



INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

For ER # EID-0321-2020

1. Project Title:

North Broad Street Neighborhood Park, General Plan Amendment and Rezone
(PARK-0320-2020, GENP-0612-2019)

2. Lead Agency Name and Address:

City of San Luis Obispo
919 Palm Street
San Luis Obispo, CA 93401-3218

3. Contact Person and Phone Number:

Kyle Bell, Associate Planner
805.781.7524

4. Project Location:

The project is located at 533 Broad Street, on the west side of Broad Street between Lincoln Street and the U.S. Highway 101 (US 101) southbound on-ramp/off-ramp intersection with Broad Street within the City of San Luis Obispo (APN 001-181-006).

5. Project Sponsor's Name and Address:

City of San Luis Obispo
919 Palm Street
San Luis Obispo, CA 93401-3218

6. General Plan Designations:

Existing: Open Space (OS)
Proposed: Park (P)

7. Zoning:

Existing: Conservation/Open Space (C/OS)
Proposed: Public Facility (PF)

8. Description of the Project:

The City of San Luis Obispo (City) proposes the conversion of an existing community garden to a neighborhood park on a 0.9-acre parcel, changing the General Plan Designation of the parcel from Open Space (OS) to Park (P), and changing the zoning designation of the parcel from Conservation/Open Space (C/OS) to Public Facility (PF). The project parcel currently supports a community garden with 18 garden plots and is bordered by Old Garden Creek to the west and Stenner Creek to the east. The two creeks converge at the southern corner of the park. The creek banks are steep with fairly dense riparian vegetation including walnut, coast live oak, and arroyo willow trees. The parcel frontage along Broad Street currently supports street parking and a pedestrian entrance apron.

The proposed park would include nine raised garden planter boxes, open turf space, playground equipment, a water fountain/water filling station, picnic tables, benches, trash and recycling receptacles, and an accessible walking path around the perimeter of the park. The park would also include safety features including a pedestrian barrier fence 3.5 feet in height between Broad Street and the frontage of the property as well as a perimeter fence six feet in height to separate the park areas from the creek and associated riparian habitat located on the northern side of the parcel. The project would result in approximately 0.35 acre of site disturbance on the approximately 0.9-acre parcel, including removal of the existing concrete driveway apron on-site, paving of approximately 0.11-acre for walking paths, and removal of up to eight trees on-site. The project would include the protection of approximately 20 native trees on-site to remain in place, and the planting of 33 new trees.

The project would include several improvements within the City public right-of-way of Broad Street and Lincoln Street. The project would include improvements to the existing connection to City water system to the existing water line within the Broad Street public right-of-way. Approximately 215 linear feet of concrete sidewalk, gutter, and red-painted curb would be constructed along the parcel frontage along Broad Street to the Lincoln Street/Broad Street intersection, to be designed in compliance with applicable City standards and allow for adequate emergency vehicle access. A portion of this area currently contains sections of curb, gutter, and sidewalk which would be removed as a part of the project and replaced by the new sections. All four corners of the Lincoln Street/Broad Street intersection would be upgraded to provide accessible curb ramps with installation of truncated domes. Lastly, two new white high-visibility crosswalks would be installed across Broad Street and Lincoln Street on the western and southern sides (respectively) of the Lincoln Street/Broad Street intersection. Construction of the project and associated improvements is anticipated to occur over a six-month period.

9. Project Entitlements:

General Plan Map Amendment
Rezone
Development Review

10. Surrounding Land Uses and Settings:

The project site is immediately surrounded by Broad Street to the north and Old Garden Creek and Stenner Creek on all other sides. The site is generally surrounded by predominantly residential uses to the north, west, and south, with commercial uses at the intersection of Broad Street and Lincoln Street, and by US 101 to the east.

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

The City has sent AB 52 and SB 18 consultation invitation letters to local tribes in the area and has received a response from Patti Dunton of the Salinan Tribe of San Luis Obispo and Monterey Counties requesting a Phase 1 archaeological survey be conducted. A response was also received from Fred Collins, Spokesperson for the Northern Chumash Tribal Council, who also requested a records search and Phase 1 survey be conducted. A Phase 1 archaeological survey was completed, and copies of the records search and field survey results have been provided to both parties. Representatives from the Salinan Tribe and Santa Ynez Band of Mission Indians requested the presence of a Native American monitor during ground disturbance, and to be notified in the event of unanticipated discoveries. These measures has been included as a mitigation requirement (refer to Section 18. Tribal Cultural Resources and Section 5 Cultural Resources).

12. Other public agencies whose approval is required:

California Department of Fish and Wildlife
SLO County Air Pollution Control District



Figure 1. Project Vicinity Map.

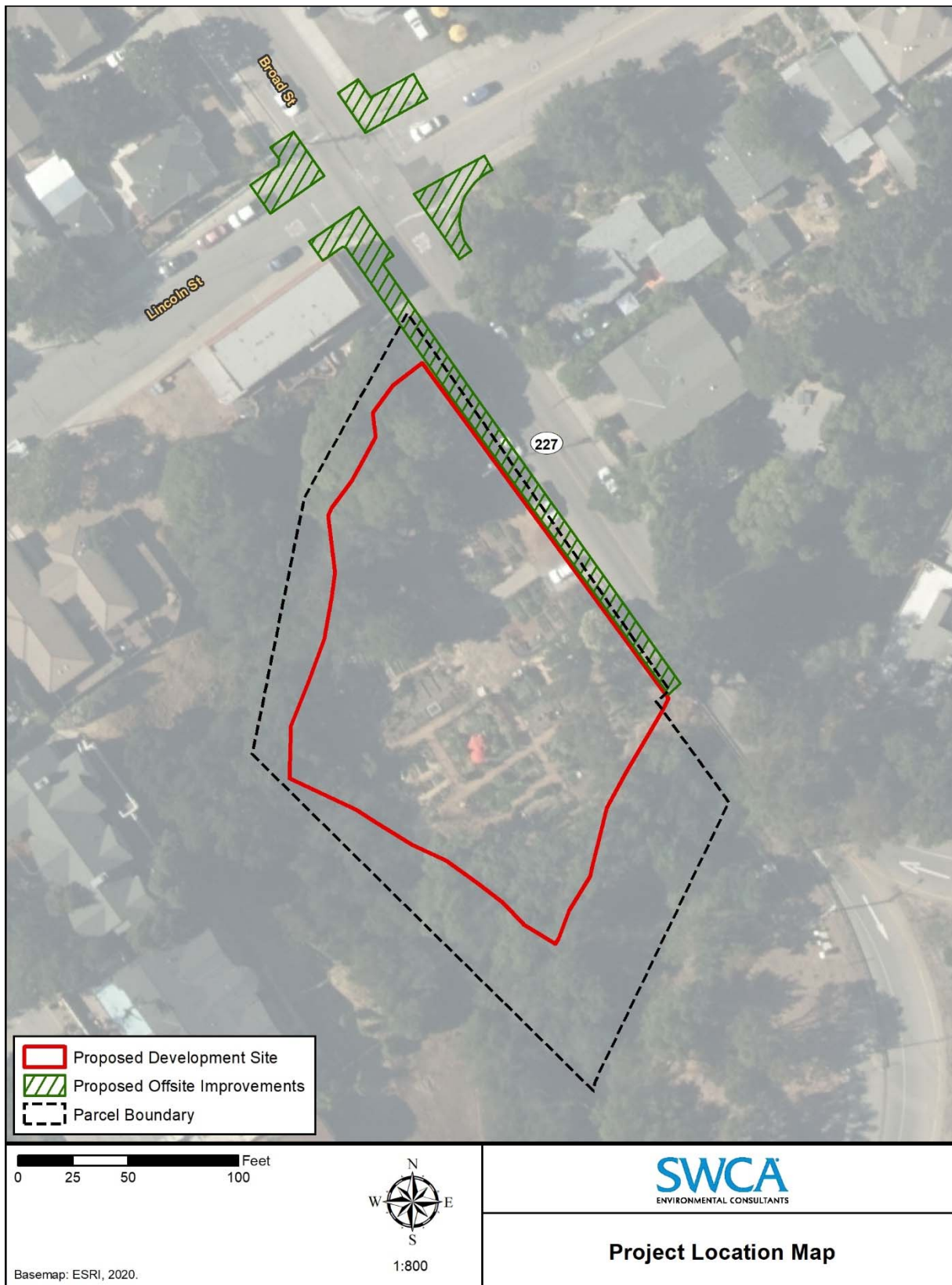


Figure 2. Project Location Map.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

FISH AND WILDLIFE FEES

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

STATE CLEARINGHOUSE

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

On the basis of this initial evaluation:

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



Signature

December 21, 2020

Date

Shawna Scott

Printed Name

For: Michael Codron,

Community Development Director

EVALUATION OF ENVIRONMENTAL IMPACTS

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

1. AESTHETICS

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

Evaluation

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

The City General Plan Conservation and Open Space Element (COSE) identifies specific goals and policies intended to protect and enhance the City's visual quality and character. Policies in the COSE include, but are not limited to, promoting the creation of "streetscapes" and linear scenic parkways during construction or modification of major roadways, designing new development to be consistent with the surrounding architectural context, and preserving natural and agricultural landscapes. Based on the COSE Scenic Roadways and Vistas Map, the portion of US 101 adjacent to the project site is considered to have moderate scenic value.

The project is located within an urbanized area of the City and is generally surrounded by residential and commercial uses to the north, west, and south and by US 101 to the east. The project site currently supports landscaped plantings along the parcel frontage, 18 community garden plots enclosed by open deer fencing, various mature trees, and dense riparian vegetation including walnut, coast live oak, and arroyo willow trees along the banks of Old Garden Creek and Stenner Creek which converge at the southwest corner of the parcel. Topography of the project development site is nearly flat to gently sloping. The project site is currently visible from the Lincoln Street/Broad Street intersection and to viewers travelling along Broad Street from the Lincoln Street/Broad Street intersection to the US 101 on/off ramps. Views to the project site from US 101 are blocked by existing dense woodland and other vegetation.

- a) A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the proposed project would significantly degrade the scenic landscape as viewed from public roads or other public areas.

Based on the City COSE Scenic Roadways and Vistas Map, the project site is not located within a designated scenic vista and none of the surrounding public roadways are designated as having high scenic value. Therefore, potential impacts associated with substantial adverse effects within a scenic vista would be *less than significant*.

- b) The project parcel is located adjacent to US 101. Based on the California Department of Transportation (Caltrans) California Scenic Highways online mapping tool, this section of the US 101 is eligible for state scenic highway designation but is not officially designated. Based on the City's COSE map of scenic roadways and vistas, the project site is not located

along roadways considered to be of high scenic value or within the cone of view of a scenic roadway. In addition, the project site would not be visible to viewers travelling along US 101 due to existing dense woodland and vegetation that would remain in place upon completion of the proposed project. Therefore, the project would not result in substantial damage to scenic resources within a state or local scenic highway and impacts would be *less than significant*.

- c) The project is located within an urbanized area of the City and would include changing the General Plan Land Use Designation of the project parcel from Open Space (OS) to Park (P), and changing the zoning of the project parcel from Conservation/Open Space (C/OS) to Public Facility (PF). As stated in the City Zoning Regulations, the PF zone is intended to provide for a wide range of public, cultural, and quasi-public uses that meet the needs of the City and County residences. Public uses are those conducted by governmental or nonprofit agencies. The zone is further intended to protect neighboring private uses from potentially incompatible uses. The City Zoning Regulations identify development standards for uses within the PF zone including a maximum building height of 35 feet and a maximum lot coverage of 60%. The project does not include any structures over 35 feet and the two 30-square-foot proposed equipment sheds proposed onsite would account for far less than 60% coverage of the project lot. Therefore, the project would not result in a conflict with PF zoning standards.

The project includes conversion of the project site from a community garden to a neighborhood park with play structures, a paved walkway, open picnic tables, open turf spaces, two equipment storage sheds, and nine raised planter boxes. The City COSE Policy 9.1.1 states that any development that is permitted in natural or agricultural landscapes shall be visually subordinate to and compatible with the landscape features. The project would be consistent with this policy as no prominent structural features are proposed that would dominate or substantially contrast with the existing natural landscape of the site, and while the project would result in the removal of eight existing trees on-site, the project includes planting of 33 new trees. Lastly, the project has been designed to be in compliance with the City Community Design Guidelines pertaining to creek side development as the project does not include any improvements within the creek setback area. Therefore, the natural landscape of the site would be maintained, and the project would not result in a conflict with applicable zoning or other regulations governing scenic quality and impacts would be *less than significant*.

- d) The project does not include any new lighting or use of existing lighting on-site. The project does not include the use of any highly reflective or other materials that would have the potential to produce a substantial amount of glare (e.g., solar panels, glass, etc.). Therefore, potential impacts associated with creation of a new source of substantial light or glare would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project is not located within a scenic vista or within the viewshed of a designated scenic highway. The project would be consistent with applicable scenic quality standards set forth in the City's Conservation and Open Space Element and Community Design Guidelines. No potentially significant impacts associated with aesthetic resources would occur and no mitigation is necessary.

2. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	2, 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	2, 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	1, 2	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	1, 2, 7	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The California Department of Conservation (DOC) classifies and maps agricultural lands in the state in the Farmland Mapping and Monitoring Program (FMMP). The FMMP identifies five farmland categories: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Farmland of Local Potential. The project site is designated as Urban and Built-Up Land by the FMMP (source reference 6).

According to California Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for and capable of growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

- a) The project site is designated as Urban and Built-Up Land by the FMMP. Therefore, the project would not result in the conversion of Farmland to non-agricultural use and *no impacts would occur*.
- b) The project site does not include land use designations or zoning for agricultural uses and based on Figure 6 of the City COSE, the project site is not located within or immediately adjacent to land under an active Williamson Act Contract.

Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur*.

