in the text, the project site is at the edge of this species' historic territory and there are no breeding records for this species in San Luis Obispo County. Additionally, as noted in FWS-1, riparian habitat used by this species would remain undeveloped and restored under the proposed project. Please also note response to comment FWS-9 for potential impacts to nesting species.

Phil Dunsmore

2

disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through the Service in two ways: through interagency consultation for projects with Federal involvement pursuant to section 7, or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

The proposed project DEIR includes an analysis of ten different alternatives including the improved site design alternative (preferred alternative), auto sales development, residential development, agriculture or conservation/open space, vertical mixed-use development, horizontal mixed-use inconsistent Airport Land Use Plan (ALUP) density development, other comparable sites alternative (Froom Ranch East and Dalidio property), and a no project alternative. The auto-sales development, residential development, and agriculture or conservation/open space alternatives were discarded as they were not seen to be the best use of the subject property. The mixed use alternatives are similar to the preferred alternative in scope, although both of these alternatives include a mix of both residential and commercial development within the project area.

We are concerned about the potential adverse impacts of the proposed project on the federally endangered Chorro Creek bog thistle (*Cirsium fontinale* var. *obispoensis*), southwestern willow flycatcher (*Empidonax traillii extimus*), longhorn fairy shrimp (*Branchinecta longientenna*) and least Bell's vireo (*Vireo bellii pusillus*), and the federally threatened California red-legged frog (*Rana aurora draytonii*) and vernal pool fairy shrimp (*Branchinecta lynchi*). The DEIR indicates that the sources of information used in developing the biological resources section included a search of rare, sensitive, threatened, and endangered species in the California Natural Diversity Database in 2003; review of the California Native Plant Society's database in 2001; literature review, information from EIRs for other projects in the vicinity, a wetland assessment conducted by the Morro Group, Inc., and site visits conducted by AMEC's consultants in 2008. We do not have access to the reports from the site visits conducted by AMEC's staff. Some of the information in the DEIR concerning the status of these species is out-of-date. Therefore we recommend that information concerning the status of federally listed species in the vicinity of the proposed project be updated before the final EIR is published.

The California red-legged frog is known to occur at the nearby Laguna Lake and in the upper reaches of Prefumo Creek, as well as downstream in San Luis Obispo Creek. There is suitable California red-legged frog habitat on-site within the subject project area and it is reasonable to expect that individual California red-legged frogs make overland excursions between the drainages in this region. Under such circumstances, it is likely that California red-legged frogs disperse through the project area when they move overland between aquatic habitats.

The Project proponents have proposed several mitigation measures (listed as MM BIO 1 through 4 of the DEIR under BIO 3.4) to reduce potential impacts to the riparian area from construction

FSW-1  
FSW-2  
FSW-3  
FSW-4

FSW-5

FWS-3

Please note additions to text in Section 3.4 regarding the longhorn fairy shrimp (*Branchinecta longientenna*) and the vernal pool fairy shrimp (*Branchinecta lynchi*), including the addition of *MM BIO-1f*. However, these species are extremely unlikely to occur onsite due to a lack of suitable habitat. Water features onsite that do not pond, were designed to drain agricultural run-off from the property and are highly disturbed. The 19 acres of the site west of the creek has been historically subject to intense cultivation and is still regularly disked for weed and fire control. The 11 acres east of the creek is under active cultivation for hay crops. Further, in 2004-2005 the City conducted protocol level surveys as part of the Calle Joaquin road realignment project 0.5 miles southeast of the proposed project site in an area of more suitable habitat (i.e. ponding water). These species were not located. Because of the lack of suitable habitat on the project site and the absence of these species in nearby suitable habitat, no impacts are anticipated to occur to vernal pool upon branchiopod species. However, the City's Natural Resource Manager would be happy to tour the project site with USFWS staff to confirm this determination.

FWS-4

Please note the inclusion of least Bell's vireo to Table 3.4.2. Although suitable habitat exists, impacts to this species were deemed unlikely as the species is not known to occur in San Luis Obispo County according to USFWS data.

FWS-5

Please note the addition of Appendix I to include the AMEC field notes from 2008 site visits.

and operation of the proposed project. In addition to the proposed measures covered in the DEIR, we recommend implementation of the following measures to reduce potential impacts to California red-legged frogs and other listed species that occur within the riparian area of the subject project site

- 1) All Project activities should be monitored by a qualified biologist for the duration of the Project. The biological monitor should conduct a biological resources education program for workers prior to the initiation of any clearing or construction activities. The educational program should include a description of the California red-legged frog, its habitat, what constitutes take, penalties for take, and the guidelines that will be followed by all construction personnel to avoid take of the species during construction activities. The construction crew foreman should be responsible for ensuring that crew members comply with the guidelines and that all new personnel receive the training before partaking in construction activities. The work area boundaries and other off-limit areas will be identified by the onsite biologist. Any vegetation clearing activities will be monitored by the onsite biologist.
- 2) Forty-eight hours prior to initiation of construction activities and equipment access, a qualified biologist should conduct surveys for California red-legged frog at the proposed Project site in accordance with the Service's revised survey guidelines (Service 2005. If any life stage of the California red-legged frog is found during these surveys, the Service should be contacted immediately and all construction activities that could result in take will be postponed until the frog(s) leave the Project site on their own reconnaissance or further appropriate avoidance actions, which could allow the Project to continue, are implemented.
- 3) Before work activities begin each day, the onsite biological monitor should inspect the Project site, including under parked equipment, for California red-legged frogs. If a California red-legged frog is found onsite during the daily inspections or during construction activities, all Project activities that could result in take should cease until the Service is consulted and appropriate actions to avoid take are developed and implemented onsite.
- 4) Concrete truck and tool washout should occur in a designated location such that no runoff will reach the creek.
- 5) The limits of the Project work area within 100 feet of the creek should be marked with high visibility orange fencing to ensure minimization of habitat disturbance within the creek.
- 6) If the use of creek pumps is anticipated, intakes should be completely screened with wire mesh (0.2 inch or smaller) to prevent California red-legged frogs from entering the pump system.

FSW-6

FSW-7

FSW-6,  
cont.

**FWS-6**

Section 3.4 has been revised to include additional text and mitigation measures for the California red-legged frog. This species has been identified historically both upstream and downstream from the project site; however records in the California Natural Diversity Database indicate that sightings of red legged frogs have not occurred recently, with most sightings taking place in the mid-1990s. The upstream location is in Prefumo Canyon (precise location and date not noted) (City of San Luis Obispo 2003a) and the downstream location is one mile to the southeast and occurred in 1995 (CDFG 2008). Both locations are separated from the site by substantial urban development, including modified portions of the Prefumo Creek's channel. Although potentially suitable habitat exists for this species on the project site within the channel of Prefumo Creek, the presence of California red-legged frogs is considered unlikely due to the distance from other known historic populations and the factors described above. Further, as described in FWS-3 above, the upland portions of the site are subject to regular discing and cultivation. Finally, only one individual has been recorded within City limits in the previous five years (Neil Havlik, personnel communication; May 2009). However, additional mitigation measures, including a pre-construction survey for this species along with associated protection and monitoring measures have been included to address any potential impacts (please see revised text on page 3.4-27).

**FWS-7**

A setback of 100 feet from Prefumo Creek is infeasible because project grading and development will occur within 50 feet of the top of the creekbank. However the project maintains a minimum of setback of 50 and this border shall be fenced with the recommended high visibility orange fencing as incorporated in MM BIO-1c.

- 7) All work associated with proposed Project activities within the riparian area should occur in the dry season (May 1 to October 1).

FSW-8

FWS-8

MM BIO-2d has been incorporated to reflect comment.

The DEIR mentions that wetlands were found in the project area during surveys in 2008. The absence of seasonal pools or ponds that are typically characterized as vernal pools may preclude breeding habitat for the California tiger salamander (*Ambystoma californiense*), but it does not rule out the presence of vernal pool branchiopod species including the longhorn fairy shrimp and vernal pool fairy shrimp. Typical habitat for vernal pool fairy shrimp includes small swales or earthen slumps with a grassy or muddy bottom in unplowed grassland where water will persist for 6 to 7 weeks in the winter or as few as 3 weeks in the spring (Eriksen and Belk 1999). Because vernal pool fairy shrimp are known to persist in habitat that is not generally considered characteristic of vernal pools (e.g., the presence of concentric vegetation rings) and because some seasonal wetland areas were noted in 2005, we recommend that protocol-level surveys should be conducted for vernal pool branchiopod species in all suitable habitats in accordance with our current guidelines. We recommend avoidance of vernal pools/seasonal wetlands and surrounding uplands as the best way to minimize project effects on these habitats and any constituent listed species. Additionally, we recommend that the project proponents work with us to ensure the proposed project minimizes impacts to vernal pool fairy shrimp (and other listed branchiopod species) to the maximum extent feasible and to identify suitable conservation strategies for those impacts determined to be unavoidable.

FSW-3,  
cont.

FWS-9

MM BIO-2e has been incorporated to reflect comment.

We are also concerned about the project's potential impacts to migratory birds. The Service has conservation responsibilities and management authority for migratory birds under the Migratory Bird Treaty Act of 1918, as amended (MBTA) (16 U.S.C. 703 et. seq.). Any land clearing or other surface disturbance associated with proposed actions should be timed to avoid potential destruction of bird nests or young of birds that breed in the area, as such destruction may be in violation of the MBTA. Under the MBTA, nests with eggs or young of migratory birds may not be damaged, nor may migratory birds be killed. If this seasonal restriction is not possible, we recommend that a qualified biologist survey the area for nests or evidence of nesting (e.g., mated pairs, territorial defense, carrying of nesting material, transporting food) prior to the commencement of land clearing activities. If nests or other evidence of nesting are observed, a protective buffer should be delineated and the entire area should be avoided to prevent destruction or disturbance to nests until they are no longer active.

FSW-9

Based on our review of the proposed project and its associated supplemental information, we are unable to determine the extent of impacts of the proposed project on the California red-legged frog and other federally listed species that may occur in the project vicinity. To make a determination on the potential impacts of the proposed project on federally listed species, we would require the following information:

1. Specific information regarding the timeframe for implementing the proposed project.

Phil Dunsmore

2. Detailed information regarding surveys conducted for California red-legged frogs in the project area. Biological surveys were conducted in the project area in 2008 by AMEC consultants but were not included in the DEIR.
3. Detailed information (e.g., results from focused surveys) regarding the presence/absence of the following federally listed species that are either known to occur in the vicinity or have the potential to occur within the project area: the Chorro Creek bog thistle, least Bell's vireo, southwestern willow flycatcher, longhorn fairy shrimp; and vernal pool fairy shrimp. The DEIR does not indicate whether biological reconnaissance surveys were performed for all of these species.

FSW-10

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Game's Natural Diversity Data Base. You can contact the California Department of Fish and Game at (916) 324-3812 for information on other sensitive species that may occur in this area.

This letter does not reflect a comprehensive review of the DEIR document on our part; however, we are concerned that the subject project, as proposed, could result in take of the California red-legged frog and potentially other listed species. Therefore, we recommend that you address these potential effects in the final EIR. Please note that despite the incorporation of any mitigation measures developed pursuant to the California Environmental Quality Act, any take of listed species that could result from the proposed project would require exemption pursuant to section 7 or authorization pursuant to section 10 of the Act.

We appreciate the opportunity to provide comments on the proposed project. If you have any questions regarding these comments, please contact Heather Abbey of my staff at (805) 644-1766, extension 290.

Sincerely,

/s/ Steve Kirkland

Steve Kirkland  
Senior Biologist

cc:  
Matt McGoogan, National Marine Fisheries Service  
Natasha Lohmus, California Department of Fish and Game

**FWS-10**

In the preparation of the Biological Resources section for the DEIR, AMEC searched rare, sensitive threatened and endangered species as follows:

- California Natural Diversity Database (2003);
- California Native Plant Society's database (2001);
- Relevant literature and information from EIRs in the projected vicinity;
- A 2005 wetland assessment conducted by the Morro Group, Inc.;
- Information obtained during reconnaissance level field surveys by senior and junior level AMEC biologists, with a focus on special status species. Notes from these surveys have been included as requested under Appendix I. No special status species were identified.

REFERENCES

Eriksen, C. and D. Belk. 1999. Fairy shrimps of California's pools, puddles, and playas. Mad River Press, Eureka, California.

U.S. Fish and Wildlife Service. 2005. Revised guidance on site and assessments and field surveys for the California red-legged frog. Sacramento, California.



San Luis Obispo - Local Agency Formation Commission **LAFCO-1**  
SLO LAFCO - Serving the Area of San Luis Obispo County

May 18, 2009

Mr. Phil Dunsmore, Associate Planner  
Community Development Department  
City of San Luis Obispo  
990 Palm Street  
San Luis Obispo, CA 93401-3249

**Subject: Draft Environmental Impact Report - Prefumo Creek Commons Project**

Dear Mr. Dunsmore:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Prefumo Creek Commons Project. Please consider the following comments:

1. As a Responsible Agency, LAFCO intends to use this EIR to consider annexing the property after the City has approved the project and certified the EIR. The EIR contains information for LAFCO to consider when evaluating the annexation application for the area.
2. **Section 3.2 Agricultural Resources.** This section summarizes the regulatory setting with regard to Agricultural Resources. LAFCO has adopted policies and guidelines regarding agricultural resources which are attached for your consideration. Of particular note is the requirement (Policy 12) to offset the loss of prime agricultural land at a ratio of 1:1.

**Policy 12.** *The Commission shall approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land annexed is agreed to by the applicant (proponent), and the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:*

- a. *Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands with similar characteristics within the County Planning Area.*

LAFCO-1

Thank you for your comment. As explained in response to comment Conserve-1, the proposed project is included within a 180-acre "Optional Use and Special Design Area" of which at least one-half should be dedicated as Open Space when the area is developed (General Plan *Land Use Element* Policy 8.8). Therefore, the City has deemed the proposed dedication of 11.9 acres for proposed rezone to Conservation/Open Space (C/OS), and associated proposed potential future uses (i.e., Froom Ranch Road and Bob Jones Bikeway) as sufficient for achieving the directives of Policy 8.8 and is therefore consistent with the General Plan. With regard to CEQA requirements, impacts associated with conversion of agricultural land have been addressed and are considered less than significant; no mitigation measures would be required (see discussion under Impact AG-1). However, since the project involves a General Plan amendment and rezone, the City retains substantial discretion on how best to address this issue

- b. *Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 12a.*
- c. *Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.*

The project proposes to set aside approximately 12 acres of prime agricultural land with about 19 acres being developed land. To reach the 1:1 ratio, mitigation for approximately 7 more acres of prime agricultural land would need to be accomplished. Policy 12 allows for the payment of in-lieu fees equivalent to preserving prime agricultural land within the planning area to an established, qualified, mitigation program or organization. The policy also allows for the applicant and the City to agree to other mitigation to achieve the 1:1 ratio. This should be included as mitigation in the EIR and as a condition of approval. The LAFCO policies also allow for other mitigation measures that meet the intent of the 1:1 replacement of prime agricultural land.

LAFCO-1,  
cont.

3. **Section 3.8 Utilities and Public Services.** This section addresses the impacts to City services including, water, wastewater, fire, police, solid waste and energy services. A Plan for Services consistent with the Cortese-Knox-Hertzberg Act (CKH Act) needs to be submitted to LAFCO and would likely be based in part on the information found in the EIR. The CKH Act requirements for a Plan for Services are as follows:

**56653.** (b) The plan for providing services shall include all of the following information and any additional information required by the commission or the executive officer:

- (1) An enumeration and description of the services to be extended to the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

LAFCO-2

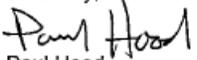
**LAFCO-2** Utilities and Public Services mitigation measure MM UT-1e, requiring submittal of a Plan for Services to LAFCO, has been added to page 3.9-11 of the EIR to address comment.

San Luis Obispo LAFCO  
May 18, 2009

Perfumo Canyon Draft EIR  
Page 3

We appreciate being contacted with regard to this project. If you have any questions regarding our comments please contact me at 781-5795.

Sincerely,



Paul Hood  
Executive Officer

Cc: Members, Formation Commission



**California Regional Water Quality Control Board  
Central Coast Region**

Linda Adams  
Secretary for  
Environmental  
Protection

Internet Address: <http://www.waterboards.ca.gov/centralcoast/>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401  
Phone (805) 549-3147 • FAX (805) 543-0397



Arnold  
Schwarzenegger  
Governor

May 22, 2009

BY ELECTRONIC AND REGULAR MAIL

Phil Dunsmore  
pdunsmor@slocity.org  
City of San Luis Obispo  
919 Palm Street  
San Luis Obispo, CA 93401

Dear Mr. Dunsmore:

**CENTRAL COAST WATER BOARD COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE PREFUMO CREEK COMMONS PROJECT**

Thank you for the opportunity to evaluate the above-referenced document and for meeting on May 14, 2009 with Central Coast Regional Water Quality Control Board (Central Coast Water Board) staff, the project applicant representatives, and other San Luis Obispo City (City) staff, to discuss the project. The Central Coast Water Board is a responsible agency under the California Environmental Quality Act (CEQA). The proposed project includes annexation of a 31-acre site of prime agricultural land to the City. Approximately 16.7 acres of the site would be zoned for commercial-retail, 11.9 acres would be dedicated to the City as open space, and 2.3 acres would be dedicated as road right-of-way. The project is located on the east side of Los Osos Valley Road, between the interchange with U.S. Highway 101 to the south and Madonna Road to the north. Prefumo Creek runs directly through the property. The proposed project includes 188,658 square feet of commercial space, with six buildings, and a total of 838 parking spaces. The applicant proposes importing 75,000 cubic yards of fill to the floodplain to raise the project site by an average of three feet above current ground elevations.

This letter addresses insufficiencies Water Board staff finds with the DEIR and the fact that this project does not fully minimize the potential impacts to the seasonal wetlands in the project area. Water Board staff finds the DEIR does not sufficiently cover the following:

**Cumulative Effects of Full Build-out** – The DEIR discusses potential cumulative effects on the Prefumo Creek Channel, including other proposed projects (e.g., Dalidio Project, Calle Joaquin Auto Sales Lot) in the Lower Prefumo Creek sub-basin. However, from the information provided, we cannot determine if the DEIR preparer used reasonable assumptions to determine that the potential for cumulative increases in shear stresses in the Creek channel, resulting from increased flows, velocities, and flow durations, will not cause erosive impacts to Lower Prefumo Creek. For example, page 5-13 of the DEIR states that all projects considered in the cumulative project analysis, that are located in the floodplain, would be required to conform to the City's plans and ordinances. However, this proposed project is an example of a project, located in the floodplain, which is not complying with the City's floodplain plans and ordinances. It is unclear how the project applicant can assume that the other proposed projects, in this same sub-basin, will comply with all the City's plans and ordinances. Additionally, the DEIR does not address the

**RWQCB-1** Thank you for your comment. First, it must be re-stated here that the analysis for the Draft EIR indicated that “both water surface elevation and flow velocity criteria of the WMP can be met by the proposed project.” According to the WMP, increases in water surface elevation greater than 2.5 inches (0.21 ft) or increases in water velocity greater than 0.3 fps are deemed significant. Table 1 shows the *maximum* increases in water surface elevation, velocity and shear stress at each recurrence interval for any cross-section within the Lower Prefumo subbasin. At no cross-section within the Lower Prefumo subbasin does any parameter experience a significant increase in water surface elevation, velocity or shear stress due to the proposed development. This result is achieved without any proposed on-site detention.

**Table 1. Maximum Increases in Relevant Hydraulic Parameters within the Lower Prefumo Subbasin**

Recurrence Interval	Water Surface Elevation (ft)			Velocity (fps)			Shear Stress (lbs/sf)		
	Existing	Proposed	Change	Existing	Proposed	Change	Existing	Proposed	Change
2	106.57	106.76	0.20	4.43	4.46	0.10	0.83	0.87	0.05
10	115.13	115.26	0.13	4.27	4.36	0.10	1.32	1.37	0.05
25	116.74	116.80	0.07	4.66	4.72	0.07	1.06	1.11	0.05
50	117.33	117.39	0.07	4.59	4.69	0.10	2.57	2.63	0.06
100	118.25	118.31	0.07	5.28	5.38	0.10	1.87	1.93	0.06

**RWQCB-1**

Thus, while the overall percentage increase in peak flows coming off the site is large, the impact of these increased flows is small in proportion to the total discharge within Prefumo Creek.

**RWQCB-2**



erosive impact full build-out along the Lower Prefumo Creek will potentially have on San Luis Obispo Creek downstream of the U.S. Highway 101 and Los Osos Valley Road interchange. According to the DEIR, water is detained behind the culverts at this interchange, causing backwater flooding in Prefumo Creek upstream of the U.S. Highway 101 culvert, for events equal to or greater than the 10-year event. After full build-out on Prefumo Creek, the significant increase in impervious cover will result in a higher volume of water needing to go through the U.S. Highway 101 culvert, and therefore, a longer duration period for flows discharging downstream. The DEIR neglects to address potential hydromodification that may result from these longer flow durations discharging to the lower portion of San Luis Obispo Creek.

**Rationale for "Beat the Peak"** – "Beat the peak" refers to routing the peak discharge from the site through the conveyance system (i.e., Prefumo Creek), prior to the arrival of the peak from the upstream watersheds (i.e., Laguna Lake), to the point of interest (i.e., U.S. Highway 101 culvert). This evaluation is appropriate when runoff resulting from new development creates a small spike in the watershed's hydrograph before the peak, potentially compounding flooding downstream. However, for smaller storms "beat the peak" is not a relevant argument. The DEIR provides insufficient analysis to show why retaining or detaining smaller storms to mimic pre-project<sup>1</sup> hydrologic conditions, would contribute to downstream flooding. Detaining storm events, less than the storm events that are calculated to cause flooding (i.e., the 10-year event), should be considered as an option for this site, so long as there's a bypass system, in the volume-based treatment Best Management Practices (BMPs), for runoff from the larger storm events.

**Optimization of Stormwater Volume Controls** – The project proposal contains no stormwater volume control. The pre-project time of concentration is 26 minutes and the proposed project would decrease the time of concentration to 10 minutes. The DEIR provides inadequate evidence to show why the project cannot detain any runoff on the site, to maintain the pre-project time of concentration, for smaller storm events. By detaining runoff from smaller storms on the site, and slowly releasing the collected water, the site could mimic the natural hydrology for the pre-project condition, and minimize potential hydromodification impacts downstream. Depending on the method of detention, detaining runoff from smaller storms often also provides water treatment.

**Optimization of Stormwater Treatment**– To determine the adequacy of the stormwater treatment BMPs on the site, stormwater runoff must be treated to a known standard. The DEIR explains that the vegetated swales do not meet California Stormwater Quality Association (CASQA) water quality treatment guidelines. For example, the water depth in the Froom Ranch Way vegetated swale, during the treatment storm, exceeds CASQA's recommended depth of four inches. The applicant has modified the swale designs in an effort to accommodate for unmet CASQA treatment guidelines. However, there's inadequate detail to show that the modifications will yield a comparable level of treatment as a design that strictly followed the CASQA treatment guidelines. The DEIR specifies that the proposed hydrodynamic separators will reduce suspended solids greater than 240 microns, trash, and hydrocarbons. The DEIR does not show that the applicant evaluated a sufficient range of alternatives to optimize treatment of the low-flow storms, which are typically the storms with the highest pollutant concentrations, to remove pollutants of concern to the maximum extent practicable. For example, the current design proposal provides very minimal treatment to target oil and grease, which are very common pollutants from parking lot runoff.

<sup>1</sup> Condition immediately prior to the proposed project. The condition includes, but is not limited to, soil type, vegetation, and amount of impervious surface.

RWQCB-2, cont.

