



**CITY OF
SAN LUIS OBISPO**

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
For EID-0626-2019**

1. Project Title: Fiero Lane and Clarion Court Annexation

2. Lead Agency Name and Address:

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

3. Contact Persons and Phone Number:

David Watson, Contract Planner
dave@watsonplanning.us (805) 704-8728

Shawna Scott, Senior Planner
sscott@slocity.org (805) 781-7176

4. Project Location:

The approximately 39-acre proposed annexation area is located on the west side of Broad Street, approximately one-quarter mile south of Tank Farm Road. The site consists of 30 existing parcels located along Fiero Lane, Clarion Court, and a portion of Santa Fe.

5. Project Sponsor's Name and Address:

Matt Quaglino
President, Fiero Lane Water Company
c/o Quaglino Properties
815 Fiero Lane
San Luis Obispo, CA 93401

Fiero Lane Water Company
c/o Rob Miller, PE
Wallace Group
612 Clarion Court
San Luis Obispo, CA 93401

6. General Plan Designation:

Current County of San Luis Obispo General Plan Designation: Commercial Service and Industrial Land Use Categories

City of San Luis Obispo Proposed General Plan Designations: Business Park and Services & Manufacturing (consistent with the Airport Area Specific Plan, Figure 4-1 Land Use Designations)

7. **Zoning:**

Proposed: Business Park (BP), Service Commercial (CS), and Manufacturing (M) (consistent with the Airport Area Specific Plan, Figure 4-4 Zoning Designations)

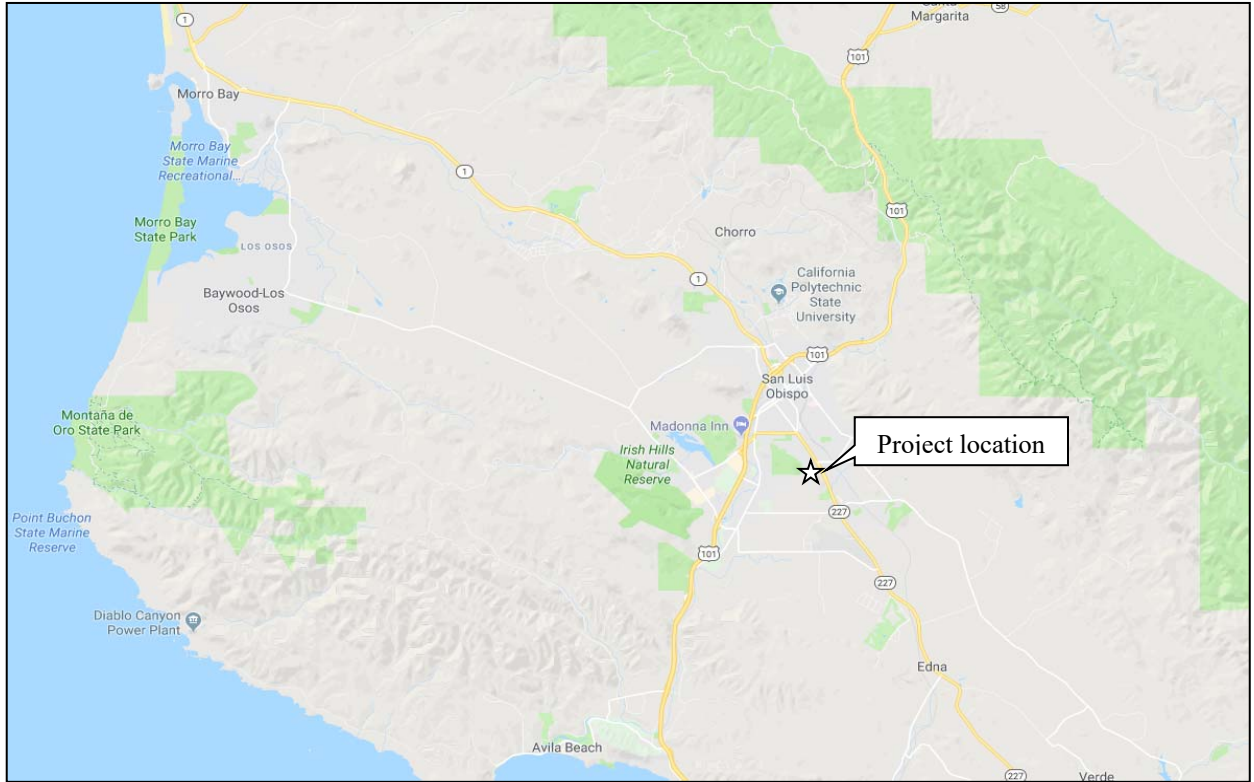


Figure 1: Regional Location

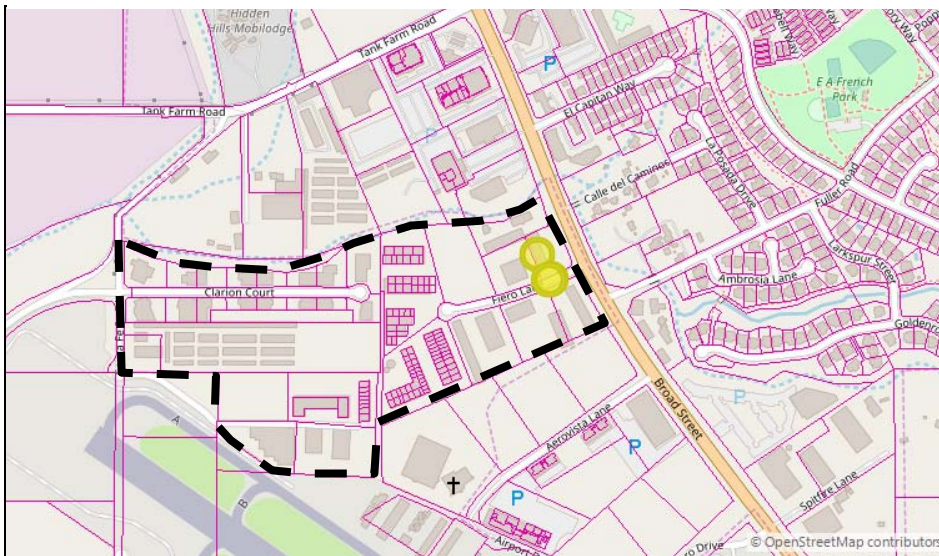


Figure 2: Project Vicinity Map

Description of the Project:

The Proposed Project includes annexation of approximately 39 acres of property into the City of San Luis Obispo. The proposed annexation area is comprised of 30 parcels located in the vicinity of Fiero Lane and Clarion Court, near the San Luis Obispo Regional Airport (Reference Source 1, Fiero Lane-Clarion Court Proposed Annexation Area). The Fiero Lane-Clarion Court annexation and service area is located within the Airport Area Specific Plan (AASP) located generally in and around 850 Fiero Lane, San Luis Obispo, California 93401. Approximately 90 percent of the properties within the annexation area are developed with businesses currently operating under San Luis Obispo County regulations.

The subject area is identified in a previously approved 2015 Memorandum of Agreement (MOA) between the City and the Fiero Lane Water Company (FLWC) that provides (i) interim water and wastewater services to the Fiero Lane and Clarion Court properties located in the Fiero Lane Annexation area west of Broad Street, and (ii) provides for annexation of these properties into the City of San Luis Obispo. A First Amendment to this MOA was approved by the City Council on March 19, 2019, which allowed additional time (one year) to complete the application submittal and processing of the annexation with the San Luis Obispo County Local Agency Formation Commission (LAFCO). In 2015 the City Council adopted Resolution No. 10678, which provided for the two phases of the project, as summarized below:

Phase 1 (Memorandum of Agreement):

This phase included an interim hookup to City water and sewer facilities after initial Council and LAFCO authorization. The physical changes to the City's infrastructure system were limited to the following:

- Disconnection from the FLWC Wastewater Treatment Plant (WWTP).
- Sewer system connection for the proposed annexation area, including approximately 30 feet of temporary sewer force main construction in existing disturbed street areas.
- Potable water system connection for the proposed annexation area at a single point, including minor temporary pipeline construction in existing disturbed areas.

Phase 2: (Annexation):

During this phase, City and FLWC staff have defined the detailed improvements required for permanent connections to City systems. During Phase 2, improvements would include:

- Decommissioning of the existing WWTP, including potential relocation of required plant equipment to the East Airport area (refer to description of wastewater alternatives below, under Plan for Services).
- Installation of new water meters
- Installation of recycled water main on Broad Street
- Reconfiguration of sewer laterals along Fiero Lane to connect to the existing airport gravity sewer
- Pavement rehabilitation and sidewalk repairs within Fiero Lane
- Other improvements identified in the MOA between the City and FLWC

Plan For Services

The proposed annexation area has been analyzed to identify their impact on overall City services. To document this analysis and the recommendations derived from that analysis, a Plan For Services has been developed and adopted in 2015 for the FLWC annexation area. A summary of the Plan for Services is included below.

Current Conditions – Fiero Lane-Clarion Court Annexation Area. Fiero Lane and Clarion Court provide vehicular access to the area. These roads do not intersect; each is a cul-de-sac dead end. Fiero Lane access comes from Broad Street and Clarion Court is accessed via Santa Fe Road. At this time the Santa Fe Bridge facility is not intended to be annexed. No improvements to the bridge are identified with this action. Domestic water is delivered by the City via the water distribution system from Broad Street along Aero Vista Lane to the water holding tank near the center of the annexation area. Water is distributed from the tank via pressurized water lines installed with the original developments of the area.