- c) The project site is currently zoned Conservation/Open Space (C/OS) and the project includes changing the site zoning to Public Facilities (PF), which would allow for the creation of a public park for the public's benefit, and the City's management of the area for wildlife and recreation. Therefore, impacts associated with conflicts with forest land zoning *would not occur*.
- d) The project site currently supports numerous planted or naturalized non-native trees including Australian cheesewood (*Pittisporum undulatum*), walnut (*Juglans hindsii* x *regia*), Monterey cypress (*Hesperocyparis macrocarpa*), and eucalyptus (*Eucalyptus* sp.). In addition to the naturalized trees, a coast live oak (*Quercus agrifolia*) is adjacent to the existing garden beds. The creek banks are steep with a clearly defined top-of-bank along the borders of the park area. The riparian vegetation is largely confined within the banks of the creeks and is a mix of non-native and native trees with a weedy understory. The project would result in the removal of eight trees onsite and the planting of 33 new trees onsite. Riparian habitat would be avoided and preserved onsite and protected with proposed perimeter fencing around the park. Therefore, potential impacts associated with loss of forest land or conversion of forest land would be *less than significant*.
- e) The project includes conversion of the project site from a community garden to a neighborhood park with play structures, a paved walkway, open picnic tables, open turf spaces, two equipment storage sheds, and nine raised planter boxes. The project is not located adjacent to or in close proximity to any active agriculture-zoned lands or agricultural uses. Therefore, potential impacts associated with other changes that could result in conversion of Farmland or forest land would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

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

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with or obstruct implementation of the applicable air quality plan?	9, 10	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) 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?	9, 11	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose sensitive receptors to substantial pollutant concentrations?	1, 8, 9, 12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	9	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

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

San Luis Obispo County is currently designated as partial nonattainment for federal ambient standards for ground-level ozone, nonattainment for the state standards for ground-level ozone, and nonattainment for the state standards for particulate matter 10 micrometers or less in diameter (PM₁₀) (source reference 9). The City COSE identifies goals and policies to achieve and maintain air quality that supports health and enjoyment for those who live, work, and visit the city. These goals and policies include meeting state and federal air quality standards, reducing dependency on gasoline- or diesel-powered motor vehicles, and encouraging walking, biking, and public transit use.

The SLOAPCD is required to develop a plan to achieve and maintain the state ozone standard by the earliest practicable date. The SLOAPCD's *2001 Clean Air Plan* (CAP) addresses the attainment and maintenance of state and federal ambient air quality standards. The CAP was adopted by the SLOAPCD on March 26, 2002.

The CAP outlines the District's strategies to reduce ozone-precursor pollutants (i.e., ROG and NO_x) from a wide variety of sources. The CAP includes a stationary-source control program, which includes control measures for permitted stationary sources; as well as transportation and land use management strategies to reduce motor vehicle emissions and use. The stationary-source control program is administered by SLOAPCD. Transportation and land use control measures are implemented at the local or regional level, by promoting and facilitating the use of alternative transportation options, increased pedestrian access and accessibility to community services and local destinations, reductions in vehicle miles traveled, and promotion of congestion management efforts. In addition, local jurisdictions also prepare population forecasts, which are used by SLOAPCD to forecast population-related emissions and air quality attainment, including those contained in the CAP.

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

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

Naturally Occurring Asbestos (NOA) has been identified as a toxic air contaminant by the CARB. Any ground disturbance proposed in an area identified as having the potential to contain NOA must comply with the CARB Airborne Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (17 California Code of Regulations [CCR] Section 93105). The SLOAPCD Naturally Occurring Asbestos Map indicates that the project site is located within an area identified as having a potential for NOA to occur (source reference 8).

- a) According to the SLOAPCD's CEQA Air Quality Handbook (2012), a consistency analysis with the Clean Air Plan is required for a program-level environmental review, and may be necessary for a larger project-level environmental review, depending on the project being considered. Project-Level environmental reviews which may require consistency analysis with the CAP include: large residential developments and large commercial/industrial developments. For such projects, evaluation of consistency is based on a comparison of the proposed project with the land use and transportation control measures and strategies outlined in the CAP. If the project is consistent with these measures, the project is considered consistent with the CAP.

The project includes construction of a neighborhood park on a 0.9-acre site within an existing residential neighborhood, and within walking and bicycling distance for residents. The proposed project is not considered a large development project that would have the potential to result in a substantial increase in population, or employment. Therefore, potential impacts associated with a conflict with or obstruction of an applicable air quality plan would be *less than significant*.

- b) San Luis Obispo County is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards.

Short-term Construction Emissions

The construction of the proposed project would result in the temporary generation of emissions associated with site grading and excavation, paving, motor vehicle exhaust associated with construction equipment and worker trips, as well as the movement of construction equipment on unpaved surfaces. Short-term construction emissions would result in increased emissions of ozone-precursor pollutants (i.e., ROG and NO_x) and emissions of PM. Emissions of ozone-precursors would result from the operation of on- and off-road motorized vehicles and equipment.

Emissions associated with construction of proposed project were calculated using the California Emissions Estimator Model (CalEEMod, version 2016.3.2). The project is anticipated to result the disturbance of approximately 0.35 acres including approximately 0.11 acres to be paved and materials would be balanced on site. Estimated daily and quarterly emissions associated with initial construction of the proposed project are presented in Table 1, below.

Table 1. Projected Construction Emissions

Air Quality Pollutant(s)	Maximum Daily Emissions	SLOAPCD Daily Emission Threshold	Maximum Quarterly Emissions	SLOAPCD Quarterly Threshold	Exceed SLOACPD Thresholds?
Ozone Precursors (ROG + NO _x)	20.6 lbs	137 lbs	0.5 tons	2.5 tons	No
Fugitive Dust (PM ₁₀)	1.0 lb	7.0 lbs	0.04 tons	2.5 tons	No

Estimated construction emissions would not exceed SLOAPCD's significance thresholds. However, if uncontrolled, fugitive dust generated during construction may result in localized pollutant concentrations that could exceed ambient air quality standards and result in increased nuisance concerns to nearby land uses. Mitigation measure AQ-1 has been identified to require the project incorporate standard fugitive dust control measures to reduce localized project fugitive dust emissions to levels that would not exceed ambient air quality standards.

Long-term Operational Emissions

Long-term operational emissions associated with the proposed project would be predominantly associated with mobile sources. To a lesser extent, emissions associated with area sources, such as landscape maintenance activities, as well as use of electricity and natural gas would also contribute to increased operational emissions. Long-term operational emissions of criteria air pollutants associated with the proposed project were calculated using CalEEMod. The CalEEMod program includes quantification of emissions from various emission sources, including energy use, area sources, and motor vehicle trips. Waste-generation, water use, landscape maintenance activities, and vehicle trip-generation rates were based on the default rates contained in the model. Operational emissions are summarized in Table 2, below.

Table 2. Projected Operational Emissions

Air Quality Pollutant(s)	Maximum Daily Emissions	SLOAPCD Daily Emission Threshold	Total Annual Operational Emissions	SLOAPCD Annual Emission Threshold	Exceed SLOAPCD Thresholds?
Ozone Precursors (ROG + NO _x)	0.2 lbs	25 lbs	0.01 tons	25 tons	No
Carbon Monoxide (CO)	0.4 lbs	550	0.02 tons	--	No
Fugitive Dust (PM ₁₀)	0.1 lbs	25 lbs	<0.01 tons	25 tons	No

Operational emissions associated with the proposed project would not exceed SLOAPCD significance thresholds.

Based on the analysis provided above, potential impacts would be *less than significant with mitigation*.

- c) The project site is located within 1,000 feet of multiple sensitive receptor locations, including residential dwelling units, some of which are located within 50 feet of proposed work areas. Implementation of the proposed project would result in the generation of fugitive PM and other pollutant emissions during construction. Fugitive PM emissions would be primarily associated with earth-moving and material handling activities, as well as vehicle travel on unpaved and paved surfaces. Onsite off-road equipment and trucks would also result in short-term emissions of diesel-exhaust PM (DPM). If uncontrolled, localized concentrations of PM could result in increased nuisance impacts to nearby land uses and receptors. Mitigation measure AQ-1 and AQ-2 have been identified to reduce exposure of sensitive receptors to substantial pollutant concentrations to less than significant.

Project construction would not require the demolition of existing large or permanent structures. The project site includes some smaller structures, such as existing garden planters, that would be anticipated to be removed during project construction. However, no existing structures were identified at the project site that would be anticipated to contain asbestos or lead-based paint.

The project would include establishment of a public neighborhood park within close proximity to US 101. According to the U.S. Environmental Protection Agency, with more than 45 million people in the U.S. living within 300 feet of a major transportation facility or infrastructure, there is concern regarding the potential health impacts from air pollutants emitted from cars, trucks, and other vehicles. To address this potential issue, City staff consulted directly with SLOAPCD for guidance and recommendations. Based on this consultation, SLOAPCD determined that preparation of a health risk assessment (HRA) was not required under CEQA based on the finding that the evaluation would address potential impacts of the environment on the project, instead of impacts of the project on the environment. In addition, the proposed neighborhood park would be used on an intermittent and temporary basis, where park users would stay for approximately a few hours or less. Adverse health effects based on proximity to busy roadways are typically considerable due to prolonged exposure due to location of a proximate permanent use, such as a residence. Therefore, potential impacts associated with location of the neighborhood park in proximity to US 101 would be less than significant.

Based on a review of the SLOAPCD's map depicting potential areas of naturally occurring asbestos (NOA), the project site is located in an area that has been identified as having a potential for NOA. Mitigation measure AQ-3 has been identified to require a geologic evaluation be conducted prior to project earthwork to determine whether NOA is present onsite and to implement an Asbestos Dust Mitigation Plan per the City's review and approval if present. Therefore, with implementation of measures AQ-1 through AQ-3, potential impacts associated with exposure of sensitive receptors to substantial air pollutant concentrations would be *less than significant with mitigation*.

- d) Construction of the proposed project would involve the use of a variety of gasoline or diesel-powered equipment that would emit exhaust fumes. Exhaust fumes, particularly diesel-exhaust, may be considered objectionable by some people. In addition, pavement coatings and architectural coatings used during project construction would also emit temporary odors. Construction-generated emissions would occur intermittently throughout the workday and would dissipate rapidly with

increasing distance from the source. As a result, short-term construction activities would not expose a substantial number of people to frequent odorous emissions.

During operation, the project would include onsite composting of organic waste. Composting is an aerobic biological process in which microorganisms decompose organic materials, such as garden waste, into a compost that can be used as a soil amendment. If aerobic conditions are not maintained, anaerobic decomposition may occur. Anaerobic decomposition may result in localized increases in odors which could be detectable at nearby land uses. Mitigation measure AQ-4 has been identified to require the preparation and implementation of an odor control plan to ensure composting activities are sufficiently maintained. Therefore, potential impacts associated with other emissions, such as odors, would be *less than significant with mitigation*.

Mitigation Measures

AQ-1 The following measures shall be implemented to minimize construction-generated emissions. These measures shall be shown on grading and building plans:

- a. Construction of the proposed project shall use low-VOC content paints not exceeding 50 grams per liter.
- b. To the extent locally available, prefinished building materials or materials that do not require the application of architectural coatings shall be used.
- c. Reduce the amount of the disturbed area where possible.
- d. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District'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 since water use is a concern due to drought conditions, 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. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook.
- e. All dirt stock-pile areas should be sprayed daily as needed.
- f. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- g. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
- h. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.
- i. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- j. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- k. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.

- l. Install wheel washers at the construction site entrance, wash off the tires or tracks of all trucks and equipment leaving the site, or implement other SLOAPCD-approved methods sufficient to minimize the track-out of soil onto paved roadways.
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
- n. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the SLOAPCD Engineering & Compliance Division at (805) 781-5912.
- o. 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. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.
- p. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the APCD. Such equipment may include: power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g, aggregate plant, asphalt plant, concrete plant). For more information, contact the SLOAPCD Engineering & Compliance Division at (805) 781-5912.

AQ-2 The following measures shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
- b. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
- c. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than five minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- d. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- e. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- f. 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;
- g. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
- h. Electrify equipment when possible;
- i. Substitute gasoline-powered in place of diesel-powered equipment, when available; and,

- j. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-3 Prior to any grading activities a geologic evaluation shall be conducted to determine if naturally-occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:

- a. Development of an Asbestos Dust Mitigation Plan which must be approved by the SLOAPCD before operations begin, and,
- b. Development and approval of an Asbestos Health and Safety Program (required for some projects).

If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos/noa.php>.

AQ-4 An odor-control plan shall be prepared for the project. The plan shall incorporate odor management practices to reduce odor-generation potential associated with onsite composting activities. Such practices shall include, but are not limited to, the following:

- a. Composting materials shall be turned on a frequent basis sufficient to maintain proper aeration.
- b. Moisture content of the composting materials shall be monitored to ensure consistent/proper moisture content.
- c. Ensure composting materials maintain an adequate mix of brown (e.g., paper) and green material.

Conclusion

The project would not result in a conflict with the local Clean Air Plan and with mitigation, project construction and operation emissions would not exceed applicable SLOAPCD significance thresholds. The project has the potential to expose nearby sensitive receptors to locally concentrated air pollutant emissions. With implementation of Mitigation Measures AQ-1 through AQ-4, residual impacts associated with air quality would be less than significant.

4. BIOLOGICAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 13	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1, 13	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1, 13	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	1, 13, 14	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	2, 13, 15, 45	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	2, 13	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

The following discussion and analysis is largely based on the Biological Resources Technical Memorandum for the North Broad Park and Rezone Project (source reference 13).