**Table 2. Peak Flow Rates for Existing and Proposed Conditions for the Project Site Only**

Storm Recurrence Interval	PROJECT SITE ONLY			
	Existing Conditions Peak Runoff Rate (cfs)	Proposed Conditions Peak Runoff Rate (cfs)	Increase in Peak Runoff Rates	
			cfs	%
2	15.3	50.9	36	230
10	26.4	87.1	61	230
25	32.5	98.8	66	200
50	37.5	115.3	78	210
100	43	125.1	82	190

RWQCB-3

**Table 3. Peak Flow Rates for Existing and Proposed Conditions for the Lower Prefumo Creek Sub-basin**

Storm Recurrence Interval	PREFUMO CREEK			
	Existing Conditions Peak Runoff Rate (cfs)	Proposed Conditions Peak Runoff Rate (cfs)	Increase in Peak Runoff Rates	
			cfs	%
2	636	672	36	5.7
10	1,024	1,085	61	5.9
25	1,483	1,550	67	4.5
50	1,766	1,843	78	4.4

RWQCB-4

**RWQCB-2** Thank you for your comment. To assume future projects would not be in compliance with City plans and ordinances would be outside the scope of a cumulative analysis because the potential fallibility of future projects is unknown. It is reasonable to assume that since this proposed project does not increase water surface elevations, velocities or shear stresses, future proposed projects could also not increase any of the same parameters, either alone or due to proposed mitigations. Such projects would be required to be in conformance with adopted City ordinances.

RWQCB-5

Also, the cumulative impacts analysis cannot assume that "full build-out" of the sub-basin necessarily implies greater flows in Prefumo Creek. "Full build-out" could also include a) removal of split flows from San Luis Obispo Creek and/or b) Prefumo Creek

Roof runoff has the potential to carry pollutants (e.g., pathogens from bird feces, chemicals from paint epoxy, residue from roof materials). The DEIR excludes all roof runoff from the design treatment calculations. Drainage of runoff generated from the proposed project's 4.33 acres of roof area is designed to avoid contact with pavement/parking surfaces and to be conveyed directly to the drainage system near discharge locations to Prefumo Creek. The current treatment for the majority of the roof runoff is very minimal. The DEIR must further justify how the proposed treatment measures will sufficiently remove pollutants from roof runoff, prior to discharging to Prefumo Creek.

RWQCB-5,  
cont.

**Outfall Structures** – The DEIR states that the existing outfall structures, with no modifications, will be used as means to discharge runoff from the site to Prefumo Creek. The final EIR must include more evidence to justify that the existing outfall structures, consisting of concrete and rock energy dissipaters, can withstand a 230 percent increase in peak runoff rates, without significant erosive effects to Prefumo Creek.

RWQCB-6

**Wetland Mitigation** – At the State level, the key policy in wetlands protection is the Wetlands Conservation Policy (Executive Order W-59-93), also known as the State's "No Net Loss" Policy. The Central Coast Water Board implements this policy, as well as the national "no net loss" goal, by requiring the loss of wetlands be avoided, minimized, and if unavoidable, mitigated. The DEIR does not address mitigation measures to compensate for the loss of wetlands on the site.

- **Compensatory Mitigation:** Compensatory mitigation refers to restoration, establishment, enhancement, or in certain circumstances preservation of wetlands, streams or other aquatic resources for the purpose of offsetting unavoidable adverse impacts. For unavoidable impacts, compensatory mitigation is required to replace the loss of wetland and aquatic resource functions in the watershed. The Central Coast Water Board has regulatory authority over actions in waters of the Central Coast Region through issuance of water quality certifications (certifications) under Section 401 of the Federal Clean Water Act (CWA). Certifications are issued only to projects that appropriately identify compensatory mitigation for the disrupted project site. If compensatory mitigations are not implemented on a project site, wetland habitats and other aquatic resources could be severely affected.

RWQCB-7

The DEIR indicates that the drainage channel along the southern portion of the site would become the receiving water for a significant portion of drainage from the developed site. The DEIR does not describe potential impacts to the drainage channel associated with increased flows. The Water Board will require a full characterization of potential effects and adequate mitigation of those effects before issuing Section 401 Water Quality Certification for the project.

Central Coast Water Board staff suggests the City and/or project applicant contact Darla Inglis, at [dinglis@lowimpactdevelopment.org](mailto:dinglis@lowimpactdevelopment.org), with the Central Coast Low Impact Development Center, for advice on the project design. One of the main reasons the Central Coast Water Board created this center, is to provide guidance and assistance to municipalities and developers during project development stages to yield a product that meets the developer's needs, adheres to City expectations, and protects the environment. The center can assist City staff in modifying the application of their existing standards to ensure that the City standards yield a project that achieves the Central Coast Water Board's goal of creating healthy functioning watersheds.

crossing culvert improvements. Removal of split flows would decrease peak flows within Prefumo Creek, and Prefumo Creek crossing culvert improvements would eliminate backwater effects behind the crossings, potentially decreasing water surface elevations and decreasing duration of flow storage within the sub-basin. Again, all potential future development within the City would have to conform to the standards, required level of analysis and mitigation imposed by adopted ordinances.

Currently, the erosive impacts of cumulative increases in impervious areas within the subbasin may be reduced due to the backwater effects of the under-sized culverts along Prefumo Creek downstream of the project site. The ponding behind these crossings slows velocities and decreases shear stresses, which drop with increased water depths. Indeed, this is may be a reason that shear stresses predicted from the model (Table 1) are lower than typical erosive shear stresses (4-6 lbs/s.f.). While information regarding the detention volumes and storage times provided by the individual Prefumo Creek crossings would be valuable, it is outside the scope of this cumulative analysis and is not required to demonstrate that the project's contribution to cumulative impacts would not be significant.

**RWQCB-3** An analysis of on-site 10-year detention was performed to address comments regarding the peak timing issue. The analysis did show that because of the relatively small contribution of flows to the watershed from the project site, the detention of flows did not sufficiently delay the timing of the peak of the Lower Prefumo Creek hydrograph to affect the hydrograph of San Luis Obispo Creek. Figure 1 shows the hydrographs for the 10-year storm event for San

Phil Dunsmore

- 4 -

May 22, 2009

If we may clarify any of our comments or be of further assistance, please contact Tamara Presser at (805) 539-3334, or email [Tpresser@waterboards.ca.gov](mailto:Tpresser@waterboards.ca.gov).

Sincerely,



for Roger W. Briggs  
Executive Officer

cc: (by electronic mail)

- Darla Inglis: [dinglis@lowimpactdevelopment.org](mailto:dinglis@lowimpactdevelopment.org)
- Patti Whelen: [patti@whelenconsulting.com](mailto:patti@whelenconsulting.com)
- Cheryl Lenhardt: [clenhardt@wallacegroup.us](mailto:clenhardt@wallacegroup.us)
- Neil Havlik: [nhavlik@slocity.org](mailto:nhavlik@slocity.org)
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- Matthew W. Vandersande: [Matthew.W.Vandersande@usace.army.mil](mailto:Matthew.W.Vandersande@usace.army.mil)

cc: (by regular mail)

U.S. Army Corps of Engineers  
San Francisco District  
Regulatory Section  
1455 Market St., Floor 17  
San Francisco, CA 94103-1368

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Luis Obispo Creek at its confluence with Prefumo Creek. The solid line is the outflow hydrograph for the station. The first spike, showing the Prefumo Creek contribution, occurs roughly 1 hour before the peak outflow. It is imperative that flows within the Lower Prefumo Creek subbasin do not collectively detain contributing flows such that this peak is delayed sufficiently to match and compound peak flows in San Luis Obispo Creek.

Figure 1. Proposed 10-year Storm Hydrographs for San Luis Obispo at Prefumo Creek Confluence

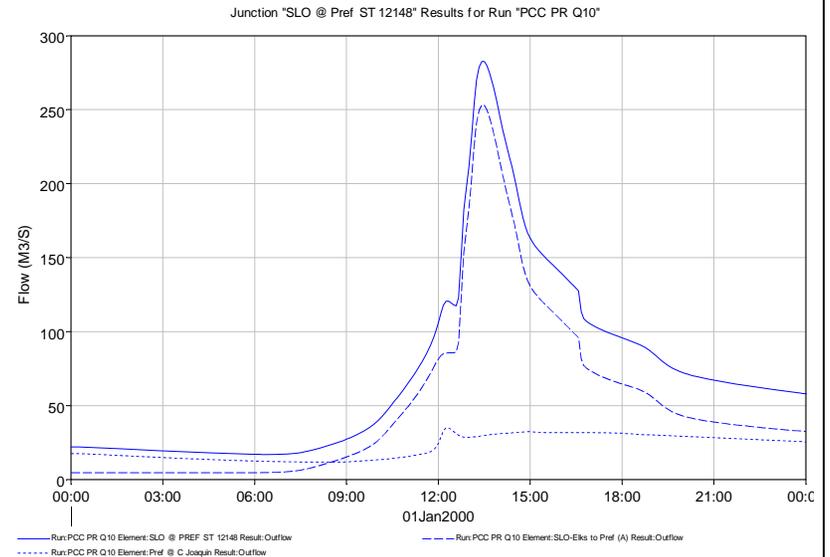
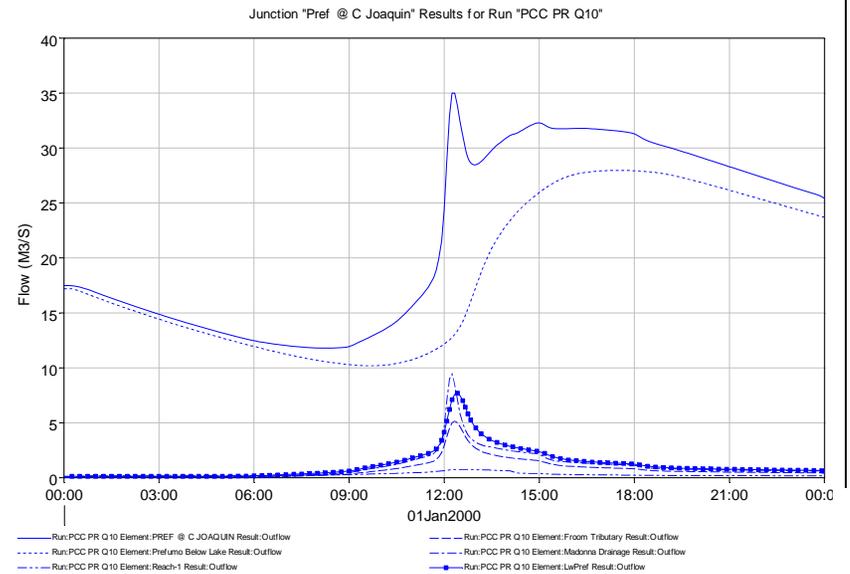
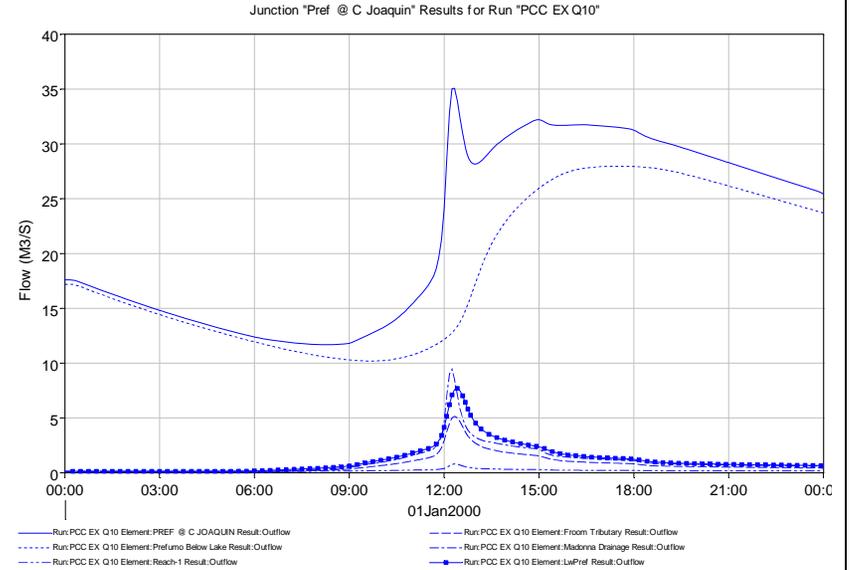


Figure 2 shows the hydrographs for Prefumo Creek at Calle Joaquin. The curve at the bottom of the graphs shows the hydrograph for the project site runoff. The reduction and detention of the peak can be seen under proposed conditions.

**Figure 2. 10-year Storm Hydrographs for Prefumo Creek at Calle Joaquin, Existing (top) and Proposed (bottom)**



While the Prefumo Creek peak was not delayed long enough to compound flows in San Luis Obispo Creek, it was delayed by 5 minutes, and the project site peak contribution to the Prefumo Creek hydrograph was delayed by 10 minutes. Thus, while the project detention alone may not significantly delay the watershed peak, the cumulative impact of on-site detention, even at the 10-year flow and lower, may collectively delay the peak enough to compound San Luis Obispo Creek flows. Additionally, the detention provided by the Prefumo Creek culvert crossings and random rainfall distributions (neither accounted for in the model) may narrow the window between peaks to less than one hour.

Thus, while on-site detention of the 10-year flow does not significantly impact downstream flooding, no detention is actually required to mitigate any increases in downstream flooding, velocity or shear stresses. Based on the above discussion, the potentially negative, long-term, cumulative impacts may outweigh the benefits of on-site detention.

**RWQCB-4** Please also refer to response to comment RWQCB-3.

In addition to concerns about increasing the frequency, height and duration of downstream flooding from increases in peak streamflows from additional impervious surfaces associated with development, there is also a concern regarding changes in runoff on stream channel geomorphology and stream stability. Typically the focus of concern is on the lower frequency channel flows, the 1.5 to 2 year “channel-forming” flows. This effect is sometimes referred to as “hydromodification.” This is a concern where increases in stream flow potentially could adversely affect already unstable streams, or perhaps cause subtle changes in the geomorphic function of the stream

channel—filling in pools, channel incision, bank undercutting, or erosion of in-stream benches or terraces that support riparian trees.

The geomorphology of the channel and potential for project hydromodification impacts were evaluated. The Prefumo Creek channel in the Lower Prefumo Creek has been significantly altered, as described in the WMP. An examination of historical topographic maps and aerial photographs indicated that the historical channel has been significantly re-aligned and straightened in this area beginning in the 1950s. In addition, its original, “flashy” natural flow regime has also been significantly changed from historical times by the detention storage that is provided behind the dam structure at Laguna Lake.

In terms of channel condition, the channel does not appear to be naturally unstable and is not actively eroding or downcutting. In part, downcutting is prevented by the old concrete summer crossing or ford that occurs at the upper edge of the project site and acts as a gradient control in the channel bed.

In terms of increases in velocity and channel shear, maximum existing stream velocities are in the range of 4.43 to 5.28 feet per second, and maximum existing shear forces are in the range of 0.83 to 2.57 lbs/s.f. Stream velocities would increase about 0.05 fps and shear about 0.05 to 0.06 lbs/s.f. These channel parameters are within the range that can typically be tolerated by the unprotected clay soils exposed in the channel banks. In addition, the abundant willow roots and branches that line the channel provide further natural stabilization of the stream banks.

Although a proposed detention structure would reduce increases in the lower return interval “channel-

forming” flows, the duration of channel forming flows would be increased. As shown in Figure 2, the detention of flows to pre-development levels does not necessarily mimic pre-development hydraulic conditions; though the peak flow is not increased, it is metered out for a longer duration. As mentioned earlier, historical channel re-alignment and construction of the Laguna Lake detention structure has had a much more significant affect on the stream geomorphology of Prefumo Creek.

- RWQCB-5** Final design details of proposed stormwater BMPs are not available at the Draft EIR level of analysis. The meeting of stormwater discharge standards and optimization of stormwater treatment is better evaluated at the regulatory agency permitting stage of design review.
- RWQCB-6** Please refer to revisions to mitigation measure MM HYD-1b to address comments.
- RWQCB-7** Comment noted, however as stated in the response to comment RWQCB-5, final design details of proposed stormwater BMPs are not available at the Draft EIR level of analysis. A full characterization of potential effects and adequate mitigation of those effects will be evaluated during regulatory design review.

**From:** Hannula, Hal  
**Sent:** Friday, May 29, 2009 1:12 PM  
**To:** Dunsmore, Phil  
**Cc:** Horn, Matt; Lynch, Barbara  
**Subject:** Draft EIR for Prefumo Creek Commons

Phil,  
Draft EIR Comments:

1) I just noticed the reference to a "Flood Management Policy Book" in a couple of HYD and other document sections. The old "Flood Management Policy" (pink book) per Resolution 5138 (1983 Series), was specifically rescinded and replaced by the Waterway Management Program and specific supporting documents per CC Resolution No. 9494 (2003 Series). The discussion in the first paragraph of Section 3.5.2 on page 3.5-12 should be amended accordingly. All other sections should be revised or omitted as necessary. The Waterway Management Program includes Volumes 1 – 3 which supposedly cover the previous direction included in the old "policy".

2) The Executive Summary, Hydrology and Water Quality Sections, Cumulative Impacts Section, and Appendix documents relating to hydrology should be expanded or revised to address the impacts due to the increased project runoff. In accordance with the discussions in Section 3.5.1 on pages 3.5-4 through 3.5-6, and the requirements of the Waterway Management Plan Drainage Design Manual, additional detention analysis should be provided for all storm events to clarify whether there would in fact be negative impacts from detention by moving the project storm discharge peak to align with the peak for San Luis Creek or other peak that may have a significant local impact. Ultimately, any text suggesting that the alignment of the peaks "could" or "may" result in negative impacts should be revised based on the final documentation and analysis of this issue.

3) The reference to City Engineering Standards in Section 3.5.2 should include reference to the 2009 or most current standards if applicable. The specific reprint of City Engineering Standard 1010.B on page 3.5-17 regarding post-development water quality standards should be revised to reflect the changes that occurred with the adoption of 2009 Standards. The technical provisions and specific project requirements will be unchanged with this update to the text. The text was changed to clarify the parameters of analysis for determining which projects would be subject to these code requirements.

Hal Hannula, P.E.  
Senior Civil Engineer

City of San Luis Obispo  
Public Works Department/Development Review  
919 Palm Street  
San Luis Obispo, CA 93401

e-mail: [hhannula@slocity.org](mailto:hhannula@slocity.org)  
phone: (805) 781-7201  
fax: (805) 783-7751  
Public Works Inspection Hotline: (805) 781-7554

**SLO PW-1** Thank you for your comments. Please note revisions to Section 3.5.2 to correctly address the City's Waterway Management Program.

**SLO PW-2** Please refer to response to comment RWQCB-3.

**SLO PW-3** Please note revisions to Section 3.5.2 on page 3.5-17 to correctly reference the City's 2009 Engineering Standards.

SLO PW-1

SLO PW-2

SLO PW-3

# San Luis Obispo Council of Governments



Ronald L. DeCurti Executive Director

Regional Transportation Planning Agency  
Metropolitan Planning Organization  
Census Data Affiliate

Service Authority for Freeways and Expressways

Arroyo Grande  
Atascadero  
Groves Beach  
Morro Bay  
Paso Robles  
Pismo Beach  
San Luis Obispo  
San Luis Obispo County

May 22, 2009

Phil Dunsmore  
Associate Planner  
City of San Luis Obispo  
Community Development Department  
919 Palm Street  
San Luis Obispo, CA 93401-3218

Re: Prefumo Creek Commons  
Draft Environmental Impact Report

Dear Mr. Dunsmore,

The San Luis Obispo Council of Governments (SLOCOG) is pleased to provide comments on the Draft Environmental Impact Report (DEIR) for the Prefumo Creek Commons Project. SLOCOG is designated as the Regional Transportation Planning Agency (RTPA) and the Metropolitan Planning Organization (MPO) by FHWA. While SLOCOG does not have permit or regulatory authority for land use proposals, we have the responsibility for the Regional Housing Needs Plan, which allocates housing to jurisdictions in the region. SLOCOG is also responsible for planning the long-term viability of the regional surface transportation system, and for programming funds to achieve the objectives of the Regional Transportation Plan. SLOCOG and the City of San Luis Obispo have worked together to secure funding for the Los Osos Valley Road interchange. Improvements to the interchange will assist with traffic congestion and circulation issues identified in the Draft EIR. Funds for the improvements are programmed in Fiscal Year 2012/13.

SLOCOG staff provides comments here about several aspects of the project and Draft EIR, they are the following:

### Community 2050 Preferred Growth Strategies

As the agency responsible for the developing the Regional Housing Needs Plan and addressing regional transportation needs, SLOCOG staff has concerns about the addition of nearly 600 new low- and very low-income jobs in the City of San Luis Obispo. SLOCOG supports the mitigation measures identified in section MM LU 1-a, b, and c. In addition to locating housing on-site or paying in-lieu fees, conducting employee survey/study, and working with City to offset affordable housing needs, SLOCOG staff encourages the City to locate any affordable housing provided by the City within ¼ mile of local and/or regional transit routes and along established bicycle routes.

SLOCOG-1

### Transportation Demand Management

**SLOCOG-1** Thank you for your comments. When the applicant and the City determine the appropriate mitigation for affordable housing, the planning process should include identification of affordable housing provided by the City within ¼ mile of local and/or regional transit routes and along established bicycle routes.

**SLOCOG-2** Transportation mitigation measure MM TT-8b in the EIR has been revised to require the implementation of a marketing fund to be used for promotion of the applicant-subsidized public transportation program under the direction of the City Public Works Department.

**SLOCOG-3** Comment noted. A centrally located transit stop with shelter, lighting, and benches could be required by the City as part of the request to amend its General Plan if the City finds it warranted to meet general area circulation needs; however, the proposed project itself does not appear to require such a stop to address project-related environmental impacts or to receive adequate transit service. A transit stop already exists along LOVR near the southwest corner of the project site which would be accessible to patrons of the proposed development. This existing stop would need to be relocated if a new stop were to be constructed. The City will work with the developer to determine if additional right-of-way is necessary for a future transit stop on the From Ranch Way collector road.

The DEIR recommends several mitigation measures to reduce traffic and parking needs at the site. SLOCOG staff provides suggestions on the following mitigation measures:

- MM TT-1b regarding transit passes provided by employer:
  - Consider reviewing with SLO City and APCD staff the efficacy of these programs. Without ample marketing of these programs by the employer, employees may be unaware of the program and so it will remain under utilized. Employers should be encouraged to set aside a marketing fund, which the City can use to promote the program on site and on buses for employees at the site.
- MM TT-1c regarding pedestrian, bicycle, and transit facilities, SLOCOG staff encourages the following:
  - The City to require a transit stop including signage, shelter, lighting and benches on LOVR at the site.
  - Employers to provide an employee parking cash-out to provide additional incentive to bike, walk, or ride the bus to work.
  - The City to require employers' participation in the Transportation Choices Program, promoted by SLO Regional Rideshare.
- MM TT-6 regarding long- and short-term bicycle parking:
  - SLO City has a commendable Bicycle Transportation Plan, and SLOCOG staff is confident that short- and long-term bicycle parking will be implemented on site.
  - SLOCOG encourages the City to require installation of additional bike lockers (2-4) to be managed by the City or SLO Regional Rideshare for use by non-standard employees of the work site (such as contract security) or commuters.
- MM TT-8b regarding provision of subsidized public transit:
  - In addition to providing transit passes for employees, SLOCOG staff encourages an employee cash-out parking program, which would pay employees not to drive: creating an incentive (and bonus) for employees who ride the bus, bike, or walk.
  - Additionally, SLOCOG encourages the City to sign priority parking for car-and van-pooling employees.

**Affects on the neighborhood**

- MM NO-2 regarding noise impacts to the neighborhood
  - SLOCOG staff supports this mitigation and encourages the City require the developer to retrofit existing residences with noise-reducing features.

**Additional Mitigation Measures**

SLOCOG staff encourages the City to include designating 30 of the 838 available parking spaces on the site for a regional Park & Ride lot. This lot should be located near the entrance to the site on Los Osos Valley Road. Alternately, the City could contribute funds for an additional 30 spaces at the future Calle Joaquin Park & Ride lot.

**Site Design Comments**

- Regarding the design of the site, SLOCOG staff supports the following:
- Provision of Open Space consistent with Strategic Growth Strategies

Please note the revision of MM TT-8b to address inclusion of an employee cash-out program.

Please note inclusion of employer participation in the Transportation Choices Program as part of MM TT-1c.

Please note the inclusion of MM TT-6b to address inclusion of additional bike lockers for non-standard employees.

Please note the revision of MM TT-8b to address inclusion of an employee cash-out program.

Please note the revision of MM AQ-4a to address priority signage for carpool parking.

Comment noted.

Comment noted. A park and ride lot may be something for the City to consider under its General Plan amendment, however there does not appear to be a nexus to necessitate a park and ride for the proposed project. Trends suggest that employees of the proposed facilities will commute to the project site and would not require longer-term parking facilities provided by a park and ride.

