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PORT SAN LUIS HARBOR TERRACE DEVELOPMENT PLAN

ENVIRONMENTAL IMPACT REPORT

SCH #2014031024

Port San Luis Harbor Terrace Development Plan

Final
Environmental Impact Report
SCH No. 2014031024

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TABLE OF CONTENTS

Executive Summary ES-1
A. Purpose of the EIR ES-1
B. Project Location ES-1
C. Project Background ES-4
1. History of Harbor Terrace ES-4
2. Port San Luis Harbor District Master Plan ES-4
3. San Luis Bay Coastal Area – Goals & Policies for the Harbor Terrace Planning Sub-Area ES-4
4. San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub-Area ES-5
D. Project Objectives ES-9
E. Project Description ES-10
1. Landscaping ES-13
2. Site Preparation ES-15
3. Water and Wastewater ES-15
4. Access and Fire Safety ES-16
F. Scoping and Notice of Preparation Process ES-16
G. Significant Environmental Impacts Identified ES-21
H. Project Alternatives ES-22
1. No Project Alternative ES-23
2. Reduced Project Alternative ES-23
I. Environmentally Superior Alternative ES-23
CHAPTER 1 Introduction 1-1
1.1 Purpose of the EIR 1-1
1.2 Scoping and Notice of Preparation Process 1-1
1.3 EIR Contents 1-2
1.4 Project Sponsors 1-3
1.5 Review of the Draft EIR 1-3
1.6 Commonly Used Acronyms 1-4
CHAPTER 2 Project Description 2-1
2.1 Project Location 2-1
2.2 Project Background 2-1
2.2.1 History of Harbor Terrace 2-1
2.2.2 Port San Luis Harbor District Master Plan 2-4
2.3 Project Objectives 2-9
2.4 Project Components 2-10
2.4.1 Landscaping 2-13
2.4.2 Site Preparation 2-15
2.4.3 Water and Wastewater 2-15
2.4.4 Access and Fire Safety 2-16
2.5 Intended Uses of the EIR 2-16
2.5.1 Required Agency Actions and Permits 2-16

CHAPTER 3 Environmental Setting 3-1
3.1 Physical Setting and Existing Land Uses 3-1
3.2 Surrounding Land Uses 3-1
3.3 Consistency with Land Use Plans and Policies 3-4
3.3.1 Overview 3-4
3.4 Cumulative Study Area 3-74
3.3.1 CEQA Requirements 3-74
3.5 Cumulative Development Scenario 3-75
CHAPTER 4 Environmental Impacts Analysis 4-1
4.1 Aesthetic Resources 4.1-1
4.1.1 Existing Conditions 4.1-1
4.1.2 Regulatory Setting 4.1-3
4.1.3 Thresholds of Significance 4.1-8
4.1.4 Impact Assessment and Methodology 4.1-8
4.1.5 Project-specific Impacts and Mitigation Measures 4.1-18
4.1.6 Cumulative Impacts 4.1-23
4.2 Air Quality 4.2-1
4.2.1 Existing Conditions 4.2-1
4.2.2 Regulatory Setting 4.2-4
4.2.3 Thresholds of Significance 4.2-5
4.2.4 Impact Assessment and Methodology 4.2-10
4.2.5 Project-specific Impacts and Mitigation Measures 4.2-11
4.2.6 Cumulative Impacts 4.2-21
4.3 Biological Resources 4.3-1
4.3.1 Existing Conditions 4.3-1
4.3.2 Regulatory Setting 4.3-16
4.3.3 Thresholds of Significance 4.3-24
4.3.4 Impact Assessment and Methodology 4.3-25
4.3.5 Project-specific Impacts and Mitigation Measures 4.3-25
4.3.6 Cumulative Impacts 4.3-34
4.4 Cultural Resources 4.4-1
4.4.1 Existing Conditions 4.4-1
4.4.2 Regulatory Setting 4.4-5
4.4.3 Thresholds of Significance 4.4-8
4.4.4 Impact Assessment and Methodology 4.4-8
4.4.5 Project-specific Impacts and Mitigation Measures 4.4-9
4.4.6 Cumulative Impacts 4.4-11
4.5 Geology and Soils 4.5-1
4.5.1 Existing Conditions 4.5-1
4.5.2 Geologic Hazards 4.5-9
4.5.3 Seismic Hazards 4.5-11
4.5.4 Mineral Resources 4.5-14
4.5.5 Regulatory Setting 4.5-14
4.5.6 Thresholds of Significance 4.5-21
4.5.7 Impact Assessment and Methodology 4.5-22
4.5.8 Project-specific Impacts and Mitigation Measures 4.5-22
4.5.9 Cumulative Impacts 4.5-36

4.6 Greenhouse Gas Emissions and Climate Change 4.6-1
4.6.1 Existing Conditions 4.6-1
4.6.2 Regulatory Setting 4.6-4
4.6.3 Thresholds of Significance 4.6-8
4.6.4 Impact Assessment and Methodology 4.6-9
4.6.5 Project-specific Impacts and Mitigation Measures 4.6-9
4.6.6 Cumulative Impacts 4.6-12
4.7 Hazards and Hazardous Materials 4.7-1
4.7.1 Existing Conditions 4.7-1
4.7.2 Regulatory Setting 4.7-5
4.7.3 Thresholds of Significance 4.7-9
4.7.4 Impact Assessment and Methodology 4.7-9
4.7.5 Project-specific Impacts and Mitigation Measures 4.7-9
4.7.6 Cumulative Impacts 4.7-13
4.8 Hydrology and Water Quality 4.8-1
4.8.1 Existing Conditions 4.8-1
4.8.2 Regulatory Setting 4.8-9
4.8.3 Thresholds of Significance 4.8-15
4.8.4 Impact Assessment and Methodology 4.8-15
4.8.5 Project-specific Impacts and Mitigation Measures 4.8-16
4.8.6 Cumulative Impacts 4.8-23
4.9 Noise 4.9-1
4.9.1 Existing Conditions 4.9-1
4.9.2 Regulatory Setting 4.9-2
4.9.3 Thresholds of Significance 4.9-4
4.9.4 Impact Assessment and Methodology 4.9-6
4.9.5 Project-specific Impacts and Mitigation Measures 4.9-7
4.9.6 Cumulative Impacts 4.9-11
4.10 Public Services, Utilities, and Service Systems 4.10-1
4.10.1 Existing Conditions 4.10-1
4.10.2 Regulatory Setting 4.10-7
4.10.3 Thresholds of Significance 4.10-13
4.10.4 Impact Assessment and Methodology 4.10-14
4.10.5 Project-specific Impacts and Mitigation Measures 4.10-14
4.10.6 Cumulative Impacts 4.10-17
4.11 Transportation and Traffic 4.11-1
4.11.1 Existing Conditions 4.11-1
4.11.2 Regulatory Setting 4.11-6
4.11.3 Thresholds of Significance 4.11-10
4.11.4 Impact Assessment and Methodology 4.11-12
4.11.5 Project-specific Impacts and Mitigation Measures 4.11-13
4.11.6 Cumulative Impacts 4.11-19
4.12 Issue Areas with Less than Significant Impacts 4.12-1
4.12.1 Agricultural Resources 4.12-1
4.12.2 Population and Housing 4.12-5
4.12.3 Recreation 4.12-6