Wastewater is collected by both gravity and force main/lift stations and conveyed to a private treatment plant operated by the Fiero Lane Water Company at the end of Fiero Lane. Treated wastewater is disposed of in a leach field system to the immediate south (and outside) the annexation area.

Emergency services are provided by the County, but these areas are also supported by the City under mutual aid agreements between the City and County. General government services are provided by the County. Storm water management, collection and disposal is handled by the private property owners under County-approved plans. Solid waste services are provided by the County via private contract with local waste and recycling providers.

Post-Annexation Conditions – Fiero Lane-Clarion Court Annexation Area. Roadway rehabilitation and upgrades are planned to bring the roads, walkways and street signage up to City standards. Following annexation, the roads, curbs, gutters and sidewalks will be maintained by the City under the Pavement Management Plan.

Water system upgrades for the annexation area will include some main line and hydrant replacements, water meter replacements, valving and backflow prevention will be installed. The current interim water service will become permanent under the annexation proposal.

Conversion of the Fiero Lane-Clarion Court area to the City's wastewater system will occur following City installation of a gravity collection line along Fiero Lane that will serve to collect wastewater from the location of the existing Fiero Lane Water Company wastewater plant (at the end of Fiero Lane cul-de-sac). This new City line would convey wastewater by gravity to an existing wastewater main line in Broad Street, and from there is conveyed to the City's Water Resource Recovery Facility (WRRF). Until such time as this conversion occurs, the private FLWC treatment plant and disposal system will continue to operate as currently constituted.

Much of the existing collection system within the annexation area along Clarion Court will remain a private collection and conveyance system, ultimately sending wastewater to the City's new gravity main at Fiero Lane noted above. A new lift station in the vicinity of the FLWC wastewater plant is also planned. Following the connections of the various properties in the Fiero Lane-Clarion Court Annexation Area, the wastewater plant will be decommissioned at this

location. It is possible this plant would be moved to the East Airport Annexation Area to serve those users as noted earlier and briefly summarized below.

Preferred Wastewater Alternative: The FLWC wastewater system will be converted to interconnect with a gravity collection line in Broad Street, and from there is conveyed to the City's WRRF. The force main and lift station currently serving the area would be abandoned. The timing of this work is contingent on the decommissioning of the FLWC wastewater plant following the connections of the various properties in the Fiero Lane-Clarion Court Annexation Area.

Interim Wastewater Alternative: If annexation of the East Airport Area is delayed, or improvements are not completed at the time of the FLWC wastewater plant decommissioning, it is possible this treatment plant would be moved to the East Airport Annexation Area to serve those users on an interim basis. The proposed parcel identified by FLWC is APN 076-512-028 (1275 Prospect) – this parcel is currently developed with existing FLWC facilities. In such a case, FLWC proposes that treated wastewater would be conveyed via the lift station and force main on the East Airport area to the existing disposal field currently serving the FLWC plant, west of Broad Street.

Recycled water supplies are also included in the Plan For Services, with extensions made by the applicants within the annexation area, to facilitate connection to this supply when it can be made available.

Police and Fire emergency services would be provided by the City. It is expected the mutual aid agreements would remain between the City and County. General government services would be assumed by the City. Storm water management and solid waste services would continue as presently exist.

At this time the tasks required under Phase 1 of the MOA have been completed and the properties are now prepared to submit the annexation request to the City and LAFCO, and implement the improvements identified in Phase 2.

Previous environmental review for this Project included the 2005 Final EIR certified for the Airport Area and Margarita Area Specific Plans, a 2015 Addendum to this 2005 Final EIR, and the 2014 General Plan Land Use and Circulation Element Update (LUCE) EIR. These materials are relied on and incorporated herein for this analysis. Tiering off earlier environmental studies is allowed by CEQA, essentially further refining impact analysis and mitigation strategies as new or changed circumstances arise. It also allows previous work to be reaffirmed as adequate for the review of the next stage of a given project.

8. Other public agencies whose approval is required:

San Luis Obispo County Local Agency Formation Commission (LAFCO) – interim services agreement and annexation (Responsible Agency), Air Pollution Control District, Regional Water Quality Control Board, County of San Luis Obispo (for re-located wastewater treatment package plant)

9. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources code section 21080.3.1? If so, has consultation begun?

Native American Tribes have been notified about the project consistent with City and State regulations. The Northern Chumash Tribal Council (February 8, 2019) has noted that the existence of development and infrastructure within the annexation area does not preclude the presence of cultural resources.

Attachments

1. Resolution No. 10678, including 2015 Memorandum of Agreement (MOA) between City and Fiero Lane Water Company
2. Resolution No. 10994 approving the First Amendment providing for an extension to the 2015 MOA between City and Fiero Lane Water Company
3. Fiero Lane / Clarion Court “Plan For Services”, March 2016

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

	Aesthetics		Greenhouse Gas Emissions		Population and Housing
	Agricultural Resources		Hazards & Hazardous Materials		Public Services
X	Air Quality		Hydrology/Water Quality		Recreation
	Biological Resources		Land Use and Planning		Transportation & Traffic
X	Cultural Resources		Energy & Mineral Resources	X	Utilities and Service Systems
	Geology/Soils		Noise	X	Tribal Cultural Resources
	Mandatory Findings of Significance				

FISH AND GAME FEES

	There is no evidence before the Department that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.
X	The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code. This initial study has been circulated to the California Department of Fish and Game for review and comment.

STATE CLEARINGHOUSE

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

On the basis of this initial evaluation:

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



Signature
David Watson, Contract Planner

September 16, 2019

Date



Michael Codron, Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 19, "Earlier Analysis," as described in (5) below, may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063 (c) (3) (D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they addressed site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance

1. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?	2,3,4, 5, 17			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, open space, and historic buildings within a local or state scenic highway?	2,3,4, 5, 17			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	2,3,4, 5, 17			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	2,3,4, 5, 17			X	

Evaluation

Existing Visual Conditions. The Airport area is currently developed with a mix of light industrial and service manufacturing uses along with contractor and professional services. Views in the Airport area include the Santa Lucia Range, Islay Hill, and the hills located at the north end of the Margarita area that separate it from the city to the north.

a) Based on Conservation and Open Space Element Figure 11: Scenic Roadways and Vistas, there are no designed Scenic Cones of View in or facing towards the proposed annexation area, although the section of Broad Street near the intersection with Fiero Lane, and a section of Tank Farm Road west of Santa Fe are designated as having high scenic value. The AASP notes that the Santa Lucia Mountains and foothills are important features in establishing the character of the Airport Area, and AASP Chapter 5 (Community Design) includes design guidelines and performance standards, which are in place to protect views and the area’s unique sense of place. The proposed annexation area is largely built-out and based on the presence of existing development and mature trees within and adjacent to the annexation area, views of surrounding hills and ridgelines are limited.

The proposed Project would allow for future development, which would be consistent and compatible with the underlying and surrounding land use designations, based on compliance with the AASP and City standards. Implementation of the proposed Project, including proposed infrastructure improvements, would not significantly change the existing visual character of the project area, as the area is approximately 90 percent built-out with commercial, office, and light industrial uses, and the zoning designations under the AASP (Business Park, Service Commercial, and Manufacturing) allow or conditionally allow for similar uses.

The AASP Final EIR analyzed impacts related to aesthetics as a result of development of the AASP area, including the Project site. The proposed Project supports implementation of goals and policies contained within the AASP and would be fully consistent with both the AASP and the analysis contained in the AASP Final EIR. Therefore, this impact is considered less than significant.

b) The affected section of State Route 227 (Broad Street) is not designed a scenic route by the California Department of Transportation or the County of San Luis Obispo. As noted above, the City’s Conservation and Open Space Element identifies the section of Broad Street near the intersection with Fiero Lane, and a section of Tank Farm Road west of Santa Fe as having high scenic value. Implementation of the proposed Project would not result in the removal of any substantial trees, rock outcroppings, or buildings of historical significance, and future development would be subject to the adopted guidelines and performance standards identified in the AASP and the City’s Zoning Regulations and Community Design Guidelines. Therefore, there is a less than significant impact.

c) The AASP Final EIR identified a significant and unavoidable impact (Impact LU-6: Change in Views) as a result of buildout of the AASP area and urbanization of the south end of the City. A Statement of Overriding Considerations was adopted upon certification of the AASP Final EIR and adoption of the AASP. As noted above, the proposed annexation area is currently urbanized and developed with commercial, office, and light industrial uses. Future development of the Project site would be visually compatible with the surrounding uses and would not significantly degrade the existing visual quality of the surrounding area, because it would be consistent with existing development, and subject to adopted AASP design guidelines and performance standards and the City’s Community Design Guidelines. The proposed site for the potentially-relocated package wastewater treatment facility is currently developed with FLWC facilities, and would not result in a significant visual change. Therefore, this is considered a less than significant impact.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Consistent with the analysis in the AASP Final EIR (Impact LU-7: Potential Increase in Daytime/Nighttime Light and Glare), future development within the proposed annexation area would contribute to an increase in light and glare from exterior lighting and materials. Pursuant to the AASP Final EIR and adopted AASP, future development shall comply with lighting guidelines and standards, consistent with AASP Final EIR Mitigation Measure LU-7.1 (Incorporate Lighting Design Standards into Margarita and Airport Area Specific Plans). In addition, future projects would comply with AASP guidelines that discourage reflective or shiny exterior finishes (see AASP Materials and Colors, Goal 5.14, Guideline C). Future projects would also be subject to Zoning Regulations Section 17.70.100 (Lighting and Night Sky Preservation), which requires shielding and other methods to minimize light intrusion. Compliance with existing AASP guidelines and the Zoning Regulations would ensure impacts related to light and glare would be less than significant.