The City is working in collaboration with SLOCOG and others to develop a park and ride facility near the LOVR interchange. A park and ride lot could be required by the City as part of the request to amend its General

- Enhancement and restoration of Prefumo Creek
- Pedestrian access points such as the pedestrian path along the creek, into the adjacent neighborhood, and throughout the site
- Landscaping: particularly as it promotes greenhouse gas reduction and carbon sequestration

SLOCOG staff encourages the following additions to the site:

- Identify location and include a transit stop, preferably on Los Osos Valley Road between the two vehicle access points. Include shelter, appropriate lighting, benches, trashcans, bike parking.

Thank you for the opportunity to submit comments on this DEIR and we look forward to further discussions. For more information please feel free to contact me at (805) 781-5754 or Jessica Berry at (805) 781-5764.

Sincerely,



Richard Murphy  
Programming and Project Delivery

SLOCOG-9,  
cont.

**SLOCOG-9** Comments noted.

Plan if the City finds it warranted to meet general area circulation needs; however, a park and ride lot itself does not appear to be required to address project-related environmental impacts or provide such service to the project itself.

Refer to response to comment SLOCOG-3 regarding inclusion of a new transit stop.

---

**From:** Alan Thomas [mailto:ajt2002@pacbell.net]  
**Sent:** Tuesday, April 14, 2009 3:08 PM  
**To:** Jan Marx; Allen Settle; Carter, Andrew; Romero, Dave; John B.; Hampian, Ken  
**Subject:** 50% Open Space requirement

AT-1

Thank you for your comment. Please refer to response to comment Conserve-1.

SLO City Council Members,

I was reviewing the current budget strategy document and noticed that the open space allotment shown for the Gap property along LOVR is 11.5 acres. I believe the land use element of the city's general plan calls for 50% open space on this property, which would be 15.5 acres. AT-1

Can you please clarify why there is a difference? I support following the general plan requirements, which apply to both the Gap and Dalidio properties.

Thanks,

Alan Thomas  
San Luis Obispo



# ASSOCIATED TRANSPORTATION ENGINEERS

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Since 1978

Richard L. Pool, P.E.  
Scott A. Schell, AICP, PTP

## MEMORANDUM

May 20, 2009

08047M05.doc

To: Phil Dunsmore, Associate Planner  
City of San Luis Obispo

From: Richard L. Pool, P.E.  
Associated Transportation Engineers



SUBJECT: REVIEW OF PREFUMO CREEK COMMONS DRAFT EIR

### Background

At the request of Randy Poltl of R. Poltl and Associates, Inc., the Property Manager of Laguna Village Shopping Center (LVSC), I have reviewed the traffic section of the Transportation Impact Analysis (TIA) prepared by Fehr & Peers for the Prefumo Creek Commons Project (the Project), and the Draft EIR (DEIR) prepared by AMEC.

The discussion and related analysis of traffic impacts in the DEIR did not address Madonna Road north of LOVR or LOVR west of Madonna Road. The TIA did not address impacts affecting access into and out of LVSC from Madonna Road or LOVR. The DEIR did in Section 3.8.4 address LOVR at the Madonna Road intersection and the eastbound and westbound approaches to the intersection in Impact TT-1

**TT-1 The proposed project would potentially cause LOS at the LOVR/Madonna Road intersection to deteriorate from acceptable to unacceptable levels during the P.M. peak hour.**

The following statement is included in the discussion following TT-1 "...In particular, this increased congestion would lengthen queues at the eastbound and westbound Madonna Road approaches, incrementally exacerbate conflicts with turning movements from the driveways of existing businesses, and potentially increase the need to further limit business access in this area or perform substantial improvements in this area. ..." For disclosure purposes, some improvement options for the intersection are provided. The improvements described are quite similar to the ones developed previously for the Laguna Village Shopping Center. The discussion and the related analysis did not address Madonna Road north of LOVR or LOVR west of

ATE-1

Thank you for your comments. The EIR traffic analysis was scoped to address intersections and roadways where potentially significant project-related or cumulative impacts were anticipated. However, based on the request for added analysis, the Final EIR discusses potential impacts along Madonna Road north of its intersection with LOVR, as well as those along LOVR west of its intersection with Madonna Road. Please refer to pages 3.8-15 and 3.8-16 and pages 3.8-30 through 3.8-32 for more complete discussion of these issues. Please also refer to response to comment Schubert-1.

ATE-1

Madonna Road. The incremental traffic increase on Madonna Road north of LOVR and on LOVR west of Madonna Road will have an adverse effect on Laguna Village Shopping Center and further exacerbate the access into and out of the Center.

Impact TT-1 should be expanded to include the affect of the Project on Laguna Village Shopping Center driveway and Periera Drive on Madonna Road north of LOVR and the three driveways on LOVR west of Madonna Road.

Intersection(s) improvement option 1 should include the segments of Madonna Road north and south of LOVR. On the attached plan (Exhibit A1) we have illustrated the improvements described as Option 1 with the addition of modifications that would be necessary on Madonna Road north and south of LOVR. These improvements include the changes to the Laguna Village Shopping Center driveway and modifications at Pereira Drive. These changes will partially reduce the incremental conflicts with the business accesses in the area and reduce the potential of further reduction in access for the businesses in the area. To further reduce the potential conflicts we have prepared Exhibit A2 on which we have added a traffic signal at the Madonna Road/Pereira Drive-Laguna Village Driveway intersection.

Below is a description of the Improvements which are graphically shown on Exhibit A1 & A2:

Modify Southbound Approach on Madonna Road at LOVR to:

- Provide dual left-turn lanes; a through lane; and a right-turn lane.
- Modify curb on Westside of Madonna Road south of LOVR between LOVR and driveway to the south (approximately 150 feet).
- Adjust signal phasing and timing.

Modify intersection of Madonna Road/Pereira Drive – Laguna Village Shopping Center Driveway:

- Move the driveway to a position opposite Pereira Drive;
- Bulb-out curb to create right-turn only into the shopping center;
- Modify curb and divider on eastside of Madonna Road at Pereira Drive;
- Add crosswalk;
- Provide northbound left-turn lane into shopping center;
- Install traffic signal at intersection;
- Provide signal interconnect with Madonna Road/LOVR intersection

**LOVR- West of Madonna Road**

The incremental traffic increase from the Prefumo Creek Commons Project exacerbates the delay for traffic exiting the Laguna Village Shopping Center at the driveway on LOVR near Burger King. The increase in traffic on LOVR causes additional delay for vehicles making a left-turn out of the site. This causes the drivers desiring to make right-turn long delays. In order to reduce the delay at the driveway, an additional lane should be added to separate the left-turn movements from the right-turns.

ATE-1,  
cont.

ATE-2

ATE-3

**ATE-2**

The EIR is responsible for identifying project impacts on the transportation system for various scenarios, however as discussed in Schubert-1 the EIR already contains potential mitigation measures to reduce traffic impacts to less than significant at the intersection of Madonna Road/LOVR and other locations. Additional analysis has been provided in the Final EIR regarding the potential effects of project-generated traffic at the intersection of Madonna Road/LOVR and its relationship to operations of the Madonna Road/Perieira/LVSC Driveway. As recommended in MM TT-1a, the EIR identifies options for mitigation that would reduce project impacts to insignificance either by construction of new improvements along LOVR or by reductions in project size. The EIR appropriately identifies potential mitigation measures that could be implemented but it is ultimately up to the City to determine the best mitigation, if any should be completed. The information provided in your comment letter, exhibits and this EIR could be considered as part of that analysis through further investigation either as part of a special study or during an overall update to the City's *General Plan*.

**ATE-3**

The EIR identifies mitigation measures which would wholly offset and eliminate impacts to congestion and increased queue length associated with project generated traffic. These measures should ensure that sufficient capacity and gaps in traffic on LOVR in the vicinity of this driveway would allow for proper turns from the driveway after the implementation of these measures. In particular, the recommended mitigation for the intersection is to extend the third through lane on LOVR north of Madonna Road. This option would improve the gaps in traffic for LOVR and allow for

**Summary**

The traffic analysis for the DEIR basically focuses on LOVR, Route 101 Interchange and the local access area. Madonna Road/LOVR is the furthest west intersection evaluated in the study. The short-term cumulative and the project traffic impacts at the Madonna Road/LOVR intersection are evaluated and measures discussed that would reduce the impact.

The Improvement Options described in attached Exhibits A1 and A2, and the improvement suggested above for LOVR and the Burger King Driveway intersection would lessen the impact of the Project on LVSC, in the Madonna Road-Pereira Drive areas and the LOVR-Royal Way neighborhood.

ATE has some familiarity with the area, thus we are able to more clearly illustrate the Improvement Options. Additionally, we had previously addressed some modifications to the driveways and intersections in the immediate area of the shopping center, thus could add some detail to the Improvement Options. Impact TT-1 and the improvement options generally address Prefumo Creek Commons impact to Madonna Road/LOVR intersection and with the additions to TT-1 that we have suggested the projects effect on the Laguna Village Shopping Center will be further reduced.

Attachments: Exhibits A1 and A2

better turn movements in and out of the driveway in question.

In addition to issues associated with queuing of traffic, the narrowness of the driveway in question does not allow for separate left and right turns to stack from the driveway location. Additional traffic volumes on this section of LOVR are not anticipated to significantly exacerbate this issue (particularly after mitigation) since part of the operational deficiency exists in the configuration of the driveway installed by the shopping center. The construction of an additional turn lane at the driveway may be implemented by property owners with proper coordination with the City; however, the EIR already contains mitigation measures to reduce traffic project-related impacts to less than significant at the intersection of Madonna Road/LOVR and the corridor. Therefore, any driveway improvements are beyond the requirements needed to reduce project impacts.

Final EIR  
Prefumo Creek Commons Project

**Council, Slocity**

**From:** Christine Mulholland [cdev@thegrid.net] **Sent:** Mon 4/13/2009 12:04 PM  
**To:** Council, Slocity  
**Cc:**  
**Subject:** Budget - B-3  
**Attachments:**

Dear Mayor and Council members,

I recognize that the current budget you are working on is fraught with difficulties in these lean fiscal times. I appreciate your efforts and encourage attention to details.

I am concerned with the language in the staff report for April 14, 2009, Item B-3, on pages 54 and 55.

There does not seem to be consistency with the General Plan regarding the eventual protection of the ag land from the 3 properties that include the current city open space of 13 acres from the former McBride property, and the land to be preserved in the future when development occurs on the Madonna and Dalldio properties.

Specifically, I disagree with the language that proposes less than half of the Madonna property remain in open space. I have reviewed the development proposal for the "gap" area, and find the project lacking in adherence to the General Plan. Roads are development, and must not be considered in the portion of land to be preserved. Roads, and the land on which they are built, must come from the half of the properties that are proposed for development.

The General Plan calls for half of each of the 3 properties to be preserved in open space. My suggestion is to rezone the entire 90 acres as AG zoning. Do not count land for roads as OS/AG. Require new development to preserve, at a minimum, half the land when proposing to develop the rest.

Please request that staff rewrite the work plan to conform with the General Plan. No roads in AG/OS!

Sincerely,

Christine Mulholland

CM-1

Thank you for your comment. Please refer to response to comment Conserve-1.

CM-1

RED FILE  
MEETING AGENDA  
DATE 4/14/09 ITEM # B3

- | HARD COPY  | EMAIL                               |
|--|-------------------------------------|
| <input checked="" type="checkbox"/> COUNCIL      | <input type="checkbox"/> CDD DIR    |
| <input checked="" type="checkbox"/> SAC CITY MGR | <input type="checkbox"/> FIN DIR    |
| <input checked="" type="checkbox"/> AG/OS COMMGR | <input type="checkbox"/> FIRE CHIEF |
| <input checked="" type="checkbox"/> ATTORNEY     | <input type="checkbox"/> PW DIR     |
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| <input checked="" type="checkbox"/> PLO          | <input type="checkbox"/> UTIL DIR   |
| <input checked="" type="checkbox"/> TRIBUNE      | <input type="checkbox"/> CHA DIR    |
- NEWSPAPERS  
- COUNCIL  
- CITY MGR  
- CLERK

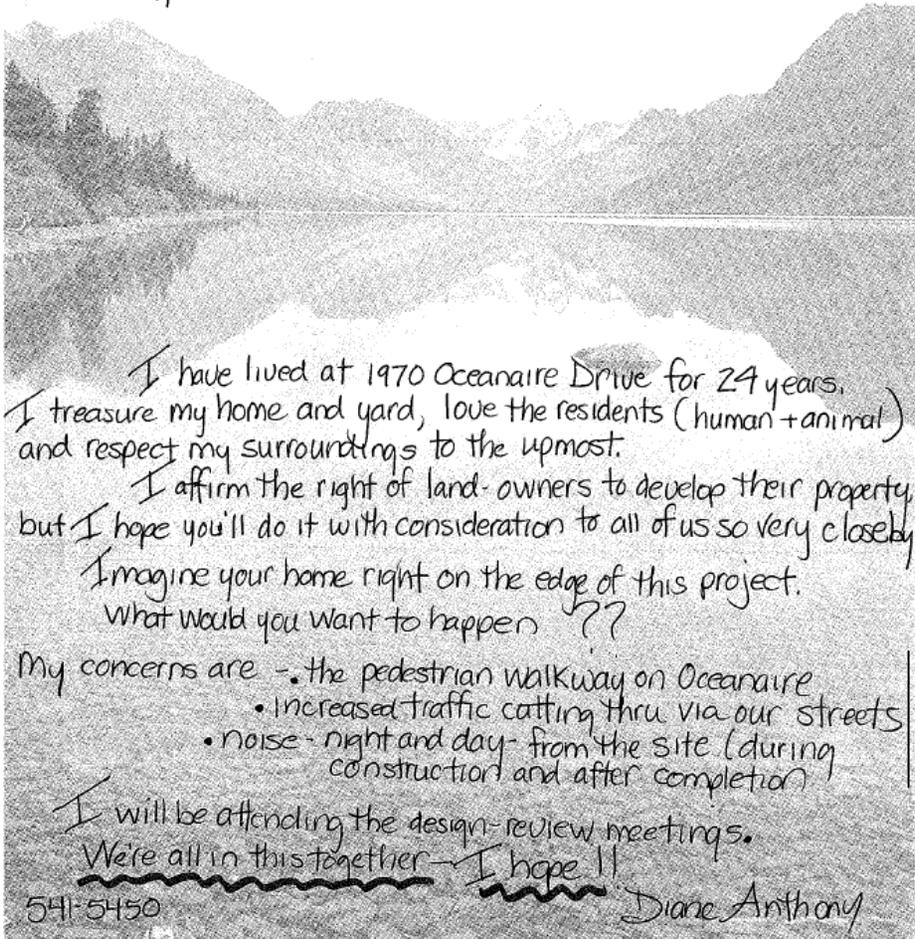
7.0 COMMENTS AND RESPONSES TO COMMENTS ON DRAFT EIR

7-41

May 21, 2009

City of SLO  
Community Development Dept  
re: Prefumo Creek Commons  
Froom Ranch - Phase II

Hello...



I have lived at 1970 Oceanaire Drive for 24 years.  
I treasure my home and yard, love the residents (human + animal)  
and respect my surroundings to the upmost.  
I affirm the right of land-owners to develop their property  
but I hope you'll do it with consideration to all of us so very closely  
Imagine your home right on the edge of this project.  
What would you want to happen ??  
My concerns are - the pedestrian walkway on Oceanaire  
• increased traffic cutting thru via our streets  
• noise - night and day - from the site (during  
construction and after completion)  
I will be attending the design-review meetings.  
We're all in this together - I hope !!  
541-5450 Diane Anthony

DA-1

Comments respectfully noted. Please note response to comments MD-1, and TJ-1 to address concerns about the pedestrian walkway and increased neighborhood traffic impacts. Further, in regard to your noise-related concerns, this EIR has been prepared to thoroughly analyze noise impacts of the proposed project. This EIR fully discloses significant noise impacts in Section 3.7 and provides a range of mitigation measures and alternatives to address these impacts. Please refer to response to comment TJ-4 for further discussion of noise related concerns.

DA-1

G.R. Flores  
P.O. Box 14016  
San Luis Obispo  
California  
93406

May 3, 2009

San Luis Obispo Planning Commission  
990 Palm Street  
San Luis Obispo  
California

To the San Luis Obispo Planning Commission,

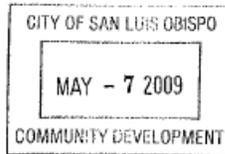
The April 26, 2009 article in The Tribune, describes issues at the " Prefumo Creek Commons ", flooding, noise, traffic, as problems " that can't be reasonably remedied ". But for how long ? There seems to be a certain level of complacency towards the destruction of farmland, building in flood zones/airport flight paths, over extending water and sewage, and diminishing quality of life. What is the tipping point, from San Luis Obispo a nice place to live, to San Luis Obispo the cesspool ? Which previous development project transformed San Luis Obispo's clear skies to a layer of smog hanging over the city ? The layer of smog very distinct when returning from Morro Bay; via Highway 1. Driving Lower Higuera Street, Los Osos Valley Road and Madonna Road is a miserable affair. The local equivalent of driving in Santa Maria, Salinas or San Jose. Which development project that San Luis Obispo just had to have?. Caused this traffic and congestion nightmare..

But that seems to be the rub . Politicians and developers believe if they wow us with chain store shopping or hit us with the doom phrase " housing shortage " . We will not notice the layer of smog, the constant noise of machinery and movement of people, the push down the path of perpetual water rationing, infill neighborhoods with no privacy or parking, police force that cannot or will not enforce basic traffic laws, graffiti.

There are numerous cities up and down California, that the locals describe as once being nice places to live. But essentially destroyed themselves with overdevelopment. Believing paying over every inch of their city was a sign of progress. Unfortunately San Luis Obispo has bought into this belief.

Thank you for your time,

G.R. Flores



GFR-1

Comments respectfully noted; however, they address the proposed project and City planning issues rather than the adequacy of the EIR. The EIR fully discloses significant air quality, hydrology, agricultural, utilities, traffic, and noise impacts and provides a range of mitigation measures and alternatives to address these impacts. Decisions regarding residual impacts are left to decision makers.

GRF-1

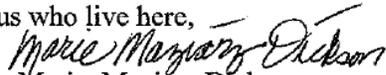
May 20, 2009

From an environmental standpoint little notice has been given to developers' plan to open the end of our street for a "pedestrian walkway".

It should be obvious even to the most oblivious that unless our street remains closed shoppers will be encouraged to park in front of our houses and those of neighboring streets rather than continue on to a perfectly adequate entrance on Los Osos Valley Rd.

Without justifiable cause and to our detriment our quiet residential area risks being subject to an environmental assault of traffic, noise, and gas emission pollution.

It should be illegal to indiscriminately open up our street without permission or vote of those of us who live here,



Marie Maziarz Dickson  
1978 Oceanaire Drive  
San Luis Obispo, Ca. 93405

805 545-7734

MD-1

MD-1

Thank you for your comments. Oceanaire Drive in this vicinity was developed with an existing road connection to the project site as part of initial residential subdivision of Tract 234 in 1962. This road connection was envisioned at that time to be a full connection to the property to the south that included pedestrians, bicyclists and vehicles. As part of reviewing the proposed project, the City has determined this connection can be scaled back to only include pedestrian and bicycle connections into the neighborhood. Your concerns regarding the pedestrian walkway on Oceanaire Drive have been noted. The proposed project has been deemed unlikely to generate significant pedestrian usage from outside your neighborhood area or in close proximity given the auto-oriented, regional shopping center type of development proposed. As noted on page 3.8-8, the relatively long distances between destinations, the wide high-speed arterial and auto-oriented design of other developments in the area reduce the attractiveness of the vicinity to pedestrian traffic. With regard to potential increase in vehicle traffic and parking in the surrounding residential neighborhood, it is also unlikely that significant impacts would occur. The proposed project would provide approximately 838 on-site parking spaces, which is within the range required by the City's Municipal Code. A shortage of parking within the proposed development is not anticipated; therefore, increased parking in surrounding residential neighborhoods would be unlikely. However, to promote a sustainable community, the City implements policies to encourage pedestrian accessibility (e.g., Policy C 5.0.4 and C 5.0.5 as noted on page 3.8-17 in the Draft EIR). Therefore, with the inclusion of the Oceanaire walkway, pedestrian access to the proposed project would remain a viable option for citizens seeking this access, even though

significant increases in pedestrian traffic and neighborhood parking are unlikely.

Although not anticipated, if problem parking does develop in the neighborhood associated with the pedestrian connection, the City has existing programs for residential parking problem resolution that can be implemented that will assist in reducing neighborhood intrusion if any develops.

RW-1

Thank you for your comment. Please refer to response to comment Conserve-1.

---

**From:** rosemary wilvert [mailto:rwilvert@sbcglobal.net]  
**Sent:** Tue 4/14/2009 12:09 PM  
**To:** Council, SloCity  
**Subject:** open space requirement for Gap property

Honorable Mayor Romero and City Council members,

I have read the draft EIR for the "Gap" property and am alarmed to see that the 50% open space requirement for mitigation for its being rezoned commercial has not been honored. Fifty percent of the 31-acre parcel would be 15.5 acres. The developers are proposing only 11.9 acres for open space. RW-1

The 2.3 acres proposed for roads should come out of the development allotment, not the open space. Pavement is development!

When Ernie Dalidio tried to develop his parcel without honoring the 50% open space requirement, he triggered litigation from a successful grassroots movement to protect our County's General Plan. Let's not go down that road again.

Respectfully,

Rosemary Wilvert  
President, Citizens for Planning Responsibly (CPR)

**P. TERENCE SCHUBERT, ESQ.**

A PROFESSIONAL LAW CORPORATION  
1254 Marsh Street  
San Luis Obispo, California 93401  
(805) 543-1113  
Facsimile (805) 543-1205

May 22, 2009

Mr. Phil Dunsmore, Associate Planner  
City of San Luis Obispo  
919 Palm Street  
San Luis Obispo, California 93401

Re: City File No.: ER 7-07  
State Clearinghouse No.: 2008021028  
Project Address: 11980 Los Osos Valley Road  
Project: Prefumo Creek Commons

Dear Mr. Dunsmore:

I represent Kristie and Rudy Molina, the owners of the Laguna Village Shopping Center (LVSC), and Randall P. Poltl of R. Poltl and Associates, Inc., the Property Manager of LVSC. This letter is written to you with regard to my clients' review of the Draft Environmental Impact Report ("DEIR") that has been prepared for the Prefumo Creek Commons Project (the Project), which has also been referred to as the "Gap Project." As you know, LVSC is located at the corner of Los Osos Valley Road ("LOVR") and Madonna Road.

My clients and I attended the Planning Commission ("PC") Meeting on May 13, 2009, and provided oral comments and written documentation to the City addressing the traffic and access problems that have arisen at LVSC with the development of a number of projects in recent years along LOVR from Highway 101 to Foothill Boulevard. This letter is written to you to provide comments to the DEIR, in addition to those presented at the May 13<sup>th</sup> meeting, and the documents that were provided by Mr. Poltl to the Planning Commission at that meeting.

**SCHUBERT-1** Thank you for your comment. The traffic analysis contained in the Draft EIR was scoped to address all intersections where City staff and the consultant team anticipated that potentially significant impacts could occur as a result of project generated traffic. The scope of this traffic study was in part based upon the analysis of traffic and circulation issues contained in the recent EIRs on the Costco and Dalidio development projects, as well as that prepared for proposed improvements to the LOVR/ U.S. 101 interchange. Based on data contained in these reports and the recently completed traffic analysis in this Draft EIR, the proposed project is not anticipated to create traffic impacts at the intersection of LOVR/ Royal Way or that of Madonna Road/Pereira Drive. However, in order to address concerns raised in public comments, the City and its consultants have further reviewed this matter. Discussion is included on pages 3.8-15 and 3.8-16 and pages 3.8-30 through 3.8-32 of the Final EIR. Please also refer to response to comment ATE-1 and Schubert-1.