CHAPTER 5 Alternatives Analysis 5-1
5.1 Introduction 5-1
5.2 Alternatives Selection 5-1
5.2.1 Project Objectives 5-2
5.2.2 San Luis Bay Coastal Area Plan 5-2
5.2.3 Significant Impacts Resulting from the Proposed Project 5-5
5.3 Alternatives Analysis 5-6
5.4 Alternatives Impacts Analysis 5-6
5.4.1 No Project Alternative 5-6
5.4.2 Reduced Project Alternative 5-8
5.5 Environmentally Superior Alternative 5-9
CHAPTER 6 Other CEQA Considerations 6-1
6.1 Growth Inducing Impacts 6-1
6.1.1 Removal of an Impedment to Growth 6-1
6.1.2 Economic Growth 6-1
6.1.3 Precedent-Setting Action 6-2
6.1.4 Development of Open Space 6-2
6.2 Significant Irreversible Environmental Changes 6-2
6.2.1 Energy Conservation 6-2
CHAPTER 7 Mitigation Monitoring and Reporting Program 7-1
7.1 Statutory Requirement 7-1
7.2 Administration of the Mitigation Monitoring and Reporting Program 7-1
7.3 Mitigation Measures and Monitoring Program 7-1
CHAPTER 8 References and Report Preparation 8-1
8.1 References 8-1
8.1.1 Aesthetic Resources 8-2
8.1.2 Air Quality 8-2
8.1-3 Biological Resources 8-3
8.1.4 Cultural Resources 8-3
8.1.5 Geology and Soils 8-4
8.1.6 Greenhouse Gas Emissions and Climate Change 8-4
8.1.7 Hazards and Hazardous Materials 8-5
8.1.8 Hydrology and Water Quality 8-6
8.1.9 Noise 8-6
8.1.10 Public Services, Utilities, and Service Systems 8-7
8.1.11 Transportation and Traffic 8-7
8.1.12 Issue Areas with Less than Significant Impacts 8-8
8.2 List of Preparers 8-9
CHAPTER 9 Response To Comments 9-1
9.1 Agency Comment Letters and Responses 9-1
9.1.1 Response to Letter from State Clearinghouse 9-4
9.1.2 Response to Letter from Federal Emergency Management Agency 9-7
9.1.3 Response to Letter from County of San Luis Obispo Department of Planning and Building 9-13
9.1.4 Response to Letter from San Luis Obispo Council of Governments 9-17
9.1.5 Response to Letter from San Luis Obispo County Air Pollution Control District 9-20

9.1.6 Response to Letter from California Coastal Commission 9-28
9.2 Non-Agency Organizations Comment Letters and Responses 9-44
9.1.7 Response to Letter from yak tityu tityu – Northern Chumash Tribe 9-47
9.1.8 Response to Letter from Northern Chumash Tribal Council 9-49
9.1.9 Response to Letter from Dave Abrecht 9-51
9.1.10 Response to Letter from Avila Valley Advisory Council 9-66
9.1.11 Response to Letter from San Luis Obispo Coastkeeper 9-81
9.1.12 Response to Letter from Sierra Club 9-83
9.1.13 Response to Letter from San Luis Obispo County Bicycle Coalition 9-87
9.3 Public Comments 9-89
9.1.1 Response to Letter from Eric Meyer 9-92
9.1.2 Response to Letter from Carolyn Moffatt 9-95

LIST OF TABLES

Table ES-1. Project Components and Amenities ES-10
Table ES-2. Preliminary Plant Species List ES-13
Table ES-3. Summary of Impacts and Mitigation Measures ES-26

Table 1-1. Commonly Used Acronyms 1-4

Table 2-1. Project Components and Amenities 2-10
Table 2-2. Preliminary Plant Species List 2-13
Table 2-3. Agency Permit Requirements 2-16

Table 3-1. Consistency with Plans and Policies 3-8
Table 3-2. Cumulative Projects List 3-75

Table 4-1. Summary of Environmental Impacts Analysis 4-1

Table 4.2-1. San Luis Obispo County Attainment Status 4.2-3
Table 4.2-2. Thresholds of Significance for Construction Emissions 4.2-6
Table 4.2-3. Thresholds of Significance for Operational Emissions 4.2-8
Table 4.2-4. Construction Emissions (Unmitigated) 4.2-11
Table 4.2-5. Construction Emissions (After Application of Standard Mitigation Measures) 4.2-12
Table 4.2-6. Operational Emissions (Unmitigated) 4.2-18
Table 4.2-7. Operational Emissions (Mitigated) 4.2-19

Table 4.3-1. Special-Status Plant Species Evaluated for Potential Occurrence 4.3-10
Table 4.3-2. Special-status Wildlife Species Investigated for Potential Occurrence 4.3-14
Table 4.3-3. Summary of Temporary and Permanent Impacts to Habitat 4.3-25
Table 4.3-4. Detailed Temporary and Permanent Impacts Based on Use Area (acres) 4.3-26

Table 4.8-1. Existing Site Peak Discharges 4.8-5
Table 4.8-2. Proposed Project Peak Discharges 4.8-17
Table 4.8-3. Rain Garden Sizing Summary 4.8-20