Conclusion: Less than significant impacts. The area is designated for business park and service-manufacturing uses under the AASP. Future development would be subject to AASP guidelines, City Community Design Guidelines, and performance measures and standards identified in the Zoning Regulations that address aesthetics, and based on the scope of the proposed annexation project, no additional mitigation measures beyond these identified requirements are necessary.

2. AGRICULTURE RESOURCES. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	2,4,6, 7,13				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	2,4,6, 7,13				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	2,4,6, 7,13				X

Evaluation

The FEIR for the AASP analyzed the potential impact of development in the AASP (including the proposed annexation). Consistent with the strategy of the General Plan, the specific plan aims to accommodate urban development inside the urban reserve line while protecting land outside the urban area for open space, agricultural, and rural uses. No agricultural zoning or lands under Williamson Act contract are present with the proposed annexation area.

a-b-c) The Proposed Project does not affect any existing or future agricultural activities. The subject service and annexation area is not in agricultural use, is not located on lands considered prime agricultural soils, is in an area long designated for annexation and infill development. There is no agricultural zoning or Williamson Act Contract in effect, and no grazing on the subject site.

Conclusion: No impact.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	2,4,5, 11,12			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	2,4,5, 11,12		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed qualitative thresholds for ozone precursors)?	2,4,5, 11,12		X		

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Expose sensitive receptors to substantial pollutant concentrations?	2,4,5,11,12			X	
e) Create objectionable odors affecting a substantial number of people?	2,4,5,11,12			X	

Evaluation

As discussed in the AASP FEIR, local climate conditions are generally characterized by warm, dry summers and cooler, rainy winters. The Edna Valley in which the Fiero Lane-Clarion Court annexation area is located is generally affected by offshore cooling conditions and airflow through the valley from Morro Bay to the north. These wind patterns change frequently, but prevailing conditions as described have a tendency to restrict dispersion of pollutants for a matter of days which has led to periodic higher ozone level readings. To address this, the City relies on Federal-State-County APCD quality standards and monitoring, as well as a robust Climate Action Plan adopted by the City.

The Air Quality impacts and mitigation measures developed for the AASP and FEIR identified thresholds for ground disturbance (such as 1,950 cu/yds per day or 4.0 acres of grading or larger) that would trigger additional environmental review. No new private development is permitted by this annexation, and any future development post-annexation would be subject to the AASP and the City’s Municipal Code and Zoning Regulations, which stipulate required levels of review. Infrastructure improvements identified for the proposed annexation, including infrastructure conversions and connections to bring private users into the City’s utility system are located within previously disturbed street rights-of-way.

To address these factors, several protocols have been imposed to address both short-term quality concerns (generally construction-oriented emission mitigations) as well as longer-term emission reduction targets that rely on site design, traffic management, alternative energy techniques and similar options to minimize overall air quality impacts. The annexation of the existing developed Fiero Lane-Clarion Court area will not materially change these existing conditions. Future development proposed within the subject area would be required to address these requirements as individual projects are evaluated.

a) Annexation of the existing developed Fiero Lane-Clarion Court area would occur as anticipated in the AASP, and will not materially change existing conditions. Infrastructure improvements would occur within developed roadways and utility corridors that currently serve urban development, and would not result in an expansion of urban areas beyond what was anticipated and analyzed in the AASP FEIR, which determined that implementation of the AASP would be consistent with the APCD’s 1998 Clean Air Plan. While the Clean Air Plan was updated in 2001, the proposed annexation and associated infrastructure improvements would be consistent with this plan because the Transportation and Land Use Control Measures recommended in the 1998 plan to reduce emissions were incorporated into the attainment strategy for the 2001 Clean Air Plan. In addition, the proposed annexation would not change the anticipated zoning and land use designations identified in the AASP for the subject area. Therefore, the proposed project is consistent with the adopted Clean Air Plan.

b-c) Based on the APCD’s San Luis Obispo County Attainment Status table (APCD, 2019), San Luis Obispo County is in non-attainment with California standards for ozone and respirable particulate matter. Potential short-term impacts resulting from build-out of the AASP area (including the proposed annexation area) were determined to be less than significant based on implementation of APCD construction emission mitigations identified in the AASP FEIR (AASP FEIR: Impact AIR-1: Short-term Construction Impacts; Mitigation Measure AIR-1.1 Construction-related Combustion Emissions Mitigation; Mitigation Measure AIR-1.2 Construction-Related Fugitive Dust (PM10) Mitigation; Mitigation Measure AIR-1.3 Construction-Related Activity Management Techniques). Long-term operational emissions were determined to be less than significant (AASP FEIR: Impact AIR-2 Long-term Operation Emissions; Mitigation Measure AIR-2.1 Implement Growth-Phasing Schedule).

Construction of infrastructure improvements would result in the short-term generation of air emissions, including ozone precursors, reactive organic gasses, and diesel and dust particulates. In addition, ground disturbing activities and improvements to utility infrastructure has the potential to result in exposure to naturally occurring and materials containing asbestos. Land uses in the affected area consist of commercial, office, manufacturing, and light industrial uses, none of which are considered sensitive uses as defined by the APCD’s CEQA Handbook. Infrastructure construction is subject to APCD mitigation measures, and compliance with these measures would reduce potential impacts to less than significant. Relocation of the existing wastewater treatment package plant would not result in additional operational emissions exceeding existing conditions. Based on updates to the APCD’s CEQA Air Quality Handbook in 2012 and 2017, current mitigation measures

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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applicable to the infrastructure improvements are identified below, and these measures are equal or more effective than the air quality measures previously-adopted in association with the AASP FEIR:

Mitigation Measures

AQ-1: Naturally Occurring Asbestos. Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation shall be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. 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. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.

AQ-2: Asbestos Material in Demolition. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. More information on Asbestos can be found at <http://www.slocleanair.org/business/asbestos.php>.

AQ-3: Developmental Burning. APCD regulations prohibit developmental burning of vegetative material within San Luis Obispo County.

AQ-4: Permits. Portable equipment and engines 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the ARB) or an Air District permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive: power screens, conveyors, diesel engines, and/or crushers; portable generators and equipment with engines that are 50 hp or greater; internal combustion engines; unconfined abrasive blasting operations; concrete batch plants; rock and pavement crushing; tub grinders; and, trommel screens.

AQ-5: Standard Mitigation Measures for Construction Equipment. The standard mitigation measures for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

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

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

AQ-6: Best Available Control Technology (BACT) for Construction Equipment. If the estimated ozone precursor emissions from the actual fleet for a given construction phase are expected to exceed the APCD threshold of significance after the standard mitigation measures are factored into the estimation, then BACT needs to be implemented to further reduce these impacts. The BACT measures can include:

- a. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;
- b. Repowering equipment with the cleanest engines available; and
- c. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>

AQ-7: Fugitive Dust Mitigation Measures. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems, in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD’s limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that during drought conditions, water use may be a concern and the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- f. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

d-e) The AASP FEIR did not identify any sensitive receptors in the subject annexation area nor did these documents find any objectional odors would occur as a result of the annexation of these lands into the City. Identified infrastructure improvements do not include any actions that would generate objectionable odors. No new sensitive receptors are present within or adjacent to the subject area and future development would occur consistent with the adopted AASP. Therefore, potential impacts would be less than significant.

Conclusion: Less than significant impact upon implementation of previously identified mitigation measures. Annexation of the subject area and service to existing uses will not result in changes in ambient air quality conditions in the vicinity. No new development is included as part of the contemplated service and annexation proposal, and implementation of infrastructure improvements is subject to previously- adopted identified mitigation measures noted above as AQ-1 through AQ-7 from the AASP FEIR, as updated based on the current effective APCD CEQA Air Quality Handbook. Future projects would be required to have independent CEQA review and requirements would be imposed as needed to comply with City and APCD Plans.

4. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	2,4,5, 6,13, 17			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	2,4,5, 6,13, 17			X	

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

c) Have a substantial adverse effect on Federally protected wetlands as defined in Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, etc.) through direct removal, filling, hydrological interruption, or other means?	2,4,5, 6,13, 17			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	2,4,5, 6,13, 17			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	2,4,5, 6,13, 17			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	2,4,5, 6,13, 17				X

Evaluation

The larger context Airport Area contains the following natural communities (Figure 3C-1 and Table 3C-2; AASP FEIR): non-native grasslands, including several large patches of valley needlegrass grassland; and a matrix of coyote brush scrub, open water, freshwater marsh and seasonal wetland, riparian woodland and scrub, agricultural fields, and developed and ruderal areas. The larger area analyzed in the FEIR comprised some 404 acres. The subject Fiero Lane-Clarion Court annexation area comprises a smaller subset of approximately 39 acres. Specific habitat types noted in the FEIR for this area included annual grasslands, riparian habitat along the northerly drainage course and ruderal disturbed areas. As noted in the FEIR, none of the smaller subset of subject properties represent a significant sensitive resource area.