The EIR has been revised to discuss project related incremental increases in traffic at the intersection of Madonna Road/Pereira Drive (refer to pages 3.8-15, 3.8-29, and 3.8-30). The intersection currently experiences side street delays for access onto Madonna Road due to relatively high volumes on Madonna Road; however, overall LOS appears to remain acceptable. Such delays are of concern to residents attempting to turn left onto southbound Madonna Road. Existing substantial southbound queues at this intersection also add to delays and difficulties with left turns off Pereira Drive. However, project impacts at this intersection are not anticipated to be significant as project generated

Mr. Phil Dunsmore, Associate Planner  
City of San Luis Obispo  
May 21, 2009  
Page 2

**BACKGROUND**

At the outset, it should be noted that my clients did not oppose the development of the new shopping centers (Home Depot, Costco and Irish Hills Shopping Center, collectively referred to as "the Existing New Developments") that have been developed near LVSC, and as stated at the May 13<sup>th</sup> PC Meeting, my clients are not opposed to the Prefumo Creek Commons Project. However, as has been expressed to the City on numerous occasions over the past two years, my clients are extremely concerned about the traffic and circulation problems that have arisen primarily as a result of the development of the Existing New Developments.

In fact, as noted at page 3.8-14 of the DEIR, as a result of the traffic and circulation impacts arising from the establishment of the Existing New Developments and the failure to adequately address these impacts, the City has significantly limited access to LVSC by prohibiting cars from turning from northbound Madonna Road into LVSC.

These access problems were described in detail in that letter from Randall P. Poltl to Messrs. Ken Hampian, Jay Walter and John Mandeville, dated April 29, 2008 ("the April 29<sup>th</sup> Poltl Letter"), a copy of which is enclosed with this letter; a further discussion is provided below.

**COMMENTS TO THE DEIR**

(1) The analysis of traffic and circulation issues related to the development of the Project should be expanded to include the LOVR/Royal Way intersection and the driveways accessing the LVSC from LOVR.

SHUBERT-1

(2) The analysis of traffic and circulation issues related to the development of the Project should be expanded to include the intersection at Madonna Road and Pereira Drive and access into and out of LVSC from Madonna Road.

(3) The analysis of issues impacting pedestrians attempting to cross Madonna Road at Pereira Drive should be addressed in the DEIR.

SHUBERT-2

(3) The DEIR concludes that the proposed project would cause the Level of Service ("LOS") to deteriorate from an acceptable to unacceptable level during p.m. peak hours (see Table 3.8-9 at Page 3.8-25 and Impact TT-1 at Page 3.8-27). While the DEIR mentions potential mitigation measures such as the addition or lengthening of turn lanes (see second paragraph on Page 3.8-27), it dismisses these potential improvements in a conclusory manner without adequate

SHUBERT-3

traffic would create minimal new turning movements at this location and would only add incrementally to already high through volumes along Madonna Road as well as existing queues. Please also refer to response to comment ATE-3.

The EIR has also been revised to note that the proposed project would incrementally increase average delay at the intersection of LOVR with Royal Way. However, project impacts at this intersection are not anticipated to be significant as project generated traffic would create minimal new turning movements at this location and would only add incrementally to through volumes along LOVR that currently experience minimal delay (compared to the side street). Therefore, the potential for increased average delays at this intersection are considered insignificant.

**SCHUBERT-2** As noted in response to comment Schubert-1 above, the proposed project is not anticipated to result in significant increases in traffic congestion at the intersection of Madonna Road/Pereira Drive. The City restricted this pedestrian crossing due to safety concerns associated with the uncontrolled location, significant offset of the driveway and the close proximity to the fully signalized location at LOVR. This intersection does not currently support a formal pedestrian crosswalk and pedestrians crossing Madonna Road at this intersection are doing so in violation of City restrictions. In addition, project generated traffic would result in only a minor increase in volumes on Madonna Road, which would be further reduced by the application of mitigation measure MM TT-1a. Adequate pedestrian crossing facilities are provided within 300 feet to the south at the LOVR/Madonna Road intersection for existing pedestrians and any

Mr. Phil Dunsmore, Associate Planner  
 City of San Luis Obispo  
 May 21, 2009  
 Page 3

analysis.<sup>1</sup> Sufficient information is not presented to support the conclusion that these improvements are not feasible because of right of way acquisition costs and potential conflicts with the City circulation element. An analysis of these factors needs to be presented so as to allow the Lead Agency and the public the ability to determine whether or not these measures may be preferable to mitigation measures which are identified as MM TT-1a; MM TT-1b, and MM TT-1c.

SHUBERT-3,  
 cont.

**SCHUBERT-3** Mitigation measure MM TT-1a proposes options for consideration that reduce project impacts to acceptable levels at the LOVR/Madonna Road intersection. Therefore, no further mitigation is required. In addition, pursuant to State requirements, the EIR also provides a relatively comprehensive discussion of two potential physical improvements to this intersection which could be used to reduce project impacts to insignificance. However, these improvements were deemed infeasible for several interacting factors including potential inconsistency with City Circulation Element Polices 8.0.1 and 8.03 and secondary impacts associated with tree removal, potential interference with heavy volumes of pedestrian crossing at this intersection, and the cost of right-of-way acquisition. The EIR discloses details on these potential improvements and the barriers to possible implementation, including expense of right-of-way acquisition.

(4) It is doubtful that the mitigation measures which are identified at pages 3.8-29 and 30 as MMTT-1a; MM TT-1b, and MM TT-1c would be effective in reducing the identified impacts to the LOVR/Madonna Road intersection to a less than significant status.

SHUBERT-4

(A) MM TT-1a appears to require additional traffic analysis after the Project is approved, which is improper under the California Appellate Court decision in *Sundstrom v. County of Mendocino* (1988) 202 Cal. App.3d 296.

SHUBERT-5

(B) Mitigation measure MM TT-1b is not analyzed to any degree in the DEIR; it should not be difficult to undertake an analysis to determine whether providing free bus passes to employees is an effective way to reduce traffic given that this mitigation measure is apparently being used at the Existing New Projects.

SHUBERT-6

(C) Mitigation measure MM TT-1c (pedestrian, bicycle and transit facilities shall be improved in the proposed project area) lacks sufficient detail to determine what is required, much less whether or not it would be effective in reduce the identified significant impacts.

SHUBERT-7

(4) The DEIR has concluded that the Proposed Project would result in potential safety hazards and/or inconvenient pedestrian access at several driveways and entrances to the project site and would conflict with a Circulation Element policy and result in potentially significant impacts to pedestrian use and facilities in the project vicinity (see impact TT-5 at Page 3.8-33 of the DEIR). As stated above and in the enclosed April 29, 2008 Poltl Letter, these same impacts have already been experienced at LVSC and its surrounding neighborhood, and the measures need to be adopted to address these impacts, which will be made worse by the development of the Proposed Project.

SHUBERT-8

(5) It is believed that a significant shortcoming in the scope of the DEIR is its failure to address the issues raised and comments made in the April 29<sup>th</sup> Poltl Letter, which comments are incorporated herein by reference. On June 12, 2008, Mr. Jay Walter provided a responsive letter ("the Walter Letter," which is enclosed) to Mr. Poltl's letter in which he advised that the "concerns

SHUBERT-9

The Council will ultimately determine what, if any, improvements should be undertaken at this location to mitigate the project or improve operations for buildout conditions.

Right-of-way acquisition can be a major cost in roadway improvements; these costs are cited as one factor among several that may render such improvements infeasible at this time. Further, as noted above, such improvements may be

<sup>1</sup> For example, in the second paragraph on Page 3.8-27, the DEIR states that "substantial financial barriers" exist which presumably make these improvements "infeasible." What is a substantial financial barrier? How much would it cost to obtain the necessary rights of way?

Mr. Phil Dunsmore, Associate Planner  
City of San Luis Obispo  
May 21, 2009  
Page 4

and suggestions” raised by Mr. Poltl would be forwarded to the lead consultant in charge of preparing the environmental review for the Perfumo Creek Commons Project, so that these concerns and suggestions could be considered part of the lead consultant’s work. However, a review of the DEIR indicates that it is devoid of any discussion of a number of the issues raised in Mr. Poltl’s April 29<sup>th</sup> letter, including but not limited to any discussion of the installation of a new traffic light at the Madonna/Pereira intersection.

SHUBERT-9,  
cont.

The concerns and suggestions in the April 29<sup>th</sup> Poltl Letter should be considered and addressed in the DEIR.

(5) The DEIR has concluded that the near term cumulative impacts, when considered with the proposed project conditions, will result in an unacceptable LOS. (See Table 5.3-3 at Page 5-20 and also under Section 5.3.8.1 on Page 5-21. Mitigation measures need to be identified and adopted which would address the problems at the LOVR/Madonna Road intersection and access into and out of LVSC from Madonna Road and from LOVR for the immediate and long term.

SHUBERT-10

(6) Modifications should be made to the southbound approach of Madonna Road at LOVR and the intersection of Madonna Road at Pereira Drive to address the current problems in this area and to lessen the potential impacts of the Proposed Project. (See comments below under “Mitigation Measures.”)

**MITIGATION MEASURES**

It is my clients’ opinion that there are feasible mitigation measures which can and should be adopted to attempt to lessen the impact on LVSC and the surrounding neighborhood. Submitted with this letter is a Memorandum to you that has been prepared by Richard L. Pool, P.E., of Associated Transportation Engineers (“ATE”). The ATE Memorandum identifies modifications to (1) the Southbound Approach on Madonna Road at LOVR and (2) the intersection of Madonna Road at Pereira Drive. These modifications, which are graphically illustrated on Exhibits A1 and A2 to the ATE Memorandum, should be adopted as mitigation measures to address the current problems at the LOVR/Madonna Road intersection, and those which could potentially arise with the approval and development of the Proposed Project.

On May 15, 2009, Mr. Poltl submitted a plan to improve access to LVSC, a copy of which is enclosed. Approval of these proposed improvements, along with those described in the ATE Memorandum, would significant enhance the current condition at LVSC and the surrounding neighborhood.

SHUBERT-11

unnecessary since mitigation measure MM TT-1 already reduces project impacts to insignificant. The EIR goes substantially beyond CEQA requirements of a good faith effort to analyze and disclose impacts and mitigation and provides a discussion of several additional potential improvement options to address longer-term circulation issues at this intersection. However, because of potential inconsistencies with the City’s adopted Circulation Element and potentially significant secondary impacts, the EIR suggests that such improvements be addressed in a more comprehensive future study. This discussion is provided at a sufficient level of detail to inform City decision-makers and the public about issues and trade-offs associated with addressing project traffic impacts at his location. It is beyond the scope of this EIR to resolve potential conflicts with the City’s Circulation Element and analyze in detail potential secondary impacts associated with potential physical improvements to this intersection or access concerns of adjacent property owners.

**SCHUBERT-4** The EIR and Appendix E provides substantial evidence to support the conclusion that project impacts would be reduced to a less-than-significant level by the application of mitigation measure MM TT-1a. This includes detailed volume-to-capacity calculations, conservative trip generation forecasting, detailed operational review of intersections studied and LOS analysis provided by licensed traffic engineers. Mitigation measures MM TT-1b and MM TT-1c are recommended to further reduce project created vehicle traffic associated with the development. The City is required to monitor the effectiveness of all mitigation measures to ensure that project impacts are addressed.

Mr. Phil Dunsmore, Associate Planner  
City of San Luis Obispo  
May 21, 2009  
Page 5

**SUMMARY**

In closing, my clients would like to reiterate that the comments that they have previously made and submitted at the May 13<sup>th</sup> PC Meeting, this letter, the ATE Memorandum should not be misconstrued as opposition to the Proposed Project, which they support.

However, significant traffic and circulation problems currently exist at the LOVR/Madonna Road intersection, and the surrounding area which have greatly impacted LVSC and the surrounding neighborhood. These problems occurred because there was a failure to adequately analyze and address these traffic and circulation issues when the Existing New Developments were approved. Unfortunately, the failure to address these measures and the City's decision to unilaterally cut off access to LVSC from northbound Madonna Road has significantly impacting the that Shopping Center.

As the DEIR concludes, the existing situation will be made worse if the Proposed Project is adopted without effective mitigation measures. Fortunately, it is believed that the adoption of the improvements described in the ATE Memorandum and additional improvements to the access from Madonna Road into LVSC will help to re-create the bond between LVSC and the surrounding neighborhood, and will allow LVSC to remain a viable commercial enterprise.

Thank you for the opportunity to comment on the Prefumo Creek Commons Project DEIR. If you have any questions, or need any additional information, please do not hesitate to contact me or Mr. Pottl.

Respectfully yours,



P. Terence Schubert

Enclosures

cc: Kristie and Rudy Molina (w/ encl)  
Randall P. Pottl (w/ encl)  
Julie Galvin (w/ encl)  
Richard L. Pool (w/ encl)  
Clint Pearce (w/ encl)  
City Council, City of San Luis Obispo (w/ encl)  
Planning Commission, City of San Luis Obispo (w/ encl)  
Jay Walter, City of San Luis Obispo (w/ encl)  
Daniel Gira, AMEC (w/ encl)

**SCHUBERT-5** Mitigation Measure MM TT-1a provides the City with two options to fully mitigate impacts to the intersection of LOVR/Madonna Road. Physical improvements would include the proposed widening of LOVR to three lanes which would fully mitigate project impacts as well as any potential operational issues associated with increased queues at area roads and driveways. Alternately, the City could elect to require that the project size be reduced by *at least 10 percent*, equal to a reduction in 19 PM peak hour trips at this location. Monitoring of the trip reduction plan would be required to verify the exact reduction necessary to meet the decrease in trips. However, this monitoring is not required for efficacy of the proposed mitigation measures or to determine their feasibility. This approach is consistent with the guidance provided in the Sundstrom case because the general parameters of the mitigation measure are known (i.e., at least a 10 percent reduction in project size. The adequacy of this measure has also been reviewed by licensed professionals and it only requires minor refinement associated with future study.

**SCHUBERT-6** CEQA requires that the EIR identify potential impacts of the proposed project and identify valid mitigation measures that could be considered for implementation to reduce project impacts to insignificant levels. Mitigation Measure MM TT-1 identifies a number of options that could be implemented to reduce project impacts to insignificant levels. These include implementation of intersection improvements to maintain acceptable LOS at this intersection or reductions in project size to accomplish the same goal. Mitigation Measures MM TT-1b and TT-1c further assist MM TT-1a by further promoting to help to reduce vehicle trip

generation by including a Travel Demand Management (TDM) program (e.g., bus passes) to reduce vehicle demand by promoting pedestrian, bicycle, and transit usage.

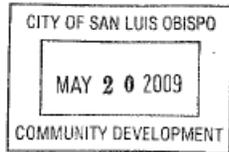
**SCHUBERT-7** This measure is required to assist with further reduction of project-related traffic impacts achieved by application of mitigation measure MM TT-1a. Please refer to mitigation measure MM TT-5 for further discussion of potential pedestrian improvements, mitigation measure MM TT-6 and Section 3.3 for further discussion of potential bicycle improvements, and mitigation measure MM TT-8 for further discussion of potential transit facilities. Because mitigation measure MM TT-1a would reduced this impact to less than significant, the EIR is not required to further assess the efficacy of this important, but secondary mitigation measure.

**SCHUBERT-8** As discussed in response to comment Schubert-1 above, the conditions of concern expressed regarding access to the Laguna Village Shopping Center are by in large, *existing conditions*, to which the project would incrementally contribute in an adverse, but not significant manner. Required mitigation measure MM TT-1a through TT-1d would reduce project impacts to the intersection of LOVR/Madonna Road to a less-than-significant level. By reducing length and frequency of extended queues at LOVR/Madonna Road, this measure would also reduce project contribution to a deterioration of operation at the intersection of Pereira Drive/Madonna Road, as well that for Laguna Village Shopping Center's driveways. Therefore, impacts to these driveways and Pereria Drive would be considered insignificant.

**SCHUBERT-9** Comment noted. However, neither the referenced Poltl letter nor these comments provide any substantial evidence that the proposed project would create a significant impact at this location. As discussed in response to comment Schubert-1 above, the revised EIR acknowledges that the proposed project would incrementally increase traffic at the intersection of Madonna Road/Pereira Drive. The intersection currently experiences side street delays for access onto Madonna Road due to relatively high volumes on Madonna Road; however, overall LOS appears to remain acceptable. Such delays are of concern to residents attempting to turn left onto southbound Madonna Road. Existing substantial southbound queues at this intersection also add to delays and difficulties with left turns off Pereira Drive. However, project impacts at this intersection are not anticipated to be significant as project generated traffic would create minimal new turning movements at this location and would only add incrementally to already high through volumes along Madonna Road as well as existing queues. Further, the application of mitigation measure MM TT-1a would substantially reduce project contribution to the length and frequency of occurrence of extended queues from the LOVR/Madonna Road intersection. As such, project impacts to this location would be less than significant and would require no further analysis or mitigation. Please also refer to pages 3.8-15 and 3.8-16 and pages 3.8-30 through 3.8-32 of the Final EIR. Please also refer to response to comment ATE-1 and Schubert-1

**SCHUBERT-10** Please refer to response to comment Schubert-1 and Schubert-9 above. As is discussed in the EIR, the near-term cumulative analysis is provided for informational purposes and not for determination of CEQA-related impacts. Further, project created impacts at this location would be fully addressed by application of mitigation measure MM TT-1a.

**SCHUBERT-11** Comment noted. The proposed project would incrementally increase traffic volumes; however, as discussed in response to comment Schubert-1, the EIR already contains mitigation measures to reduce traffic impacts to less than significant. As recommended in mitigation measure MM TT-1d, the EIR suggests the City conduct a future study to address potential circulation issues in this area; however, further analysis in this EIR is not currently required to address project impacts.



To the Members of the City Council  
Planning Department Director  
Members of the Planning Commission  
May 20, 2009

Re: Draft EIR for Prefumo Creek Commons

As a resident who lives directly adjacent to the proposed commercial development I feel it is important that the concerns of the area residents be included and addressed in any further discussions of the EIR and any mitigation proposals. This residential area is not to be treated as housing for a transient population of uninterested and largely un-impacted individuals, ie student rentals. What this neighborhood represents is a diverse community which includes many longtime homeowners of 10, 20, 30+years, as well as many long-term, stable individuals and traditional families who are renters. The homes most directly in contact with the proposed commercial development are owner occupied.

1) Traffic Control for the Neighborhood

The construction of the Irish Hills commercial development brought into our neighborhood a major traffic change which was totally unexpected and had a serious impact on our quiet, people friendly streets. The construction workers immediately began using Oceanaire Drive as a "short cut" to reach the construction sight. The speedway has continued from the first groundbreaking until today with the Development in place. Although it may seem strange, it is logical to drivers because after the signal at Madonna and Oceanaire, there is only one stop sign until the vehicles reach Los Osos Valley Road. Conversely, on the return trip, it is non-stop from Los Osos Valley Road to Madonna. The various right and left turns may have been originally designed to calm traffic however, now they have only become a challenge to the confidence of drivers of cars and motorcycles in their steering capabilities. Oceanaire Drive is no longer safe for residents on bicycles, children are always in danger, and animals have been hurt and/or killed since the change. Over the last 10 years we have seen an increase in young families moving into this neighborhood but now they are never far from the raceway. With the new proposed development it will only become worse, doubling with both construction workers and Irish Hills shoppers on our street.

TJ-1

The same problem obviously occurred on the "lake" side of Oceanaire Drive as people avoided the interchange at Madonna and LOVR. The city has installed several Stop signs on that portion of Oceanaire Drive and it has made a big difference. I propose the same is done immediately on our portion of the street. It is extremely important that any of the "mitigations" for local impacts are done at the beginning of the process. Not at the end.

2) Noise and Air Quality problems to the Neighborhood

With the building of this project our neighborhood will be changed forever. The concept of an access road which will continue into the future site of the development of the Dalidio Property, in whatever form, brings with it the prospect of our homes in direct contact with what will inevitably become a 4 lane, if not 6 lane, heavily travelled street. Any plans or discussions of mitigations for the neighborhood impacts in regard to the extension of Froom Ranch Road must address the future use, not just the initial activities pertaining to the Prefumo Creek Commons.

TJ-2

My first suggestion is to move the trajectory of the road at an angle which will direct it away from the neighborhood after the initial entry next to the school. This can provide a greater buffer from all of the toxic noise and air and slow the speed of the cars and trucks by not providing a straight line acceleration expectation. It might also allow for a resting

TJ-3

**TJ-1** Comment noted. Due to the location of the proposed project and the access to LOVR, it is not anticipated that significant traffic will be diverted through the Oceanaire neighborhood to the north. Due to the limited access points into the Oceanaire neighborhood, some traffic may choose to enter the neighborhood to avoid use of arterial streets, however, the design and location of the project does not overly encourage this maneuver and the project has been designed not to complete the Oceanaire Road connection initially designed as part of the residential subdivision and preserved as part of the street stub located next to the project. Instead, the project proposes to only allow pedestrian and vehicle access into the neighborhood at this point and not introduce a vehicle connection. Typically, City staff measures vehicle speeds and traffic volumes and compares them to adopted community standards published in the City of San Luis Obispo *Neighborhood Traffic Management Guidelines* to identify the need for traffic calming measure implementation. This program is available if traffic patterns change in the neighborhood regardless of project traffic increases. It should be noted that stop signs are not used as speed control devices. Also, the addition of vehicles to a roadway does not necessarily result in an increase in travel speed.

With development of the project, the configuration of the LOVR frontage road east of Garcia Drive will be restricted to right-turns in and out only. Thus, vehicles originating from Madonna Road and trying to use Oceanaire Drive will not be able to use this route as a cut-through to the Irish Hills development, which could reduce existing cut-through traffic. While it possible that a small number of vehicles leaving the site could travel on Oceanaire Drive via the LOVR frontage road and Garcia Drive, the travel time for westbound vehicles on LOVR turning right onto Madonna Road is relatively low. The intersection analysis shows that

point for the walking and bike trails and viewing of the "riparian" ambiance prior to crossing the 4-6 lane Highway.

The building of a sound wall and plantings of trees must be put in place prior to any other work on site to buffer the negative effects of ongoing construction with the major movement of earth on the site, the future sounds and views of light poles and giant buildings with air conditioners and loading docks and 800+ parking places filled with shoppers and employees, as well as the problems from the Froom Road extension. It is imperative for health reasons alone that the neighborhood be protected from the construction impacts that are expected to continue for a minimum of 18 months.

I believe it is the responsibility of the Planning Department and the City Council to protect all of the residents of this city from health hazards and provide safe streets in residential neighborhoods. The above issues must be addressed before moving forward with any further discussion of approval for the proposed project.



Theodora Jones  
1945 Oceanaire Drive  
San Luis Obispo, CA

TJ-3,  
cont.

TJ-4

this movement operates a LOS C or better during the PM peak hour due to the presence of a separate westbound right-turn lane and overlap phase. Accordingly, the project is not expected to result in neighborhood impacts on Oceanaire Drive.

- TJ-2** Please note the addition of Figure 3.5-1 to address concerns. As shown, future LOS of Froom Ranch Way would increase, however LOS would remain below levels that would require the construction of additional lanes in the foreseeable future; therefore no further discussion or mitigation is required.
- TJ-3** Comments are respectfully noted; however, they address City planning issues rather than the adequacy of the EIR and are best directed to the City's decision-makers. Therefore, no response is required.
- TJ-4** Due to construction and implementation requirements (e.g., water lines for trees), it may not be feasible to construct the proposed sound wall and plant trees prior to all other site work. However, as noted in MM NO-1d, "The applicant shall also ensure that the wall be constructed during the early stages of on-site improvements in order to provide additional sound reduction for residences and Pacific Beach High School during the majority of construction activities."

**From:** Pete Miller  
**To:** 'dunsmore@slocity.org' <dunsmore@slocity.org>  
**Cc:** 'patti@whelenconsulting.com' <patti@whelenconsulting.com>; Cheryl Lenhardt  
**Sent:** Fri May 22 16:53:53 2009  
**Subject:** Fw: Prefumo EIR flow tables

Hi Phil

The EIR consultant and Wallace have differing values regarding the flow in Prefumo Creek. Below is an explanation. Please enter this as a public comment.