The proposed park would consist of an approximately 0.5-acre area of relatively flat land with an elevation of 200 feet above mean sea level. The park is bordered by Old Garden Creek to the west and Stenner Creek to the east, and the two creeks converge at the southern corner of the park. The proposed park area includes the flat terrace between and above the banks of the two creeks. Most of the park area includes community garden beds and pathways between the beds. Portions of the park that do not include beds or pathways consist of ruderal vegetation dominated by non-native annual grasses and forbs including ripgut brome (*Bromus diandrus*), slender wild oats (*Avena barbata*), bull mallow (*Malva nicaeensis*), and bur chervil (*Anthriscus Sylvestris*), among others. The park supports numerous planted or naturalized non-native trees including Australian cheesewood (*Pittisporum undulatum*), walnut (*Juglans hindsii x regia*), Monterey cypress (*Hesperocyparis macrocarpa*), and eucalyptus (*Eucalyptus* sp.). In addition to the naturalized trees, a coast live oak (*Quercus agrifolia*) is adjacent to the garden beds.

An SWCA biologist conducted two biological surveys at the park on March 31 and April 28, 2020. The purpose of the surveys was to map the existing vegetative communities; conduct reconnaissance flora and fauna surveys; assess the park's potential to support rare, endangered, or otherwise sensitive biological resources; and investigate the presence of potentially jurisdictional water features.

Prior to biological surveys conducted on-site, a literature review was conducted that included the search of the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) data output for the property vicinity and the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) RareFind 5 data output that focused on the San Luis Obispo and Pismo, California U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle maps.

a) Special-Status Plants

Based on the CNDDB, California Native Plant Society (CNPS), and USFWS IPaC records searches; literature review; and field surveys of the area, 47 special-status plant species were evaluated for potential occurrence within the project site. Due to the ongoing disturbance in the site associated with current uses as a community garden, it was determined that the site does not support suitable conditions for special-status plant species. No special-status plant species were observed within or directly adjacent to the site during surveys conducted in March and April 2020 and the timing of the surveys was such that most target plant species would be in their blooming period. Therefore, potential impacts to special-status plants would not occur.

Special-Status Wildlife

The literature review identified 37 special-status wildlife species that have documented occurrences in the queried quadrangle maps or were included on the IPaC list. The existing conditions in the park were determined to provide suitable conditions for seven of the reviewed species. Those wildlife species warranting specific consideration while planning the project are listed in Table 3 below.

Table 3. Special-Status Wildlife with Potential to Occur in or near the Project Site

Species	Location of Suitable Habitat
Monarch butterfly (<i>Danaus plexippus</i>)	The trees in the park and the adjacent riparian area could support overwintering monarch butterflies.
Western yellow-billed cuckoo (<i>Coccyzus americanus occidentalis</i>)	The riparian trees support marginal habitat for this species.
White-tailed kite (<i>Elanus leucurus</i>)	The riparian trees support marginal habitat for this species.
Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>)	The riparian trees support marginal habitat for this species.
Townsend's big-eared bat (<i>Corynorhinus townsendii</i>)	The trees in the park and the adjacent riparian area could provide roosting bat habitat.
Western mastiff bat (<i>Eumops perotis</i>)	The trees in the park and the adjacent riparian area could provide roosting bat habitat.

Monarch butterfly

The trees in the park and in the riparian corridor adjacent to the park could support overwintering habitat for monarch butterfly. If monarchs are overwintering in a tree to be removed, the monarchs could be directly impacted by the tree removal. Mitigation measure BIO-1 has been identified to require a preconstruction survey for monarch butterflies if tree removal is scheduled during the fall or winter monarch butterfly migration season. If monarch butterflies are detected in the work area or within 300 feet of the work area, tree removal shall be postponed until a qualified biologist determines monarch butterflies are no longer utilizing the trees or within 300 feet of the work site for overwintering. Upon implementation of BIO-1, potential impacts to monarch butterfly would be less than significant.

Nesting Birds

The trees and vegetation in and adjacent to the park support suitable habitat for special status birds and nesting birds protected under the Migratory Bird Treaty Act (MBTA). If vegetation removal occurs during the nesting bird season (February 15 through September 15), the vegetation removal has the potential to impact nesting birds. Direct impacts to nesting birds may include physical removal of active nests resulting in the destruction of the nest, eggs, and/or chicks. Indirect impacts could result from noise disturbance that may prompt an adult bird to abandon the nest. Mitigation measure BIO-2 has been identified to require vegetation removal be scheduled outside of the nesting bird season. If vegetation removal must occur within the nesting bird season, a preconstruction survey shall be conducted to determine the presence/absence of nesting birds within the disturbance areas. If active nests are observed within proximity to proposed vegetation removal activities, no vegetation removal shall occur within the appropriate buffer based on the type of bird nest until young birds have fledged and left the nest. Upon implementation of BIO-2, potential impacts to special status birds and nesting birds protected under the MBTA would be less than significant.

Roosting Bats

Roosting bats are protected under CEQA; CDFW is responsible for administering CEQA relative to roosting bats. The trees in and adjacent to the park have the potential to support roosting bats. If the trees are removed while bats are roosting in the trees, the bats could be wounded or killed. Mitigation measure BIO-3 has been identified to require preconstruction surveys prior to scheduled tree removal to determine if bats are roosting in the trees. If bats are found to be roosting in the trees to be removed, tree removal shall be delayed until the bats have left the area. Upon implementation of BIO-3, potential impacts to roosting bats would be less than significant.

Based on the discussion and analysis provided above, the project's potential impacts to special-status wildlife species would be *less than significant with mitigation*.

- b) The project development site is bordered by Old Garden Creek to the west and Stenner Creek to the east, and the two creeks converge at the southern corner of the site. The riparian vegetation of these creeks is largely confined within the banks of the creeks and is a mix of non-native and native trees with a weedy understory. No other sensitive natural communities are located within proximity to the project site.

As proposed, the project would result in temporary impacts to onsite riparian habitat through the removal of six trees located within 20 feet of the creek banks onsite, including a planted Monterey cypress tree (stump to remain), three Victorian box trees, one willow tree, and one eucalyptus tree, as well as planting of 10 trees and various native shrubs within 20 feet of the creek banks onsite, including coast live oak, big leaf maple, and pacific madrone. The Monterey cypress tree proposed for removal is located at the top-of-bank and contributes to the riparian canopy of Old Garden Creek. Removal of the tree would change the bank of the creek. In addition, the tree contributes shade to the creek. Mitigation measure BIO-4 has been identified to avoid removal of this Monterey cypress tree if feasible, and if removal must occur, a Streambed Alteration Agreement with CDFW shall be secured prior to removal.

The proposed vegetation removal and planting would have the potential to cause erosion and sedimentation as well as disturbance of existing native trees and vegetation that are not proposed for removal. Mitigation measures BR-5 and BR-6 have been identified to reduce potential impacts to riparian habitat through protection of existing riparian trees not proposed for removal, and implementation of an erosion and sedimentation control plan to minimize the amount of sediment that would be deposited in Old Garden Creek and Stenner Creek.

Ongoing operations and use of the proposed park facilities would not affect on-site riparian and creek habitats. Park use areas and the riparian creek habitat areas would be separated by proposed fencing to avoid impacts associated with litter, foot traffic, pets, etc. and the project does not include any new lighting. Therefore, with implementation of measures BR-4 through BR-6, potential impacts associated with substantial adverse effects on riparian habitat or other sensitive natural community would be *less than significant with mitigation*.

- c) The proposed project does not include any work or improvements within the onsite creek banks or ordinary high water mark (OHWM). However, the proposed vegetation removal and planting would have the potential to cause erosion and sedimentation within Old Garden Creek and Stenner Creek. Mitigation measures BR-5 and BR-6 have been identified to reduce potential impacts associated with erosion and sedimentation through protection of existing riparian trees not proposed for removal, and implementation of an erosion and sedimentation control plan to minimize the amount of sediment that would be deposited in Old Garden Creek and Stenner Creek. Therefore, project impacts associated with state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means would be *less than significant with mitigation*.
- d) The project would not result in any direct impacts to on-site creeks that would have the potential to impact migratory fish or wildlife, if present. The project site is generally surrounded by urban development uses and roadways, including US 101. The California Essential Habitat Connectivity Project was queried for Essential Habitat Connectivity, which is the best available data describing important areas for maintaining connectivity between large blocks of land for wildlife corridor purposes. These important areas are referred to as Essential Connectivity Areas (ECAs). ECAs are only intended to be a broad-scale representation of areas that provide essential connectivity. The project site is not identified as within an ECA. The adjacent creek corridors will be avoided and protected throughout project construction and operation. Indirect impacts to the streambed channel, such as erosion and sedimentation during earthmoving activities, could alter the streambed in a way that would adversely affect migratory or resident fish movement. Mitigation measures BR-5 and BR-6 have been identified to reduce potential impacts associated with erosion and sedimentation through protection of existing riparian trees not proposed for removal, and implementation of an erosion and sedimentation control plan to minimize the amount of sediment that would be deposited in Old Garden Creek and Stenner Creek. Therefore, impacts associated with interfering with movement of resident or migratory fish and/or wildlife would be *less than significant with mitigation*.
- e) Based on the City's Heritage Tree Map, no heritage trees are located within the project site. Proposed tree removal would be conducted in compliance with the City's Tree Ordinance standards for tree removal, subject to review and approval by the City Arborist. Based on review of the project by the City Arborist, the tree removals are supported based on the existing health of the trees and the promotion of good arboricultural practices by allowing the canopies of existing natives and newly planted trees to fill space. As required by the City Tree Regulations (Municipal Code Chapter 12.24), the City will implement appropriate pruning and tree protection measures for existing trees to be retained. The City COSE identifies

several policies associated with the protection of special status species and preservation of their natural habitats. Mitigation measures BR-1 through BR-3 have been identified to reduce potential impacts to special-status species and their habitats to less than significant. Therefore, potential impacts associated with conflicts with local policies or ordinances established to protect biological resources would be *less than significant with mitigation*.

- f) The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan. Therefore, *no impacts would occur*.

Mitigation Measures

BR-1 If tree removal or site disturbance is necessary during the fall and winter monarch butterfly migration (late October through February), a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on-site for overwintering. If monarch butterflies are detected in the work area or within 300 feet of the work area, tree removal shall be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on or within 300 feet of the site for overwintering.

BR-2 Vegetation removal shall be scheduled to occur outside the nesting bird season (February 15 to September 15), if feasible. If vegetation removal occurs between February 15 and September 15, the City shall retain a qualified biologist to conduct a nesting bird survey no more than 2 weeks prior to disturbance to determine presence/absence of nesting birds within the disturbance area. If active nests are observed, vegetation removal shall be avoided within 100 feet of active passerine nests and 300 feet of active raptor nests until young birds have fledged and left the nest. The nests shall be monitored weekly by a biologist with experience with nesting birds. The buffer may be reduced if deemed appropriate by the biologist. If any federally or state-listed bird species or California fully protected bird species are observed nesting in or near the project area, the biologist and the City of San Luis Obispo shall coordinate with the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife before any disturbances occur within 500 feet of the nest.

Readily visible exclusion zones will be established in areas where nests must be avoided. The City of San Luis Obispo shall be contacted if any federally or state-listed bird species are observed during surveys. Bird nests, eggs, or young covered by the Migratory Bird Treaty Act and California Fish and Game Code shall not be moved or disturbed until the end of the nesting season or until young fledge, nor will adult birds be killed, injured, or harassed at any time. Pursuant to California Fish and Game Code Section 3503.5, nests of raptors (owls, hawks, falcons, eagles) shall not be removed prior to coordination with and approval from the California Department of Fish and Wildlife.

BR-3 The City of San Luis Obispo shall retain a biologist to conduct roosting bat surveys prior to any tree removal. Pre-disturbance surveys for bats shall include one daytime and one dusk survey no more than 30 days prior to the tree removal to determine if bats are roosting in the trees. The biologist(s) conducting the preconstruction surveys shall identify the nature of the bat utilization of the area (i.e., no roosting, night roost, day roost, maternity roost). If bats are found to be roosting in the trees to be removed, the City of San Luis Obispo shall delay the tree removal until the bats have left the area.

BR-4 Removal of the 40-inch diameter at breast height Monterey cypress tree located at the top-of-bank of Old Garden Creek shall be avoided, if feasible. If removal cannot feasibly be avoided, the City shall pursue a Streambed Alteration Agreement with CDFW prior to removing the tree. The following avoidance and minimization measures are anticipated to be included in the Streambed Alteration Agreement and are therefore incorporated into the proposed project per CEQA. Should any of these measures conflict with the Streambed Alteration Agreement, the Streambed Alteration Agreement shall take precedence over these measures. If any of the following measures are not included in the Streambed Alteration Agreement, the measures will be required in addition to the measures provided in the Streambed Alteration Agreement.

- Tree and vegetation removal from within the top-of-bank shall be prohibited during rain or within 24 hours following significant rainfall. Significant rainfall is defined as rainfall totaling one-half inch (0.5-inch) of rain in any 24-hour period.
- All vegetation removal within the top-of-bank shall be conducted during daylight hours.