The annexation will trigger the installation of various road and utility upgrades and improvements to serve the annexation area with City services. These upgrades and improvements, all detailed in Initial Study Sources #8-9-10, are all located within areas of existing disturbance (largely developed public and private streets) such that no utility systems needed to serve the annexation area will require disturbance to established and mapped wetland resources, sensitive natural communities, grassland disturbance riparian habitats or special status species as noted in the AASP FEIR. The relocated wastewater treatment package plant would be located within Tract 2368 (East Airport), a subdivision currently within the County of San Luis Obispo, on a site currently developed with existing FLWC facilities (1275 Prospect). Pursuant to the MND that was adopted by the County upon approval of Tract 2368, the proposed relocation site contains non-native grassland habitat, and the results of a botanical survey noted that no sensitive or special-status species are present.

a) No modifications to established habitat areas would result from the annexation of the subject Fiero Lane-Clarion Court properties and/or the installation of needed infrastructure (as addressed in Utilities, Transportation or Public Services section noted below) to serve the annexation area. Therefore, potential impacts would be less than significant. Any future projects considered by the City in the subject area would be required to meet City policies and regulations, as well as comply with California Fish and Wildlife and/or US Fish and Wildlife Service standards.

b-c) The northern extent of the proposed annexation area is bounded by an existing creek and associated riparian corridor. The parcels adjacent to the creek are currently developed. No infrastructure improvements are identified within or proximate to this riparian corridor, and no removal, filling, hydrological interruptions or other direct impacts to local resources are proposed with the annexation and infrastructure improvements noted herein. Therefore, implementation of the annexation and associated infrastructure improvements (located within established parcels and roadways) would not directly affect any riparian habitat, wetland habitat, or natural communities identified in the AASP FEIR. Therefore, potential impacts would be less than significant.

d) The proposed annexation area is largely developed, and does not provide upland habitat suitable for wildlife migratory corridors. The proposed annexation would not require any infrastructure improvements that would affect wildlife within the existing riparian corridor, and no tree removals or disturbance of natural habitats would occur. Therefore, potential impacts would be less than significant, and no mitigation measures are required.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

e) The AASP FEIR did not identify any significant or sensitive biological resources located within the subject annexation area. No tree removal or other potentially adverse modifications to the lands are proposed by the annexation. Therefore, potential impacts would be less than significant, and no mitigation measures are required.

f) There are no adopted Habitat or Natural Community Conservation Plans that identify or address the subject area. Based on the land use category and zoning identified in the City’s General Plan and AASP (Business Park and Services & Manufacturing), and lack of sensitive habitat within areas proposed for infrastructure improvements consistent with the AASP, the Proposed Project would be consistent with the City’s Conservation and Open Space Element.

Conclusion: Less than significant impact.

5. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historic resource? (See CEQA Guidelines 15064.5)	4,5,6, 13, 17		X		
b) Cause a substantial adverse change in the significance of an archaeological resource? (See CEQA Guidelines 15064.5)	4,5,6, 13,17		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	4,5,6, 13, 17		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?	4,5,6, 13, 17		X		

Evaluation

The AASP FEIR noted that at that time, multiple field surveys had been conducted within the larger Airport Area and with the exception of a historic building near Buckley Road, no cultural resources were noted in the area. The AASP and FEIR provide that any work conducted in areas where surveys have not been done shall include such surveys into their project planning and development. To the extent that road and utility installations occur within previously disturbed areas, it is unlikely that any potential significant impacts to resources may occur. As is the case with all public works projects, in the event of unforeseen encounter of materials suspected to be of cultural significance, established protocols include suspending work pending more detailed review and consultation over such finds/findings.

Native American Tribes have been notified about the project consistent with City and State regulations. The Northern Chumash Tribal Council (February 8, 2019) has noted that the existence of development and infrastructure within the annexation area does not preclude the presence of cultural resources. No evidence has been provided that would suggest any known resources are located within the subject annexation area.

a, b, c, d) Based on the certified AASP FEIR, no cultural resources were documented within the subject area. Based on the adopted MND for Tract 2368, no cultural resources were documented within the parcel proposed for the potentially-relocated wastewater treatment package plant. In addition, pursuant to the adopted MND for Tract 2368, relocation of the plant within this area is subject to the following mitigation measure:

Mitigation Measure

CR-1: Unanticipated cultural resource discovery. In the event archaeological, historic, or paleontological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law, and in consultation with local Native American tribal organizations.
- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

Infrastructure improvements would occur within existing roadways and utility corridors. In the unlikely event of resource discovery, City of San Luis Obispo Archaeological Resource Preservation Program Guidelines Section 4.60.1 requires that all construction activities that may disrupt those materials shall cease and the Community Development Director shall be notified immediately of the discovery of archaeological materials. Based on the results of cultural resource studies within the subject area, location of infrastructure improvements, and compliance with adopted Guidelines in place to protect cultural resources upon inadvertent and unlikely discovery, potential impacts would be less than significant.

Conclusion: Less than significant impact upon implementation of previously identified mitigation measures.

6. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:					
I. Rupture of a known earthquake fault, as delineated in the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	2,4,5, 13			X	
II. Strong seismic ground shaking?	5,13			X	
III. Seismic-related ground failure, including liquefaction?	5,13			X	
IV. Landslides or mudflows?	5,13			X	
b) Result in substantial soil erosion or the loss of topsoil?	5,13			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslides, lateral spreading, subsidence, liquefaction, or collapse?	2,4,5, 13			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	2,4,5, 13			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	2,4,5, 13			X	

Evaluation:

San Luis Obispo lies within the southern Coast Range Geomorphic Province, between the Central California Valley and Pacific Ocean. Rock types in the San Luis Obispo area are mainly comprised of volcanic, metavolcanics, and melanges of serpentinite and graywacke sandstone. These rocks are highly fractured and are part of the Mesozoic aged Franciscan Formation. The predominant northwest-southeast trending structures of the Coast Range Province are related to the San Andreas Fault Transform Boundary. According to the Geologic Map of California, San Luis Obispo Sheet published by the California Division of Mines and Geology (CDMG) in 1978, the site vicinity is underlain by the Franciscan Formation and Tertiary intrusive rocks. The nearest fault mapped in the site vicinity by Jennings (1994) is the Edna Fault, which is actually a fault zone that lies approximately 1-2 miles to the northwest of the project site. This fault zone generally trends along the northern flank of the Irish Hills.

Previous analysis under the AASP and General Plan has noted that for the general conditions in the subject area, individual geologic studies are required to consider any proposed development projects. These studies have not identified specific areas within the AASP that would be prohibited from development due to geologic conditions or significant adverse conditions. Detailed geologic analysis specific to any proposed site or development would be provided consistent with city regulations to identify potential impacts and mitigation measures accordingly.

a) The subject annexation property has not been identified to be subject to significant seismic constraints in the AASP FEIR. Based on this, no significant impacts related to seismic activity, landslides, or mudflow would occur during implementation of infrastructure improvements, and future analysis for project specific development will be conducted to analyze such potential impacts as appropriate with new development, as required by the California Building Code.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------	--------------------------------------------------------	------------------------------	-----------

b-c-d-e) The action of annexation will not result in physical impacts on the environment, with the exception of infrastructure improvements. Based on the location of infrastructure improvements, which would occur in areas with existing roads and utility corridors, and compliance with erosion and stormwater control measures as dictated by the City’s Municipal Code and Standard Specifications and Engineering Standards (May 2018), potential impacts related to soil erosion, expansive soils, or unstable geologic soils conditions would be less than significant. No septic tanks are proposed as part of the annexation area, as existing and future development would connect to City sewer infrastructure.

Conclusion: Less than significant Impact

7. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	11,12			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	2,3,4,11,12			X	

Evaluation

In response to an increase in man-made greenhouse gas (GHG) concentrations over the past 150 years, California has implemented legislation to reduce statewide emissions. Assembly Bill 32 (AB 32) codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of statewide GHG emissions. Senate Bill 32 (SB 32) extends AB 32, requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030. On December 14, 2017, the California Air Resources Board (ARB) adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 statewide target set by SB 32. The 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) CO₂e by 2030 and two MT CO₂e by 2050 (ARB 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the State.

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project’s contribution towards an impact would be cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15064[h][1]).

a, b) The action of annexation would not result in the generation of greenhouse gas emissions. Continued interim service by the City to existing uses in the County, and the annexation of those existing uses, do not result in changes to air emissions conditions in the area. Construction-related emissions would occur during the implementation of infrastructure improvements; however, these emissions would be short-term, and based on the limited scope of the action, would not have a significant impact on the environment or impair the achievement of greenhouse gas reductions by 2050. Furthermore, compliance with mitigation measures identified in Section 3 (Air Quality) would reduce the project’s contribution to air emissions during construction of infrastructure improvements.

Conclusion: Less than significant impact

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	2,4,5,13			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions	2,4,5,13			X	

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

involving the release of hazardous materials into the environment?					
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	2,4,5,13			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment?	2,4,5,13,15,16,17			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	2,4,5,13			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	2,4,5,13			X	
g) Impair implementation of, or physically interfere with, the adopted emergency response plan or emergency evacuation plan?	2,4,5,13			X	
h) Expose people or structures to a significant risk of loss, injury, or death, involving wildland fires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?	2,4,5,13			X	

Evaluation

The subject annexation area and area to be affected by infrastructure improvements are located on the eastern edge of the San Luis Obispo County Regional Airport, on the west side of Broad Street (State Route 227). Previous studies conducted for the AASP FEIR and LUCE Update FEIR acknowledge significant contamination of soils within the Airport Area as a result of the Unocal Tank Farm lightning strike and fire, almost 90 years ago (1926). Ongoing remediation efforts and planning have been actively underway since the late 1980's along Tank Farm Road. The subject annexation area does not fall within the documented contaminated areas from these prior studies. Based on review of the GeoTracker and Envirositor databases, there are no hazardous waste sites within the annexation area.