Thanks

Pete Miller  
 Wallace Group

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**From:** Barry Rands  
**To:** Pete Miller; Cheryl Lenhardt  
**Sent:** Fri May 22 16:16:51 2009  
**Subject:** Prefumo EIR flow tables

Pete,

Here is my understanding of the difference between the two tables:

The "Wallace Group Model" shows Pre- and Post- Project Q100 flows of 5514 and 5596 cfs. This amounts to a difference of 82 cfs or 1.5%. The table from page 3.5-20 of the EIR shows Pre and Post Project Q100 flows of 2119 and 2201 cfs. The absolute difference is the same (82 cfs) but the percentage change is 3.9%. Both of these tables are based on values in the City HEC-RAS model. The difference is the river station from which these values are taken. The "Wallace Group" model represents the flow values in Prefumo Creek at the project site (River Station 1297), **which includes the contribution of roughly 3,400 cfs of flood flows that overtop U.S. Highway 101 and join Prefumo Creek less than a hundred feet upstream of the project site.** The EIR table, on the other hand, references another table shown on page 8 of Appendix H of the EIR. That table shows flow values at River Station 1402.671, which is just upstream of the "Prefumo Overflow" junction in the HEC-RAS model. Flows at this location represent flow in Prefumo Creek only and do not include the contribution of overtopping flows from the highway. The higher flow values, then, are a more accurate representation of how the City HEC-RAS model depicts flows through the Prefumo Creek Commons Project Site.

**Barry Rands, P.E., LEED AP**  
**Senior Civil Engineer**

**WALLACE GROUP**

WG-1

This comment is an accurate clarification of the difference between flows shown in the EIR and the Wallace Group report. Split flows were accounted for in the pre- and post-project modeling conducted for the EIR. Table 4 below shows the pre- and post-project flows accounting for the split flow contributions from San Luis Obispo Creek.

**Table 4. Peak Flow Rates, including Split Flows from San Luis Obispo Creek, for Existing and Proposed Conditions for the Lower Prefumo Creek Sub-basin**

Storm Recurrence Interval	PREFUMO CREEK			
	Existing Conditions Peak Runoff Rate (cfs)	Proposed Conditions Peak Runoff Rate (cfs)	Increase in Peak Runoff Rates	
			cfs	%
2	635	671	36	5.6
10	1,646	1,706	61	3.6
25	2,864	2,931	67	2.3
50	3,871	3,949	78	2.0
100	5,105	5,187	82	1.6

WG-1

SAN LUIS OBISPO  
PLANNING COMMISSION MINUTES  
May 13, 2009

ROLL CALL:

**Present:** Commissioners Michael Boswell, Eric Meyer, Airlin Singewald, Mary Whittlesey, Vice-Chairperson Michael Multari, and Chairperson Charles Stevenson

**Absent:** Commissioner Michael Draze

**Staff:** Deputy Community Development Director Doug Davidson, Associate Planner Phil Dunsmore, Traffic Engineer Jake Hudson, Natural Resources Manager Neil Havlik, and Recording Secretary Janet Miller

ACCEPTANCE OF THE AGENDA:

The agenda was accepted as presented.

**MINUTES:** Minutes of April 22, 2009, were approved as amended.

PUBLIC COMMENTS ON NON-AGENDA ITEMS:

David Brodie, San Luis Obispo, spoke regarding the nature of sidewalks, pedestrian traffic, and small retail business survival. He noted that the Downtown is in a declining state, giving Morro Street and Higuera Street as examples.

There were no further comments made from the public.

PUBLIC HEARINGS:

1. **City-Wide.** TA 52-08: Update the Sidewalk Café ordinance to encourage additional participation and consider adoption of a resolution regarding sidewalk widening; City of San Luis Obispo, applicant. (Phil Dunsmore)

Phil Dunsmore, Associate Planner, presented the staff report, recommending the following:

1. Adopt a resolution (Resolution "A") recommending the City Council approve text amendments to Municipal Code chapter 5.50 relating to sidewalk cafés and approve a negative declaration for the project.
2. Adopt a resolution (Resolution "B") recommending the City Council adopt a resolution regarding sidewalk widening in specific areas of the downtown.

**SLOPC-1** Thank you for your comment. The EIR has been revised to discuss project-related incremental increases in traffic at the intersection of Madonna Road/Pereira Drive. The intersection currently experiences side street delays for access onto Madonna Road due to relatively high volumes on Madonna Road; however, overall LOS appears to remain acceptable. Such delays are of concern to residents attempting to turn left onto southbound Madonna Road. Existing substantial southbound queues at this intersection also add to delays and difficulties with left turns off Pereira Drive. However, project impacts at this intersection are not anticipated to be significant as project generated traffic would create minimal new turning movements at this location and would only add incrementally to already high through volumes along Madonna Road as well as existing queues. In addition, MM TT-1a would provide for mitigation for any such impacts by enacting reducing the length and frequency of vehicle queues that affect this intersection. Refer to pages 3.8-15 and 3.8-16 and pages 3.8-30 through 3.8-32 of the Final EIR. Please also refer to response to comment ATE-1 and Schubert-1.

**SLOPC-2** Comment noted. The proposed project will incrementally increase traffic volumes; however, as discussed in SLOPC-1 above and Schubert-1 and -9, the EIR already contains mitigation measures to reduce traffic impacts to less than significant at the intersection of LOVR/Madonna Road. In addition, as recommended in mitigation measure MM TT-1d, the EIR suggests that the City conduct a future study to improve circulation at this location. However, further analysis in this EIR is not required to address project impacts.

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Commr. Singewald requested clarification on fees involved and staff explained the fees associated with sidewalk dining.

Vice-Chair Multari requested clarification on how changes to the façade would trigger an ARC review. Staff provided clarification on changes that would trigger such review.

Commr. Meyer requested clarification on the drainage issues concerned with widening the sidewalk. Mr. Meyer noted the site on Higuera and Garden Streets as an example. Mr. Dunsmore replied that a case-by-case basis would be considered with drainage issues. Doug Davidson, Deputy Director, also addressed drainage issues and noted the concern for the example Commr. Meyer provided.

**PUBLIC COMMENTS:**

Allan Cooper, San Luis Obispo, spoke in support of the project.

Joseph Abrahams, spoke in support of the project and requested the Commission consider expanding the area to include an area called the "Chinatown Promenade" to connect the Mission.

There were no further comments made from the public.

**COMMISSION COMMENTS:**

Vice-Chair Multari noted his support for sidewalk dining. Mr. Multari requested clarification on the required clear path of travel. Mr. Dunsmore noted that the requirement could be considered on a site-per-site basis to allow some discretion of the 6-foot requirement for adequate pedestrian passage. Mr. Multari suggested direction be written that the 6-foot requirement be reduced to 4 feet, if circumstances allow.

Vice-Chair Multari requested clarification and the waiving of both in-lieu fees and requirements for parking. Phil Dunsmore replied that staff was open to direction from the Commission.

Vice-Chair Multari suggested the following: (1) requiring greater flexibility and waiving parking in-lieu fees along with requirement for parking; (2) expanding the district; and (3) the sidewalk use fee of 66¢ per square foot should be increased to \$1 per square foot in consideration of waiving parking requirements and parking in-lieu fees.

Chairperson Stevenson supported reducing the path of travel width requirement from 6 to 4 feet when a wider path of travel is not available due to trees or other sidewalk irregularities.

Commr. Boswell addressed clarification for the wording on page 3, section 3. He noted concern for the provision for adequate passing for pedestrians.

**SLOPC-3** Please refer to response to comment SLOPC-1 and -2 above. Please also see Schubert-2 with regards to pedestrian issues.

**SLOPC-4** Comments noted. Please refer to response to comment TJ-1.

**SLOPC-5** Comment noted. Please refer to response to comment MD-1.

**SLOPC-6** Thank you for your comments. As discussed in Schubert-1 and -9 and SLOPC-1 above, the EIR provides for mitigation to reduce project-related traffic impacts at LOVR/Madonna Road to a less than significant level. In addition, in order to address longer-term circulation issues at this intersection, the EIR describes two potential physical improvements to this intersection that could further improve operations and also provides substantial discussion of potential issues and trade-offs associated with constructing these improvements. The revised EIR also includes a new mitigation measure that recommends a study to provide the opportunity for comprehensive City consideration of these issues.

In order to assist in public and decision-maker understanding of potential impacts to roads and driveways in the vicinity of the LOVR/Madonna Road intersection, the EIR contains a revised Figure 3.8-3 which clearly depicts the Laguna Village Shopping Center, driveways of concern and the intersections of LOVR/Royal Way and Madonna Road/Pereira Drive. In addition, discussion of circulation issues at these intersections and project driveways has been provided on pages 3.8-15, 3.8-29, and 3.8-30 of the Final EIR. Finally, a new figure (Figure 5.3-1) has been included which depicts the future circulation improvements in

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Commr. Meyer noted that a description of distance should be clarified regarding the clear path of travel. Mr. Meyer noted that a bike rack could be installed instead of parking fees.

Commr. Whittlesey requested clarification on Attachment 3, section 1, paragraph 3 of Resolution A. Staff replied that the General Plan does include policies that relate to pedestrian amenities in the downtown and that the finding needed to be completed to include a policy reference.

Mr. Davidson reviewed the direction provided by the Commission thus far was to: reduce the sidewalk width requirement to a minimum of 4 feet, waive the parking in-lieu fees, encroachment permit fees, and parking requirements for sidewalk cafes, expand the district, and raise the use fee from 66¢ to \$1. In addition, Attachment # 3 should be revised to include an option to purchase bicycle racks in lieu of parking space requirements.

There were no further comments made from the Commission.

On motion by Vice-Chair Multari, seconded by Commr. Meyer to adopt the recommendation with the following directions: (1) expand the area to include both sides of the streets of Toro to Nipomo & Marsh to Palm; (2) include a table and chairs permit process with a lower fee; (3) eliminate parking in-lieu fees and encroachment permit fees; (4) allow bike racks in lieu of parking requirements; (5) a 4-foot minimum clear path of travel may be considered adequate; and (6) the removal of "P" and "Q" in the proposed ordinance.

**AYES:** Commrs. Boswell, Meyer, Singewald, Whittlesey, Multari, and Stevenson  
**NOES:** None  
**RECUSED:** None  
**ABSENT:** Commr. Draz

The motion passed on a 6:0 vote.

On motion by Vice-Chair Multari, seconded by Commr. Meyer to recommend the adoption of an increase to the use fee from 66¢ to \$1 and to change the clear path of travel requirement to a minimum of 4 to 7 feet.

**AYES:** Commrs. Boswell, Meyer, Singewald, Whittlesey, Multari, and Stevenson  
**NOES:** None  
**RECUSED:** None  
**ABSENT:** Commr. Draz

The motion passed on a 6:0 vote.

On motion by Commr. Boswell, seconded by Commr. Meyer to recommend approval of the sidewalk widening resolution to the City Council.

the southwestern of the City near the project site and the approximate average daily trips that are projected to occur at key locations in this area.

Allowed residential land use densities in this area in relationship to the Airport Land Use Plan (ALUP) are discussed in Section 3.6, Land Use. In particular, although between 1 and 2 acres of the project site lies outside of Airport Safety Area S-1b, ALUP policy requires that allowable densities recognize the most conservative designation affecting a property. As a result, in this particular case, the policies of the ALUP would not appear to permit averaging of the allowable densities between those areas outside of the safety corridor and those within. Therefore, based on the ALUP, the EIR continues to identify maximum allowable residential buildout of the site as four units.

**SLOPC-7**

The ALUP establishes guidance on land use planning in the vicinity of the San Luis Obispo County Regional Airport. Development of the ALUP appears in part to have been based on the principals and recommended standards contained in Caltrans's *Airport Land Use Planning Handbook* (Caltrans 2002). However, the Airport Land Use Commission retains broad authority over the development of the ALUP and its potential safety and noise related restrictions on surrounding land uses. While a comprehensive review of the ALUP is beyond the scope of this EIR, text has been added to Section 3.6 (Land Use) and Section 6.0 (Alternatives) which provides a general overview of these Caltrans Guidelines and the potential use and development of the site if these guidelines were applied to the property. Excerpts from the Caltrans Guidelines which address density and safety issues have been included as Appendix J. The additional discussion in Sections 3.6 and 6.0 is for informational purposes only and the EIR continues to rely upon the

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**AYES:** Commrs. Boswell, Meyer, Singewald, Whittlesey, Multari, and Stevenson  
**NOES:** None  
**RECUSED:** None  
**ABSENT:** Commr. Draze

The motion passed on a 6:0 vote.

- 2. **11980 Los Osos Valley Road.** ANNEX 7-07: Review of the Draft EIR for a project to annex and develop vacant agricultural land along Los Osos Valley Road with a new retail center (Perfumo Creek Commons); Irish Hills Plaza East LLC, applicant. (Phil Dunsmore)

Phil Dunsmore, Associate Planner, presented the staff report, recommending taking public testimony and providing input to City and consultant staffs on additional analysis or data needed to adequately evaluate environmental issue areas.

Dan Gira, EIR Consultant, provided clarification on information provided in the Staff report.

Commr. Meyer requested clarification on the proposed parking lot grading. Staff replied that the site would be raised several feet to a level above the flood zone.

Chairperson Stevenson requested clarification on the land use and agricultural land conversion. Staff provided clarification on the land use and open space requirements for the project.

**PUBLIC COMMENTS:**

Randy Poltl, San Luis Obispo, was concerned with the existing traffic issues at the Laguna Shopping Center. He noted a concern for additional traffic impacts and the requirement of a traffic light on Madonna Road. Jake Hudson, Traffic Engineer, discussed the Laguna Shopping Center access issues. Mr. Hudson does not concur that the traffic signal is the best decision and that additional options were currently being considered.

SLOPC-1

Terry Schubert, San Luis Obispo, noted the concern for the traffic back-up at the Laguna Shopping Center. He discussed the impact of additional traffic in the area.

SLOPC-2

Kristie Molina, San Luis Obispo, spoke in support of access to the Laguna Shopping Center which will be impacted with additional traffic with the development.

SLOPC-3

Theodora Jones, San Luis Obispo, does not support the proposed project because of traffic issues.

SLOPC-4

adopted ALUP for determining project consistency with adopted plans and policies. However, as discussed in the revisions beginning on page 3.6.19, it appears that the Caltrans Guidelines could potentially be more permissive of residential development on the project site than the adopted ALUP. In particular, because the site lies at the far end of the ALUP Safety Area S-1b, it is unclear if application of the Caltrans Guidelines would generally recommend requiring inclusion of the project site in this safety area or simply permit its inclusion under a conservative interpretation of these Guidelines (refer to Appendix J). Because the project includes a General Plan amendment, more detailed consideration of this issue may be appropriate if the City determines that mixed-use development (e.g., Alternative 1 or 2) is potentially a preferred land use for the project site. Consideration of residential uses would require detailed additional study to determine if substantial evidence exists that such uses could be safely developed on this site.

**SLOPC-8**

Please note revisions to page 3.6-25 to address concerns. The City of San Luis Obispo Inclusionary Housing Requirement states that commercial development located within City limits should have two affordable dwelling units per acre, but not less than one affordable dwelling unit per project, or that in-lieu fees should be paid equal to 5 percent of building valuation. The proposed project would therefore be required to construct a minimum of 10 affordable housing units or pay in-lieu fees. Building valuation estimates are not presently available therefore an estimate of generated in-lieu fees is not currently feasible. The City's General Plan and policy framework support payment of in-lieu fees as the acceptable mitigation measures to address such issues. Therefore, additional mitigation is not required.

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Marie Dickson, San Luis Obispo, did not support the opening of Oceanaire Drive for a pedestrian walkway. | SLOPC-5

There were no further comments made from the public.

**COMMISSION COMMENTS:**

Vice-Chair Multari requested clarification on: (1) traffic mitigation in order to take pressure away from Madonna and Los Osos Valley Road; (2) A circulation pattern that takes into account the surrounding area; and (3) the allowed residential density. Mr. Girra replied that he will provide clarification to the Commission at a later meeting. | SLOPC-6

Vice-Chair Multari noted that: (1) he questioned the precision of the ALUP map, noting a small change in the boundary could significantly improve the project; (2) project creates low-income jobs and no housing; (3) concern for lack of mitigation for housing; and (4) concern for circulation. | SLOPC-7  
| SLOPC-8  
| SLOPC-9

Commr. Boswell requested clarification on: (1) a north elevation of Building C for the neighborhood; (2) frontage description to be refined; (3) solar offset estimate does not seem to be accounted for in table provided and should be addressed; (4) hydrology noted on table 3.5-20 be addressed and noise particularly in regard to trucks be addressed to include routing; (5) transportation mitigations referenced on page 3.8-32 regarding reconfigurations should possibly be in a diagram; (6) bicycle locker consideration be addressed; (7) water allocation for residential and commercial uses noting clarification of additional water supply for the city, Mitigation UT-7C; (8) LEED silver certification needs to be defined; and (9) Global Greenhouse emissions should be noted. | SLOPC-10  
| SLOPC-11  
| SLOPC-12  
| SLOPC-13  
| SLOPC-14  
| SLOPC-15  
| SLOPC-16  
| SLOPC-17  
| SLOPC-18

Chairperson Stevenson suggested that the EIR should note the new standards for greenhouse emissions and that photovoltaic panels could be considered to cover a portion of the parking lot for electricity and shade. | SLOPC-19  
| SLOPC-20

Commr. Whittlesey stated that the CD EIR format was difficult to read. Ms. Whittlesey noted a concern for air quality. She requested trash enclosure information be provided. Ms. Whittlesey was concerned for the habitat and lighting. She requested that a mitigation for L.E.D lighting be considered. Ms. Whittlesey noted concern for the overpass and traffic concerns in the area over the highway. She requested clarification on alternative projects affected and prioritizing small parking be included. | SLOPC-21  
| SLOPC-22  
| SLOPC-23  
| SLOPC-24  
| SLOPC-25  
| SLOPC-26

Commr. Singewald supported the Commissioners' comments. He noted a concern for housing and climate changes be addressed. | SLOPC-27

Commr. Meyer discussed concerns for housing and traffic mitigation. | SLOPC-28

Chairperson Stevenson requested that LAFCO comments be included. | SLOPC-29

**SLOPC-9** Please refer to response to comment SLOPC-6 above.

**SLOPC-10** Please note new figure in Section 2.0, page 2-13 showing the north (rear) elevation of Anchor C from Froom Ranch Way.

**SLOPC-11** Please note edits to Table 3.3-10 to incorporate estimated emission reductions/offsets from use of photovoltaic arrays.

**SLOPC-12** Please refer to response to comment RWQCB-1.

**SLOPC-13** Please note the addition of mitigation measure MM NO-3b to the EIR to address concerns related to delivery truck noise impacts.

**SLOPC-14** Comment noted; however, due to the determination of impacts to freeway ramp junctions as less than significant, the data presented in Table 3.8-10 was not provided in a figure.

**SLOPC-15** Please note the revision to mitigation measure MM TT-6 to address concerns related to the proposed bicycle parking on page 3.8-36.

**SLOPC-16** The EIR acknowledges the substantial use of remaining City water supplies allocated for future development. As such, this use could impact other future project developments. However, absent evidence of resource availability and with development of future supply improvements, impacts on water use were deemed adverse but less than significant. Please note addition of future water supply discussion to Section 3.9, page 3.9-10.

**SLOPC-17** Please note additions to text to further define LEED Silver Certification on page 3.9-17.

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Commr. Whittlesey requested information on future agricultural development in the area. Neil Havlik, Natural Resources Manager, provided clarifying information on agricultural development in the area.

SLOPC-30

There were no further comments made from the Commission.

**COMMENT AND DISCUSSION:**

**3. Staff**

- a. Agenda Forecast – Deputy Director Davidson provided the agenda forecast.

**4. Commission**

Commission requested to prioritize their future study sessions at the next meeting.

**ADJOURNMENT:** The meeting was adjourned at 9:45 p.m.

Respectfully submitted by,

Janet Miller  
Recording Secretary

Approved by the Planning Commission on May 27, 2009.

\_\_\_\_\_  
Ryan K. Betz  
Supervising Administrative Assistant

**SLOPC-18** Please note consistency in climate change terminology as amended to address concerns.

**SLOPC-19** Please refer to discussion of SB 375 in Section 3.3, page 3.3-7. This bill was passed in August 2008 and represents the State’s most current standards to implement new development practices to regulate greenhouse gas emissions.

**SLOPC-20** Please note changes to mitigation measure MM AQ-4b on page 3.3-27 to incorporate photovoltaic panels to provide covered parking and shade, and supply clean energy to the proposed project.

**SLOPC-21** Comment noted; however the EIR is presented as a bookmarked PDF version of the print document which meets industry standards for such documents.

**SLOPC-22** Please note the inclusions of further mitigation in Section 3.3 to reduce air quality impacts.

**SLOPC-23** Thank you for your comments. The EIR discloses impacts from increased lighting in Prefumo Creek habitat. Mitigation measure MM BIO-3a addresses impacts related to project light in sensitive habitat areas and requires that all exterior building light fixtures be setback a minimum of 100 feet from the top of the creek bank and hooded and/or directed away from the Creek. Further, this mitigation requires any night lighting adjacent to the Creek to be low voltage and hooded downward. Artificial light levels within 20 feet of the top of the creek bank shall not exceed 1-foot-candle.

**SLOPC-24** Please note additions to mitigation measure MM AQ-4b on page 3.3-27 to incorporate consideration of energy efficient LED lighting and other measures to improve energy efficiency for the proposed project.

- SLOPC-25** Thank you for your comment. Potential traffic-related impacts of the proposed project were analyzed for the freeway ramp junctions (refer to page 3.9-15) and across U.S. 101 east to the intersection of LOVR/South Higuera Street. Based on distance from the project site, the local circulation network, previous studies, and the knowledge of City Public Works Department staff and the transportation consultant, no substantial increases in congestion or potential project impacts are anticipated beyond the LOVR/S. Higuera Street intersection.
- SLOPC-26** Please note addition to mitigation measure MM AQ-4b on page 3.3-27 to incorporate preferential parking for compact, hybrid, and electric vehicles.
- SLOPC-27** Please refer to response to comment SLOPC-8 to address concerns regarding housing impacts and adverse effects on the City's jobs/housing balance. Please refer to additions to Section 3.3 and Section 3.8 for additional mitigation concerning climate change.
- SLOPC-28** Please refer to response to comment SLOPC-8 to address concerns regarding housing impacts and adverse effects on the City's jobs/housing balance. Please refer to additions to Section 3.8 for additional mitigation concerning traffic-related impacts.
- SLOPC-29** Section 3.9, Utilities and Public Services, mitigation measure MM UT-1e in the EIR has been incorporated to address LAFCO comments. Please refer to page 3.9-11.
- SLOPC-30** Comment noted.

## 8.0 MITIGATION MONITORING PROGRAM

### 8.1 INTRODUCTION

The California Environmental Quality Act (CEQA) Section 21081.6 requires that a mitigation monitoring program be established upon certification of an Environmental Impact Report (EIR). It stipulates that "the public agency shall adopt a reporting or monitoring program for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."

The following Mitigation Monitoring Program has been developed in compliance with Section 21081.6 of CEQA and identifies 1) the agency responsible for implementing the mitigation measure, 2) the approximate timing of when plans should be provided by the agency implementing the mitigation measure, 3) how the mitigation measure will be enforced by the monitoring division, and 4) where funding to implement the mitigation measure would be obtained.