- Prior to vegetation removal from within the top-of-bank, the City shall identify the limits of access routes and encroachment into the riparian area to the minimum disturbance required to conduct the vegetation removal. The “work area limits” shall be clearly marked in the field with highly visible flagging or fencing. The flagging or fencing shall be maintained in good repair for the duration of activities occurring in the top-of-bank. All areas beyond the identified work area limits shall be considered Environmentally Sensitive Areas (ESA) and shall not be disturbed.
- The aquatic areas within the creeks shall be avoided. Project activities within the aquatic portions of the creeks are prohibited. No work within the channel of the creek shall occur.
- Prior to construction, a qualified biologist shall conduct training sessions to familiarize all construction personnel with the project conditions, limits of disturbance, special-status species with potential to occur in the work areas, general provisions and protections afforded by the state and federal endangered species acts, the Clean Water Act, Porter Cologne Water Quality Act, and California Fish and Game Code.
- The disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project and shall only occur with the defined work areas. The disturbed portions of the stream bank shall be restored to as near their original condition as possible.
- Prior to initiation of project activities, all trees to be cut or removed shall be clearly identified and marked to avoid accidentally removing trees that should be avoided.
- The City shall document the number and species of all riparian woody-stemmed plants in excess of four (4) inches DBH that are cut, removed, or damaged during project activities within the top-of-bank. Riparian trees and shrubs with a DBH of four inches or greater that are damaged or removed shall be replaced by replanting appropriate native species at a 3:1 ratio (replaced to lost). The replacement trees/shrubs shall be maintained by the City for three years to ensure survival. If any of the replacement trees are lost, the lost trees shall be replaced.
- Staging and storage areas for equipment, materials, fuels, lubricant, and solvents shall be located at least 50-feet from the top-of-bank. All fueling and maintenance of vehicles or other equipment shall be prohibited outside of the designated staging and storage areas.
- Upon completion of construction, all disturbed soils shall be stabilized using generally-accepted erosion and sediment control practices such as crimped straw and seeds, jute netting, or other appropriate measures. If any mats or netting are used, said mats or netting shall contain only natural fiber materials. Nylon or other synthetic materials shall not be used in mats or netting. All disturbed areas shall be revegetated with riparian or upland vegetation, as appropriate.
- All Project-generated debris, building materials, and rubbish shall be removed from the stream and from areas where such materials could be washed into the stream.

BR-5 Prior to any ground disturbing activities, adequate protection measures (e.g., sturdy fencing), shall be installed around the root zones of trees to remain, to protect those trees identified on the final site plans to remain unharmed as well as to minimize impacts for those trees identified as being impacted. Protection measures shall remain in good working order during construction.

BR-6 Prior to approval of construction permits, to minimize potential sedimentation within Old Garden Creek and Stenner Creek, a sedimentation and erosion control plan shall be prepared that incorporates adequate best management practices to avoid potential sediment deposition in Old Garden Creek and Stenner Creek. At a minimum, straw wattles (or comparably effective devices) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. During construction/improvements, the City shall check and maintain these measures regularly and after all larger storm events. All necessary remedial work and/or repairs shall be done immediately after the need for such work is identified.

Conclusion

The project has the potential to result in impacts to special-status wildlife species and riparian habitat. Mitigation measures have been identified to require measures including, but not limited to, preconstruction surveys, avoidance buffers, protection of unimpacted resources, and implementation of adequate erosion and sedimentation control measures. Upon implementation of mitigation measures BR-1 through BR-6, impacts to biological resources would be less than significant.

5. CULTURAL RESOURCES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historic resource pursuant to §15064.5?	16, 17	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	2, 16	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation

Pre-Historic Setting

Archaeological evidence demonstrates that Native American groups (including the Chumash) have occupied the Central Coast for at least 10,000 years. The earliest evidence of human occupation in the region comes from archaeological sites along the coast. The project site is located within a Burial Sensitivity Area as identified in Figure 1 of the COSE.

Historic Setting

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

- Identification, preservation, and rehabilitation of significant historic and architectural resources;
- Prevention of demolition of historically or architecturally significant buildings unless doing so is necessary to remove a threat to health and safety;
- Consistency in the design of new buildings in historical districts to reflect the form, spacing, and materials of nearby historic structures; and
- Identification and protection of neighborhoods or districts having historical character due to the collective effect of Contributing or Master List historic properties.

The project is not located within a Historic District or Historic Preservation Overlay Zone, and no historic structures are present onsite.

The following analysis is based on the Phase 1 Archaeological Survey for the North Broad Park and Rezone Project (source reference 16).

- a) On March 20, 2020, a records search was requested from the Central Coast Information Center (CCIC) of the California Historical Resources Information System (CHRIS), located at the University of California, Santa Barbara. Staff at the CCIC completed the CHRIS records searches of the project area and all areas within a 1/8-mile radius on April 14, 2020. The CCIC records search data revealed that 12 cultural resources studies have been previously conducted within a 1/8-mile radius of the project area, none of which identified an archaeological or historic resource within the project area or within 1/8-mile radius.

The project site does not propose removal or alteration of structures with potential for historic designation. The project site does not currently contain, nor is it located near, any historic resources identified in the NRHP or CRHR. The project site is not identified on the City's Historical Properties map; therefore, the project would not result in a substantial adverse change in the significance of, or any other adverse impact to, a historical resource and *no impacts would occur*.

- b) No archaeological resources were identified within the project area during the field survey. One Pismo clam (*Tivela stultorum*) shell fragment and one non-diagnostic fragment of ceramic were observed during the field survey. The materials were observed in a heavily disturbed context with modern refuse and development. Given the isolated nature of these materials and the lack of evidence that they represent historic or prehistoric activity, the shell fragment and the ceramic fragment do not constitute archaeological resources and warrant no further consideration. However, given the project area's proximity to Stenner Creek and Old Garden Creek, diminished surface visibility at the time of survey, and proximity to Mission San Luis Obispo de Tolosa and mid-late nineteenth century neighborhood development, the project area is considered moderately sensitive for the presence of previously unidentified buried archaeological resources.

Mitigation measure CR-1 has been identified to require preparation of an archaeological monitoring plan and CR-2 has been identified to require monitoring of initial ground-disturbing activities with potential to encounter previously unidentified archaeological resources by a City-approved archeologist and local Native American observer. Mitigation measure CR-3 has been identified to require construction crew training, and CR-4 identifies the proper procedures and contact in the event an inadvertent discovery of an archaeological or historical resource is made. Therefore, potential impacts associated with a substantial adverse change in the significance of an archaeological resource would be *less than significant with mitigation*.

- c) The project site is located within a Burial Sensitivity Area associated with San Luis Obispo Creek identified in "Figure 1: Cultural Resources" of the City COSE. The City initiated consultation with local Native American tribes as applicable under AB 52 and SB 18 on December 17, 2019. Comments received from two Native American contacts expressed concern that the area is sensitive due to the project's proximity to Old Garden and Stenner Creeks, but none had specific knowledge regarding cultural resources within or adjacent to the project site. No human remains are known to exist within the project site; however, the discovery of unknown human remains is a possibility during ground-disturbing activities. Protocol for properly responding to the inadvertent discovery of human remains is identified in State of California Health and Safety Code Section 7050.5 and is detailed in mitigation measure CR-5. With implementation of mitigation measure CR-5, potential impacts related to the inadvertent discovery of human remains would be *less than significant with mitigation*.

Mitigation Measures

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

- a. A list of personnel involved in the monitoring activities;
- b. Description of Native American involvement;
- c. Description of how the monitoring shall occur;
- d. Description of location and frequency of monitoring (e.g., full time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the halting of work at the project site;
- g. Description of procedures for halting work on the site and notification procedures;

- h. Description of monitoring reporting procedures;
- i. Description of notification of local Native American tribes in the event of a discovery; and
- j. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.

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

CR-3 Prior to initial ground disturbance activities, the City-approved archaeologist shall conduct a brief construction worker awareness training for all construction personnel, pursuant to the approved Archaeological Monitoring Plan. This training shall include, but not be limited to, the following information:

- a. A detailed description of the potential types of archaeological resources that could be encountered during project excavations;
- b. The relevant environmental laws and penalties;
- c. Best management practices;
- d. Responsibilities of project personnel; and
- e. Who to contact in the event of an inadvertent discovery, inclusive of local Native American tribes.

CR-4 In the event that historical or archaeological remains are discovered during earth-disturbing activities associated with the project, an immediate halt work order shall be issued and the City Project Manager and Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume.

CR-5 In the event that human remains are exposed during earth-disturbing activities associated with the project, an immediate halt work order shall be issued and the City Project Manager and City Community Development Director shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours. These requirements shall be noted on the project's construction plans.

Conclusion

Based on the records search conducted through the CCIC of the California Historical Resources Information System and field survey of the project site, no known historical or archaeological resources are present on-site. However, due to the project site location and proximity to historic-era resources and perennial water sources, the site has moderate potential for buried, previously undiscovered resources. Mitigation measures have been identified above to require worker awareness training and the appropriate protocol for inadvertent resource discovery and discovery of human remains. Upon implementation of measures CR-1 through CR-5, potential impacts to cultural resources would be reduced to less than significant.

6. ENERGY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	1, 18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

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

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

The City Climate Action Plan also identifies strategies and policies to increase use of cleaner and renewable energy resources in order to achieve the City's GHG emissions reduction target. These strategies include promoting a wide range of renewable energy financing options, incentivizing renewable energy generation in new and existing developments, and increasing community awareness of renewable energy programs (source reference 18).

a, b) During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be short term and would not represent a significant or wasteful demand on available resources. The project does not include installation of any new lighting or other equipment that would result in a long-term energy demand. The proposed park would serve local residents, primarily residents who reside in the immediately adjacent neighborhoods and does not include any on-site parking. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or result in a conflict with a state or local plan for renewable energy or energy efficiency and potential impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or result in a conflict with a state or local plan for renewable energy or energy efficiency; therefore, potential impacts to energy would be less than significant and no mitigation is necessary.

7. GEOLOGY AND SOILS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	19, 20	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	19, 20	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	19, 20	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	1, 19	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	1, 19, 21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	1, 19, 21, 22	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 1802.3.2 of the California Building Code (2013), creating substantial direct or indirect risks to life or property?	1, 21	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	23, 24	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

Faulting and Seismic Activity

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

Faults capable of producing strong ground-shaking motion in San Luis Obispo include the Los Osos, Point San Luis, Black Mountain, Riconada, Wilmar, Pecho, Hosgri, La Panza, and San Andreas Faults. Engineering standards and building codes set minimum design and construction methods for structures to resist seismic shaking. Based on the City Safety Element Earthquake Faults – Local Area map, the project site is not located on or within the immediate vicinity of an active fault zone. The nearest potentially active fault zones would be the Cambria fault zone, located approximately 1.8 miles northeast of the project site, and the Los Osos fault zone, located approximately 1.6 miles to the southwest.

Seismic-Related Ground Failure

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

Slope Instability and Landslides

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

Subsidence

Land subsidence is a gradual settling or sudden sinking of the Earth's surface due to subsurface movement of earth materials. Primary causes are groundwater withdrawal, in which water is removed from pore space as the water table drops, causing the ground surface to settle, tectonic subsidence (where the ground surface is warped or dropped lower due to geologic factors such as faulting or folding), and earthquake-induced shaking that causes sediment liquefaction, which in turn can lead to ground-surface subsidence. Based on the USGS map of areas of land subsidence in California, the project site is not located in an area known to have historical or current subsidence (source reference 21).

Soil Limiting Factors

The U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) Web Soil Survey indicates that soil in the project site is comprised of Salinas silty clay loam 2 to 9 percent slopes. This soil is common on terraces and is derived from sedimentary rock. This very deep, well drained, gently sloping and moderately sloping soil has moderately slow permeability and a surface runoff of slow or medium. The hazard of water erosion is slight or moderate. This soil is well suited to irrigated pasture and rangeland. Roads, buildings, and other structures need to be designed with consideration of the soil's moderate strength and moderate shrink-swell potential.

- a.i) Based on Figure 3 (Earthquake Faults – Local Area) of the Safety Element and the DOC Fault Activity Map of California, no known fault lines are mapped on or within 0.5 mile of the project site. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be *less than significant*.
- a.ii) Based on Figure 3 (Earthquake Faults – Local Area) of the City Safety Element and the DOC Fault Activity Map of California, no known fault lines are mapped on or within 0.5 mile of the project site. Due to the highly seismic nature of the region, potential future development on the project site would very likely be subject to strong seismic ground shaking at some point(s) during the life of the project. The project does not propose development of habitable structures and development of park facilities, including play structures, picnic benches, and equipment storage sheds would be constructed be designed in full compliance with seismic design criteria established in the California Building Code (CBC) to adequately withstand and minimize the risk associated with the level of seismic ground shaking expected to occur in the project region; therefore, impacts associated with strong seismic groundshaking would be *less than significant*.
- a.iii) Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with high liquefaction potential. The project does not include construction of new structures for long-term human occupancy. The proposed project facilities, including play structures, picnic benches, and equipment storage sheds would be constructed be designed in full compliance with seismic design criteria established in the CBC to adequately withstand

and minimize the risk associated with seismic-related ground failure, including liquefaction. Therefore, impacts related to causing substantial adverse effects due to seismic-related ground failure would be *less than significant*.

- a.iv) Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with low landslide potential. The project does not include grading on any steep slopes or toe slopes and does not propose development of habitable structures. Therefore, potential impacts associated with landslides would be *less than significant*.
- b) The project would result in approximately 0.35 acre of site disturbance on the 0.9-acre parcel, including removal of the existing concrete driveway apron on-site, paving of approximately 0.11-acre for walking paths, and removal of up to eight trees on-site. The project would include the protection of approximately 20 native trees on-site to remain in place, and the planting of 33 new trees and various native shrubs. The project would include grading, tree and vegetation removal, vegetation planting, and placement of fill materials that could result in temporary soil erosion. The project site is relatively flat and the soil unit onsite is not particularly susceptible to wind or water erosion.