The project site is located within the boundaries of the AASP, which was reviewed and approved by the Airport Land Use Commission. The annexation area is located within Airport Safety Zones S-1b and S-1-c. Following annexation, future development would be subject to development limitations and standards identified in the AASP and Zoning Regulations Chapter 17.64 (Airport [AOZ] Overlay Zone), which are required to ensure compatibility with existing and future airport operations, and to prohibit the establishment of incompatible uses and further expansion of incompatible uses what could detrimentally affect long-term economic viability of the airport, and to avoid or minimize exposure of persons to potential hazards associated with current and future airport operations.

a, b) The proposed annexation will not create a hazard to the public as there will be no transport, use or disposal of hazardous chemicals permitted by the annexation action. Implementation of infrastructure improvements would consist of standard construction practices and would not involve the use or storage of large quantities of hazardous materials. Small quantities of potentially hazardous materials such as fuels, lubricants, and solvents would be used during construction of the project. California Health and Safety Code, Division 20, Chapter 6.5, and California Code of Regulations Title 22 – Hazardous Waste Management states that waste that is toxic, corrosive, flammable, or reactive when tested in accordance with the California Code of Regulations, Title 22, Article 11, Section 66693, must be handled, stored, transported, and disposed of in accordance with these regulations, which are more stringent than federal regulations. The transport of materials during the construction of the project could pose a threat to residents and people in the area. An accident involving such trucks could potentially expose nearby people to health hazards. However, U.S. EPA and U.S. Department of Transportation laws and regulations have been promulgated to track and manage the safe interstate transportation of hazardous materials and waste. U.S. EPA

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

administers permitting, tracking, reporting, and operations requirements established by the Resource Conservation and Recovery Act (RCRA). U.S. Department of Transportation regulates the transportation of hazardous materials through implementation of the Hazardous Materials Transportation Act. This act administers container design, labelling, and driver training requirements. State and local agencies enforce the application of these acts and provide coordination of safety and mitigation responses in the case that accidents involving hazardous materials occur. Enforcement of these regulations and rapid response by local agencies would ensure that hazards to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment are less than significant. In addition, the project would be required to adhere to all federal, state, and local regulations, as well as the policies in the City of San Luis Obispo Safety Element, which discuss safety and reducing the risks of hazardous material exposure. Program 9.6 of the City's Safety Element states that the City shall ensure that transportation of hazardous materials follows Caltrans-approved routes, and that all necessary safety precautions are taken to prevent hazardous material spills. Therefore, based on the limited scope and location of the infrastructure improvements and compliance with existing regulations, potential impacts would be less than significant.

c) No hazardous emissions would be permitted by the annexation and there is not a school located within ½ mile of the annexation area or location of infrastructure improvements. Therefore, potential impacts would be less than significant.

d) The subject annexation and infrastructure improvement areas are not located on a designated hazardous site nor listed to include materials that would represent a significant hazard to the public. Therefore, potential impacts would be less than significant.

e) The property is located near the Regional Airport but the continued operation of existing uses, and any proposals for new uses following annexation, must be consistent with City General Plan, Zoning Regulations, and AASP (which was reviewed and approved by the Airport Land Use Commission). Application of those standards will prevent development within the subject annexation area from becoming a hazard to airport operations. Implementation of infrastructure improvements would not result in the creation of any features or involve any activities that would result in a hazard related to air traffic. Therefore, potential impacts would be less than significant.

f) The property is not located near a private airstrip; therefore, potential impacts would be less than significant.

g) The subject annexation area will be subject to San Luis Obispo city emergency response and evacuation plans. Annexation of this area and implementation of infrastructure improvements will not impair the ability of the city to implement its designated plans and exercise its public safety responsibilities in the area. Therefore, potential impacts would be less than significant.

h) The subject annexation area and areas identified for infrastructure improvements are located within a low fire hazard area, as identified on the City's Safety Element Wildland Fire Hazard Map, and the area consists of a largely developed industrial area, which does not contain wildland fuels that could expose persons to significant risk from wildland fires. Therefore, potential impacts would be less than significant.

Conclusion: Less than significant impact.

9. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements?	2,4,5, 6,13			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. The production rate of pre-existing nearby wells would drop to a level which would not support existing land uses for which permits have been granted)?	2,4,5, 6,13			X	
c) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation onsite or offsite?	2,4,5, 6,13			X	

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

d) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial flooding onsite or offsite?	2,4,5, 6,13			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	2,4,5, 6,13			X	
f) Otherwise substantially degrade water quality?	2,4,5, 6,13			X	
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	2,4,5, 6,13, 14			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	2,4,5, 6,13, 14			X	
i) 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?	2,4,5, 6,13			X	
j) Inundation by seiche, tsunami, or mudflow?	2,4,5, 6,13			X	

Evaluation

The principal drainage for the Airport Area is the East Branch San Luis Obispo Creek, which joins San Luis Obispo Creek southwest of the project area. Drainage from the Airport area is collected into Tank Farm Creek and the East Branch San Luis Obispo Creek. Drainage travels through the area on a generally southwesterly course until the East Branch San Luis Obispo Creek joins San Luis Obispo Creek.

a, f) As analyzed in the AASP FEIR, potential impacts related to stormwater and water quality concerns are addressed by imposing established permit activity requirements, such as the State Water Board’s National Pollutant Discharge Elimination System (NPDES) construction activity stormwater permit and best management practices (BMPs). The AASP and City requirements (including the Municipal Code and City Engineering Standards), impose these analyses and permitting requirements before allowing projects to proceed. Such analysis would be undertaken as required by the AASP for any future development project within the subject annexation area. As the annexation action does not include physical development beyond infrastructure improvements, and construction activities associated with infrastructure improvements would be subject to existing erosion control and water quality regulations, potential impacts would be less than significant and no mitigation is required.

b) The subject annexation does not include groundwater extraction. The area is presently being served by the City’s municipal water system. Therefore, potential impacts would be less than significant.

c-d) No alterations of drainage patterns are permitted or proposed by the subject annexation and infrastructure improvements. Therefore, potential impacts would be less than significant.

e) The proposed annexation is subject to a 2015 Memorandum of Agreement (MOA) and 2019 First Amendment to said MOA to provide interim services and future annexation to a largely developed business and industrial area in the County, at Fiero Lane and Clarion Court. Annexation of those existing uses do not result in changes to drainage patterns or storm runoff conditions in the area. Potential impacts would be anticipated to include impervious surfaces and surface water pollution, and the potential to reorient water courses in the Plan area.

Provisions from the 2015-2019 MOA Concerning Storm Drainage Infrastructure include the following: The existing storm drain within the existing County right-of-way is owned and maintained by the County. The Fiero Lane Water Company (Company) shall coordinate with the County to arrange for the inspection and cleaning of the storm drain system. In the event the County is unwilling to perform the work prior to annexation, the City and Company shall work cooperatively to arrange for an alternative means of cleaning with concurrence and permission from the County. With these provisions included in the

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

Project Description, storm water conditions will be adequately addressed and can be found to comply with City infrastructure standards at the time of annexation. The proposed annexation and infrastructure improvements would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff because no new impervious surfaces would be created. Therefore, potential impacts would be less than significant.

g-h-i) The northwest corner of the proposed annexation area near Santa Fe Road is located within Flood Zone A. Pursuant to the Federal Emergency Management Agency, Flood Zone A is identified for areas subject to inundation by the one-percent-annual-chance flood event, and no Base Flood Elevations (BFEs) or flood depths are identified. Mandatory flood insurance purchase requirements and floodplain management standards apply to properties within this zone. No housing is proposed within the annexation area and no improvements are proposed that would block or impede floodwaters. Any future development within the annexation area, and within the flood zone, would be subject to Zoning Regulations Chapter 17.78 Flood Damage Prevention, which is in place to: promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately-owned land within flood-prone, mudslide (i.e., mudflow), and/or flood-related erosion areas. Therefore, potential impacts would be less than significant.

j) The subject site is not identified by the AASP FEIR to be subject to seiche, tsunami or mudflows; therefore, potential impacts would be less than significant.

Conclusion: Less than significant impact

10. LAND USE AND PLANNING. Would the project:

a) Physically divide an established community?	2,4				X
b) Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	2,4			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plans?	2,4				X

Evaluation

The area is designated for business park and service-manufacturing uses under the General Plan and AASP. Annexation of the project area was anticipated in the AASP, which identified pre-zoning for the site (Business Park, Manufacturing, Service Commercial) at the time the AASP was adopted.

a) The subject annexation area is located within a larger developed area of southern San Luis Obispo. The properties comprising Fiero-Clarion are approximately 90% developed at this time. The subject area is a continuation of development surrounding the general vicinity and the annexation of the site would bring it officially into the San Luis Obispo community without modifying any of the current land uses of the area. The annexation will not physically divide this established community, as it is currently included in the AASP and associated long-term planning maps for the area. Therefore, no impact would occur.

b) As noted in the AASP FEIR, the subject annexation is consistent with City policies established under the General Plan and AASP and complies with the San Luis Obispo County Airport Land Use Plan (ALUP). No changes to pre-zoning or land use categories are proposed. The proposed annexation is consistent with applicable land use planning documents for the area. Therefore, potential impacts would be less than significant.

c) As noted in Section 4 (Biological Resources) there are no Habitat or Natural Community Conservation Plans applicable to the subject property.