Table 4.9-1. Noise Levels Due to Traffic 4.9-2
Table 4.9-2. Land Use Compatibility for New Development Near Transportation Sources 4.9-4
Table 4.9-3. Transportation Source Noise Exposure Guidelines 4.9-5
Table 4.9-4. Maximum Allowable Noise Exposure Stationary Noise Sources 4.9-5
Table 4.9-5. Estimated Noise Levels from Construction 4.9-10

Table 4.10-1. Wastewater Treatment Plant Flow Summary 4.10-4
Table 4.10-2. San Luis Obispo County Solid Waste Disposal Facilities 4.10-5
Table 4.10-3. School Capacity, Enrollment, and Recommended Level of Severity 4.10-5
Table 4.10-4. San Luis Obispo County Electricity Consumption 4.10-6
Table 4.10-5. PG&E Planning Area Electricity Consumption (Millions of kWh) 4.10-6
Table 4.10-6. Projected Wastewater Generation 4.10-16
Table 4.10-7. Projected Water Demand 4.10-16
Table 4.10-8. Projected Cumulative Wastewater Generation Port San Luis Master Plan 4.10-17
Table 4.10-9. Projected Cumulative Wastewater Generation 4.10-18
Table 4.10-10. Projected Future Water Demand Port San Luis Buildout 4.10-18

Table 4.11-1. Intersection Level of Service Thresholds 4.11-2
Table 4.11-2. Existing PM Peak Hour Level of Service 4.11-4
Table 4.11-3. Existing PM Peak Hour 95th Percentile Queues 4.11-5
Table 4.11-4. Segment Level of Service Thresholds 4.11-11
Table 4.11-5. Project Trip Generation 4.11-13
Table 4.11-6. Existing and Existing Plus Project Peak Hour Level of Service 4.11-15
Table 4.11-7. Cumulative and Cumulative Plus Project Peak Hour LOS 4.11-20

Table 7-1. Mitigation Monitoring and Reporting Program 7-2
Table 7-2. Port Master Plan Final EIR Summary of Impacts and Mitigation Measures (previously adopted) 7-40

LIST OF FIGURES

Figure ES-1. Vicinity Map ES-2
Figure ES-2. Location Map ES-3
Figure ES-3. Site Layout Plan ES-12
Figure ES-4. Preliminary Landscape Plan ES-14
Figure ES-5. Conceptual Grading Plan ES-17
Figure ES-6. Conceptual Drainage Plan ES-18
Figure ES-7. Conceptual Utility Plan ES-19
Figure ES-8. Fire Safety Plan ES-20

Figure 2-1. Vicinity Map 2-2
Figure 2-2. Location Map 2-3
Figure 2-3. Site Layout Plan 2-12
Figure 2-4. Preliminary Landscape Plan 2-14
Figure 2-5. Conceptual Grading Plan 2-17
Figure 2-6. Conceptual Drainage Plan 2-18
Figure 2-7. Conceptual Utility Plan 2-19
Figure 2-8. Fire Safety Plan 2-20

Figure 3 1. Land Use Category Map 3-2
Figure 3 2. Combining Designation Map 3-3
Figure 3 3. Cumulative Development Scenario Location Map 3-79

Figure 4.1-1. Key Viewpoints 4.1-11
Figure 4.1-2. Existing Visual Conditions Key Viewpoint 1 ..... 4.1-12
Figure 4.1-3. Photo-simulation of Proposed Project Key Viewpoint 1 ..... 4.1-13
Figure 4.1-4. Existing Visual Conditions Key Viewpoint 2 ..... 4.1-14
Figure 4.1-5. Photo-simulation of Proposed Project Key Viewpoint 2 ..... 4.1-15
Figure 4.1-6. Existing Visual Conditions Key Viewpoint 3 ..... 4.1-16
Figure 4.1-7. Photo-simulation of Proposed Project Key Viewpoint 3 ..... 4.1-17

Figure 4.2-1. Ambient Air Monitoring Stations 4.2-2

Figure 4.3-1. Habitat Map 4.3-7
Figure 4.3-2. Habitat Map with Project Overlay 4.3-27

Figure 4.5-1. Geologic Map 4.5-3
Figure 4.5-2. Soils Map 4.5-5

Figure 4.8-1. 100-year Flood Zone 4.8-3
Figure 4.8-2. Existing Watersheds 4.8-7

Figure 4.10-1. Public Services Map 4.10-2

Figure 4.12-1. Important Soils Map 4.12-2
Figure 4.12-2. Important Farmland Map 4.12-3
Figure 4.12-3. Recreational Resources Map 4.12-8

LIST OF APPENDICES

Appendix A: Notice of Preparation for the Draft Environmental Impact Report and Comment Letters

Appendix B: 2003 Port Master Plan Final EIR Mitigation Measures

Appendix C: Air Quality and Greenhouse Gas Emissions Background Information

Appendix D: Biological Resources Background Information

Appendix E: Geology and Soils Background Information

Appendix F: Hydrology and Water Quality Background Information

Appendix G: Transportation and Traffic Background Information

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EXECUTIVE SUMMARY

A. PURPOSE OF THE EIR

The Port San Luis Harbor District (Harbor District) and the State Coastal Conservancy (Conservancy) proposes a development plan for the Port San Luis Harbor Terrace Campground. The development plan includes site plan and preliminary grading and drainage plan details, and guidelines and parameters for future development and construction-level design of the site consistent with the San Luis Bay Coastal Area Plan Harbor Terrace Planning Area Standards and Port San Luis Harbor District Master Plan (Port Master Plan) (RRM Design Group 2004). The Certified Final Program Environmental Impact Report (EIR) for the Port Master Plan (Crawford, Multari, & Clark Associates [CMCA] 2004) included a programmatic-level assessment of future development on the project site. The plans for the proposed project include elements that are generally at a lower intensity level than the elements addressed in the Final Program EIR (i.e., fewer recreational vehicle [RV] and hotel/motel sites). This project-specific EIR tiers off the Port Master Plan Final Program EIR. Relevant impact analysis and information presented in the Final Program EIR is incorporated by reference, and all mitigation measures applicable to the project site are included. This EIR will be used by the Harbor District to consider approval of the project or an identified alternative. This EIR will also be used by the County of San Luis Obispo (County) during review and consideration of a Coastal Development Permit application and subsequent grading and construction permits.