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

- c) The park includes an approximately 0.5-acre area of relatively flat land with an elevation of 200 feet above mean sea level. Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with low landslide potential. Based on the USGS map of areas of land subsidence in California, the project site is not located in an area known to have historical or current subsidence. Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with high liquefaction potential. The project does not include construction of new structures for long-term human occupancy. The proposed project facilities, including play structures, picnic benches, and equipment storage sheds would be constructed be designed in full compliance with seismic design criteria established in the CBC to adequately withstand and minimize the risk associated with seismic-related ground failure, including liquefaction. Therefore, impacts related to location on an unstable geologic unit or soil would be *less than significant*.
- d) The project site is underlain by Salinas silty clay loam 2-9% slopes, which has moderate shrink swell potential. The project does not include construction of new structures for long-term human occupancy. The proposed project facilities, including play structures, picnic benches, and equipment storage sheds would be constructed to follow applicable CBC standards to adequately protect proposed park development facilities against soil stability hazards, including expansive soils. Upon implementation of these measures, potential impacts associated with expansive soils would be *less than significant*.
- e) The project does not include construction of new restroom facilities or other structures that would require installation of an on-site sewer system. Therefore, *no impacts would occur*.
- f) The project site is underlain by alluvial gravel and sand of valley areas of the Holocene epoch of the Quaternary period. Holocene age units, particularly those younger than 5,000 years old, are generally too young to contain fossilized material. In addition, the project would not result in deep cuts into a hillside or deep excavations on-site that could disturb the underlying geologic unit. Therefore, potential impacts to paleontological resources would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The proposed project facilities, including play structures, picnic benches, and equipment storage sheds would be constructed be designed in full compliance with seismic design criteria established in the CBC to adequately withstand and minimize the risk associated with geologic hazards. No potentially significant impacts associated with geology or soils would occur and no mitigation is necessary.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1, 9, 18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	1, 9, 18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

Greenhouse Gases (GHGs) are gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section 3, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. In 2018, the City prepared a community-wide inventory of GHG emissions for the 2016 calendar year. In 2016, San Luis Obispo's total GHG emissions were estimated to be 339,290 MTCO₂e. Consistent with the emissions inventory of 2005, transportation was the largest contributor to the City's total GHG emissions with an estimated 212,980 MTCO₂e, or 63 percent of the City's total emissions. Commercial and Industrial energy was the second largest sector with GHG emissions of 44,270 MTCO₂e or 13 percent of the City's total emissions. The sectors of residential energy and solid waste account for the remaining 26 percent of the City's total 2016 GHG emissions (source reference 18).

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

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

A key component of the Scoping Plan is the Renewable Portfolio Standard, which is intended to increase the percentage of renewables in California's electricity mix to 33 percent by year 2020, resulting in a reduction of 21.3 MMTCO₂e. The Scoping Plan states that land use planning and urban growth decisions will play important roles in the state's GHG reductions because local governments have primary authority to plan, zone, approve, and permit how land is developed to accommodate population growth and the changing needs of their jurisdictions. ARB further acknowledges that decisions on how land is used will have large impacts on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emissions sectors.

Plans, policies, and guidelines have also been established at the regional and local levels to address GHG emissions and climate change effects within the city. In March 2012, the SLOAPCD approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook and updated in 2017 with a clarification memorandum. The Bright-Line Threshold of 1,150 metric tons of CO₂ equivalent per year (MTCO₂e/year) was the most applicable GHG threshold for most projects, and Table 1-1 in the SLOAPCD CEQA Air Quality Handbook (updated November 2017) provided a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bright Line Threshold of 1,150 MTCO₂e/year. Projects that exceeded the criteria or were within 10% of exceeding the criteria presented in Table 1-1 were required to conduct a more detailed analysis of air quality impacts. It is important to note the Bright-Line Threshold of 1,150 MTCO₂e/year was developed to meet the state goal of reducing GHG emissions to 1990 levels by 2020; therefore, because the construction and operation of the project would occur well beyond 2020, this threshold is no longer valid. The project would be subject to the SB 32-based targets for 2030, which are 40% below the AB 32-based 2020 targets. The SLOAPCD's GHG thresholds have not been updated to comply with SB 32 and the more recent, more stringent GHG reduction goals; therefore, the project's greenhouse gas emissions have been evaluated based on the City of San Luis Obispo's recently adopted GHG emissions thresholds provided in the Climate Action Plan for Community Recovery, which have been calculated to be consistent with the reduction requirements of SB 32.

The City of San Luis Obispo Climate Action Plan for Community Recovery is a long-range plan to reduce GHG emissions from City government operations and community activities. The Climate Action Plan will also help achieve multiple community goals such as lowering energy costs, reducing air pollution, supporting local economic development. The Climate Action Plan was prepared with the goal of achieving carbon neutrality by 2035. The Climate Action Plan includes measures to reduce community-wide GHG emissions by 45 percent below 1990 levels by 2030 and 66 percent below 1990 levels by 2035, which is consistent with California's goal of reducing GHG emissions to 40 percent below 1990 levels by 2030 (source reference 18).

- a, b) Projects that are consistent with the demographic forecasts and land use assumptions used in the Climate Action Plan can utilize the City's CEQA GHG Emissions Analysis Compliance Checklist to demonstrate consistency with the CAP's GHG emissions reduction strategy.

The demographic forecasts and land use assumptions of the Climate Action Plan are based on the *City of San Luis Obispo General Plan Land Use and Circulation Elements*. If a plan or project is consistent with the existing 2014 General Plan land use and zoning designations of the project site, then the project would be considered consistent with the demographic forecasts and the land uses assumptions of the Climate Action Plan. If the project is not consistent with the existing 2014 General Plan land use and zoning designations of the project site, the next step of evaluation is to determine whether the proposed use would be of equal or lesser greenhouse gas emission-intensive as existing development on-site. If the proposed use is less GHG-intensive than existing uses on-site, the project then must be evaluated for consistency with the CAP's CEQA GHG Emissions Analysis Checklist.

The Land Use Element identifies this site as a special facility for parks and recreation (community garden) in Table 4.14-2 (Draft LUCE Program EIR). Furthermore, the Parks and Recreation Element identifies this site as a special recreation area (community garden) (PRE 3.8), and also identifies this site as an opportunity for expanded recreational facilities (PRE 3.12). While the project includes a General Plan Amendment to change the designation of the site from Open Space to Park and a rezone from Conservation/Open Space to Public Facility to accommodate the proposed park and associated playground equipment, the project is consistent with the Climate Action Plan because the project does not include installation of any new lighting or other equipment that would result in a long-term energy demand, does not include on-site parking, and the park would serve local residents, primarily residents who reside in the immediately adjacent neighborhoods.

In addition, GHG emissions associated with construction and operation of proposed project were calculated using CalEEMod. The construction period of the project is anticipated to result the disturbance of approximately 0.35 acres including approximately 0.11 acres to be paved and materials would be balanced on site, which would result in approximately 61.5 MTCO₂e. During the operation, the project would result in approximately 7.4 MTCO₂e/year at the time of buildout in 2021, and would result in approximately 6.1 MTCO₂e/year by the year 2030. Operational greenhouse gas emissions for the proposed neighborhood park can be mostly attributed to vehicle trips to and from the park, which would be roughly equal to, or have a negligible increase from vehicle trips to and from the existing community garden on-site. In addition, as noted above, the project would likely serve the existing neighborhood and would likely be accessed by

non-vehicular modes, similar to the proximate Anholm Park. Therefore, the project would be generally of equal or lesser GHG-intensive as existing uses on-site.

Because the project would result in an equal or lesser GHG-intensive use as existing uses on-site, the project can tier from the City's CAP by illustrating compliance with the CEQA GHG Emissions Analysis Checklist, shown in Table 4, below.

Table 4. Project Consistency with the City's Climate Action Plan

Climate Action Plan Measures	Project Consistency
Clean Energy Systems	
Does the Project include an operational commitment to participate in Central Coast Community Energy?	Consistent. The project includes the establishment of a new City-owned facility and therefore any and all electricity use would be serviced by Central Coast Community Energy.
Green Buildings	
Does the Project exclusively include “All-electric buildings”? For the purpose of this checklist, the following	Consistent/Not Applicable. The project does not include the construction of new habitable structures. Proposed equipment storage sheds would be constructed in compliance with applicable building and energy codes and would not include heating, lighting, air conditioning, or other energy uses.
If the Project/Plan includes a new mixed-fuel building or buildings (plumbed for the use of natural gas as fuel for space heating, water heating, cooking or clothes drying appliances) does that building/those buildings meet or exceed the City’s Energy Reach code?	
Connected Community	
Does the Project comply with requirements in the City’s Municipal Code with no exceptions, including bicycle parking, bikeway design, and EV charging stations?	Consistent. The project has been designed in full compliance with the City’s Municipal Code and includes provision of bicycle racks and no vehicle parking spaces.
Is the estimated Project-generated Vehicle Miles Traveled (VMT) within the City’s adopted thresholds, as confirmed by the City’s Transportation Division?	Consistent. Based on the City’s Adopted VMT thresholds, the project would be classified as an “other development project” which has no set threshold and are to be evaluated on a case-by-case basis. Based on the proposed use of a neighborhood park in an area with no existing park facilities, the provision of improved bicycle and pedestrian infrastructure, and no new parking spaces proposed, the project would result in minimal VMT and would be consistent with applicable City VMT policies.
If “No”, does the Project/Plan include VMT mitigation strategies and/or a Transportation Demand Management (TDM) Plan approved by the City’s Transportation Division?	
Does the Project demonstrate consistency with the City’s Bicycle Transportation Plan?	Consistent. The project would include provision of bicycle racks and would not result in a conflict with any policies of the City’s Bicycle Transportation Plan.
Circular Economy	
Will the Project subscribe all units and/or buildings to organic waste pick up and provide the appropriate on-site enclosures consistent with the provisions of the City of San Luis Obispo Development Standards for Solid Waste Services? Please provide a letter from San Luis Garbage company verifying that the project complies	Consistent. The project would include on-site composting facilities in addition to solid waste enclosures in compliance with the City of San Luis Obispo Development Standards for Solid Waste Services.

with their standards and requirements for organic waste pick up.	
Natural Solutions	
Does the Project comply with Municipal Code requirements for trees?	Consistent. The project would include the protection of approximately 20 native trees on-site to remain in place, and the planting of 33 new trees. New tree plantings would be selected and planted in accordance with applicable Municipal Code requirements.

Based on the project's compliance with the City's CEQA GHG Emissions Analysis Checklist, the project would be consistent with the City's Climate Action Plan and associated GHG emissions reduction strategy and SB 32 GHG reduction goals, and project-generated GHG emissions would not have a significant impact on the environment. Therefore, potential impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

Project-generated GHG emissions would not have a significant impact on the environment, nor would the project conflict with current or future GHG-reduction planning efforts. Therefore, potential impacts associated with greenhouse gas emissions would be less than significant and no mitigation is necessary.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	1, 44	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	25, 26, 27	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	1, 19	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

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

Based on a review of the SWRCB Geotracker database and the DTSC EnviroStor database, there are no active hazardous waste cleanup sites within the project site or immediately surrounding areas. The closest cleanup site is located approximately 0.11 mile south of the project site and has been remediated and closed since 1987 (source references 25, 26, 27). Based on the Airport Land Use Plan (ALUP) for the San Luis Obispo County Regional Airport, the project site is not located within the airport Land Use Planning Area or noise contours (source reference 28).

- a) The project does not propose the routine transport, use, or disposal of hazardous substances. Project construction activities would be required to comply with applicable building, health, fire, and safety codes. Any potentially hazardous substances used within the project site (e.g., gasoline, cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. Therefore, project impacts associated with the routine transport, use, or disposal of hazardous substances would be *less than significant*.
- b) Project grading, construction, and tree removal activities would require the use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Upon completion of construction, the project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions.

Aerially deposited lead (ADL) from the historical use of leaded gasoline, exists along roadways throughout California. There is the likely presence of soils with elevated concentrations of lead as a result of ADL within the US 101 road shoulders and right of way. The highest lead concentrations are usually found within 10 feet of the edge of the pavement and within the top six inches of the soil. In some cases, lead is as deep as two to three feet below the surface and can extend 20 feet or more from the edge of pavement (source reference 44). The closest portion of the project parcel is located over 100 feet from the edge of the pavement of US 101. Therefore, potential impacts would be *less than significant*.

- c) The project site is located within 0.25-mile of two private schools, Old Mission School and Mission College Preparatory Catholic High School. Both schools are located on the opposite side of US 101, therefore, the potential for transport of hazardous materials from project-related construction or operational activities is very low. Limited quantities of hazardous materials would be used on-site during project grading and construction activities. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Based on compliance with existing hazardous material regulations, and the physical separation of US 101 between the project site and nearby schools, project

impacts associated with hazardous emissions and handling hazardous materials within one-quarter mile of existing or proposed school facilities would be *less than significant*.

- d) Based on a search of the DTSC EnviroStar database, the SWRCB Geotracker database, and Cal/EPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. The closest historical cleanup site is located approximately 0.15 mile west of the project site and has been remediated and closed since 1987. There are no active hazardous waste cleanup sites within 0.5 mile of the project site. Therefore, *no impacts would occur*.
- e) The project site is located approximately three miles north of the San Luis Obispo County Regional Airport. Based on the San Luis Obispo County Regional Airport ALUP, the project is not located within the airport Land Use Planning Area or noise contours. Therefore, potential impacts associated with safety hazards or excessive noise from aircraft would be *less than significant*.
- f) Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Therefore, potential impacts would be *less than significant*.
- g) The project site is generally surrounded by residential and commercial uses to the north, west, and south and by US 101 to the east. The project is not located in an urban-wildland interface area. Project construction activities would be required to comply with the California Fire Code and would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. Therefore, potential impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

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

10. HYDROLOGY AND WATER QUALITY

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	1, 29, 32	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	1, 29, 31	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i. Result in substantial erosion or siltation on or off site;	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Impede or redirect flood flows?	1, 30	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	1, 30, 34	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	1, 31	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Evaluation

The project site is located within the San Luis Obispo Creek watershed. The San Luis Obispo Creek watershed is an approximately 53,271-acre coastal basin in southern San Luis Obispo County. It rises to an elevation of about 2,500 feet above sea level in the Santa Lucia Range. San Luis Obispo Creek flows to the Pacific Ocean and has six major tributary basins: Stenner Creek, Prefumo Creek, Laguna Lake, East Branch San Luis Obispo Creek, Davenport Creek, and See Canyon. San Luis Obispo Creek flows through the City and empties into the Pacific Ocean just west of Avila Beach (source reference 29).