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<i>Aesthetics and Visual Resources</i>				
MM VIS-1a Landscaping in the View Mitigation Corridor shall be defined by gradually increasing species heights from west to east, from low, decorative shrubbery and more widely spaced street trees at LOVR frontage to large-scale screen trees within the proposed parking areas and fronting Anchor E.	Architectural Review Commission	Prior to Project Design Approval	Community Development/Planning Division	Developer
MM VIS-1b Final design of the landscape plan shall balance conflicting goals of view preservation and site screening, fostering a moderately pedestrian-oriented streetscape and breaking up the project's large uninterrupted surface parking lots, to the maximum extent feasible.	Architectural Review Commission	Prior to Project Design Approval	Community Development/Planning Division	Developer
MM VIS-2a Light fixtures on the north side of Anchor C shall be minimized to the number necessary to provide adequate lighting for security and nighttime access and circulation. Hooded light fixtures shall be used and positioned downward so as to minimize the transfer of lighting to neighboring, residential properties to the north of the site.	Architectural Review Commission	Prior to Project Design Approval	Community Development/Planning Division	Developer
MM VIS-2b The proposed landscaping plan for the north side of the Froom Ranch Way extension shall be revised to eliminate three gaps in the proposed row of 15-gallon incense cedars.	Architectural Review Commission	Prior to Project Design Approval	Community Development/Planning Division	Developer
MM VIS-2c All roadway lighting along the proposed extension of Froom Ranch Way shall be automatically controlled by a Street Smart System. The project applicant shall fund the installation of necessary check points and access points for the system. The system shall be designed to reduce the level of lights on the public right of way by 50 percent between the hours of 10:00 pm and 5:00 am. On-site, pole-mounted lighting shall be significantly reduced after 10:00 pm and prior to 5:00 am. Only sufficient lighting for security purposes shall be permitted between the hours of 10:00 pm and 5:00 am.	Architectural Review Commission	Prior to Project Design Approval	Community Development/Planning Division/Public Works Department	Developer
<i>Agricultural Resources</i>				
AG-1 (No mitigation measures required.)				
MM AG-2 The applicant shall ensure the provision of adequate amounts of irrigation water for agricultural production on the proposed	Natural Resources Manager	Prior to Project Design Approval	Community Development/Planning	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
10-acre open space either through construction of an on-site water well or ensuring provision of a long-term supply of irrigation water at agricultural rates from other sources.			Division	
MM AG-3a Construction of the proposed regional shopping center shall incorporate mitigation measures to reduce potential excess dust from earth moving and other heavy equipment activities.	Developer	During Construction	Community Development/Planning Division and Air Pollution Control District	Developer
MM AG-3b In order to address potential land use conflicts, the applicant shall coordinate with the City's Natural Resources Manager to identify and incorporate appropriate measures (e.g., fencing, signs, etc.) to reduce public access (e.g., from the future Bob Jones Bike Trail) to environmentally sensitive areas and areas proposed for long-term cultivation.	Developer	Prior to Project Design Approval	Natural Resources Manager	Developer
<b>Air Quality</b>				
MM AQ-1a The following standard air quality mitigation measures shall be implemented during construction activities at the project site: <ul style="list-style-type: none"> <li>• On- and off-road diesel equipment shall not be allowed to idle for more than three minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the three-minute idling limit.</li> <li>• The City shall review the source of fill material before material is transported to the project site.</li> <li>• Water trucks or sprinkler trucks shall be used during construction to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would require twice-daily applications. All dirt stock pile areas should be sprayed daily as needed. Increased watering frequency would be required when wind speeds exceed 15 miles per hour (mph). Reclaimed water (non-potable) shall be used when possible.</li> <li>• Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast</li> </ul>	Developer	Prior to and During Construction	Community Development/Planning Division/Public Works Department and Air Pollution Control District	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>germinating native grass seed and watered until vegetation is established.</p> <ul style="list-style-type: none"> <li>• All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.</li> <li>• Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.</li> <li>• All PM<sub>10</sub> mitigation measures required shall be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance map recordation and finished grading of the area.</li> <li>• The contractor shall ensure that portable equipment, 50 horsepower or greater, used during construction activities have the appropriate California statewide portable equipment registration (issued by CARB) and/or APCD permit. To minimize potential delays, prior to the start of the project, Gary Willey of the District's Engineering Division at (805) 781-5912 shall be contacted for specific information regarding permitting requirements.</li> <li>• On site vehicle speeds shall be 15 mph or less.</li> <li>• Reduce the amount of disturbed area where possible.</li> <li>• All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible unless seeding or soil binders are used.</li> <li>• All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard in accordance with California Vehicle Code Section 23114.</li> <li>• All streets adjacent to the project site shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads.</li> </ul>				

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Prejumo Creek Commons Project  
 Final EIR

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>Water sweepers with reclaimed water shall be used where feasible.</p> <ul style="list-style-type: none"> <li>• Prior to any grading activities at the site, the applicant shall ensure that a soil and bedrock analysis is conducted to determine if NOA is present within the area that will be disturbed in compliance with the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. If NOA is not present, an exemption request shall be filed with the APCD. If NOA is identified at the project site, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for review by the APCD. The APCD Enforcement Division (805)781-5912 or the APCD web page (<a href="http://www.slocleanair.org/business/asbestos.asp">http://www.slocleanair.org/business/asbestos.asp</a>) shall be contacted for more information.</li> <li>• Maintain all construction equipment in proper tune according to manufacturer's specifications.</li> <li>• Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).</li> <li>• Maximize, to the extent feasible, the use of diesel construction equipment meeting CARB's 1996 and newer certification standard for off-road heavy-duty diesel engines.</li> <li>• No developmental burning of vegetative material shall be conducted without prior approval from the APCD. An application, payment of fee based on the size of the project, APCD approval, and issuance of a burn permit by the APCD and the local fire department authority must be completed. A study of technical feasibility must be submitted to the APCD at the time of the application submittal. Any questions regarding these requirements should be directed to the APCD Enforcement Division (805)781-5912.</li> <li>• Since APCD construction thresholds are exceeded even after implementation of all feasible emission reduction technologies, offsite mitigation for pollutants (ROG + NO<sub>x</sub>) over the threshold (185 lb/day), evaluated over the length of the expected exceedance,</li> </ul>				

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>will be required. The City shall work with the applicant and the APCD to determine the appropriate level of mitigation and shall consider the implementation of Air Quality enhancing projects or the payment of mitigation fees towards such projects.</p>				
<p>MM AQ-1b A Construction Activity Management Plan shall be included as part of project grading and building plans and shall be submitted to the APCD for review and to the City for approval prior to the start of construction. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone of such persons shall be provided to the APCD prior to land use clearance for map recordation and grading. The plan shall include but not be limited to the following elements:</p> <ul style="list-style-type: none"> <li>• Schedule construction truck trips during non-peak hours (as determined by the Public Works Director) to reduce peak hour emissions.</li> <li>• Obtain fill from the closest possible location.</li> <li>• Limit the length of the construction work-day period, if necessary.</li> </ul>	Developer	Prior to and During Construction	Community Development/Planning Division/Public Works Department and Air Pollution Control District	Developer
<p>MM AQ-2 The applicant shall implement the following Best Available Control Technology (BACT) for diesel-fueled construction equipment, where feasible, to minimize the exposure of diesel exhaust to sensitive receptors:</p> <ul style="list-style-type: none"> <li>• Mitigation measures in MM AQ-1a pertaining to construction equipment also apply to this impact. In addition, locate all queuing, staging and stockpiling areas, as far from the school and residential areas as possible. Identify staging area, queuing and stockpile locations on all site plans.</li> <li>• Maximize to the extent feasible, the use of on-road heavy-duty equipment and haul trucks that meet the CARB's 2003 or newer certification standard for on-road heavy-duty diesel engines;</li> <li>• Retrofit all onsite off-road construction equipment that is not 2003</li> </ul>	Developer	Prior to and During Construction	Community Development/Planning Division and Air Pollution Control District	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>or newer with diesel particulate filters (CDPF) or diesel oxidation catalysts.</p> <ul style="list-style-type: none"> <li>• Install diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other District approved emission reduction retrofit devices (the number of catalysts or filters required and the equipment on which they should be installed shall be determined in consultation with the Community Development Department with guidance from APCD);</li> <li>• Develop and implement a Diesel Emission Control Plan (DECP) that describes the diesel emission controls to be used during construction and specifies the use of DOCs and CDPFs, in consultation with, and for review and approval by the APCD prior to start of construction;</li> <li>• Substitute gasoline for diesel powered equipment, where feasible;</li> <li>• Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel, or electrify equipment where feasible;</li> <li>• Design all loading facilities associated with the proposed stores as far away from the school and residential development as possible;</li> <li>• Post signs at all loading zones to limit idling to no more than 3 minutes;</li> <li>• Plant conifer trees between the development and the school and residential development as a particulate matter control measure; and</li> <li>• If any of the above BACTs are considered infeasible, the applicant shall notify the Community Development Department, by letter, and clearly state why any of the measures are considered infeasible. The Community Development Department, in consultation with the San Luis Obispo County APCD would then make a final determination as to whether the measure is infeasible.</li> </ul>				
MM AQ-3a The applicant shall ensure that all equipment utilized in operational activities has the necessary APCD permits when	Developer	Prior to Issuance of Construction-related	Community Development/Planning	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
appropriate. To minimize potential delays, prior to the start of the project, Gary Wiley of the APCD's Engineering Division at (805) 781-5912 shall be contacted for specific information regarding permitting requirements.		Permits and During Construction	Division and Air Pollution Control District	
MM AQ-3b Since APCD operational thresholds are exceeded even after implementation of all feasible emission reduction technologies, offsite mitigation per multi-pollutant (ROG + NOx) over the threshold (25 lb/day), evaluated over the length of the expected exceedance, will be required. The applicant will either implement the approved offsite mitigation, or provide mitigation fees to the APCD for implementation. The City shall have authority on the final mitigation amount.	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division and Air Pollution Control District	Developer
MM AQ-3c Construction impact fees for each retail store shall include a fair-share contribution to local and/or regional transit systems to increase bus ridership and provide air pollution reduction benefits. The amount and allocation of these funds between regional and local transit shall be at the discretion of the Public Works Director.	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division/Public Works Department and Air Pollution Control District	Developer
MM AQ-3d On-site banking (automatic teller machine) and postal services (drop boxes) shall be provided at the project site.	Developer	Prior to Project Design Approval	Community Development/Planning Division	Developer
MM AQ-3e Information on public transit, bicycle parking, carpooling and local transportation management organizations, such as the County's Transportation Choices Coalition, shall be provided to patrons of the proposed commercial development.	Developer	Prior to Occupancy and Ongoing	Community Development/Planning Division/Public Works Department and Air Pollution Control District	Developer
MM AQ-3f The following measures shall be implemented to reduce impacts from vehicle emissions: <ul style="list-style-type: none"> <li>Implement a City-approved Trip Reduction Program coordinated with the County's Transportation Choices Program and submitted to the APCD for review and comment. The program should include, but is not limited to the designation of a Transportation Coordinator who will manage transportation programs for the site and shall</li> </ul>	Developer	Prior to Project Design Approval	Community Development/Planning Division/Public Works Department and Air Pollution Control District	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>promote alternative modes of transportation, transit subsidies for both City and Regional transit systems, and information regarding parking and transportation options available to employees and customers. The project applicant will be required to submit an implementation plan to the City Transportation Division, for review and approval or amendment, which demonstrates how this mitigation measure will be achieved.</p> <ul style="list-style-type: none"> <li>• Provide on-site bicycle parking consistent with City General Circulation Element Policy 3.4 and ordinance requirements.</li> <li>• Provide preferential carpool and vanpool parking spaces.</li> <li>• Provide shower and locker facilities for employees.</li> </ul>				
<p>MM AQ-3g The following measures shall be implemented to reduce area source emissions:</p> <ul style="list-style-type: none"> <li>• Energy efficient interior lighting shall be installed, where feasible.</li> <li>• The applicant shall ensure building energy efficiency ratings exceed Title 24 requirements by a minimum of 15 percent. This can be accomplished in a number of ways (increasing attic, wall, or floor insulation, installing double pane windows, etc.).</li> <li>• Use roof material with a solar reflectance value meeting the Environmental Protection Agency/Department of Energy Star® rating to reduce summer cooling needs.</li> <li>• Unless not feasible due to the installation of solar panels or other features designed to reduce area source emissions, skylights and windows designed to increase natural light shall be installed in each building.</li> </ul>	Developer	Prior to Project Design Approval and During Construction	Community Development/Planning Division	Developer
<p>MM AQ-4a The following measures shall be implemented to reduce impacts from vehicle emissions:</p> <ul style="list-style-type: none"> <li>• Mitigation measures MM AQ-3c, MM AQ-3d, MM AQ-3e, and MM AQ-3f also apply to this impact.</li> <li>• Provide incentives to employees to carpool/vanpool, use public transportation, telecommute, walk, bike, etc. by implementing the</li> </ul>	Developer	Prior to Occupancy and Ongoing	Community Development/Planning Division/Public Works Department and SLO Regional Rideshare	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>Transportation Choices Program. The applicant shall Contact SLO Regional Rideshare at (805) 541-2277 to receive free consulting services on how to start and maintain a program. Further, priority parking shall be signed for car-and van-pooling employees.</p> <ul style="list-style-type: none"> <li>• Limit idling time for commercial vehicles, including delivery and construction vehicles.</li> </ul>				
<p>MM AQ-4b The applicant shall include the implementation of the following Green building techniques:</p> <ul style="list-style-type: none"> <li>• Planting of native, drought resistant landscaping.</li> <li>• Plant trees and vegetation near structures to shade buildings and reduce energy requirements for heating/cooling.</li> <li>• Incorporate on-site renewable energy production and/or other power production or conservation measures to reduce or partially offset project power demand by a minimum of 50 percent, including, but not limited to a combination of the following measures:                             <ul style="list-style-type: none"> <li>▪ installation of photovoltaic panels on approximately 75 percent of the total building roof area);</li> <li>▪ installation of elevated photovoltaic panels over parking areas outside of view corridors and setback from public roads;</li> <li>▪ installation of energy efficient appliances and energy efficient building installations.</li> </ul> </li> <li>• Parking areas located outside of the view corridor, at a minimum of 100 feet onto the project site from LOVR and 50 feet from From Ranch Way, shall be considered for raised photovoltaic covered parking to provide project power and shaded parking.</li> <li>• A minimum of 15-percent of parking spaces per structure shall have electric plug-in charging stations. An additional 10 percent shall be signed for hybrid or electric or compact vehicles only. These shall be preferentially placed near store fronts.</li> <li>• Energy-efficient LED light fixtures shall be considered for parking area lighting.</li> </ul>	Developer	Prior to Project Design Approval and During Construction	Community Development/Planning Division/Public Works Department	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<b>Biological Resources</b>				
MM BIO-1a Prior to and during construction, the applicant shall implement erosion and spill control best management practices as presented in a biological resources protection plan. This plan shall include provisions for appropriate environmental monitoring of all construction activities. This plan shall be subject to review and approval by the City's Natural Resources Manager. Compliance with the provisions of this plan shall be verified by the project Environmental Monitor through submission of compliance reports.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division and Natural Resources Manager	Developer
MM BIO-1b Construction equipment and vehicles shall be stored away from riparian areas and all construction vehicle maintenance shall be performed in a designated vehicle storage and maintenance area.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division	Developer
MM BIO-1c Prior to and throughout the construction period, the edge of the grading area, set back a minimum of 50 feet from Prefumo Creek shall be marked with high visibility orange fencing and signed to prohibit entry of construction equipment and personnel. Silt fencing, straw wattles or other acceptable erosion control devices shall be installed along the perimeter of the riparian area and all drainage directed to sediment basins.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-1d Construction activities shall be limited to the hours of 7am to 7pm daily. No construction night lighting shall be permitted within 100 yards of the top of the creek bank.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development Department/Planning Division	Developer
MM BIO-1e Prior to initiation of construction, the applicant shall fund a site survey for Congdon's tarplant with the goal to collect seeds from identified specimens for use in restoration projects in the project vicinity.	Developer	Prior to Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO 1f The applicant shall fund a pre-construction survey for the California red-legged frog. If the species is identified, the applicant shall work with the USFWS to ensure the proposed project minimizes impacts to the maximum extent feasible and to identify suitable conservation strategies for those impacts determined to be unavoidable.	Developer	Prior to Construction	Community Development/Planning Division/Natural Resources Manager and potentially USFWS	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
MM BIO-1g Project construction activities shall be regularly monitored by a City environmental monitor for the duration of project construction. Environmental monitors shall be trained by a qualified biologist to detect the potential presence of California red-legged frog and shall conduct a biological resources education program for all construction workers prior to the initiation of any clearing or construction activities. The educational program shall include a description of the California red-legged frog, its habits, what constitutes take, penalties for take, and the guidelines that would be followed by all construction personnel to avoid take of species during construction activities. The construction crew foreman shall be responsible for ensuring that crew members comply with the guidelines and that all new personnel receive the training before partaking in construction activities. The work area boundaries and other off-limit areas will be identified by the onsite monitor. Any vegetation clearing activities will be monitored by the onsite monitor.	Community Development/Planning Division/Natural Resources Manager	Prior to and During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-1h If creek pumps are utilized, intakes should be completely screened with wire mesh (0.2 inch or smaller) to prevent California red-legged frogs from entering the pump system.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-1i Concrete truck and tool washout should occur in a designated location such that no runoff will reach the creek.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-2a Revegetation plans shall be reviewed and approved by the City prior to implementation. Implementation shall be coordinated with the City's Natural Resources Manager.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-2b Revegetation and restoration plans shall conform to the City's Waterway Management Plan, Volume III- Drainage Design Manual.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-2c Down drain or culvert replacement work shall minimize or avoid removal of riparian vegetation. All such work shall	Developer	During Construction	Community Development/Planning	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
be conducted under the guidance of the City's Natural Resources Manager and/or the project Environmental Monitor.			Division/Natural Resources Manager	
MM BIO-2d All work associated with proposed project activities within the riparian area shall occur in the dry season (May through October) unless otherwise approved by the City's Natural Resource Manager in consultation with appropriate agencies.	Developer	During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-2e Any land clearing, tree removal, or other surface disturbance associated with proposed actions shall be timed to avoid potential destruction of bird nests or birds that breed in the area. If a seasonal restriction is not feasible, a qualified biologist or trained environmental monitor should survey the area for nests or evidence of nesting prior to the commencement of activities in the riparian area. If nests or other evidence of nesting are observed, a protective buffer should be delineated and the entire area shall be avoided to prevent destruction or disturbance to nests until they are not longer active.	Developer	During Construction	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-3a All exterior building lights facing Prefumo Creek shall be hooded to prevent light spillover into the creek; all parking lot lights over 10 feet in height shall be setback a minimum of 100 feet from the top of the creek bank and hooded and/or directed away from the Creek. Any night lighting adjacent to the Creek (e.g., walkway lights) shall be of low voltage and hooded downward. Artificial light levels within 20 feet of the top of the creek bank shall not exceed 1-foot candle.	Developer	Prior to Project Design Approval	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-3b Creek restoration/enhancement plantings shall include tall trees (e.g., oaks, alders, sycamores, etc.) the entire length of the project's creek frontage in order to minimize light spillover into the Creek.	Developer	Prior to Project Design Approval	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-3c Split-rail fencing shall be installed at the edge of the riparian landscape buffer with entry restricted to the proposed walking path.	Developer	Prior to Project Design Approval	Community Development/Planning Division/Natural Resources Manager	Developer
MM BIO-3d All loading docks and trash storage areas shall be setback a minimum of 150 feet from the top of bank. No outdoor	Developer	Prior to Project Design Approval	Community Development/Planning	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>storage or larger trash receptacles shall be permitted within this setback area. All trash and outdoor storage areas shall be operated to reduce potential impacts to riparian areas, including the following:</p> <ul style="list-style-type: none"> <li>• Runoff shall be directed away from trash and loading dock areas;</li> <li>• Trash and loading dock areas shall be screened or walled to minimize off-site transport of trash;</li> <li>• Bins shall be lined or otherwise constructed to reduce leaking of liquid wastes;</li> <li>• Trash and loading dock areas shall be paved;</li> <li>• Impermeable berms, drop inlets, trench catch basin, or overflow containment structures around docks and trash areas shall be installed to minimize the potential for leaks, spills or wash down water to enter the drainage system and Prefumo Creek; and,</li> <li>• The developer or acceptable maintenance organization shall complete inspections of the site to ensure compliance with BMPs and water quality requirements on a semi-annual basis (May 15 and October 15 of each year). A detailed summary report prepared by a licensed Civil Engineer shall be submitted to the City of San Luis Obispo Public Works Department and/or Natural Resources Manager. The requirements for inspection and report submittal shall be recorded against the property.</li> </ul>			Division/Natural Resources Manager	
<p>MM BIO-4 The applicant shall fund monthly parking lot sweeping to remove and clean excess trash and dirt. Prior to the onset of the rainy season in September, the applicant shall fund parking lot, trash area, and loading dock steam cleaning or other City-approved methods to remove all excess oil and grease.</p>	Developer	Ongoing	Community Development/Planning Division	Developer
<p><i>Hydrology and Water Quality</i></p>				
<p>MM HYD-1a Raise Buildings Above BaseFlood Elevation. The finish floor of project buildings shall be raised at least 1 foot above the 100-year peak flood elevation consistent with the City's Floodplain Management Regulations (17.84.101 San Luis Obispo Municipal Code) and the Special Floodplain Management Zone Regulations of the</p>	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division/Public Works Department	Developer