B. PROJECT LOCATION

The project is located west of the unincorporated community of Avila Beach, on the north side of Avila Beach Drive, immediately east of Diablo Canyon Road, in San Luis Obispo County, California. The project is within the San Luis Bay Coastal Area Plan Area. The 32-acre project site consisted of six parcels: Assessor Parcel Numbers (APNs) 076-172-002 (approximately 19-acre portion of a 21-acre parcel), 076-172-010 (1.77 acres), 076-172-019 (5.72 acres), 076-172-022 (0.16 acre), 076-171-018 (approximately 1.0-acre portion of a 390.83-acre parcel), and 076-171-021 (approximately 4-acre portion of a 508.25-acre parcel). Consistent with the Local Coastal Plan (LCP) and approval by the County Subdivision Review Board and the Public Utilities Commission (PUC), the District now owns the subject property in fee, and is awaiting assignment of a single APN for the new, single, undivided, 32-acre parcel (hereafter referred to as the project site). The project also proposes an approximately 0.7-acre access use agreement ~~easement~~ on APN 076-171-021, improvements to the Babe Lane approach, and offsite crosswalks, resulting in a total project area of approximately 34 acres.

Refer to Figures ES-1 and ES-2, Project Vicinity and Project Location, below.

Figure ES-1. Vicinity Map



Figure ES-2. Location Map



C. PROJECT BACKGROUND

1. History of Harbor Terrace

The project site and surrounding areas comprise lands once owned by the Marre family. Originally, Harbor Terrace consisted of rolling hills that sloped in a southerly direction. Union Oil Company graded the site in the 1930s for the storage of crude oil in aboveground oil storage tanks. In 1973, the site was graded for the proposed Port San Luis Marina Village, a project that was never completed. The Harbor District purchased 23 acres of the site with funding from the State Department of Boating and Waterways in 1976 to develop uses that could generate additional revenues for the Harbor District and provide needed land for harbor facilities. In 1980, 6 acres were added through a long-term lease agreement. After acquiring additional leases, the site became approximately 32 acres (RRM Design Group 2004) and is now owned in fee by the Harbor District.

Historic use of the site included the Port San Luis Trailer Park, which occupied approximately three acres off Babe Lane, and consisted of 41 spaces. In June 2012, the Harbor Commission adopted a resolution directing the Harbor District to close the Port San Luis Trailer Park. At the time, eight of the 41 spaces were occupied by travel trailers or mobile homes (Overland Pacific & Cutler, Inc. 2012). The Harbor District subsequently adopted a Closure and Impact Report and Relocation Plan, and consistent with the Report and Plan, the trailer park has been closed and trailers and mobile homes removed. The Harbor District has used the remainder of the site for commercial and recreational boat and fishing gear storage, RV camping and Harbor District storage of materials and equipment. Efforts to develop the project site in the 1990's led to an update of the Port Master Plan and a LCP amendment incorporating the features now reflected in the current project.

2. Port San Luis Harbor District Master Plan

The Harbor Terrace site was included in the Port Master Plan (RRM Design Group 2004) and was evaluated in the Port Master Plan Final Program EIR (CMCA 2004). Following approval of the Port Master Plan, mitigation measures adopted in the Port Master Plan Final Program EIR were incorporated as goals, policies, and planning area standards in the County's San Luis Bay Coastal Area Plan Land Use Element of the County's LCP (County of San Luis Obispo 2009).

The Harbor Terrace project is required to comply with the San Luis Bay Coastal Area Plan in its entirety so as to not require an amendment to this County's General Plan and LCP. The project site is identified as the "Harbor Terrace Planning Sub-Area" in the San Luis Bay Coastal Area Plan. The following paragraphs summarize existing goals and policies which apply to the site, and the manner in which the proposed project complies.

3. San Luis Bay Coastal Area – Goals & Policies for the Harbor Terrace Planning Sub-Area

The project will conform to the following goals and policies put forth in Chapter 8 (Planning Area Standards) of the San Luis Bay Coastal Area Plan for Harbor Terrace Planning Sub-Area (see page 8-20):

- **Development Intent:** The Harbor Terrace project will provides a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations.

- **Harbor Users:** The Harbor Terrace project must provide space to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses.

- **Visitor Uses:** The Harbor Terrace project will provide visitor-serving retail uses that are complementary to the harbor so the project may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. The project program must include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include affordable visitor serving facilities.

- **Environmental Performance:** The Harbor Terrace project shall integrate site and building design techniques that are environmentally sensitive and energy conserving.

- **Pedestrian Access:** New visitor serving developments on Harbor Terrace shall incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities.

- **Limitations on Use:** The Harbor Terrace project shall allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), yachting and rowing clubs, paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, communication facilities, specialized programs, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture and mariculture.

- **Road, Infrastructure, and Service Restrictions:** The San Luis Bay Coastal Area Plan precludes the project from extending roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead connections.

4. San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub-Area

The project will conform to the following Planning Criteria put forth in Chapter 8 (Planning Area Standards) of the San Luis Bay Coastal Area Plan (Adopted/Certified in 1988 and Revised August 2009) for Harbor Terrace Planning Sub-Area (see pages 8-22 to 8-25):

- **Priority of Uses:** Proposed uses of the project shall include sufficient area for the highest priority coastal-dependent and coastal-related uses. Other uses shall be designed and constructed to avoid interference with coastal-dependent and coastal-related uses. To ensure the project provides adequate facilities necessary to serve the highest priority uses and does not reduce opportunities for lower cost visitor serving uses and coastal access and recreation, the project program shall provide the following:

    - **Minimum Required Uses:** A minimum of 70 trailer boat storage spaces, 20 marine gear storage spaces, 48,000 square feet of general public parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western

and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient.

- **Prescribed Use Ratios:** A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every 1.5 unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three RV campsites.

- **Project Phasing Limitations:** Permits necessary to construct the minimum number of lower-cost campsites (car or walk-in/bike-in tent campsites) must be approved prior to or concurrently with any permit approval for hotel/motel and/or commercial retail development on the project site, and the lower-cost campsites must be available for use within one year of the opening of the hotel/motel and/or commercial retail development.