The City is enrolled in the State General Permit National Pollutant Discharge Elimination System (NPDES) permit program governing stormwater. As part of this enrollment, the City is required to implement the Post-Construction Stormwater Management requirements adopted by the Central Coast Regional Water Quality Control Board (RWQCB) through the development review process. The primary objective of these post-construction requirements is to ensure that the permittee is reducing pollutant discharges to the maximum extent practicable and preventing stormwater discharges from causing or contributing to a violation of receiving water quality standards in all applicable development projects that require approvals and/or permits issued.

The Federal Emergency Management Agency (FEMA) 100-year flood zone identifies areas that would be subject to inundation in a 100-year storm event, or a storm with a 1% chance of occurring in any given year. Based on FEMA's National Flood Hazard Layer (NFHL) Viewer, the project site is located within a 100-year flood zone (source reference 30).

In 2015, the state legislature approved the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of implementing their sustainability plans. The project is located within the San Luis Obispo Valley Groundwater Basin, which has been designated by the California Department of Water Resources (DWR) as a high-priority basin. The County of San Luis Obispo (County) and the City formed Groundwater Sustainability Agencies (GSAs) within their respective jurisdictions to ensure full compliance with SGMA throughout the entire San Luis Obispo Valley Groundwater Basin (source reference 31).

- a) Based on the City's Waterway Management Plan Drainage Design Manual, all construction projects in the City require the installation, maintenance, routine inspection (i.e. weekly, before predicted rain events, after rain events and during prolonged rain events), and repair or replacement, as needed, of BMPs throughout the course of the construction project in order to protect local water quality. Most BMPs (e.g., concrete/tool washouts, street sweeping) are required year-long and others are specifically required during the rainy season (October 15 through April 15) or prior to a predicted rain event, even if that rain event is predicted during the summer months.

The project would require the removal of six trees and includes the planting of ten trees and various native shrubs within 20 feet of the creek banks onsite. The proposed vegetation removal and planting and other construction-related activities would have the potential to cause erosion and sedimentation within Old Garden Creek and/or Stenner Creek, which could result in a degradation of water quality. Mitigation measure BR-6 has been identified to reduce potential impacts to the water quality of onsite creeks through implementation of an erosion and sedimentation control plan to avoid sediment

deposition in Old Garden Creek and Stenner Creek. Therefore, potential impacts associated with violation of water quality standards or otherwise substantial degradation of surface or groundwater quality would be *less than significant with mitigation*.

- b) The project includes installation of a water fountain/water filling station that would be connected to the City water system. The City water system has four primary water sources, including the Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water (for irrigation), with groundwater serving as a fifth supplemental source. The City no longer draws groundwater for potable purposes as of 2015. Therefore, the project would not deplete groundwater resources, and impacts would be *less than significant*.
- c.i) Project grading and construction activities would be subject to all applicable standards of the CBC and City Municipal Code that require sedimentation and erosion control on-site. The City Municipal Code requires proposed development projects to implement erosion control measures and BMPs through the building permit process, such as scheduling ground disturbance to avoid the rain events (if feasible); using hydroseeding, planting, and mulch to stabilize soils; using dust control to stabilize stockpiles, unpaved roads, and graded areas; protecting storm drain inlets; using sediment traps; constructing a stabilized page of aggregate and filter fabric at the construction access entrance; street sweeping; and using silt fencing and sand/gravel bags. In addition, mitigation measure BR-6 has been identified to require specific erosion control measures to protect on-site streams and riparian habitats. Therefore, potential impacts associated with substantial erosion or siltation on or off-site would be *less than significant with mitigation*.
- c.ii) The project would result in the installation of 0.11-acre (4,791.6 square feet) of impervious surfaces on the 0.9-acre project parcel. The project would be subject to the Central Coast RWQCB's Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, which identify performance requirements that include, but are not limited to, site design and runoff reduction, water quality treatment, runoff retention, and require the preparation and implementation of a Stormwater Control Plan. Based on compliance with RWQCB requirements and the limited amount of impervious surface proposed, and its proposed distribution throughout the site, the project would not result in a substantial increase in the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; therefore, potential impacts would be *less than significant*.
- c.iii) Based on the limited area of proposed impervious surfaces, the project would not result in the generation of a substantial amount of new stormwater runoff. The project has been designed to accommodate project stormwater flows and direct them to the proposed gutter along the frontage of the property that would connect to existing City stormwater drainage systems. The project would be subject to the Central Coast RWQCB's Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, which identify performance requirements that include, but are not limited to, site design and runoff reduction, water quality treatment, runoff retention, and require the preparation and implementation of a Stormwater Control Plan. Therefore, potential impacts associated with increases of surface runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff would be *less than significant*.
- c.iv) Based on the City Safety Element Flood Hazards Map, the project is located within a 100-year flood zone. The proposed project would not result in a substantial increase in impervious surfaces, blocking or diversion of on-site stream flows or improvements that would otherwise substantially alter existing drainage patterns onsite. Therefore, potential impacts associated with alteration of a course of a stream in a manner which would impede or redirect flood flows would be *less than significant*.
- d) Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami. The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur.

Based on the City Safety Element Flood Hazards Map, the project is located within a 100-year flood zone. Project construction activities would be required to comply with applicable building, health, fire, and safety codes. Any potentially hazardous substances used within the project site (e.g., gasoline, cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. During operation, the project would not include the storage or use of potentially hazardous materials on-site. Therefore, the project's potential impacts associated with release pollutants due to project inundation would be *less than significant*.

- e) As discussed in the threshold analysis above, the project would not deplete groundwater supplies, or interfere substantially with groundwater recharge. The project includes stormwater treatment and storage facilities and would not conflict with the Central Coastal Basin Plan, or other water quality control plans. The project would not conflict with SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, *no impacts would occur*.

Mitigation Measures

Implement measure BR-6.

Conclusion

The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses onsite. The proposed vegetation removal and planting would have the potential to cause erosion and sedimentation within Old Garden Creek and/or Stenner Creek, which could result in a degradation of water quality. Mitigation measure BR-6 has been identified to reduce potential impacts to the water quality of onsite creeks through implementation of an erosion and sedimentation control plan to minimize the amount of sediment that would be deposited in Old Garden Creek and Stenner Creek. Upon implementation of BR-6, project impacts associated with hydrology and water quality would be less than significant.

11. LAND USE AND PLANNING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	1, 2, 35	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluation

The project site consists of a 0.9-acre parcel currently zoned Conservation/Open Space (C/OS), and the current General Plan Designation is Open Space (OS). The project site is generally surrounded by residential and commercial uses to the north, west, and south and by US 101 to the east. As parks are not allowed within the C/OS zone, the project includes rezoning the parcel to Public Facility (PF) with a corresponding General Plan Map Amendment (Park).

- a) The project would establish a neighborhood park within an existing neighborhood and would be an infill development project. The project would not result in a physical division between an established community. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur*.
- b) The project includes the construction of a new park and the rezone of the project parcel from The General Plan Designation of Open Space (OS) to Park (P) and zoning from Conservation/Open Space (C/OS) to Public Facility (PF). The City Parks and Recreation Element identifies the unmet need for a neighborhood park in the Broad Street area near US 101 and establishes a target rate of park development to be 10 acres of parkland per 1,000 residents. The City has a population of 46,802 in 2019 according to the City General Plan 2019 Annual Report, which would equate to a target of 465.5 acres of parkland. The city currently supports a total of 162.58 acres of parkland. Therefore, this project would contribute to the City achieving its target park ratio and would meet the current need for a neighborhood park in a residential area of the city that does not have access to other public park facilities. As discussed in the resource sections above, creek setbacks

would be maintained, tree removal would be conducted in accordance with the City Tree Regulations, and project construction would be carried out in compliance with applicable City Municipal Code standards.

Based on the City Noise Element and LUCE EIR, the project is located within the 70 dB noise contour of US 101. Table 1 of the Noise Element establishes an exterior noise threshold of 65 dB CNEL from transportation noise sources for neighborhood parks and 70 dB CNEL for playgrounds. As noted in the City's Noise Guidebook, the presence of dense vegetation, such as the riparian corridor between the highway and the project site, reduces noise levels by five decibels. In accordance with Noise Element Policy 1.8.2, noise reduction measures in descending order of preference are detailed below:

- a. Provide distance between noise source and recipient;
- b. Provide distance plus planted earthen berms;
- c. Provide distance and planted earthen berms, combined with sound walls;
- d. Provide earthen berms combined with sound walls;
- e. Provide sound walls only;
- f. Integrate buildings and sound walls to create a continuous noise barrier.

Because this policy consistency addresses potential impacts of the environment on the project, rather than impacts of the project on the environment, potential inconsistency would not constitute a potentially significant impact under CEQA. In addition, a potential policy inconsistency only results in an adverse effect under CEQA if it would result in some physical change to the environment. As the current noise levels are existing and would not be exacerbated by the neighborhood park use, potential impacts related to a potential inconsistency would be less than significant. However, if the City requires construction of a planted earthen berm or sound wall to reduce existing ambient noise levels, that physical change could have a potential impact on the environment. Installation of noise abatement components such as a sound wall or earthen berm would have the potential to result in impacts associated with aesthetics, construction equipment noise and air pollutant emissions, erosion and sedimentation, and disturbance of undiscovered cultural resources. Potential impacts associated with construction of a sound wall or earthen berm would be consistent with the level of impacts evaluated in this document for other project components. Impacts resulting from noise barrier installation associated with aesthetics and air pollutant emissions (including greenhouse gas emissions) would reflect a negligible increase over the aesthetic changes and air pollutant emissions that would result from the project as proposed; therefore, impacts associated with these changes would be less than significant. Mitigation measures BR-1 through BR-6, CR-1 through CR-5, and N-1 have been identified to address potentially significant impacts associated with vegetation removal, erosion and sedimentation, disturbance of previously undiscovered archaeological resources, and construction noise. Through compliance with applicable local policies and regulations and implementation of these mitigation measures, potential impacts associated with installation of noise control barriers would be *less than significant with mitigation*.

Mitigation Measures

Implement mitigation measures BR-1 through BR-6, CR-1 through CR-5, and N-1.

Conclusion

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

12. MINERAL RESOURCES

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

Evaluation

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

a-b) *No impact.* No known mineral resources are present within the project site and future extraction of mineral resources is very unlikely due to the urbanized nature of the area. Therefore, *no impacts would occur.*

Mitigation Measures

None necessary.

Conclusion

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

13. NOISE

Would the project result in:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	1, 36, 37	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	1, 38	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	1, 28	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The City Noise Element establishes standards for maximum acceptable noise levels associated with stationary and transportation sources. Noise created by new transportation noise sources are required to be mitigated to not exceed the maximum acceptable noise levels below (Table 5).

Table 5. Maximum Noise Exposure for Noise-Sensitive Uses due to Transportation Noise Sources

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

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

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

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

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

The Noise Element also identifies Policy 1.4 regarding noise created by new transportation sources, including road, railroad, and airport expansion projects, which states noise from these sources shall be mitigated to not exceed the levels specified in Table 5 for outdoor activity areas and indoor spaces of noise-sensitive land uses that were established before the new transportation noise source.

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

- a) The project includes grading, construction, and vegetation removal on the project site, as well as off-site improvements including constructing 215 linear feet of concrete sidewalk, gutter, and red-painted curb, as well as demolition of existing curbs and installation of accessible curb ramps at all four corners of the Lincoln Street/Broad Street intersection. The project site is located within 1,000 feet of multiple sensitive receptors, including single-family residential units to the north, west, and south of the project site, several of which are located within 50 feet of the proposed development areas. The project would include grading, site preparation, demolition, and construction activities that would require use of equipment that would generate noise levels of 80 to 85 dBA at 50 feet, which reflect the relative loudness as perceived by the human ear, as shown in Table 6 below.

Table 6. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 ft From Source
Backhoe	80
Compactor	80
Concrete Mixer	85
Concrete Pump	82
Dozer	85
Excavator	85
Heavy Truck	84
Paver	85
Scraper	85

Source reference: 37

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

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

- b) The project does not propose pile driving or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. With regard to human perception, vibration levels would begin to be perceptible at levels of 0.04 inches per second peak particle velocity (in/sec ppv), strongly perceptible at 0.10 in/sec ppv, and disturbing at 0.7 in/sec ppv. Groundborne vibration levels associated with representative construction equipment are summarized in Table 7 below.

Table 7. Representative Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity at 25 feet (in/sec)
Large bulldozer	0.089
Caisson drilling	0.089
Loaded trucks	0.076
Jackhammer	0.035
Small Bulldozers	0.0003

Source reference 38.

While some construction activities may result in perceptible vibration, the project generated vibration levels would be below the threshold identified as being strongly perceptible to humans. Therefore, potential impacts would be *less than significant*.

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

Mitigation Measures

N-1 Prior to issuance of construction permits, the following measures shall be noted on all plans and implemented throughout the construction period:

- a. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
- b. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers, shrouding, etc.).

Conclusion

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

14. POPULATION AND HOUSING

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	1, 39	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	1, 39	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Evaluation

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

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

- a) The project includes construction of a neighborhood park within an existing residential neighborhood. The project would be located on an infill site and would not include construction of any new residential or commercial uses. The project would include establishment of utility connections to existing infrastructure within the Broad Street right-of-way and would not result in the extension of roads or other infrastructure. The project would not induce substantial unplanned growth; therefore, potential impacts would be *less than significant*.
- b) The project includes construction of a neighborhood park within an existing residential neighborhood. The project site currently consists of a community garden. The project would not result in displacement of any existing housing or people; therefore, *no impacts would occur*.

Mitigation Measures

None necessary.

Conclusion

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

15. PUBLIC SERVICES

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Schools?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	1, 40	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The project site is located within the existing service area of the San Luis Obispo City Fire Department (SLOFD), with the closest station being City Fire Station 2. The oldest fire station in the City, Fire Station 2 was built in 1953 and provides primary response to the northern areas of San Luis Obispo and to the Cal Poly Campus. The station is staffed with a three-person paramedic engine company—one captain, one engineer, and one firefighter.