Conclusion: Less than significant impact.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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11. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	2,4				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	2,4				X

Evaluation

The properties subject to the annexation are located in an urbanized area. There are no known mineral resources in the area, and there has not been any mining or mineral extraction uses of the subject properties.

a, b) Based on the location of the proposed annexation and infrastructure improvements, no impact to mineral resources would occur.

Conclusion: No impact.

12. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	2,4,5,13			X	
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	2,4,5,13			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	2,4,5,13			X	
d) A substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	2,4,5,13			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	2,4,5,13			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	2,4,5,13			X	

Evaluation

Noise-sensitive land uses are those land uses that can be adversely affected by elevated or increased noise levels. Sensitive land uses generally include residences, schools, libraries, nursing homes, and churches. The primary sources of noise within the subject area include traffic on major roadways and highways, and aircraft operating in and out of the County Airport. Stationary noise sources include the day-to-day activities associated with the existing land uses in the planning area.

The subject annexation area is designated for service and manufacturing uses under the General Plan and AASP. Potentially sensitive receptors include existing offices in the area. Noise generation occurs most significantly from roadway traffic on Broad Street (State Route 227). Noise from nearby airport operations occurs on an intermittent basis. Increases in traffic or airport operations will cause incremental increases in background ambient noise levels. As indicated in Table 3F-3 of the AASP FEIR, properties within 100 feet of Broad Street (State Route 227) are predicted to be exposed to traffic noise levels that exceed the planning standard of 60 dBA-Ldn. More current noise contour modeling conducted for the LUCE Update EIR show that upon City buildout, the noise level 50 feet from the roadway centerline would be 71 decibels. Other sources of transportation-related noise include Tank Farm Road and Santa Fe Road. The proposed annexation area is located

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

approximately 600-700 feet south of Tank Farm Road, and the western edge of the annexation area is bound by Santa Fe Road. As indicated in AASP FEIR Table 3F-3, properties within 100 feet of Santa Fe Road are predicted to be exposed to traffic noise levels ranging from 56 to 66 Ldn within 100 feet of the roadway.

a, b, c, d) The LUCE Update FEIR models a noise level of approximately 71 dB within 50 feet of the Broad Street centerline (transportation-related noise). As documented in the LUCE Update EIR Background Report and County Airport Land Use Plan, the annexation area is located with the 55 and 60 dB noise contours. The AASP FEIR identified potential impacts due to exposure to traffic noise (Impact N-1: Exposure of Land Uses to Traffic Noise in Excess of the Standards for Exterior Noise Exposure specified in Table 3F-1; Impact N-2: Increase in Permanent or Temporary Ambient Noise Levels as Indicated in Table 3F-3, Substantial Increases in Noise Would Occur Along Some Roadways) and aircraft noise (Impact N-3: Exposure of Residential Uses to Aircraft Noise). The AASP FEIR determined that implementation of mitigation measures identified in the City’s Noise Element would mitigate impacts related to noise exposure to less than significant.

While the annexation action does not permit or approve future development, discretionary review of future projects would occur, and would be subject to the requirements of the City’s Municipal Code, including Chapter 17.74 (Zoning Regulations, Airport Overlay Zone, Noise) and Chapter 9.12 (Noise Control), consistent with the AASP FEIR. Implementation and construction of identified infrastructure improvements would be short-term, and limited to areas within existing roadways and utility corridors. Implementation of the project would not result in any long-term increase in noise. Therefore, potential impacts would be less than significant.

e) Existing background noise conditions include instantaneous increases from airport operations. The County’s ALUP, AASP, and AASP FEIR recognize the need to minimize noise generation, while balancing the viability of the airport with local land uses. On-going operations at the County airport consistent with present regulations will continue to minimize conflicts between nearby and adjoining uses. Increases in noise levels as analyzed by the AASP FEIR did not find these conditions to be adverse and unavoidable. Instead the AASP FEIR acknowledged various building and site planning techniques, along with land use restrictions, that have been incorporated into the AASP. While the proposed action does not include development of land uses, future development would be subject to standards identified in the City’s Noise Element and Municipal Code, which regulate noise exposure. Therefore, potential impacts would be less than significant.

f) The subject site is not located in the vicinity of a private airstrip; therefore, impacts would be less than significant.

Conclusion: Less than significant Impact

13. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?	2,4,5, 13			X	
b) Displace substantial numbers of existing housing or people necessitating the construction of replacement housing elsewhere?	2,4,5, 13				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	2,4,5, 13				X

Evaluation

The AASP and City General Plan designate the subject annexation area for light industrial, commercial and manufacturing uses. These uses would not include residential occupancies of the area. These designations preclude new residential growth, or displacement of existing housing, within the subject annexation area.

a-c) The proposed annexation will not result in new residential development or the relocation of existing housing within the annexation area. Only new uses consistent with the AASP and General Plan would be permitted.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Conclusion: Less than significant impact.

14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision, or need, of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

a) Fire protection?	4,5,10			X	
b) Police protection?	4,5,10			X	
c) Schools?	4,5,10			X	
d) Parks?	4,5,10			X	
e) Roads and other transportation infrastructure?	4,5,10			X	
f) Other public facilities?	4,5,10			X	

Evaluation

The project area is currently served by the County Sheriff and County Fire/California Department of Forestry (CDF). There is also a mutual aid agreement between the County and City for fire service response. The project area is within the San Luis Coastal School District. The annexation is being processed pursuant to a 2015 Memorandum of Agreement (MOA) and 2019 First Amendment to said MOA to provide interim services and annexation to a developed business and industrial area in the County, at Fiero Lane and Clarion Court. Continued interim service by the City to existing uses in the County, and the future annexation of those existing uses, are subject to the March 2016 "Plan For Services" for the Fiero Land-Clarion Court Annexation Area (Source 10).

a) Fire protection for the subject annexation area would be provided by the nearest staffed City Station #1 located at 2160 Santa Barbara Avenue and the County Fire/CDF Station #21 at the airport runway. Response times are considered four minutes or less, based on LUCE EIR Figure 4.13-1 (Fire Department Four-Minute Response Times). The AASP provides that the City will consider increases to staffing subject to budgetary analysis and overall city needs. The AASP notes that interim improvements may be provided at the Chevron and Avila Ranch development areas until permanent facilities are available. The City has completed the creation of a Community Facilities District (CFD) in association with the Avila Ranch development project (also located within the AASP) to facilitate funding for a new interim fire station in the area. The AASP FEIR, AASP, and the proposed Plan for Services for this proposed annexation address fire service needs for this area of the city. Therefore, implementation of the proposed annexation would not result in a significant impact to fire services, such that construction of a new facility would be required.

b) The City Police Department currently provides mutual aid response to the AASP. Similar to fire services, police services will undergo consideration for increases as annexation of the subject property is completed as noted in the AASP FEIR and Plan for Services. Additional personnel and equipment will be considered under standard budgetary programs. The AASP FEIR, AASP, and the proposed Plan for Services for this proposed annexation address police service needs for this area of the City. Therefore, implementation of the proposed annexation would not result in a significant impact to police services, such that a new police facility would be required.

c, d) As the proposed project consists of the annexation of existing commercial and industrial businesses into the City, and the employees of these businesses are currently served by existing schools and parks, and the proposed annexation area is approximately 90 percent built-out, potential impacts to schools and parks would be less than significant.

e) Provisions from the 2015-2019 MOA concerning street infrastructure include:

1. The Fiero Lane Water Company (COMPANY) will construct improvements and upgrades to Fiero Lane so as to bring the street infrastructure into a "state of good repair". For purposes of this requirement, the definition of state of good repair includes:

- a. Upgrading traffic control signs and markings to meet current federal, State and City standards;
- b. Upgrade street crossings to meet Federal and City ADA ramp and crossing standards;

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c. Perform pavement maintenance as needed to meet City minimum pavement condition index requirements;
- d. Remove and replace any damaged sections of sidewalk.

2. It is the intent of the agreement that Old Santa Fe Road south of the City/County boundary line, located immediately south of the Santa Fe Bridge, will remain under County jurisdiction after annexation of properties on Clarion Court. If as part of the LAFCO process, the City is required to take all, or part, of Old Santa Fe Road under City jurisdiction, the following requirements shall be required:

- a. The COMPANY will construct improvements and upgrades to Old Santa Fe Road, that is to be annexed to the City, so as to bring the street infrastructure into a "state of good repair". For purposes of this requirement, the definition of state of good repair includes:
- b. Upgrading traffic control signs and markings to meet current federal, State and City standards; and
- c. Upgrade street crossings at Clarion Court and the mini storage property to meet Federal and City ADA ramp and crossing standards
- d. Perform pavement maintenance as needed to meet City minimum pavement condition index requirements. The limits of required improvements begin at the south side of the existing bridge across the East Fork of San Luis Creek and terminate at the cul-de-sac fronting the mini storage property. No improvements to the bridge are proposed.

With these provisions included in the Project Description, transportation and street infrastructure conditions will be adequately addressed and can be found to comply with City infrastructure standards at the time of annexation. As such, no physical impacts are attributed to the time needed for infrastructure installations, fee payments and annexation as contemplated in the annexation of lands subject to the MOA.

f) Other public services, such as transit, solid waste and recycling and general city administrative services are not considered to be significantly impacted by the addition of the subject annexation area, based on the Project's consistency with the AASP and General Plan.

Conclusion: Less than significant impact.