- **Purpose of Commercial Uses:** All commercial uses must serve coastal dependent uses, coastal-related uses and/or provide visitor-serving uses.

- **Intent of Accommodations:** With the exception of an on-site campground host or campground facilities manager, all overnight accommodations to be developed on the project site shall be exclusively available to the general public for transient occupancy. The establishment or conversion of overnight accommodations to a private or members only use (e.g., timeshares or condominiums), or the implementation of any program to allow extended and exclusive use or occupancy of the facilities by an individual or limited group or segment of the public is prohibited.

- **Special Events:** Specialized programs and temporary events are subject to land use approval consistent with the Local Coastal Plan. Outdoor events conducted on the site shall be planned and staged so that noise generated by the event, attendees, and traffic is minimized. Temporary events shall not interfere with harbor operations and boating and fishing activities.

▪ **Building and Site Design Requirements:** New development shall be sited and designed to minimize the visual impacts of the development, including those related to light and glare, in order to preserve the scenic quality of the area as viewed from public viewing areas, adjacent roads, piers, beaches, and the ocean. Special attention shall be given to maintaining character of the Harbor area. This shall be accomplished by:

- **Commercial Use Location:** Restricting the development of commercial retail facilities and structures (eating and drinking establishments, food and beverage retail sales, commissary, market, meeting rooms, parking, etc.) to the lower previously graded portions of the site, as depicted in Conceptual Harbor Terrace Plan Figure 8.7 of the San Luis Bay Coastal Area Plan.

- **Commercial Use Height Limitations:** Limiting commercial retail facilities/structures and the harbor office/shop to two-stories with a maximum height of 25 feet.

- **Hotel Use Height Limitations:** Limiting hotel motel units (yurts, cabins, inns, casitas, bungalows) to single-story with a maximum height of 15 feet.

- **Camping Use Location:** Limiting the use of APN 076-171-021 to walk-in/bike-in camping. The small, previously disturbed area on the northwest portion of the parcel adjacent to the existing access road may be used for structures necessary to serve the walk-in/bike-in campsites. No new road development or road improvements shall occur on APN 076-171-021 and vegetation removal shall be minimized. Each walk-in/bike-in site shall be limited to a level area or platform for a tent, a picnic table, a fire ring, and a water spigot.

- **Aesthetics:** Requiring that all development to be designed, colored, and sited to minimize visibility within the public viewshed.

    - **Bulk:** Project buildings shall avoid large, boxy structures by providing variations in height, articulated roof forms and pitch, and open space view corridors.

    - **Materials:** Structures shall blend in with the natural surroundings by using earth toned colors and materials. Reflective materials and finishes are prohibited.

    - **Lighting:** Lighting (particularly overhead street lights should they be necessary) shall be minimized in number and shall be shielded to orient lighting downward.

    - **Landscape:** The project shall be landscaped with native vegetation appropriate to the site in order to soften the visual prominence of the new development and to restore the visual qualities of the site. Invasive plant species in new landscaping are prohibited.

- **Landscape and Irrigation Plans:** Identifying revegetation areas necessary to stabilize slopes and planting areas necessary to minimize visual impacts of grading/terracing and the proposed use of the site. Landscape plans shall utilize native plant species appropriate to the site, and shall be designed to minimize the visual impact of all development on the site as viewed from public viewing areas, piers, beaches, and the ocean. Alteration of natural landforms is to be minimized and any areas of cut/grading shall immediately be re-seeded using a native seed mix.

- **Restroom Location:** Requiring a restroom building or other structures necessary to serve the campsites to be sited in the least visible portions of previously disturbed areas, and designed and landscaped to prevent its visibility from public view.

- **Water Tank Improvements:** Requiring that any improvements or additions to the existing water tank to be limited to the minimum necessary to provide approved site development with water storage for domestic supply and fire protection purposes; shall be placed underground to the greatest degree feasible; and shall be sited, colored, and landscaped to minimize visibility from public viewing areas (including roads, piers, beaches, and offshore areas).

- **Visual Analysis:** Requiring at the time of Coastal Development Permit application, or as part of an environmental review document, a detailed visual analysis which demonstrates that the visual and scenic character of the site will be preserved and improved where possible.

- **Biological Resources:** To protect and enhance sensitive biological resources and habitat areas, including water quality, on and adjacent to the project site, the following measures shall include, but are not limited to:

  - **Revegetation:** The revegetation of all cut slopes with native species of local stock appropriate to the site. Invasive plant species are prohibited.

  - **Tree Replacement:** The replacement of all oak trees in areas adjacent to existing oak woodland habitat, if the removal of such oak trees cannot be avoided. The number and replacement of trees shall be adequate to ensure that an equal or greater number of oak trees, in comparison to the number of trees removed, will be successfully established. A tree replacement program, including long-term maintenance measures, shall accompany any development plan that involves the removal of existing oak trees. This program will include strategies for improving natural oak recruitment.

  - **Habitat Disturbance:** Designing grading and construction activities to avoid disturbance of habitat (e.g., coastal scrub habitat) and minimize the removal of oak trees.

  - **Setback Zones:** The establishment, management, and maintenance of setback or buffer zones as habitat areas. The width of such setback/buffer areas shall be determined through a project specific biological analysis that identifies the minimum setback/buffer area necessary to protect the biological productivity of sensitive habitat areas. Setback areas necessary for fire safety shall be identified in the development plan and shall be designed to avoid the removal or disturbance of habitat areas. The width of the vegetative buffer area provided for the coastal stream adjacent to Diablo Canyon Road shall be no less than 50 feet.

  - **Guest Education:** Providing information to future guests regarding nature-viewing opportunities.

  - **Designated Habitat Areas:** The provision of designated areas for pets so that native habitat areas are avoided.

  - **Grading:** Grading for approved development shall be designed and implemented to minimize sedimentation impacts on adjacent surface water bodies including coastal streams and San Luis Bay. Construction activities such as grading and clearing shall be scheduled to avoid the rainy season.