The City of San Luis Obispo Police Department (SLOPD), which consists of 85.5 employees, 59 of which are sworn police officers, provides public safety services for the city. The SLOPD operates out of one main police station located at 1042 Walnut Street at the intersection of Santa Rosa (Highway 1) and US 101. The project is located within the San Luis Coastal Unified School District (SLCUSD), and public parks and recreation trails within the city are managed and maintained by the City Parks and Recreation Department and Public Works Department.

- a) **Fire protection:** The project would include development of a new neighborhood park within an infill site that would serve an existing residential community. The project would not result in the development of new residences or induce population growth within the area. Therefore, the project would not result in the need for new or physically altered fire protection facilities and potential impacts would be *less than significant*.

Police protection: The project would include development of a new neighborhood park within an infill site that would serve an existing residential community. The project would not result in the development of new residences or induce population growth within the area. Therefore, the project would not result in the need for new or physically altered police protection facilities and potential impacts would be *less than significant*.

Schools: The project would include development of a new park within an infill site that would serve an existing residential community. The project would not result in the development of new residences or induce population growth within the area. Therefore, the project would not result in the need for new or physically altered school facilities and potential impacts would be *less than significant*.

Parks: The project includes development of a new neighborhood park in an area identified as needing park facilities in the City Parks and Recreation Element and would expand and improve upon existing on-site facilities, including the existing community garden on-site. The project would not result in the need for the construction or expansion of park facilities; therefore, *no impacts would occur*.

Other public facilities: The project would result in the conversion of an 18-plot community garden to a neighborhood park. The project would include provision of nine new garden plots onsite, in addition to added amenities including on-site composting, potting benches, and custom wheel-chair accessible elevated planters with potting platforms. With the provision of garden amenities incorporated into the project, potential impacts associated with the loss of community garden facilities would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project includes development of a new neighborhood park to serve an existing residential community and would not result in an increased need for public services such as fire or police protection. No potentially significant impacts would occur and no mitigation is necessary.

16. RECREATION

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

Evaluation

Existing City recreation facilities consist of 28 parks and recreational facilities, in addition to ten designated natural resources and open space areas and two bike trails. The City Parks and Recreation Element identifies goals, policies, and programs to help plan, develop, and maintain community parks and recreation facilities. The City's statement of overall department goals is for the City Parks and Recreation facilities and programs to enable all citizens to participate in fun, healthful, or enriching activities that enhance the quality of life in the community. As demand for recreation facilities and activities grow and change, the City intends to focus its efforts in the following areas: continuing development of athletic fields and support facilities, providing parks in underserved neighborhoods, providing a multi-use community center and therapy pool, expanding paths and trails for recreational use, linking recreation facilities, and meeting the special needs of disabled persons, at-risk youth, and senior citizens (source reference 40).

- a) The project would include development of a new neighborhood park within an infill site that would serve an existing residential community. Development of the new park would not result in population growth within the area or lead to an increase of the use of other existing parks or other recreational facilities; therefore, *no impacts would occur*.
- b) The project would include development of a new neighborhood park as well as off-site accessibility improvements. The development of new park facilities would have the potential to have adverse physical effects on the environment, as discussed in the resource sections in this document. Mitigation measures AQ-1 through AQ-4, BR-1 through BR-6, CR-1 through CR-5, and N-1 have been identified to reduce these potential impacts to less than significant. Therefore, potential impacts associated with the development of recreational facilities would be *less than significant with mitigation*.

Mitigation Measures

Implement measures AQ-1 through AQ-4, BR-1 through BR-6, CR-1 through CR-5, and N-1.

Conclusion

The project would not result in increased use of existing recreational facilities. The project includes development of new park facilities that would have the potential to result in adverse physical effects on the environment. Mitigation measures have been identified in the resource sections within this document that would reduce these potential impacts to less than significant. Therefore, upon implementation of the mitigation measures identified above, potential impacts associated with recreation would be less than significant.

17. TRANSPORTATION

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	1, 41	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

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

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

In 2013, SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

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

- a) Project construction activities would result in a temporary marginal increase of vehicle traffic to and from the project site. Upon completion of project construction, the new neighborhood park would not generate a substantial amount of new vehicle trips because it would serve the immediately surrounding residential neighborhoods and would include installation of new bike racks and accessible sidewalks to encourage pedestrian and bicycle access. No on-site parking is proposed. Therefore, the project would be generally consistent with City goals and policies associated with promoting alternative modes of transportation and development of accessible pedestrian infrastructure. The project would not result in a conflict with a program, plan, ordinance or policy addressing the circulation system; therefore, potential impacts would be *less than significant*.

- b) The City Council adopted revised thresholds of significance for analysis of transportation impacts pursuant to Senate Bill 743 on June 16th, 2020. The revised thresholds of significance replaced Level of Service (LOS) with Vehicle Miles Travelled (VMT) as the City's performance measure for CEQA analysis of transportation impacts.

Based on the size and scope of the project, construction vehicle trips would not result in a substantial number of vehicle trips, would likely utilize a local contractor, and would be temporary in nature. Upon completion of construction, the new neighborhood park would serve the existing surrounding residential neighborhoods and would include amenities to encourage alternative modes of transportation through provision of onsite bicycle racks, construction of new accessible sidewalks to access the site, and lack of on-site vehicle parking space. The project would provide park amenities in an area that is currently lacking them and would, therefore, reduce longer trips currently being made to other park facilities in the City. Therefore, the project would not result in a significant increase in VMT and potential impacts would be *less than significant*.

- c) The project includes construction of approximately 125 linear feet of new sidewalk, red painted curb, and gutter to allow for safe and adequate access to and from the project site. These components would be designed and constructed in compliance with applicable City Department of Public Works and Municipal Code requirements and would not result in hazards due to a geometric design feature or incompatible uses. In addition, the project would result in the removal of street parking leading up to the on- and off- ramps of US 101, potentially improving safety conditions at that location; therefore, potential impacts would be *less than significant*.
- d) The project includes construction of approximately 125 linear feet of new sidewalk with red painted curb to allow for adequate emergency vehicle access to and from the project site. These components would be designed and constructed in compliance with applicable City Fire Department and other local emergency access requirements and would not result in inadequate emergency access; therefore, potential impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project would not result in a conflict with local or regional circulation programs or policies and would be consistent with State CEQA Guidelines Section 15064.3(b) regarding VMT. Proposed improvements within the City right-of-way would be required to meet City Public Works safety design standards and would maintain adequate emergency access. Therefore, no potentially significant impacts related to transportation would occur and no mitigation is necessary.

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	16, 17	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	16, 17	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Evaluation

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

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

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

a-b) The City has sent AB 52 and SB 18 consultation invitation letters to local tribes in the area regarding the proposed project and received a response from Patti Dunton of the Salinan Tribe of San Luis Obispo and Monterey Counties requesting a Phase 1 archaeological survey be conducted. A response was also received from Fred Collins, Spokesperson for the Northern Chumash Tribal Council, who also requested a records search and Phase 1 survey be conducted. Copies of the records search and field survey results have been provided to both parties. Representatives from the Salinan Tribe and Santa Ynez Band of Mission Indians requested the presence of a Native American monitor during ground disturbance, and to be notified in the event of unanticipated discoveries. These measures have been included as mitigation requirements.

While no archaeological resources were observed during the field survey or identified by past surveys, the project area has moderate sensitivity for buried resources based on the site's proximity to Stenner Creek and Old Garden Creek, diminished surface visibility at the time of survey, and proximity to Mission San Luis Obispo de Tolosa and mid-late nineteenth century neighborhood development. The project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Mitigation Measures CR-1 through CR-5 have been identified to require preparation and implementation of an archeological monitoring plan, inclusion of a Native American monitor, cultural resource awareness training, and cessation of work if a discovery is made until a qualified archaeologist can assess the significance of the find. Therefore, potential impacts associated with tribal cultural resources would be *less than significant with mitigation*.

Mitigation Measures

Implement measures CR-1 through CR-5.

Conclusion

Upon implementation of mitigation measures CR-1 through CR-5, potential impacts to tribal cultural resources would be less than significant.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	1, 33, 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	1, 43	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	1, 43	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The City Utilities Department is the sole water provider within the city, provides potable and recycled water to the community, and is responsible for water supply, treatment, distribution, and resource planning. The City Water Resource Recovery Facility (WRRF) treats all of the wastewater from the city, Cal Poly, and the County airport. The facility treats 4.5 million gallons of wastewater per day, 365 days a year. The most recent upgrade to the WRRF was completed to improve the quality of water discharged into San Luis Obispo Creek (located downstream of the project site). The WRRF has very stringent discharge requirements and now produces a high-quality effluent that surpasses drinking water standards for many constituents. Plans to utilize a portion of this effluent to irrigate parks, median strips, landscaping, and other appropriate uses are being implemented under the City's Water Reuse Program.

The City currently has an exclusive franchise agreement with San Luis Garbage to provide solid waste and recycling services to the residents and businesses within the city. The nearest landfill to San Luis Obispo is Cold Canyon Landfill located approximately 4.1 miles from the city limits. Based on the facility detail provided by the California Department of Resources Recycling and Recovery, Cold Canyon Landfill has approximately 13,100,000 cubic yards of remaining capacity as of February 2020, which equates to approximately 54.8% of its maximum permitted capacity, and the facility is expected to accommodate the surrounding city and county customers' solid waste until approximately 2040.

- a) The project would include construction of a new connection to the City water system for the proposed water fountain/filling station, proposed irrigation, and the construction of new stormwater drainage facilities to connect to the existing City stormwater drainage system. The project is not within the City's Recycled Water Master Plan Area and therefore recycled water is not available for irrigation use. These new utility components would have the potential to result in noise and dust

emissions in proximity to sensitive receptor locations, such as single-family residences. There would also be the potential for discovery of sub-surface cultural resources during proposed utility work. Mitigation Measures AQ-1 through AQ-3, CR-1 through CR-5, and N-1 would reduce potentially significant environmental impacts resulting from installation and establishment of new utility connections associated with air quality, cultural resources, and noise to less than significant. Therefore, potential environmental impacts associated with construction or extension of existing utilities would be *less than significant with mitigation*.

- b, c) The project would not include provision of restrooms or other uses that would require connection to wastewater treatment service. The project would include construction of a new connection to the City water system for the proposed water fountain/filling station. The water fountain/filling station would be used intermittently by park visitors and would result in minimal water demand on City water resources. The project would be serviced by the City water system, which has four primary water sources, including the Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, and recycled water (for irrigation), with groundwater serving as a fifth supplemental source. The City of San Luis Obispo no longer draws groundwater for potable purposes as of 2015. The project is not within the City's Recycled Water Master Plan Area and therefore recycled water is not available for irrigation use. As of November 2019, both the Salinas Reservoir and Whale Rock Reservoir are above 85% storage capacity, and Nacimiento is at 45% storage capacity. Therefore, the project would have adequate water supplies during normal, dry, and multiple dry years and potential impacts would be *less than significant*.
- d) The project would include provision of solid waste and recycling receptacles that would be serviced by San Luis Garbage and brought to Cold Canyon Landfill. The Cold Canyon Landfill has approximately 13,100,000 cubic yards of remaining capacity as of February 2020 and is expected to reach capacity in 2040. Therefore, potential impacts would be *less than significant*.
- e) The proposed neighborhood park landscaping, solid waste collection, and recycling would be maintained in compliance with the standards set forth in the City's Development Standards for Solid Waste Services for trash, green waste, and recycling. Therefore, the project would be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste, and impacts would be *less than significant*.

Mitigation Measures

Implement measures AQ-1 through AQ-4, CR-1 through CR-5, and N-1.

Conclusion

Upon implementation of mitigation measures AQ-1 through AQ-4, CR-1 through CR-5, and N-1, potential impacts to utilities and service systems would be less than significant.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Evaluation

The project is located in an urban area within the City. Urban fire hazards result from the materials, size, and spacing of buildings, and from the materials, equipment, and activities they contain. Additional factors are access, available water volume and pressure, and response time for fire fighters. Based on the City Local Hazard Mitigation Plan, the risk of wildland fires is greatest near the City limits where development meets rural areas of combustible vegetation. Most of the community is within one mile of a designated High or Very High Fire Hazard Severity Zone which indicates significant risk to wildland fire. The City Safety Element identifies four policies to address the potential hazards associated with wildfire, included approving development only when adequate fire suppression services and facilities are available, classification of Wildland fire hazard severity zones as prescribed by CAL FIRE, prohibition of new subdivisions located within "Very High" wildland fire hazard severity zones, and continuation of enhancement of fire safety and construction codes for buildings.

- a) Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation; therefore, the project would not substantially impair an adopted emergency response plan or evacuation plan and impacts would be *less than significant*.
- b) The project development site currently consists of a relatively flat area with community garden plots and a variety of native and non-native trees and vegetation. The project would result in grading, tree and vegetation removal, tree and vegetation planting, and installation of park amenities including play structures, picnic tables, and garden beds. The project would not result in any major changes to the existing topography or removal of any significant natural wind barriers. Limited quantities of flammable materials would be used on-site during project grading and construction activities. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of flammable materials, including response and clean-up requirements for any minor spills. Therefore, based on proposed project activities and compliance with applicable standards, potential impacts associated with exacerbation of wildfire risks and exposure of project occupants to pollutant concentrations from a wildfire would be *less than significant*.
- c) The project would require a new connection to City water services within the City public right-of-way. No new electrical or other utility connections would be required. The new connection to City water services would be installed in full compliance with applicable CBC and City Fire Department standards; therefore, potential impacts associated with exacerbation of fire risk from installation of new infrastructure would be *less than significant*.
- d) The project would not result in any major changes to the existing site topography or drainage patterns. Based on the Ground Shaking and Landslide Hazards Map in the City Safety Element, the project site is located within an area with low landslide potential. Therefore, the project would not result in exposure of people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes and potential impacts would be *less than significant*.