15. RECREATION. Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	2,4			X	
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	2,4			X	

Evaluation

a, b) The annexation of the project area and existing uses would result in less than significant impacts from new or increased residential demands for added parks and recreation services because there are no residential zones within the proposed annexation area. As noted in Section 14 there will be no significant demands for school or parks and recreation services based on annexation of the subject properties. The annexation of existing land uses, and implementation of infrastructure improvements would not result in impacts from new or increased residential demands for added parks and recreation services. Therefore, potential impacts would be less than significant.

Conclusion: Less than significant impact

16. TRANSPORTATION/TRAFFIC. Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel	2,3,4, 5,10, 13			X	
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Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?					
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	2,3,4, 5,10, 13			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	2,3,4, 5,10, 13			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	2,3,4, 5,10, 13			X	
e) Result in inadequate emergency access?	2,3,4, 5,10			X	
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	2,3,4, 5,10, 13			X	

Evaluation

The proposed annexation area is access via Broad Street (State Route 227), Tank Farm Road, and Santa Fe Road. Continued interim service by the City to existing uses in the County, and the future annexation of those existing uses, do not result in changes to traffic generation and circulation conditions in the area that were not previously considered in the AASP Final EIR and EIR Addendum, the City’s LUCE updates in 2014, and as contemplated by the 2015 MOA concerning traffic mitigations and impact fees. Payment of these fees by new development, coupled with contributions negotiated under the MOA, will address cumulative traffic impacts. The Airport and Margarita Specific Plan Areas were considered under a unified Program EIR. This EIR analyzed traffic conditions on a regional basis, not distinguishing the planning areas from one another. For the purposes of impacts and mitigation measures, this analysis drove the preparation of the Specific Plan Transportation sections, each dealing with improvements that could be implemented on both a localized scale and in a regional context for citywide mitigation programs.

The AASP and Plan for Services address a series of projects to be completed as part of the annexation process. These improvements primarily include pavement upgrades and bringing the roadway infrastructure for the annexation area up to city standards. These improvements are noted as traffic control and striping, accessibility ramps and walks, pavement maintenance and improvement to Old Santa Fe Road in the area. With these improvements the project will address its needs as a part of the annexation process outlined in the MOA.

Section 14, above, of this Initial Study includes additional details regarding transportation infrastructure included in the Proposed Project.

a-b) The proposed annexation area is approximately 90 percent built-out, and generates traffic on existing road and highway infrastructure under existing conditions. Future development would be subject to transportation impact fee programs. Transportation improvements provided under the MOA and PFS include upgrading street signs, striping, sidewalk repairs, handicapped access features and curb painting reflect city standards. The annexation area does not include street lighting that would conflict with City Lighting and Night Sky Preservation standards identified Zoning Regulations Chapter 17.70.100. For possible safety considerations, streetlights at the main entry streets of Fiero and Clarion are under consideration as part of the improvements plan preparation. This will be subject to AASP lighting standards (Goal 5.18, Standards 5.18.1 through 5.18.7), which include provisions for maximum height (30 feet on Broad Street, 20 feet on other streets). The proposed annexation will not conflict with City Circulation Element policies, nor be contrary to established transportation management, public transit and roadway improvement policies of the city.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

c) The subject site is approximately 90 percent built-out, and will not require new public roads to access the subject properties. The annexation of the subject property does not include changes in traffic patterns for vehicles or aircraft. Therefore, potential impacts would be less than significant.

d) No changes in design of existing roadways are required by the proposed annexation; therefore, potential impacts would be less than significant.

e) The subject site is approximately 90 percent built-out and will not require new access to provide for emergency response. Therefore, potential impacts would be less than significant.

f) Existing public transit services and bicycle/pedestrian ways will not be changed. Increased improvements to sidewalks, handicapped accessibility and similar facilities are anticipated as part of the final annexation improvement plan. The proposed annexation will not conflict with established public transit, bicycle or pedestrian facilities or policies and regulations governing same.

Conclusion: Less than significant impact.

17. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	2,4, 17		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	2,4, 17		X		

Evaluation

On December 21, 2018, local Native American tribal groups were formally notified that an Initial Study of Environmental Impact was being completed for the proposed project and invited to provide consultation on the proposed project. The Northern Chumash Tribal Council engaged in a tribal consultation meeting on February 8, 2019 and noted that the existence of development and infrastructure within the annexation area does not preclude the presence of cultural resources.

a, b) Based on the certified AASP FEIR and tribal consultation, no historical resources or tribal cultural resources have been identified within the subject area. Based on the adopted MND for Tract 2368, no cultural resources were documented within the parcel proposed for the relocated wastewater treatment package plant. In addition, pursuant to the adopted MND for Tract 2368, relocation of the plant within this area is subject to the following mitigation measure:

Mitigation Measure

CR-1: Unanticipated cultural resource discovery. In the event archaeological, historic, or paleontological resources are unearthed or discovered during any construction activities, the following standards apply:

- c. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law, and in consultation with local Native American tribal organizations.
- d. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

Infrastructure improvements would occur within existing roadways and utility corridors. In the unlikely event of resource discovery, City of San Luis Obispo Archaeological Resource Preservation Program Guidelines Section 4.60.1 requires that all construction activities that may disrupt those materials shall cease and the Community Development Director shall be notified immediately of the discovery of archaeological materials. Based on the results of cultural resource studies within the subject area, location of infrastructure improvements, and compliance with adopted Guidelines in place to protect cultural resources upon inadvertent and unlikely discovery, potential impacts would be less than significant.

Conclusion: Less than significant impact upon implementation of identified mitigation measures.

18. UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	2,4,10			X	
b) Require or result in the construction or expansion of new water treatment, waste water treatment, water quality control, or storm drainage facilities, the construction of which could cause significant environmental effects?	2,4,10,17		X		
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	2,4,10			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded water resources needed?	2,4,10,18,19			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitment?	2,4,10			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	2,4,10			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?	2,4,10			X	

Evaluation

The proposed annexation area is currently served by the Fiero Lane Water company, groundwater wells, collection system, and a community wastewater treatment plan. The proposed project involving annexation of the subject properties would require the service of water, wastewater and recycled water for irrigation. The 2015 AASP FEIR Addendum updated and analyzed resource availability and service demands for the EACP / S-G annexation area and found the City's capacity for services to the area can support the annexation. Continued interim service by the City to existing uses in the County, and the future annexation of those existing uses, are subject to the March 2016 "Plan For Services" for the Fiero Land-Clarion Court Annexation Area (Source 10).

Provisions from the 2015-2019 MOA Concerning Potable Water:

1. Record easements for CITY facilities on private property.
2. Pressure and leak test existing water mains that will become CITY facilities (Fiero Lane only).
3. Public and private water mains shall be sized to meet fire flow requirements.
4. Decommission and dismantle of groundwater collection, treatment, and pumping facilities.
5. Replace fire hydrants with CITY standard hydrants.
6. Replace all water meters. Meters shall be properly sized, accurate and meet City standards.
7. Water Services shall be upgraded to current City standard.
8. Backflow preventers shall be installed where recommended by County Cross Connection Inspector.
9. Isolation valves shall be installed.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Provisions from the 2015-2019 MOA Concerning Wastewater:

1. Work with the CITY and County Airport to facilitate the CITY takeover of that portion of the Airport gravity sewer line in Fiero Lane.
2. Replace or rehabilitate failing portion of the Airport gravity sewer line — Manhole M 17- 15 to M17-8.
3. Fiero Lane System — Manhole M17- 18 — cut open pipe to expose invert and access flow. Manhole M 17- 18 to M 17- 19 — correct grade defects.
4. Tie over eight (8) sewer laterals on Fiero Lane to the Airport gravity sewer line or new City gravity main in Fiero Lane, if available. Any necessary repairs to private laterals shall be made by FLWC prior to tie over.
5. Abandon existing FLWC gravity main once laterals are tied over to deeper airport gravity line.
6. The wastewater treatment system will be decommissioned, removed and left for COMPANY to salvage or dispose in accordance with state standards.
7. Temporary and permanent easements shall be granted to the City for replacement of the existing gravity main in Fiero Lane and the existing Airport sewer pump station. This may include the site of the existing FLWC wastewater treatment system site, or another suitable site. FLWC will provide recorded permanent easement to the City of San Luis Obispo for the site of the existing FLWC wastewater treatment system for the construction of a City lift station to serve the area. The FLWC existing electrical service will be provided to the City. Clear access will be provided to the easement area from Fiero Lane.
8. The leach fields behind Clarion Court will be abandoned in accordance with applicable code after all Clarion properties are connected to the City wastewater collection system via private gravity or private force main connections.

a, b, e) The project area is currently served by a community wastewater collection and treatment system operated by the Fiero Lane Water Company. Upon annexation, the existing treatment system will be decommissioned and infrastructure improvements will be implemented pursuant to the MOA in order to connect the area to the City sewer wastewater collection system. Wastewater collection and treatment demand capacity analysis has been conducted by the City’s Utilities Department and the City determined that the wastewater collection system and Water Resources Recovery Facility has adequate capacity to serve the AASP, including the annexation area (2015 FEIR Addendum) within the permit requirements of the State Water Board, and as noted in Section 8 of the Plan For Services.