  - **Storm Water Management:** Minimize impervious surfaces and install post development Best Management Practices (BMPs) to capture, infiltrate, and/or treat storm water runoff. The objective of drainage improvements shall be to avoid any increase in the quantity and intensity of storm water runoff exiting the site. Post construction BMPs shall be designed with adequate capacity to accommodate, at a minimum, the 85th percentile 24-hour runoff event.

  - **Drainage Facilities:** If drainage facilities are proposed to flow into the stream/drainage channel adjacent to Diablo Canyon Road, the stream channel shall be restored to provide both flow capacity and natural habitat.

- **Drainage Filtration:** Filtering all drainage from parking facilities by using vegetated swales or oil/water separators to limit oil/grease pollution and the intensity of flow commonly associated with parking lots.

- **Limit Water Quality Impacts:** Use all BMPs possible to limit water quality impacts and eliminate to the greatest degree feasible the need for additional culverts and ocean/beach disposal points.

- **Cultural Resources:** Potential project impacts to cultural resources shall be evaluated, and the protection and/or mitigation for any significant resources identified shall be incorporated into the proposed site design in coordination with the State Historic Preservation Officer (SHPO) and the local Chumash tribe. Archeological field surveys shall be conducted prior to project construction activities. In accordance with §23.05.140 of the Coastal Zone Land Use Ordinance, all construction activities shall cease should resources be identified during construction. In such an event, construction activities shall not re-commence until measures protecting and/or mitigating impacts to archaeological resources have been developed and approved by Planning Director, Environmental Coordinator, SHPO, and the Chumash tribe. No development shall occur west of Diablo Canyon Road other than restoration of the existing drainage course, and any cultural/archaeological preservation activities that have been coordinated and approved by the SHPO and representatives of the appropriate Chumash tribe.

- **Slope Stability:** To reduce hazards on the project site, new structures designated for human occupation and use (e.g., hotels, motels, campsites, parking lots, offices, commercial areas) must demonstrate a static factor of safety with respect to slope stability of 1.5 and a pseudostatic factor of safety to 1.1, using a horizontal seismic coefficient of 0.15g. In addition, uses on the project site or slopes above it that would have a significant potential to saturate the soils and add further slope instability, such as drainage detention basins or septic systems, shall be prohibited.

D. PROJECT OBJECTIVES

Project objectives were developed by the Harbor District and the Conservancy. The primary goals and objectives of the project are as follows:

- Develop a plan consistent with the County's San Luis Bay Area Plan standards, the County's Local Coastal Program, and the Coastal Act.

- Provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, including low and moderate cost overnight accommodations (campsites as stipulated in the LCP), so that the land is financially and physically supportive of Harbor District operations and functions.

- Provide a range and mix of uses that enhances the public's enjoyment of the Port and serves the needs of harbor users, including retail uses that are complementary to the harbor.

- Reserve area on Harbor Terrace to accommodate current and future Harbor District and other user needs including gear and trailer boat storage, and other harbor uses.

- Include overnight accommodations and commercial uses; make-up of overnight accommodations shall comply with LCP requirements that stipulate campsites shall be

provided in specified ratios as related to unit count of RV and hotel/motel accommodations.

- Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving.
- In new visitor serving developments on Harbor Terrace, incorporate measures to provide safe pedestrian access on- and off-site and coordinate access to the beach and other Port facilities.
- Allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture-supporting uses and mariculture-supporting uses.
- Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead or beach and bluff access connections.

E. PROJECT DESCRIPTION

The proposed project would consist of a campground, including a range of overnight visitor accommodations within a range of costs (including low-cost, resource dependent campsites), visitor serving commercial uses, harbor uses, restrooms, and parking (refer to Table ES-1 below and Figure ES-3). Additional features include trails, and paths between parking areas and campsites; an accessible ramp between the commercial use and pool area and the proposed crosswalk across Avila Beach Drive; a check-in station near the primary entrance, and trash and recycling enclosure within a screening wall and swinging doors. Implementation of the project may require the removal of a number of ornamental and eucalyptus trees onsite. No oak trees are proposed for removal. Approximately 25 RV camping spaces are currently located on Avila Beach Drive. With implementation of the proposed project, these 25 RV camping spaces would not be allowed on Avila Beach Drive. These spaces may remain available for roadside parking, including RVs.

Table ES-1. Project Components and Amenities

Amenity	Size or Unit	Description
Overnight Campground Accommodations		
RV	80 sites	RV sites would vary in dimensions, and would be improved with an impervious surface (paved). The maximum stay limit would be 30 days.
RV / RV cabin	15 sites	RV / RV cabin sites would vary in dimensions, and would be improved with gravel or decomposed granite base. The maximum stay limit would be 30 days, with the exception of camp host(s). RV cabins would be no taller than 15 feet in height, and may consist of an entry, bed(s), small kitchen area with a stove and sink, bathroom, outdoor terrace, and outdoor grill area.

Table ES-1. Project Components and Amenities

Amenity	Size or Unit	Description
		Installation of RV Cabins (in place of RV spaces) would trigger the 1:1.5 unit/campsite ratio identified in the San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub – Area Prescribed Use Ratio standards.
Hotel / motel	31 units	May consist of yurts, cabins, casitas, or bungalows. The maximum stay limit would be 30 days. Cabins would be no taller than 15 feet in height, and may consist of an entry, bed(s), small kitchen area with a stove and sink, bathroom, outdoor terrace, and outdoor grill area.
Car / tent campsites	35 sites	These low-cost campsites would vary in dimensions, and would be generally delineated and unpaved. Each site may include a picnic table and fire pit. The maximum stay limit would be 30 days.
Walk-in / bike-in campsites	21 sites	These low-cost campsites would vary in dimensions, and would be unimproved. Each site may include a picnic table and fire pit. The maximum stay limit would be 30 days.
Visitor Serving Commercial Uses		
Commercial uses	16,000 square feet	Uses may consist of: retail, restaurant, meeting / conference facilities; office / lobby / reception area; manager's residence; storage / restroom / laundry; and picnic / gathering area / courtyard with barbeque; outdoor swimming pool/Jacuzzi and patio. The structure(s) would be no more than two stories, and would not exceed 25 feet in height.
Harbor Uses		
Trailer boat storage	70 spaces	250 square feet each space (10 feet by 25 feet) Storage may include commercial and recreational boats and associated boat trailers
Marine gear storage	20 spaces	800 square feet each space (20 feet by 40 feet) Storage may include commercial and recreational marine-related equipment such as boaters' gear, crab pots and nets among other marine-related gear.
Harbor storage area	1.05 acre	Storage may include trailers, boats, materials, and equipment. May also include limited storage of oils, fuels, and paints. The area would be within a fenced area and security gate.
Expansion area	10,000 square feet	
Future Harbor Use Building	6,000 square feet (3,000-square foot footprint)	The structure(s) would be no more than two stories, and would not exceed 25 feet in height.
Public Parking		
Public parking spaces	48,000 square feet	Paved (asphalt) and delineated.