Mitigation Measures

None necessary.

Conclusion

The project would not result in potentially significant impacts associated with wildfire; therefore, no mitigation is necessary.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Sources	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The project would have the potential to adversely affect special-status wildlife species and their habitats, as described in Section 4. Biological Resources, above. Mitigation measures BR-1 through BR-6 have been identified to avoid and reduce these potential impacts to less than significant levels.</p> <p>The project would have the potential to impact previously undiscovered sub-surface cultural resources that may be present within proposed disturbance areas. Mitigation measures CR-1 through CR-5 have been identified to require preparation and implementation of an Archaeological Monitoring Plan, construction worker awareness training, and notification protocols for incidental discovery of cultural resources to avoid potentially significant impacts.</p> <p>With implementation of the recommended mitigation measures, potential impacts would be <i>less than significant with mitigation</i>.</p>					
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>When project impacts are considered along with or in combination with other reasonably foreseeable impacts, the project's potential cumulative impacts may be significant. Mitigation measures have been identified in the resource sections above to reduce project-related impacts to a less-than-significant level. Based on implementation of identified project-specific mitigation measures and the relatively limited number and extent of potential impacts, the cumulative effects of the proposed project would not be cumulatively considerable and would be <i>less than significant with mitigation</i>.</p>					
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The project has the potential to result in significant impacts associated with air quality and noise that could result in substantial adverse effects on human beings. Mitigation measures have been identified to reduce these potential impacts to less than significant, including, but not limited to, standard idling restrictions, dust control measures, and implementation noise control measures. With incorporation of mitigation measures identified in this Initial Study, potential environmental effects of the project</p>					

would not directly or indirectly result in any substantial adverse effects on human beings and this impact would be *less than significant with mitigation*.

22. EARLIER ANALYSES

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

23. SOURCE REFERENCES

1.	North Broad Street Neighborhood Park Project Plans, December 2019
2.	City of San Luis Obispo Conservation & Open Space Element, 2006.
3.	California Scenic Highways Map Viewer, February 2017. Available at: https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a .
4.	City of San Luis Obispo Community Design Guidelines, June 2010
5.	City of San Luis Obispo Zoning Regulations, March 2019
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Attachments

1. Proposed Project Plans
2. Air Quality & Greenhouse Gas Impact Assessment for the Proposed N. Broad Street Neighborhood Park Project, San Luis Obispo, CA. Ambient Air Quality and Noise Consulting. June 2020.
3. Biological Resources Technical Memorandum for the North Broad Park and Rezone Project, SWCA Environmental Consultants. 2020.

Attachments are available online at: <https://www.slocity.org/government/departments-directory/community-development/documents-online/environmental-review-documents/-folder-2135>

REQUIRED MITIGATION AND MONITORING PROGRAMS

Air Quality

AQ-1 The following measures shall be implemented to minimize construction-generated emissions. These measures shall be shown on grading and building plans:

- a. Construction of the proposed project shall use low-VOC content paints not exceeding 50 grams per liter.
- b. To the extent locally available, prefinished building materials or materials that do not require the application of architectural coatings shall be used.
- c. Reduce the amount of the disturbed area where possible.
- d. Use water trucks, APCD approved dust suppressants (see Section 4.3 in the CEQA Air Quality Handbook), or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the District'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 since water use is a concern due to drought conditions, 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. For a list of suppressants, see Section 4.3 of the CEQA Air Quality Handbook.
- e. All dirt stock-pile areas should be sprayed daily as needed.
- f. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- g. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
- h. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.
- i. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- j. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- k. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- l. Install wheel washers at the construction site entrance, wash off the tires or tracks of all trucks and equipment leaving the site, or implement other SLOAPCD-approved methods sufficient to minimize the track-out of soil onto paved roadways.
- m. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

- n. The burning of vegetative material shall be prohibited. Effective February 25, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County. If you have any questions regarding these requirements, contact the SLOAPCD Engineering & Compliance Division at (805) 781-5912.
- o. 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. The name and telephone number of such persons shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork or demolition.
- p. When applicable, portable equipment, 50 horsepower (hp) or greater, used during construction activities shall be registered with the California statewide portable equipment registration program (issued by the California Air Resources Board) or be permitted by the APCD. Such equipment may include: power screens, conveyors, internal combustion engines, crushers, portable generators, tub grinders, trammel screens, and portable plants (e.g., aggregate plant, asphalt plant, concrete plant). For more information, contact the SLOAPCD Engineering & Compliance Division at (805) 781-5912.

AQ-2 The following measures shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- a. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
- b. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
- c. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- d. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- e. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- f. 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;
- g. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
- h. Electrify equipment when possible;
- i. Substitute gasoline-powered in place of diesel-powered equipment, when available; and,
- j. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-3 Prior to any grading activities a geologic evaluation shall be conducted to determine if naturally-occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the SLOAPCD. If NOA is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM. These requirements may include but are not limited to:

- a. Development of an Asbestos Dust Mitigation Plan which must be approved by the SLOAPCD before operations begin, and,
- b. Development and approval of an Asbestos Health and Safety Program (required for some projects).

If NOA is not present, an exemption request must be filed with the SLOAPCD. More information on NOA can be found at <http://www.slocleanair.org/rules-regulations/asbestos/nea.php>.

AQ-4 An odor-control plan shall be prepared for the project. The plan shall incorporate odor management practices to reduce odor-generation potential associated with onsite composting activities. Such practices shall include, but are not limited to, the following:

- a. Composting materials shall be turned on a frequent basis sufficient to maintain proper aeration.
- b. Moisture content of the composting materials shall be monitored to ensure consistent/proper moisture content.
- c. Ensure composting materials maintain an adequate mix of brown (e.g., paper) and green material.

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

Biological Resources

BR-1 If tree removal or site disturbance is necessary during the fall and winter monarch butterfly migration (late October through February), a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on-site for overwintering. If monarch butterflies are detected in the work area or within 300 feet of the work area, tree removal shall be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on or within 300 feet of the site for overwintering.

BR-2 Vegetation removal shall be scheduled to occur outside the nesting bird season (February 15 to September 15), if feasible. If vegetation removal occurs between February 15 and September 15, the City shall retain a qualified biologist to conduct a nesting bird survey no more than 2 weeks prior to disturbance to determine presence/absence of nesting birds within the disturbance area. If active nests are observed, vegetation removal shall be avoided within 100 feet of active passerine nests and 300 feet of active raptor nests until young birds have fledged and left the nest. The nests shall be monitored weekly by a biologist with experience with nesting birds. The buffer may be reduced if deemed appropriate by the biologist. If any federally or state-listed bird species or California fully protected bird species are observed nesting in or near the project area, the biologist and the City of San Luis Obispo shall coordinate with the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife before any disturbances occur within 500 feet of the nest.

Readily visible exclusion zones will be established in areas where nests must be avoided. The City of San Luis Obispo shall be contacted if any federally or state-listed bird species are observed during surveys. Bird nests, eggs, or young covered by the Migratory Bird Treaty Act and California Fish and Game Code shall not be moved or disturbed until the end of the nesting season or until young fledge, nor will adult birds be killed, injured, or harassed at any time. Pursuant to California Fish and Game Code Section 3503.5, nests of raptors (owls, hawks, falcons, eagles) shall not be removed prior to coordination with and approval from the California Department of Fish and Wildlife.

BR-3 The City of San Luis Obispo shall retain a biologist to conduct roosting bat surveys prior to any tree removal. Pre-disturbance surveys for bats shall include one daytime and one dusk survey no more than 30 days prior to the tree removal to determine if bats are roosting in the trees. The biologist(s) conducting the preconstruction surveys shall identify the nature of the bat utilization of the area (i.e., no roosting, night roost, day roost, maternity roost). If bats are found to be roosting in the trees to be removed, the City of San Luis Obispo shall delay the tree removal until the bats have left the area.

BR-4 Removal of the 40-inch diameter at breast height Monterey cypress tree located at the top-of-bank of Old Garden Creek shall be avoided, if feasible. If removal cannot feasibly be avoided, the City shall pursue a Streambed Alteration Agreement with CDFW prior to removing the tree. The following avoidance and minimization measures are anticipated to be included in the Streambed Alteration Agreement and are therefore incorporated into the proposed project per CEQA. Should any of these measures conflict with the Streambed Alteration Agreement, the Streambed Alteration Agreement shall take precedence over these measures. If any of the following measures are not included in the Streambed Alteration Agreement, the measures will be required in addition to the measures provided in the Streambed Alteration Agreement.

- Tree and vegetation removal from within the top-of-bank shall be prohibited during rain or within 24 hours following significant rainfall. Significant rainfall is defined as rainfall totaling one-half inch (0.5-inch) of rain in any 24-hour period.
- All vegetation removal within the top-of-bank shall be conducted during daylight hours.
- Prior to vegetation removal from within the top-of-bank, the City shall identify the limits of access routes and encroachment into the riparian area to the minimum disturbance required to conduct the vegetation removal. The “work area limits” shall be clearly marked in the field with highly visible flagging or fencing. The flagging or fencing shall be maintained in good repair for the duration of activities occurring in the top-of-bank. All areas beyond the identified work area limits shall be considered Environmentally Sensitive Areas (ESA) and shall not be disturbed.
- The aquatic areas within the creeks shall be avoided. Project activities within the aquatic portions of the creeks are prohibited. No work within the channel of the creek shall occur.
- Prior to construction, a qualified biologist shall conduct training sessions to familiarize all construction personnel with the project conditions, limits of disturbance, special-status species with potential to occur in the work areas, general provisions and protections afforded by the state and federal endangered species acts, the Clean Water Act, Porter Cologne Water Quality Act, and California Fish and Game Code.
- The disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project and shall only occur with the defined work areas. The disturbed portions of the stream bank shall be restored to as near their original condition as possible.
- Prior to initiation of project activities, all trees to be cut or removed shall be clearly identified and marked to avoid accidentally removing trees that should be avoided.
- The City shall document the number and species of all riparian woody-stemmed plants in excess of four (4) inches DBH that are cut, removed, or damaged during project activities within the top-of-bank. Riparian trees and shrubs with a DBH of four inches or greater that are damaged or removed shall be replaced by replanting appropriate native species at a 3:1 ratio (replaced to lost). The replacement trees/shrubs shall be maintained by the City for three years to ensure survival. If any of the replacement trees are lost, the lost trees shall be replaced.
- Staging and storage areas for equipment, materials, fuels, lubricant, and solvents shall be located at least 50-feet from the top-of-bank. All fueling and maintenance of vehicles or other equipment shall be prohibited outside of the designated staging and storage areas.
- Upon completion of construction, all disturbed soils shall be stabilized using generally-accepted erosion and sediment control practices such as crimped straw and seeds, jute netting, or other appropriate measures. If any mats or netting are used, said mats or netting shall contain only natural fiber materials. Nylon or other synthetic materials shall not be used in mats or netting. All disturbed areas shall be revegetated with riparian or upland vegetation, as appropriate.

- All Project-generated debris, building materials, and rubbish shall be removed from the stream and from areas where such materials could be washed into the stream.

BR-5 Prior to any ground disturbing activities, adequate protection measures (e.g., sturdy fencing), shall be installed to protect those trees identified on the final site plans to remain unharmed as well as to minimize impacts for those trees identified as being impacted. Protection measures shall remain in good working order during construction.

BR-6 Prior to approval of construction permits, to minimize potential sedimentation within Old Garden Creek and Stenner Creek, a sedimentation and erosion control plan shall be prepared that incorporates adequate best management practices to minimize the amount of sediment that would be deposited in Old Garden Creek and Stenner Creek. At a minimum, straw wattles (or comparably effective devices) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. During construction/improvements, the applicant shall check and maintain these measures regularly and after all larger storm events. All necessary remedial work and/or repairs shall be done immediately after the need for such work is identified.

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

Cultural Resources

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

- a. A list of personnel involved in the monitoring activities;
- b. Description of Native American involvement;
- c. Description of how the monitoring shall occur;
- d. Description of location and frequency of monitoring (e.g., full time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the halting of work at the project site;
- g. Description of procedures for halting work on the site and notification procedures;
- h. Description of monitoring reporting procedures;
- i. Description of notification of local Native American tribes in the event of a discovery; and
- j. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.

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

CR-3 Prior to initial ground disturbance activities, the City-approved archaeologist shall conduct a brief construction worker awareness training for all construction personnel, pursuant to the approved Archaeological Monitoring Plan. This training shall include, but not be limited to, the following information:

- a. A detailed description of the potential types of archaeological resources that could be encountered during project excavations;
- b. The relevant environmental laws and penalties;
- c. Best management practices;
- d. Responsibilities of project personnel; and

- e. Who to contact in the event of an inadvertent discovery, inclusive of local Native American tribes.

CR-4 In the event that historical or archaeological remains are discovered during earth-disturbing activities associated with the project, an immediate halt work order shall be issued and the City Project Manager and Community Development Director shall be notified. A qualified archaeologist shall conduct an assessment of the resources and formulate proper mitigation measures, if necessary. After the find has been appropriately mitigated, work in the area may resume.

CR-5 In the event that human remains are exposed during earth-disturbing activities associated with the project, an immediate halt work order shall be issued and the City Project Manager and City Community Development Director shall be notified. State Health and Safety Code Section 7050.5 requires that no further disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission within 24 hours. These requirements shall be noted on the project's construction plans.

Monitoring Program: These conditions shall be noted on all grading and construction plans. The City Community Development Department shall verify compliance, including preparation and implementation of the Monitoring Plan, and review and approval of cultural resources monitoring reports documenting compliance with required mitigation measures.

Noise

N-1 Prior to issuance of construction permits, the following measures shall be noted on all plans and implemented throughout the construction period:

- a. All construction equipment shall have the manufacturers' recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
- b. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise-control devices (e.g., mufflers, shrouding, etc.).

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

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