As noted in the project description, if the pending annexation of the East Airport Area is delayed, or improvements are not completed at the time of the FLWC wastewater plant decommissioning, it is possible this treatment plant would be moved to the East Airport Annexation Area to serve those users on an interim basis. The proposed parcel identified by FLWC is APN 076-512-028 (1275 Prospect) – this parcel is currently developed with existing FLWC facilities. In such a case, FLWC proposes that treated wastewater would be conveyed via the lift station and force main on the East Airport area to the existing disposal field currently serving the FLWC plant, west of Broad Street. This initial study assesses the potential impacts of infrastructure improvements, including the potential relocation of the wastewater treatment plan, and concludes that potential impacts would be less than significant, or less than significant upon implementation of mitigation measures identified in the AASP EIR and County of San Luis Obispo Morabito-Burke MND (refer to Initial Study Sections 3 [Air Quality], 5 [Cultural Resources], and 17 [Tribal Cultural Resources]).

Based on the City’s available capacity to serve the annexation area, completion of infrastructure improvements identified above and incorporated into the Project Description, and implementation of identified mitigation measures, potential impacts would be less than significant.

c) The existing subdivision was constructed with storm drain infrastructure, which will continue to function in the same capacity following annexation. Storm drainage improvements anticipated on a regional basis were identified in the City’s Storm Drain Master Plan for the Airport Area. These requirements are included in the AASP, Plan for Services under the MOA and under standard city conditions for new development. New water treatment will not be required to continue current service. Therefore, potential impacts would be less than significant.

d) Water service to the area, albeit on-going since 2015, is included in the City’s Urban Water Management Plan and General Plan documents. The AASP-Margarita SP EIR Addendum completed in November 2015 (Source 5) finds that the city has adequate water supplies to serve the subject annexation area. As documented in the City’s 2018 Water Resources Status Report and Water and Wastewater Element (2018), 10,130 acre-feet of water availability is sufficient for build-out of the

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------	--------------------------------------	--------------------------------------------------------------------	------------------------------------	--------------

City’s General Plan, including the proposed annexation area. In addition, under existing conditions, the City is providing water to FLWC. Based on existing conditions, the City’s available capacity to serve the annexation area, and completion of infrastructure improvements, potential impacts would be less than significant.

f-g) Evidence included with the AASP FEIR and 2015 Addendum to the FEIR reflects sufficient capacity to continue serving the largely developed annexation area. Based on this information, and the fact that the annexation area is largely build-out under current conditions, potential impacts would be less than significant.

Conclusion: Less than significant impact.

19. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
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No evidence exists that the proposed annexation of the Fiero Lane-Clarion Court area would result in impacts to local habitat conditions, including the reduction of habitat areas, direct impacts to plant or animal species, impact the existence of any rare or endangered species, or negatively impact cultural resources of the State.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)				X	
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No impacts of the proposed project are identified that would be considered “individually limited” or “cumulatively considerable.” The proposed project is consistent with the existing AASP, Land Use Element and Zoning for the development and the cumulative impacts of developing this site were analyzed as a part of the AASP FEIR and Addendum, Land Use and Circulation Element (LUCE) EIR.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	
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No evidence has been presented or identified that suggests the annexation of the subject area would have a negative effect or substantial adverse effect directly or indirectly on humans.

20. EARLIER ANALYSES.

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

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

Airport Area Specific Plan (2014), Airport Area and Margarita Area Specific Plans and Related Facilities Master Plans (SCH# 2000051062; September 2003); City of San Luis Obispo Land Use and Circulation Element (LUCE) Update EIR (2014), AASP FEIR Addendum (2015), Fiero Lane-Clarion Court Plan For Services (2016), Morabito-Burke Tract 2368 Environmental Determination ED01-322, Mitigated Negative Declaration, San Luis Obispo County, May 23, 2003, available for review at the City Community Development Department (919 Palm Street, San Luis Obispo, CA 93401)

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

Applicable excerpts, analysis and conclusions from the AASP and LUCE Update EIRs and Morabito-Burke Tract 2368 MND have been added to each impact issue area discussion.

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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<p>c) Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.</p>
N/A

Issues, Discussion and Supporting Information Sources Amendment of the Fiero Lane Memorandum of Agreement Concerning Interim Service and Annexation EID-____-2018	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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21. SOURCE REFERENCES.	
1.	Fiero Lane-Clarion Court Proposed Annexation Area
2.	City of SLO General Plan Land Use Element, December 2014 and Final EIR, October 2014
3.	City of SLO General Plan Circulation Element, December 2014 and Final EIR, October 2014
4.	Airport Area Specific Plan Updated 2014
5.	City of SLO Addendum to the Final Program EIR for the Airport and Margarita Areas, November 2015
6.	City of San Luis Obispo, Land Use Inventory Database
7.	Website of the Farmland Mapping and Monitoring Program of the California Resources Agency: http://www.consrv.ca.gov/dlrp/FMMP/
8.	Resolution 10678; Fiero Water Company MOA, December 2015
9.	Resolution 10994; Fiero Water Company First Amendment to MOA, March 2019
10.	Fiero Lane / Clarion Court Plan For Services, March 2016
11.	City of SLO Climate Action Plan, August 2012
12.	Clean Air Plan for San Luis Obispo County, Air Pollution Control District, 2001
13.	FEIR Airport Area and Margarita Area Specific Plans, 2005
14.	Federal Emergency Management Agency (FEMA), Flood Map San Luis Obispo County 06077C1332G; accessed via www.fema.gov (September 12, 2019).
15.	Geotracker, State Water Resources Control Board, 2015. https://geotracker.waterboards.ca.gov/ (accessed September 12, 2019)
16.	Envirostor, Department of Toxic Substances Control. 2015. https://www.envirostor.dtsc.ca.gov/public/ (accessed September 12, 2019)
17.	Morabito-Burke Tract 2368 Environmental Determination ED01-322, Mitigated Negative Declaration, San Luis Obispo County, May 23, 2003
18.	2018 Water Resources Status Report. 2018. https://www.slocity.org/Home/ShowDocument?id=22442
19.	Water and Wastewater Element. 2018. https://www.slocity.org/home/showdocument?id=19965

Note: All documents listed above are available for review at the City of San Luis Obispo Community Development Department, 919 Palm Street, San Luis Obispo, California (805) 781-7101.



CITY OF SAN LUIS OBISPO

REQUIRED MITIGATION AND MONITORING PROGRAM

Applicable mitigation measures carried forward from the certified Airport Area Specific Plan Final Program EIR and Mitigation and Monitoring Program; additional clarifications and new mitigation measures applicable to the proposed project are also listed below and are applicable to the project:

Air Quality

AQ-1: Naturally Occurring Asbestos. Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities a geologic evaluation shall be conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District. 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. More information on NOA can be found at <http://www.slocleanair.org/business/asbestos.asp>.

AQ-2: Asbestos Material in Demolition. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include but are not limited to: 1) notification to the APCD, 2) an asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. More information on Asbestos can be found at <http://www.slocleanair.org/business/asbestos.php>.

AQ-3: Developmental Burning. APCD regulations prohibit developmental burning of vegetative material within San Luis Obispo County.

AQ-4: Permits. Portable equipment and engines 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the ARB) or an Air District permit. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be

viewed as exclusive: power screens, conveyors, diesel engines, and/or crushers; portable generators and equipment with engines that are 50 hp or greater; internal combustion engines; unconfined abrasive blasting operations; concrete batch plants; rock and pavement crushing; tub grinders; and, trommel screens.

AQ-5: Standard Mitigation Measures for Construction Equipment. The standard mitigation measures for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment are listed below:

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

AQ-6: Best Available Control Technology (BACT) for Construction Equipment. If the estimated ozone precursor emissions from the actual fleet for a given construction phase are expected to exceed the APCD threshold of significance after the standard mitigation measures are factored into the estimation, then BACT needs to be implemented to further reduce these impacts. The BACT measures can include:

- a. Further reducing emissions by expanding use of Tier 3 and Tier 4 off-road and 2010 on-road compliant engines;
- b. Repowering equipment with the cleanest engines available; and
- c. Installing California Verified Diesel Emission Control Strategies. These strategies are listed at: <http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>

AQ-7: Fugitive Dust Mitigation Measures. Projects with grading areas that are less than 4-acres and that are not within 1,000 feet of any sensitive receptor shall implement the following mitigation measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions:

- a. Reduce the amount of the disturbed area where possible;
- b. Use of water trucks or sprinkler systems, in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. Please note that during drought conditions, water use may be a concern and the contractor or builder shall consider the use of an APCD-approved dust suppressant where feasible to reduce the amount of water used for dust control;
- c. All dirt stock-pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible, and building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- e. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- f. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

Air Quality Monitoring Program: These conditions shall be noted on all project grading and building plans. The applicant will also be required to comply with existing regulations and secure necessary permits from the Air Pollution Control District (APCD) before the onset of grading or demolition activities including, but not limited to additional dust control measures, and evaluation for Naturally Occurring and Material Containing Asbestos. The applicant shall present evidence of a plan for complying with these requirements prior to issuance of a grading or building permit from the City. The applicant shall provide the City with the name and telephone number of the person responsible for ensuring compliance with these requirements. The Building Inspector and Community Development and Public Works Inspectors shall conduct field monitoring.

Cultural Resources and Tribal Cultural Resources

CR-1: Unanticipated cultural resource discovery. In the event archaeological, historic, or paleontological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law, and in consultation with local Native American tribal organizations.

- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Cultural Resources and Tribal Cultural Resources Monitoring Program: Requirements for cultural resource mitigation, in the event of unforeseen encounter of materials during the potential relocation of the wastewater treatment facility, shall be clearly noted on all plans for project grading and construction. Compliance will be verified by the Community Development Director.