Figure ES-3. Site Layout Plan



1. Landscaping

The Preliminary Landscape Plan identifies three planting areas, which would encompass the project site. A preliminary plant list is provided in Table ES-2 (Preliminary Plant Species List), and is shown on Figure ES-4. The three planting areas are described below.

Table ES-2. Preliminary Plant Species List

Common Name	Scientific Name
Trees	
Coast live oak	*Quercus agrifolia*
Buckeye	*Aesculus californica*
Toyon	*Heteromeles arbutifolia*
California sycamore	*Platanus racemosa*
Ash	*Fraxinus angustifolia 'Raywood'*
Sweet acacia	*Acacia farnesiana*
Redbud	*Cercis occidentalis*
Strawberry tree	*Arbutus*
Deodar cedar	*Cedrus deodara*
Shrubs, Grasses, and Groundcovers	
Lemonade berry	*Rhus integrifolia*
Coffeeberry	*Rhamnus californica*
Coyote brush	*Baccharis pilularis*
Monkey flower	*Mimulus aurantiacus*
California fuchsia	*Epilobium californica*
Mountain lilac	*Ceanothus*
Manzanita	*Manzanita*
Deer grass	*Muhlenbergia rigens*
Pacific wax myrtle	*Myrica californica*
Coast bush lupine	*Lupinus*
Buckwheat	*Eriogonum*
Deer weed	*Lotus scoparius*
Agave	*Agave*
Aloe	*Aloe*
Salvia	*Salvia*
Bulbine	*Bulbine fruitescens*
Bush anemone	*Carpenteria californica*

Source: Lisa Wise Consulting, Sherwood Design Engineers, WRT; August 2014

Figure ES-4. Preliminary Landscape Plan



- **Area 1: Existing Naturalized.** Existing vegetation in these areas consists of coastal scrub, non-native grassland, and oak woodland. No new landscaping or irrigation is proposed in these areas.

- **Area 2: Climate Appropriate/Native Planting.** This area would be vegetated with native and climate appropriate species, which shall enhance drainages, provide erosion control on hillsides, screen undesirable views (as seen from public viewing areas), shade internal access roads and parking areas, and extend the natural hillside planning character into the site. Irrigation would be provided to establish new plantings for the first three to six growing seasons. Long-term irrigation is not anticipated following establishment. Areas near buildings, entries, and trails may continue to be irrigated to allow for a greater diversity of species in the long-term. All irrigation would be designed per the California Department of Water Resources Updated Model Water Efficient Landscape Ordinance and Water Conservation in Landscaping Act of 2006 (AB 1881) (State of California 2014).

- **Area 3: Climate Appropriate with Lawn.** This area would consist of irrigated lawn and surrounding plantings, and will receive supplemental irrigation during the dry season.

2. Site Preparation

Preparation of the project site for development may include removal of grasses, shrubs, and non-native tree species within the development footprint. At this time, no oaks greater than four inches in diameter are proposed for removal. Revegetation of the project site would occur pursuant to the approved landscape plan (refer to Section 1.1.1 and Figure ES-4 above).

Preliminary grading plans identify 115,000 cubic yards of cut and 43,000 cubic yards of fill (refer to Figure ES-5). Approximately 73,000 cubic yards of soil would be exported from the site. Additional export of soil may be required based on final grading plans and landslide remediation at the project site (refer to EIR Section 4.5 for additional analysis and information regarding geologic hazards). Due to past use of the site, potentially hazardous materials or contaminated soil may be discovered during grading. Therefore, all grading, export, and disposal of fill material would occur in compliance with County Environmental Health, Department of Toxic Substances Control, and San Luis Obispo County Air Pollution Control District (SLOAPCD) regulations. Standard erosion and sedimentation control measures would be implemented. The conceptual drainage plan is shown in Figure 2-6, and includes the use of drainage swales, bio-treatment structures, stormdrains, and culverts to manage runoff.

3. Water and Wastewater

Two 4-inch diameter waterlines and a 90,000-gallon water tank located on the site would remain. Water service to the project site would be provided by County Service Area 12. The preliminary utility plan is presented in Figure ES-7. Restrooms are identified as “comfort stations” on the proposed site plan. Four stand-alone accessible comfort stations are proposed throughout the project, and would also be provided within the commercial use building. Each comfort station would consist of a men’s and women’s restroom, entryway (“chase”), unisex restroom, showers, and drinking fountain. Comfort stations may also include a laundry room in one of the comfort stations, dish washing area, and dog washing area. Laundry facilities are also proposed as a component of the project. Wastewater generated by the comfort stations, commercial building, future Harbor Use building, and laundry facilities would be collected by the Harbor District and treated by the Avila Beach Community Services District.

4. Access and Fire Safety

Primary access to the project site would be provided by Babe Lane. A second access point and marked crosswalk would be located approximately 1,020 feet southwest of the primary access road, on Avila Beach Drive. Crosswalks at Babe Lane and the second access point would provide access between the proposed project and the beach area to the south. Internal access roads would vary between 16 and 24 feet wide, and improved with asphalt. Internal parking areas would be paved (asphalt). An approximately 0.7-acre access use agreement ~~easement~~ (clarification noted on all applicable Figures in this Final EIR) is proposed adjacent to the northeast property boundary to accommodate internal access that meets CAL FIRE standards. In the event of an emergency such as roadway flooding or wildfire, emergency evacuation would occur via Diablo Canyon Road. The proposed fire safety plan identifies access for emergency vehicles throughout the project (refer to Figure ES-8). Four fire hydrants would be located onsite, including one adjacent to the commercial building, one near the lower hotel/motel units, one near the harbor use area, and one near the upper hotel/motel units. The construction of an additional water tank for fire suppression purposes may be required by CAL FIRE.