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Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
Zone 9 Drainage Design Manual.				
MM HYD-1b Compliance with Waterway Management Program. All bridges, culverts, outfalls, and modifications to the existing creek channels must be in compliance with the City's Drainage Design Manual (DDM) and approved by the City Engineer, U.S. Army Corps of Engineers, California Department of Fish and Game and Central Coast Regional Water Quality Control Board, and must meet city standards and policies.	Developer	Prior to Issuance of Construction-related Permits/During Construction	Community Development/Planning Division/Public Works Department	Developer
MM HYD-1c Permit Requirements. Clearing of existing creek and drainage channels within project limits, including any tree pruning or removals, and any necessary erosion repairs shall be to the satisfaction of the City Engineer and may require permits from the California Department of Fish and Game and/or the U.S. Army Corps of Engineers.	Developer	Prior to Issuance of Construction-related Permits/During Construction	Community Development/Planning Division/Public Works Department and potentially California Department of Fish and Game and/or the U.S. Army Corps of Engineers	Developer
MM HYD-2a Notice of Intent. Prior to beginning construction, the applicant shall file a Notice of Intent (NOI) for discharge from the proposed development site.	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division/Public Works Department	Developer
MM HYD-2b Storm Water Pollution Prevention Plan. The applicant shall require the building contractor to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City forty-five (45) days prior to the start of work for approval. The contractor is responsible for understanding the State General Permit and instituting the SWPPP during construction. A SWPPP for site construction shall be developed prior to the initiation of grading and implemented for all construction activity on the project site in excess of one (1) acre. The SWPPP shall include specific BMPs to control the discharge of material from the site. BMP methods may include, but would not be limited to, the use of temporary detention basins, straw bales, sand bagging, mulching, erosion control blankets, silt fencing, and soil stabilizers. Additional BMPs should be implemented for any fuel storage or fuel handling that could occur on-site during construction.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Community Development/Planning Division/Public Works Department	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
The SWPPP must be prepared in accordance with the guidelines adopted by the State Water Resources Control Board (SWRCB). The SWPPP shall be also submitted to the City along with grading/development plans for review and approval.				
MM HYD-2c Notice of Completion of Construction. The applicant shall file a notice of completion of construction of the development, identifying that pollution sources were controlled during the construction of the project and implementing a closure SWPPP for the site.	Developer	Post Construction	Community Development/Planning Division/Public Works Department	Developer
MM HYD-2d All required actions shall be implemented pursuant to a stormwater management plan submitted by the City of San Luis Obispo to the RWQCB in early 2007 under the NPDES Phase II program.	Developer	Prior to Issuance of Construction-related Permits and Ongoing	Community Development/Planning Division/Public Works Department	Developer
MM HYD-2e All required actions shall be implemented pursuant to the programs developed under the City of San Luis Obispo General Plan Water and Wastewater Management Element, Section 13 and the City of San Luis Obispo Waterways Management Plan.	Developer	Prior to Issuance of Construction-related Permits and Ongoing	Community Development/Planning Division/Public Works Department	Developer
MM HYD-3a The project shall be designed to provide adequate facilities to direct all contaminated water from operational uses to the sanitary sewer system per Chapter 13.08 of the Municipal Code. Likewise, all restaurants on the project site shall comply with the grease/trap interceptor requirements in Chapter 13.08 of the Municipal Code.	Developer	Prior to Issuance of Construction-related Permits and Ongoing	Community Development/Planning Division/Public Works Department/Utilities Department	Developer
MM HYD-3b NPDES Permit. The applicant shall procure a National Pollution Discharge Elimination System (NPDES) permit that adheres with all requirements of the federal Clean Water Act. Additionally, certain occupants of the General Retail component may require individual NPDES permits due to the processes or materials they use.	Developer	Prior to Issuance of Construction-related Permits and Ongoing	Community Development/Planning Division/ Public Works Department	Developer
MM HYD-3c Storm Water Quality Treatment Controls. Best Management Practice (BMP) devices shall be incorporated into the project Final Master Drainage Plan (Appendix H). The devices shall be sited and sized to intercept and treat all dry weather surface runoff, the runoff from 28 percent of the 2-year storm event, and accommodate the	Developer	Prior to Issuance of Construction-related Permits and Ongoing	Community Development/Planning Division/Public Works Department/Utilities	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>first flush (1 inch) during 24-hour storm events. The storm water quality system must be reviewed and approved by the City.</p> <p>The draft Master Drainage Plan (Wallace Group 2008) contains the following BMP's:</p> <ul style="list-style-type: none"> <li>• Vegetated Swales reduce sediment and particulate forms of metals and other pollutants along corridors of planted grasses. Two vegetated swales are proposed for the project, one parallel to the project northern boundary, along the extension of Froom Ranch Way, and another parallel to the southern project boundary, both discharging to Prefumo Creek.</li> <li>• Vegetated Filter Strips are 15-foot wide vegetated buffer strips that also reduce sediment and particulate forms of metals and nutrients. Sheet flows from the project site will be uniformly distributed along the length of the vegetated filter strips for conveyance to a collection point at the southeastern corner of the property for discharge to Prefumo Creek.</li> <li>• Hydrodynamic Separation Products to reduce suspended solids greater than 240 microns, trash and hydrocarbons will be installed in-line with the storm drain network prior to discharge to Prefumo Creek. Two hydrodynamic separation products are proposed for water quality treatment of parking lot runoff. These hydrodynamic separators must be sized to handle peak flows from the site consistent with applicable regulatory standards.</li> </ul>			Department	
<p>MM HYD-3d Stormwater BMP Maintenance Manual. A development maintenance manual for the project shall include detailed procedures for maintenance and operations of any stormwater facilities to ensure long-term operation and maintenance of post-construction stormwater controls. The maintenance manual shall require that stormwater BMP devices be inspected, cleaned and maintained in accordance with the manufacturer's maintenance specifications. The manual shall require that devices be cleaned prior to the onset of the rainy season (i.e., October 15th) and immediately after the end of the rainy season (i.e., May 15th). The manual shall also require that all devices be checked after major storm events.</p>	Developer	Prior to Issuance of Construction-related Permits and Ongoing	Community Development/Planning Division/Public Works Department/Utilities Department	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
MM HYD-3e Stormwater BMP Semi-Annual Maintenance Report. The developer or acceptable maintenance organization shall submit to the City of San Luis Obispo Public Works Department a detailed report prepared by a licensed Civil Engineer addressing the condition of all private stormwater facilities, BMPs, and any necessary maintenance activities on a semi-annual basis (October 15th and May 15th of each year). The requirement for maintenance and report submittal shall be recorded against the property.	Developer	Ongoing	Community Development/Planning Division/Public Works Department/Utilities Department	Developer
MM HYD-3f Mitigation measure MM BIO-3d also applies.				
CU MM HYD-1 <i>Compliance with Waterway Management Program.</i> All bridges, culverts, outfalls, and modifications to the existing creek channels must be in compliance with the City’s Drainage Design Manual (DDM) and approved by the City Engineer, U.S. Army Corps of Engineers, California Department of Fish and Game, and Central Coast Regional Water Quality Control Board, and must meet City standards and policies.	Developer	Prior to Project Design Approval	Community Development/Planning Division/Public Works Department/Utilities Department and U.S. Army Corps of Engineers, California Department of Fish and Game, and Central Coast Regional Water Quality Control Board	Developer
CU MM HYD-2 The applicant shall participate in their “fair share” of any mitigation fee established by the City of San Luis Obispo to be used to pay for drainage improvements such as culvert replacement made necessary by cumulative project development.	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division/Public Works Department/Utilities Department	Developer
<b><i>Land Use and Planning Policies</i></b>				
MM LU-1a The proposed project shall comply with the City’s Inclusionary Housing Ordinance requirements (SLOMC 17.91). In addition, the project shall meet the goals of Land Use Element Policies 1.4 and 8.7, and Housing Element Policy 3.21.1. by implementing. As an option, the applicants may choose to one or more of the following options:  1. Meet the Inclusionary Housing Ordinance by providing a combination of low and very-low income units instead of	Developer	Prior to Project Design Approval	Community Development/Planning Division	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
moderate income units. 2. Increase the total number of affordable units provided through the Inclusionary Housing Ordinance requirements, including units that meet the full range of affordability (Low, Very Low and Moderate), consistent with MM LU 1-c.				
MM LU-1b The applicant shall submit to the City an employee survey/study, including information such as where employees lived prior to hire and where employees have relocated since hire, in order to provide the City with data on impacts associated with in-migration for larger commercial projects.	Developer	Within 1 year of Occupancy by Prime Anchor (Anchor E)	Community Development/Planning Division	Developer
MM LU-1c The applicant should work with the City to determine whether on-site housing would be feasible to help offset project-related increased demand for affordable housing. If provision of on-site housing is not feasible, the applicant should work with the City to negotiate additional exaction of fees paid to the City Housing Authority and/or an acceptable local private non-profit housing provider sufficient to offset project-related increased demand for affordable housing.	Developer	Prior to Project Design Approval	Community Development/Planning Division	Developer
LU-2 (No mitigation measures required.)				
<b>Noise</b>				
MM NO-1a Except for emergency repair of public service utilities, or where an exception is issued by the Community Development Department, no operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work shall occur on Monday through Saturday between the hours of 7:00 P.M. and 7:00 A.M., or any time on Sundays or holidays, such that the sound creates a noise disturbance across a residential or commercial property line.	Developer	During Construction	Community Development/Planning Division	Developer
MM NO-1b Where technically and economically feasible, construction activities shall be conducted so that the maximum noise levels at affected properties will not exceed 80 dBA for multi-family residential and 85 dBA for mixed residential/commercial land uses, restaurants, and meeting places, including schools.	Developer	During Construction	Community Development/Planning Division	Developer
MM NO-1c For all construction activity at the project site,	Developer	During Construction	Community	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>additional noise attenuation techniques shall be employed as needed 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:</p> <ul style="list-style-type: none"> <li>• Sound blankets on noise-generating equipment.</li> <li>• 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.</li> <li>• All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.</li> <li>• The movement of construction-related vehicles, with the exception of 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).</li> <li>• Temporary sound barriers shall be constructed between construction sites and affected uses.</li> </ul>			Development/Planning Division	
<p>MM NO-1d In addition to MM NO-1a, the applicant shall ensure that construction of the 6-foot high wall proposed along the northern edge of the project site and Froom Ranch Way would not occur on Saturdays. The applicant shall also ensure that the wall be constructed during early stages of on-site improvements in order to provide additional sound reduction for residences and Pacific Beach High School during the majority of construction activities.</p>	Developer	During Early Stages of Construction	Community Development/Planning Division	Developer
<p>MM NO-1e The contractor shall inform residents, Pacific Beach High School administrators and business operators at properties within 300 feet of the project site of proposed construction timelines and noise complaint procedures to minimize potential annoyance related to construction noise. Noise-related complaints shall be directed to the City of San Luis Obispo's Community Development Department.</p>	Developer	Prior to and During Construction	Community Development/Planning Division	Developer

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Prefumo Creek Commons Project  
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Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<p>MM NO-2 In order to achieve indoor noise levels below 45 CNEL along the frontage road on LOVR between Madonna Road and Froom Ranch Way, the applicant shall implement noise reduction measures, including but not limited to:</p> <ul style="list-style-type: none"> <li>• construct sound barriers or offer to retrofit existing residences with noise-reducing features; and</li> <li>• establish a developer fee program to pay for trip reduction programs.</li> </ul>	Developer	During Construction	Community Development/Planning Division	Developer
<p>MM NO-3a All noise-generating rooftop building equipment, such as air conditioners and kitchen ventilation systems, shall be installed away from existing and proposed noise-sensitive receptors (i.e., residences) or be placed behind adequate noise barriers.</p>	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division	Developer
<p>MM NO-3b The applicant shall submit a truck traffic plan to the City Public Works Department which will address timing, noise, location, and number of deliveries for each project component. The applicant shall cooperate with the City to ensure that impacts to noise-sensitive receptors are mitigated to the maximum extent feasible.</p>	Developer	Prior to Project Design Approval	Community Development/Planning Division	Developer
<b>Transportation and Traffic</b>				
<p>MM TT-1a Prior to occupancy, the applicant shall design and construct the installation of three westbound through lanes on LOVR and any associated intersection improvements (e.g., signal equipment relocation) as described under mitigation Option 3. Portions of this work may be eligible for Transportation Impact Fee (TIF) credits or reimbursement subject to City approval.</p> <p>or</p> <p>The proposed project shall be phased or reduced in size to not exceed approximately 160,658 square feet and required to implement trip reduction programs to reduce the number of project trips that would travel through this intersection by at least 10 percent (equal to 19 P.M. peak hour vehicle trips). Based on review of project trip generation characteristics, this would require a reduction in project size by a minimum of 28,000 square feet. Monitoring of the trip reduction plan would be required to verify the exact reduction necessary to meet the decrease in trips.</p>	Developer	Prior to Project Design Approval	Community Development/Planning Division/Public Works Department	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
MM TT-1b All businesses leasing space in Prefumo Creek Commons shall implement TDM identified the Project Trip Reduction Program per MM AQ-3f.	Developer	After Occupancy and Ongoing	Public Works Department/Community Development/Planning Division	Developer
MM TT-1c Pedestrian, bicycle, and transit facilities shall be improved in the proposed project area, such as providing bicycle parking. Employer participation in the Transportation Choices Program promoted by SLO Regional Rideshare should be required.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-1d The City should study the options available to improve the operation of the LOVR/Madonna intersection and associated operation of streets and driveways that are adversely affected by existing and potential future congestion. This study should consider the range of intersection improvements available, identify needed right-of-way acquisition and associated costs, potential consistency with Circulation Element policies and identify the range of potential secondary impacts to trees, pedestrians and other affected resources.	Public Works Department/Community Development Department/Planning Division	Ongoing	Public Works Department/Community Development/Planning Division	Public Works Department/Community Development Department/Planning Division
MM TT-2a The City of San Luis Obispo should continue to monitor these intersections as part of the Annual Traffic Safety Report to identify and address safety issues.	Public Works Department/Community Development Department/Planning Division	Ongoing	Public Works Department/Community Development/Planning Division	Public Works Department/Community Development Department/Planning Division
MM TT-2b In order to foster increased pedestrian connectivity in the area and reduce the need for superfluous auto trips, the project applicant should be required to negotiate with the owners of adjacent auto dealerships to provide a pedestrian walkway between these dealerships and the project site.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-2c As a possible alternative to future signalization of Auto Park Way, the City should preserve the ability as part of project approval so as to not preclude the provision of a vehicle connection between the eastern edge of the project site to Auto Park Way in order to provide additional vehicular connectivity between the project site	Public Works Department/Community Development Department/Planning	Prior to and After Project Design Approval	Public Works Department/Community Development/Planning Division	Public Works Department/Community Development/Planning

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
and properties along Auto Park Way.	Division			Division
MM TT-3 Internal project circulation (site layout and drive aisles) shall be reconfigured to allow full egress and ingress at the project driveway on Froom Ranch Way, immediately north of the LOVR/Froom Ranch Way intersection.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
TT-4 (No mitigation measures required.)				
MM TT-5a The proposed project shall provide only one exit lane (versus the two proposed) from LOVR at the right-in/right-out project driveway east of Pad F to avoid driver confusion and minimize the crossing distance for pedestrians across the driveway.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-5b The inbound, on-site left-turn pocket from the LOVR driveway accessing parking for Pads F and G shall be shortened and/or relocated further inward towards the project site from LOVR to reduce driver confusion and enhance pedestrian safety.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-5c The crossing location across the one-way, inbound-only driveway at Froom Ranch Way shall be relocated closer to Froom Ranch Way. The channelized right-turn at this location should be modified to minimize pedestrian crossing distance and sight distance for pedestrians and bicyclists.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-5d Project's site design shall be modified to improve pedestrian connectivity between the pedestrian access path between Oceanaire Drive and the project site and the future Bob Jones Trail and the project site. Any design improvements t (such as bulb-outs) should be made in consultation with City staff.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-5e The project should include a crosswalk on the north leg of the LOVR/Froom Ranch Way signalized intersection, paralleling LOVR and crossing Froom Ranch Way to create a continuous pedestrian facility along the northern side of LOVR if it is ultimately determined by the City that pedestrian access on this leg of the intersection does not constitute an operational or safety issue. If this crosswalk is authorized, a sidewalk and additional crosswalk across the LOVR frontage road should also be added to connect the frontage road sidewalk with the crosswalk at the LOVR/Froom Ranch Way	Developer/City of San Luis Obispo	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
intersection.				
MM TT-5f The raised median channelizing right-turning vehicles into the site on Froom Ranch Way should be modified or eliminated from the proposed project design to reduce vehicle speeds and pedestrian crossing distance at the one-way inbound driveway.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
<p>MM TT-6a The applicant shall demonstrate that the project would provide long- and short-term bicycles parking to meet project demand and City code requirements including location standards. The proposed bicycle parking shall be:</p> <ul style="list-style-type: none"> <li>• installed at highly visible locations that are as close to the main entrance of the destination as possible;</li> <li>• located at least as conveniently as the most convenient automobile parking space available to the general public;</li> <li>• be distributed to serve all tenants and visitors;</li> <li>• visible from the interior of the destination;</li> <li>• in places where clear and safe pedestrian circulation is ensured;</li> <li>• located so that they will not be obstructed by project activities (i.e., delivery trucks, boxes, etc.);</li> <li>• illuminated at night to the extent that the destination supports nighttime activity; and,</li> <li>• sheltered, where shelter can be attractively integrated with project architecture.</li> </ul>	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-6b The applicant shall install three bike lockers to be managed by the City for use by non-standard employees of the work site (such as contract security) or commuters.	Developer	Prior to Project Design Approval	Community Development/Public Works Department	Developer
MM TT-7 The applicant shall coordinate with the City to review internal site circulation and implement potential realignment/redesign of internal roads, parking, and Froom Ranch driveway locations as determined necessary by the City. At a minimum, the parking spaces that would be located less than 100 feet from the right-in/right-out only	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer

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Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
driveway near Pad H shall be removed to reduce conflicts between inbound vehicles entering the project site and vehicles that would otherwise be accessing the parking spaces.				
MM TT-8a Consistent with the City of San Luis Obispo’s Short Range Transit Plan, bus and trolley stop locations and amenities shall be developed in consultation with the City of San Luis Obispo to mitigate potential project impacts related to new transit trips associated with the project. Further evaluation of any bus stop locations shall include an analysis of pedestrian circulation to and from the stop and the potential for vehicle-pedestrian conflicts. The project applicant shall be responsible for the development and installation of any identified improvements.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-8b The applicant shall fund public transit through the implementation of the Project Trip Reduction Program per MM AQ-3f by providing their employees with a free or discounted public transit pass or a per month stipend for use in public transit and/or an employee cash-out program, as determined appropriate by the City Public Works Department. The applicant shall also contribute to a marketing fund, which the City can use to promote the public transit program on site and on buses to encourage employee awareness.	Developer	Prior to Occupancy and Ongoing	Public Works Department/Community Development/Planning Division	Developer
MM TT-8c As part of the General Plan amendment and rezone application for the project site, the City should determine if the probable need exists to reserve right-of-way for future transit stop(s) along the project’s Froom Ranch Way frontage. If the City deems the expansion of transit along this route reasonably foreseeable, then the City should require that right-of-way or easements be provided in the appropriate location. Given the uncertainty of the timing of implementation of such future transit, these areas may still be developed in landscaping or parking until such as time as the City requires use of the right-of-way.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
MM TT-9 The applicant shall demonstrate that the project would provide sufficient motorcycle parking to meet project demand and City code requirements.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
CU MM TT-1a Lengthen the southbound left-turn storage pocket on Froom Ranch Way at LOVR to 370 feet.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
CU MM TT-1b Allow full egress and ingress at the driveway immediately north of the LOVR and Froom Ranch Way intersection to improve operations on LOVR east of Froom Ranch Way.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
CU MM TT-1c ( <i>Opt. 1</i> ) (1) Restripe the southbound shared through-right lane on Froom Ranch Way to a shared left-through-right lane; and (2) add a separate 100-foot eastbound right-turn lane on LOVR with a 100-foot storage pocket. With these improvements, the LOS would improve to LOS D. This configuration requires ROW acquisition for the eastbound right-turn lane and modifications to the existing bioswale in the southwest corner of the intersection;  - or - CU MM TT-1d ( <i>Opt.2</i> ) (1) Widen the southbound approach on Froom Ranch Way to include two southbound left-turns and a shared through-right lane. This configuration would require ROW acquisition for the north leg widening and shifting the planned building Pad G by approximately 20 feet to the east, (2) Widen the northbound approach to include two left turn lanes, a through-lane and a separate right-turn lane. The widening of the southern leg to the east requires ROW acquisition and relocation of the existing intersection controller boxes, and (3) Modify signal timings to implement north/south protected phasing. These improvements with north/south protected phasing would result in LOS D operations. Compared to Option 1, such a configuration with north/south protected phasing (rather than split phasing) would more effectively serve pedestrians across all four legs of the intersection.	Developer	Prior to Project Design Approval	Public Works Department/Community Development/Planning Division	Developer
CU MM TT-2 An additional southbound right-turn lane and extension of the left-turn storage pocket to 300 feet shall be constructed at the LOVR/U.S. Highway 101 interchange.	Public Works Department/Community Development/Planning	Ongoing	Public Works Department/Community Development/Planning Division	Potential Developer Fair-share Contribution

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
	Division			
CU MM TT-3 The following measures shall be incorporated into the final design of the LOVR/U.S. Highway 101 interchange construction project: <ul style="list-style-type: none"> <li>• Extending the northbound off-ramp deceleration lane by 50 feet (may require realignment of U.S. 101 into the median);</li> <li>• Extending the southbound off-ramp deceleration lane by 130 feet; and,</li> <li>• Extending the southbound on-ramp acceleration lane by 60 feet.</li> </ul> - or - <ul style="list-style-type: none"> <li>• Widen U.S. 101 to 6 lanes (3 northbound and 3 southbound).</li> </ul>	Public Works Department/Community Development/Planning Division	Ongoing	Public Works Department/Community Development/Planning Division	Potential Developer Fair-share Contribution
<b>Utilities and Public Services</b>				
MM UT-1a The project shall obtain a water allocation and pay water impact fees to the City of San Luis Obispo for the incremental increase in water demand at the site.	Developer	Prior to Issuance of Construction-related Permits	Utilities Department/Community Development/Planning Division	Developer
MM UT-1b If it is determined that off-site improvements to the City's existing water distribution system are necessary to accommodate the proposed project, the applicant shall be responsible for funding and constructing the improvements.	Developer	Prior to Issuance of Construction-related Permits	Utilities Department/Community Development/Planning Division	Developer
MM UT-1c Consistent with Ahwahnee Water Principles and the City's General Plan, Conservation and Open Space Element, Policy 10.2.2, the applicant shall design all irrigation and water utilities infrastructure for compatibility with on-site use of recycled water.	Developer	Prior to Issuance of Construction-related Permits	Utilities Department/Community Development/Planning Division	Developer
MM UT-1d The applicant shall implement water conservation best management practices including: selection of drought-tolerant, low water-consuming plant varieties and use of high-quality, low-flow toilets, urinals, and faucets.	Developer	Prior to Project Design Approval	Utilities Department/Community Development/Planning Division	Developer
MM UT-1e The applicant shall submit a Plan for Services consistent with the Cortese-Knox-Hertsberg Act to the San Luis Obispo Local Agency Formation Commission. The Plan for Services shall include all of the following information and any additional information required by the commission or executive officer:	Developer	Prior to Project Design Approval	Utilities Department/Community Development/Planning Division and LAFCO	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
<ul style="list-style-type: none"> <li>• an enumeration and description of the services to be extended to the affected territory;</li> <li>• the level and range of those services;</li> <li>• an indication of when those services can feasibly be extended to the affected territory;</li> <li>• an indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed; and</li> <li>• information with respect to how those services will be financed.</li> </ul>				
MM UT-2a The project shall comply with all standard regulatory reviews and obtain approvals from the City of San Luis Obispo Utilities Department for wastewater facilities, including payment of impact fees.	Developer	Prior to Issuance of Construction-related Permits	Utilities Department/Community Development/Planning Division	Developer
MM UT-2b If it is determined that off-site improvements to the City's existing wastewater collection system are necessary to accommodate the proposed project, the applicant shall be responsible for constructing the improvements.	Developer	Prior to Issuance of Construction-related Permits	Utilities Department/Community Development/Planning Division	Developer
MM UT-3a Pursuant to the City of San Luis Obispo's Ordinance 1381, Chapter 8.05, a Recycling Plan for the proposed project to be implemented during construction will be submitted for approval by the City's Solid Waste Coordinator or the Community Development Director, prior to building permit issuance. The plan shall include plans to recycle at a minimum 50 percent of discarded materials, such as concrete, sheetrock, wood, and metals, from proposed construction.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Utilities Department/Solid Waste Coordinator/Community Development/Planning Division	Developer
MM UT-3b Pursuant to the City of San Luis Obispo's Source Reduction and Recycling Element, the project shall provide a plan for the disposal, storage, and collection of solid waste material for the project. The development of the plan shall be coordinated with the City's franchised solid waste collection and disposal firm, San Luis Obispo Garbage Company. The plan must be submitted for approval by the City's Utilities Conservation Coordinator and the Community Development Director.	Developer	Prior to Issuance of Construction-related Permits and During Construction	Utilities Department/Utilities Conservation Coordinator/Community Development/Planning Division and San Luis Obispo Garbage Company	Developer
MM UT-3c Newly established businesses should include	Developer	Prior to Project	Utilities Department/	Developer

Mitigation Measure	Implementation Responsibility	Timing	Monitoring Division	Funding
convenient facilities for interior and exterior on-site recycling.		Design Approval	Solid Waste Coordinator/Community Development/Planning Division	
MM UT-3d Recycled-content materials shall be used in structural and decorative building components and in surfacing wherever feasible.	Developer	During Construction	Community Development/Planning Division/Police Department	Developer
MM UT-4a The project shall comply with all standard regulatory reviews by SLOPD.	Developer	Prior to and During Construction and Ongoing	Community Development/Planning Division/SLOPD	Developer
MM UT-4b The applicant shall incorporate a full-time security staff to patrol the proposed development complex.	Developer	During Construction and Ongoing	Community Development/Planning Division/SLOPD	Developer
MM UT-5 The applicant shall incorporate all site design features required by the Fire Marshal into the project in case of emergency, including: <ul style="list-style-type: none"> <li>• adequate fire department access;</li> <li>• proper placement of street numbers;</li> <li>• water supply capable of providing adequate fire flow;</li> <li>• a knox box;</li> <li>• installation of fire protection systems and equipment;</li> <li>• implementation of fire safety measures during construction; and</li> <li>• portable fire extinguishers.</li> </ul>	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division/Fire Department	Developer
MM UT-6 If additional electrical energy services are required to accommodate the proposed project the applicant would be required to pay a mitigation fee to PG&E.	Developer	Prior to Issuance of Construction-related Permits	Community Development/Planning Division/PG&E	Developer
MM UT-7a The applicant shall comply to the maximum extent feasible with all adopted city policies regarding energy consumption	Developer	Prior to Project Design Approval	Community Development/Planning	Developer



**9.0 LIST OF PREPARERS**

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**8.010.0 REFERENCES AND PERSONS OR ORGANIZATIONS  
CONTACTED**

**SECTION 1.0 INTRODUCTION**

City of San Luis Obispo. 2006. *General Plan, Land Use Element*. Community Development Department. 4 April (revised).

City of San Luis Obispo. 2007. *Initial Study Environmental Checklist Form, Prefumo Creek Commons Project, ER 7-07*. August.

City of San Luis Obispo. 2008. *Notice of Preparation for the Prefumo Creek Commons Project*. Community Development Department. 1 February.

**SECTION 2.0 PROJECT DESCRIPTION**

City of San Luis Obispo. 2007. *Bicycle Transportation Plan*. 15 May.

City of San Luis Obispo. 2008. Personal communication with Phil Dunsmore, Associate Planner, Community Development Department.

Irish Hills Plaza East, LLC. 2008a. *Prefumo Creek Commons Project Plans*. December.

Irish Hills Plaza East, LLC. 2008b. *Prefumo Creek Commons Disruption Minimization Plan*. February.

Whelen Consulting. 2008. Personal communication with Patti Whelen and Steve Rigor.

**SECTION 3.1 AESTHETICS AND VISUAL RESOURCES**

City of San Luis Obispo. 2002. *Community Design Guidelines*.

City of San Luis Obispo. 2006. *City of San Luis Obispo General Plan, Land Use Element and Conservation and Open Space Elements*. April.

City of San Luis Obispo. 2008. *City of San Luis Obispo Municipal Code, Zoning Ordinance*. October.

California Department of Transportation. 2007. *Officially Designated State Scenic Highways*. Transmitted to Design, Community and Environment (DC&E) via the Internet ([http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm)).

**SECTION 3.2 AGRICULTURAL RESOURCES**

California Department of Conservation. 2008. *San Luis Obispo County – Important Farmlands Map*. Prepared by the California Department of Conservation, Division of Land Resources Protection. Sacramento, California, September.

## 10.0 REFERENCES AND PERSONS OR ORGANIZATIONS CONTACTED

---

City of San Luis Obispo. 1994. *Land Use Element/Circulation Element Updates – Final Environmental Impact Report*. Prepared by Fugro-McClelland (West), Inc. August.

City of San Luis Obispo. 2004. *Dalidio/San Luis Marketplace Annexation and Development Project Updates – Final Environmental Impact Report*. Prepared by Rincon Consultants, Inc. April.

City of San Luis Obispo. 2006a. *City of San Luis Obispo – Land Use Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

City of San Luis Obispo. 2006b. *City of San Luis Obispo – Conservation and Open Space Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

San Luis Obispo County Department of Agriculture. 2007. *2007 Annual Report*. Prepared by the San Luis Obispo County Department of Agriculture/ Weights & Measures. Undated.

San Luis Obispo County Department of Agriculture. 2008. *Personal Communication*. Michael Isensee, Agricultural Resource Specialist, San Luis Obispo County Department of Agriculture. 27 February.

[San Luis Obispo County Department of Planning and Building. 2007. \*San Luis Obispo Area Plan, Revised 2007. San Luis Obispo County General Plan, Land Use and Circulation Element.\*, January.](#)

United States Department of Agriculture Natural Resource Conservation Service (NRCS). 1996. *Land Evaluation and Site Assessment (LESA): A Guidebook for Rating Agricultural Lands*. Ankeny, Iowa.

NRCS. 2008. *Web Soil Survey*. Transmitted to AMEC via the Internet (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>), 27 February.

### SECTION 3.3 AIR QUALITY

California Air Pollution Control Officers Association. 2008. *CEQA & Climate Change - Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to CEQA*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.capcoa.org/>), January.

California Air Resources Board (CARB). 2008a. *California Ambient Air Quality Standards (CAAQS)*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.arb.ca.gov/research/aaqs/caaqs/caaqs.htm>), accessed 13 January 2009.

- CARB. 2008b. *Climate Change Proposed Scoping Plan – a framework for change pursuant to AB 32, the California Global Warming Solutions Act of 2006*. October.
- California Energy Commission (CEC). 2005. *What's in a Barrel of Oil*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet ([http://www.energy.ca.gov/gasoline/whats\\_in\\_barrel\\_oil.html](http://www.energy.ca.gov/gasoline/whats_in_barrel_oil.html)), accessed 13 January 2009.
- California Regional Assessment Group. 2002. *The Potential Consequences of Climate Variability and Change for California*. September.
- City of San Luis Obispo. 2007. *Initial Study Environmental Checklist Form, Prefumo Creek Commons Project, ER 7-07*. August.
- County of San Luis Obispo Air Pollution Control District (APCD). 2003. *CEQA Air Quality Handbook*.
- County of San Luis Obispo APCD. 2004. *Annual Air Quality Report*.
- County of San Luis Obispo APCD. 2005. *Annual Air Quality Report*.
- County of San Luis Obispo APCD. 2006. *Annual Air Quality Report*.
- Fehr & Peers Transportation Consultants. 2009. *San Luis Obispo Perfumo Creek Commons: Draft Transportation Impact Analysis*. January.
- Los Angeles Air Force Base (LA AFB). 2009. *LA AFB Photovoltaic System Fact Sheet*. Prepared by Ed Wilson, CELS Department at LA AFB.
- Office of Planning and Research (OPR). 2008. *Technical Advisory: CEQA and Climate Change – Addressing Climate Change through California Environmental Quality Act Review*. 19 June.
- Office of the Governor. 2009. *Senate Bill 375 Fact Sheet*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://gov.ca.gov/fact-sheet/10707/>), Accessed 10 February.
- San Luis Obispo County Air Pollution Control District (APCD). 2001. *Clean Air Plan*.
- U.S. Environmental Protection Agency (USEPA) Office of Air and Radiation. 2008. *National Ambient Air Quality Standards (NAAQS)*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.epa.gov/air/criteria.html>), accessed 13 January 2009.

**SECTION 3.4 BIOLOGICAL RESOURCES**

Bird Life International. 2007. *Species Factsheet: Athene cunicularia*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.birdlife.org>), Accessed June 15, 2007.

California Department of Fish and Game (CDFG). 1995. *Stanislaus River Basin and Calaveras River Water Use Program Threatened and Endangered Species Report*. March.

CDFG. 2003. *Special Status Plants, Animals and Natural Communities of San Luis Obispo County*. Natural Heritage Division, Natural Diversity Data Base, January.

CDFG. 2005. *California Wildlife Habitat Relationships System: Arroyo Toad*. September.

[CDFG. 2008. California Natural Diversity Database \(CNDDDB\). Transmitted to AMEC via the Internet \(http://www.dfg.ca.gov/biogeodata/cnddb/\), Accessed June 5, 2009.](http://www.dfg.ca.gov/biogeodata/cnddb/)

CDFG. 2009. *State and Federally Listed Endangered and Threatened Animals of California*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/TEAnimals.pdf>), February.

California Invasive Plant Council (CIPC). 2006.

California Native Plant Society (CNPS). 2001. *Inventory of Rare and Endangered Plants of California, 6th ed.* Rare Plant Scientific Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society, Sacramento, CA.

California Partners in Flight. 1998. *The Riparian Bird Conservation Plan: A Strategy for Reversing the Decline of Riparian-Associated Birds in California*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet ([http://www.prbo.org/calpif/htmldocs/species/riparian/blue\\_grosbeak.htm](http://www.prbo.org/calpif/htmldocs/species/riparian/blue_grosbeak.htm)), Accessed July 23, 2008.

[Center for Biological Diversity. 2009. Southwestern Willow Flycatcher. Transmitted to AMEC Earth and Environmental, Inc. via the internet \(http://www.biologicaldiversity.org/species/birds/southwestern\\_willow\\_flycatcher/natural\\_history.html\), Accessed May 28, 2009.](http://www.biologicaldiversity.org/species/birds/southwestern_willow_flycatcher/natural_history.html)

City of San Luis Obispo. 2003a. *Waterway Management Plan. Volume 1*.

City of San Luis Obispo. 2003b. *Costco/Froom Ranch Environmental Impact Report, SCH# 2002051036*. June.

City of San Luis Obispo. 2004. *Dalidio/San Luis Market Place Annexation and Development Project, SCH# 2003021089*. April.

- City of San Luis Obispo. 2006a. *City of San Luis Obispo General Plan*. Community Development Department.
- City of San Luis Obispo. 2006b. *City of San Luis Obispo Conservation Element*, Community Development Department.
- City of San Luis Obispo. 2008. Personal communication with Mr. Neil Havalik, City of San Luis Obispo, Natural Resources Manager.
- Dunk, Jeffrey. 1995. *The Birds of North America - White-tailed Kite, No. 178*.
- Envicom Corporation. 1980. *Laguna Lake Management Plan Technical Appendix*.
- Garrett, Kimball and Kathy C. Molina. 2008. *Northern Harrier*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet ([http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/pdfs/cdd\\_pdfs.Par.6e63c345.File.pdf/Norha1.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/pdfs/cdd_pdfs.Par.6e63c345.File.pdf/Norha1.pdf)), Accessed September 12, 2008.
- Irish Hills Plaza East, LLC. 2008. *Prefumo Creek Commons Disruption Minimization Plan*. February.
- Jennings, M.R. and Hayes, M.P. 1994. *Amphibian and reptile species of special concern in California. Final Report*, submitted to the California Department of Fish and Game, Inland Fisheries Division, Rancho Cordova. Contract No. 8023.
- Lehman, Paul. 1994. *The Birds of Santa Barbara County, California*.
- Wallace Group. 2008. *Drainage Report: Prefumo Creek Commons*. August 15.
- Morro Coast Audubon Society. 2007. *Pacific Flyway, Volume 42, Issue 4*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.morrocoastaudubon.org/pdf/sep07.pdf>), Accessed on September 12, 2008.
- Morro Group. 2005. *Wetland Assessment*.
- National Marine Fisheries Service. 2007. *Federal Recovery Outline for the Distinct Population Segment of Southern California Coast Steelhead*. September.
- [Thomas, Julie. 2005. 90-Day Report of Fairy Shrimp Surveys, Calle Joaquin Site, San Luis Obispo. Submitted to USFWS March 14.](#)
- United States Department of Agriculture, Forest Service (USDA). 2008. *Culvert Case Studies: Prefumo Creek*. Transmitted to AMEC Earth and Environmental, Inc. via the Internet (<http://www.stream.fs.fed.us/fishxing/case/Prefumo/>), Accessed November 2.

United States Fish and Wildlife Service (USFWS). 1997a. *Guidance on Site Assessment and Field Surveys for California Redlegged Frog*. February.

USFWS. 1997b. *National Wetlands Inventory*, October.

[USFWS. 2007. \*Longhorn Fairy Shrimp \(Branchinecta longiantenna\): 5-Year Review: Summary and Evaluation\*. September.](#)

### **SECTION 3.5 HYDROLOGY AND WATER QUALITY**

Central Coast Regional Water Quality Control Board. 1994. *Central Coast Basin Plan*.

City of San Luis Obispo. 2000. *General Plan-Safety Element*. Adoption date 2000.

City of San Luis Obispo. 2006a. *General Plan-Conservation and Open Space Element*. Adoption date April 2006.

City of San Luis Obispo. 2006b. *General Plan Safety Element Resolution No. 9785*. April 2006.

City of San Luis Obispo. 2007. *Draft Stormwater Management Plan*. Submitted to Central Coast Regional Water Quality Control Board. April 2007.

Dokken Engineering and WRECO. 2008. *Location Hydraulic Study for the Los Osos Valley Road/U.S.-101 Interchange Improvement Project*. Prepared for the City of San Luis Obispo, California.

Federal Emergency Management Agency. 1978. *Flood Insurance Study*. City of San Luis Obispo, California.

George S. Nolte and Associates. 1977. *Flood Control and Drainage Master Plan for the San Luis Obispo Creek Watershed*.

Questa Engineering Corporation. 2003. *San Luis Obispo Creek Waterway Management Plan*. Prepared for the City of San Luis Obispo and the San Luis Obispo County Flood Control and Water Conservation District Zone 9.

Questa Engineering Corporation, 2003. *San Luis Obispo Creek Watershed Drainage Design Manual*. Prepared for the City of San Luis Obispo and the San Luis Obispo County Flood Control and Water Conservation District Zone 9.

Wallace Group, 2008. *Prefumo Creek Commons Master Drainage Plan*, August 18, 2008. 146 pages.

Wallace Group, 2009. Revised hydraulic model, U.S. Army Corps of Engineers HECRAS software. February 3, 2009.

**SECTION 3.6 LAND USE AND PLANNING POLICIES**

City of San Luis Obispo. 1994. *Land Use Element/ Circulation Element Updates – Final Environmental Impact Report*. Prepared by Fugro-McClelland (West), Inc. August.

City of San Luis Obispo. 1996. *City of San Luis Obispo – Noise Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised May 7.

City of San Luis Obispo. 2000. *General Plan, Safety Element*. Community Development Department. July.

City of San Luis Obispo. 2002. *Community Design Guidelines*.

City of San Luis Obispo. 2003. *Costco/Froom Ranch – Final Environmental Impact Report*. Prepared by Morro Group, Inc. June.

City of San Luis Obispo. 2006a. *City of San Luis Obispo – Land Use Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

City of San Luis Obispo. 2006b. *City of San Luis Obispo – Conservation and Open Space Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

City of San Luis Obispo. 2006c. *City of San Luis Obispo – Housing Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

City of San Luis Obispo. 2006d. *City of San Luis Obispo – Water and Wastewater Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

City of San Luis Obispo. 2006e. *City of San Luis Obispo – Circulation Element*. Prepared by the City of San Luis Obispo Community Development Department. Revised April 4.

City of San Luis Obispo. 2007. Prefumo Creek Commons Project City Application #7-07 Incompleteness Letter, March 5.

City of San Luis Obispo. 2008. *City of San Luis Obispo – Zoning Regulations*. Prepared by the City of San Luis Obispo Community Development Department. Revised June 12.

[City of San Luis Obispo. 2009. \*Future Water: Supply Options\*. Transmitted to AMEC Earth and Environmental via the Internet \(http://www.ci.san-luis-obispo.ca.us/utilities/future.asp\), June 3, 2009.](http://www.ci.san-luis-obispo.ca.us/utilities/future.asp)

County of Santa Barbara. 1980. *Regional Growth Impact Study*.

County of Santa Barbara. 1985. *Industrial Growth Impact Study*.

San Luis Obispo County Regional Airport, Airport Land Use Commission (ALUC). 2002. *Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport*. Prepared by the San Luis Obispo County Regional Airport ALUC. May 18.

State of California, Employment Development Department (EDD). 2008. *Occupational Employment Statistics (OES) and Wage Survey for San Luis Obispo County – First Quarter 2008*. Transmitted to AMEC Earth and Environmental via the Internet ([http://www.calmis.ca.gov/file/occup\\$/oeswages/slo\\$oes.xls](http://www.calmis.ca.gov/file/occup$/oeswages/slo$oes.xls)), 27 January 2009.

### **SECTION 3.7 NOISE**

California Building Standards Administrative Code (CAC). 2001. *California Code of Regulations, Title 24, Part 1*. Published by International Conference of Building Officials, Whittier, CA.

California Department of Health Services. 1987. *State of California Guidelines for the Preparation and Content of Noise Element of the General Plan*. Office of Noise Control.

City of San Luis Obispo. 1996. *General Plan Noise Element and Noise Guidebook*. May.

City of San Luis Obispo. 2001. *24-hour Traffic Count on Los Osos Valley Road between Madonna and Auto Park*. Performed by City Traffic Counters, June 12, 2001.

City of San Luis Obispo. 2002. *Copelands Project Final EIR*. August.

City of San Luis Obispo. 2003. *Costco/Froom Ranch Project Final EIR*. June.

City of San Luis Obispo. 2008a. *San Luis Obispo Municipal Code, Title 9, Public Peace, Morals and Welfare, Noise Control*. Transmitted to AMEC via the Internet (<http://www.ci.san-luis-obispo.ca.us>). December.

City of San Luis Obispo. 2008b. *Garden Street Terraces Project Draft EIR*. February.

Fehr and Peers. 2009. *Prefumo Creek Commons Draft Transportation Impact Analysis*. January.

Irish Hills Plaza East, LLC. 2008. *Prefumo Creek Commons Project Plans*. December.

U.S. Environmental Protection Agency (USEPA). 1971. *Noise from Construction Equipment and Operations, Building Equipment and Home Appliances, NTID300-1*. December 31.

### SECTION 3.8 TRANSPORTATION AND TRAFFIC

Beimborn, Greenwald, and Jin. 2003. *Accessibility, Connectivity and Captivity: Impacts on Transit Choice*. Transportation Research Record, Journal of the Transportation Research Board. Volume 1835. Transmitted to AMEC via the Internet (<http://trb.metapress.com/content/270tr0721173v833/fulltext.pdf>), Accessed February 13, 2009.

City of San Luis Obispo. 2006. *General Plan Circulation Element*. April.

City of San Luis Obispo. 2008a. *City of San Luis Obispo Transit Map*. Transmitted to AMEC Earth and Environmental via the Internet (<http://www.slocity.org/publicworks/download/busmap.pdf>), Accessed January 19, 2009.

City of San Luis Obispo 2008b. *City Council Meeting Minutes, October 21, 2008*. October.

City of San Luis Obispo. 2009a. Personal communication with Jake Hudson, Transportation Engineer, City of San Luis Obispo Department of Public Works. March.

City of San Luis Obispo. 2009b. *Municipal Code*. Transmitted to AMEC via the Internet (<http://www.codepublishing.com/ca/sanluisobispo/>), Accessed January 21, 2009.

Fehr and Peers. 2009. *Prefumo Creek Commons Draft Transportation Impact Analysis*. January.

San Luis Obispo Regional Transit Authority (SLORTA). 2008. *SLORTA Route Schedules and Map*. Transmitted to AMEC Earth and Environmental via the Internet (<http://www.slorta.org/>), Accessed January 19, 2009.

SLORTA. 2009. *Information on the Short Range Transit Plan update*. Transmitted to AMEC Earth and Environmental via the Internet (<http://www.slorta.org/>), Accessed January 31, 2009.

Transportation Research Board (TRB). 2000. *Highway Capacity Manual*.

### SECTION 3.9 UTILITIES AND PUBLIC SERVICES

California Energy Commission (CEC). 2007. *California Energy Demand: 2008-2018*. Transmitted to AMEC Earth and Environmental via the Internet

## 10.0 REFERENCES AND PERSONS OR ORGANIZATIONS CONTACTED

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- (<http://www.energy.ca.gov/2007publications/CEC-200-2007-015/CEC-200-2007-015-SF2.PDF>), November. Accessed: January 22, 2009.
- CEC. 2008. *2007 Electricity Consumption Database*. Transmitted to AMEC via the Internet (<http://www.ecdms.energy.ca.gov/elecbycounty.asp#results>) Accessed: January 22, 2009.
- CEC. 2008a. *Energy Almanac – California’s Major Sources of Energy*. Transmitted to AMEC Earth and Environmental via the Internet ([http://energyalmanac.ca.gov/overview/energy\\_sources.html](http://energyalmanac.ca.gov/overview/energy_sources.html)).
- CEC. 2008b. *2007 Net System Power Report*. April.
- California Climate Action Registry. 2008. *General Reporting Protocol: Reporting Entity-Wide Greenhouse Gas Emissions*. April.
- California Integrated Waste Management Board. 2009. Profile of San Luis Obispo Waste Management Authority. Transmitted to AMEC via the Internet (<http://www.ciwmb.ca.gov/Profiles/>), September.
- California State Department of Finance. 2008. *E-2 City/Counties Population Estimates with Annual Percent Change – January 1, 2007 and 2008, Sacramento, California*. May.
- City of San Luis Obispo. 2003. *Costco/Froom Ranch EIR*. SCH# 2002051036. June.
- City of San Luis Obispo. 2004. *Final Environmental Impact Report, Four Creeks Rezoning Project*. SCH# 200407010043. July.
- City of San Luis Obispo. 2005. *Urban Water Management Plan*. Transmitted to AMEC via the Internet (<http://www.slocity.org/utilities/download/uwmp2005.pdf>), 6 December.
- City of San Luis Obispo. 2006a. *General Plan, Conservation and Open Space Element*. April.
- City of San Luis Obispo. 2006b. *General Plan, Land Use Element*. Community Development Department. 4 April (revised).
- City of San Luis Obispo. 2006c. *General Plan, Water and Wastewater Element*. Community Development Department. 4 April (revised).
- City of San Luis Obispo. 2007. *2007 Annual Water Resources Status Report*.
- City of San Luis Obispo. 2008a. Email correspondence with Phil Dunmore. 13 January 2008.

## 10.0 REFERENCES AND PERSONS OR ORGANIZATIONS CONTACTED

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- City of San Luis Obispo. 2008b. Fire Department Website. Transmitted to AMEC Earth and Environmental via the Internet (<http://www.ci.san-luis-obispo.ca.us/fire/>), 14 October.
- City of San Luis Obispo. 2008c. Garden Street Terraces Project Draft EIR, SCH#2007071062. February
- City of San Luis Obispo. 2008d. Police Department Website. Transmitted to AMEC Earth and Environmental via the Internet (<http://www.slocity.org/police/index.asp>), 16 October.
- City of San Luis Obispo. 2008e. Utilities Department Website. Transmitted to AMEC Earth and Environmental via the Internet (<http://www.ci.san-luis-obispo.ca.us/utilities/reuse/reusehome.asp>), 20 October.
- City of San Luis Obispo. 2008f. Utilities Department Website. Transmitted to AMEC via the Internet (<http://www.ci.san-luis-obispo.ca.us/utilities/>), September.
- City of San Luis Obispo. 2008g. *General Fund Five Year Forecast, 2009-2014*. Transmitted to AMEC via the Internet (<http://www.ci.san-luis-obispo.ca.us/finance/download/forecasts/forecast2009-14.pdf>), December.
- City of San Luis Obispo. 2009a. Personal communication with Mr. Dan Gilmore, City of San Luis Obispo Utilities Department. 26 January.
- City of San Luis Obispo. 2009b. Personal communication with Captain Dan Blanke, City of San Luis Obispo Police Department. 26 January.
- Pacific Gas and Electric (PG&E). 2009. Personal communication with Mr. Bob Burke, Pacific Gas and Electric. 26 January.
- San Luis Obispo County. 2007. San Luis Obispo County Grand Jury Report: Waste Management in San Luis Obispo County.
- San Luis Obispo County. 2009. *Cold Canyon Draft EIR*. Transmitted to AMEC Earth and Environmental via the Internet ([http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/Environmental\\_Impact\\_Reports\\_2009.htm](http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/Environmental_Impact_Reports_2009.htm)), 23 January.
- Southern California Gas Company (SCG). 2009. Personal communication with Mr. Trinidad, Southern California Gas Company. 22 January.
- [United States Green Building Council \(USGBC\). 2009. LEED Program. Transmitted to AMEC Earth and Environmental via the Internet \(http://www.usgbc.org/DisplayPage.aspx?CMSPageID=222\). June 2, 2009.](http://www.usgbc.org/DisplayPage.aspx?CMSPageID=222)

**SECTION 4.0 OTHER CEQA SECTIONS**

City of San Luis Obispo. 2000. *General Plan, Safety Element*. Community Development Department. July.

City of San Luis Obispo. 2007. *Prefumo Creek Commons – Initial Study (ER #7-07)*. Prepared by the City of San Luis Obispo Community Development Department. August.

Earth Systems Pacific. 2007. *Prefumo Creek Commons Project Site – Soils Engineering Report*. Prepared by Earth Systems Pacific, Inc. March 12.

County of Santa Barbara. 1980. *Regional Growth Impact Study*.

County of Santa Barbara. 1985. *Industrial Growth Impact Study*.

**SECTION 5.0 CUMULATIVE IMPACTS**

City of San Luis Obispo. 1994. *Land Use Element/ Circulation Element Updates – Final Environmental Impact Report*. Prepared by Fugro-McClelland (West), Inc. August.

City of San Luis Obispo. 2003. *Costco/Froom Ranch Project Final EIR*. June.

City of San Luis Obispo. 2006. *General Plan, Water and Wastewater Element*. Community Development Department. 4 April (revised).

City of San Luis Obispo. 2008. *List of Pending and Approved Projects in the Downtown Planning Area, November 2008*. Community Development Department, Development Review Division, November.

Fehr & Peers Transportation Consultants. 2009. *San Luis Obispo Perfumo Creek Commons: Draft Transportation Impact Analysis*. January.

Irish Hills Plaza East, LLC. 2008. *Prefumo Creek Commons Project Plans*. December.

San Luis Obispo County Regional Airport, Airport Land Use Commission (ALUC). 2002. *Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport*. Prepared by the San Luis Obispo County Regional Airport ALUC. May 18.

**SECTION 6.0 ALTERNATIVES**

California Resources Agency. 1998-2003. *Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act (CEQA), Article 9. Contents of Environmental Impact Reports, Section 15126.6. Consideration and Discussion of Alternatives to the Proposed*

## 10.0 REFERENCES AND PERSONS OR ORGANIZATIONS CONTACTED

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- Project.* Transmitted to AMEC via the internet ([http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/art9.html](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art9.html)).
- City of San Luis Obispo. 2003. *Costco/Froom Ranch – Final Environmental Impact Report*. Prepared by Morro Group, Inc. June.
- City of San Luis Obispo. 2006. *General Plan, Land Use Element*. Community Development Department. 4 April (revised).
- San Luis Obispo County Regional Airport, Airport Land Use Commission (ALUC). 2002. *Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport*. Prepared by the San Luis Obispo County Regional Airport ALUC. May 18.