F. SCOPING AND NOTICE OF PREPARATION PROCESS

In compliance with the California Environmental Quality Act (CEQA) Guidelines, the Harbor District has taken steps to provide opportunities to participate in the environmental process. During the Initial Study process, an effort was made to contact various federal, state, regional, and local governmental agencies and other interested parties to solicit comments and inform the public of the proposed project. This included project referrals, personnel correspondence, and telephone contact. In addition, the County distributed the Notice of Preparation (NOP) on March 7, 2014, to various agencies, organizations, and interested persons throughout San Luis Obispo County and the surrounding area. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the NOP review period was April 7, 2014. In addition, a scoping meeting was held on March 19, 2014, at the Harbor District's public meeting space at the Coastal Gateway Building, 3900 Avila Beach Drive, Avila Beach, California 93424. Comments received at the scoping meeting included concerns regarding traffic on Avila Beach Drive, including: peak traffic due to events at the Avila Beach Golf Resort, Avila Farmer's Market, and Bellevue Santa Fe School-related traffic; cumulative traffic created by reasonably foreseeable projects (i.e. Avila Point General Plan Amendment and Development Plan); consideration of signage when then campground is full to avoid or reduce unnecessary recreational vehicle (RV) trips on Avila Beach Drive; and concerns regarding emergency access.

In addition to the required NOP scoping meeting, the Harbor District held two public meetings on the project, both in the Harbor District's Coastal Gateway conference room. A public meeting was held on February 12, 2014 to present, solicit feedback on, and respond to questions about the project's initial design. On this same date, following the public meeting, a Special Harbor Commission meeting was held to present, solicit feedback on, and respond to questions regarding the project's initial design. A Harbor Commission meeting was held on June 24, 2014, at which the project team solicited feedback on and presented the updated project design to the Harbor Commission. During this meeting, the public presented comments and questions. The Harbor District also attended Avila Valley Advisory Council Meetings (AVAC) on February 10, 2014, March 10, 2014, April 14, 2014, and May 12, 2014 to present information and respond to questions.

Figure ES-5. Conceptual Grading Plan

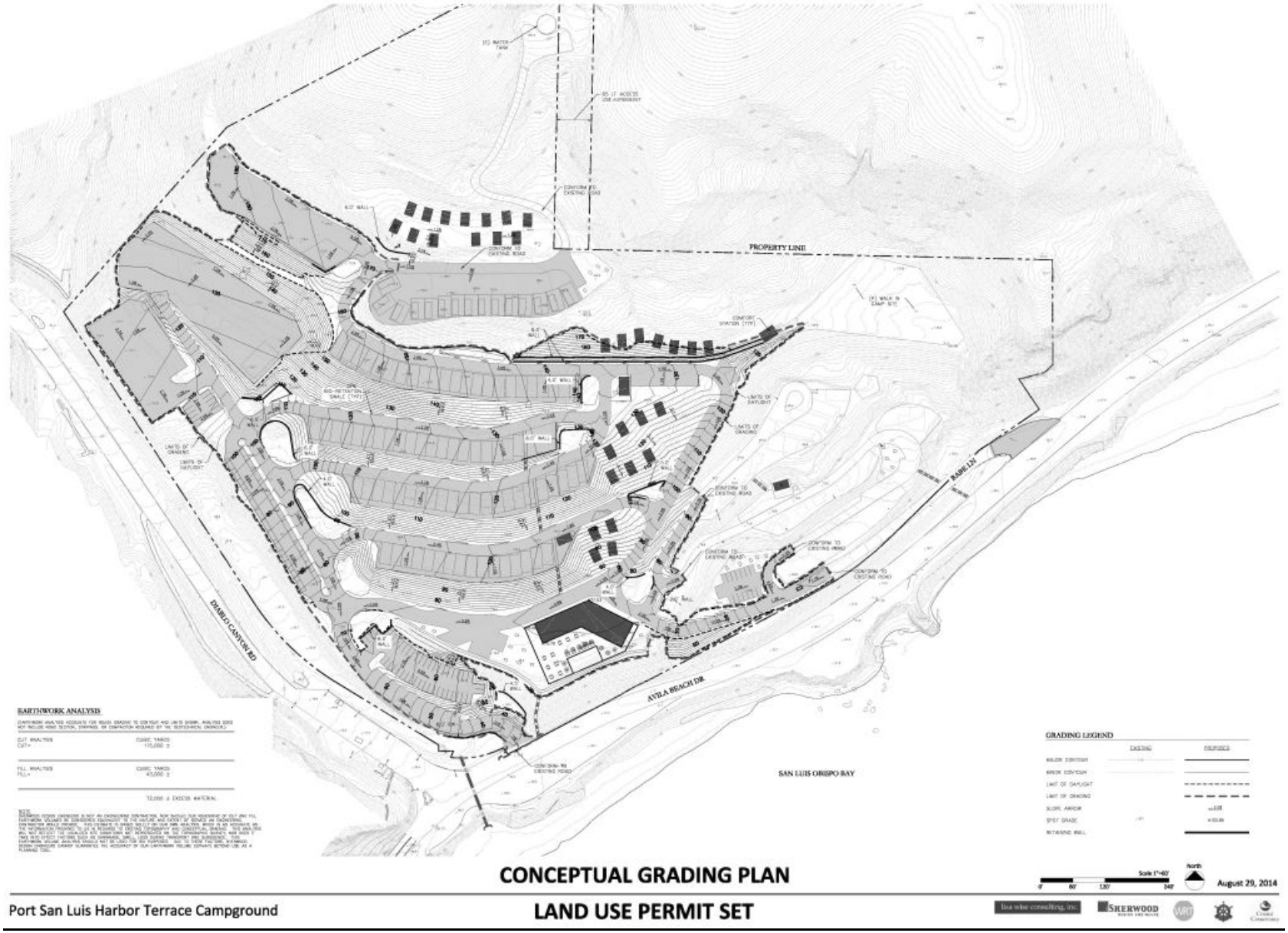


Figure ES-6. Conceptual Drainage Plan

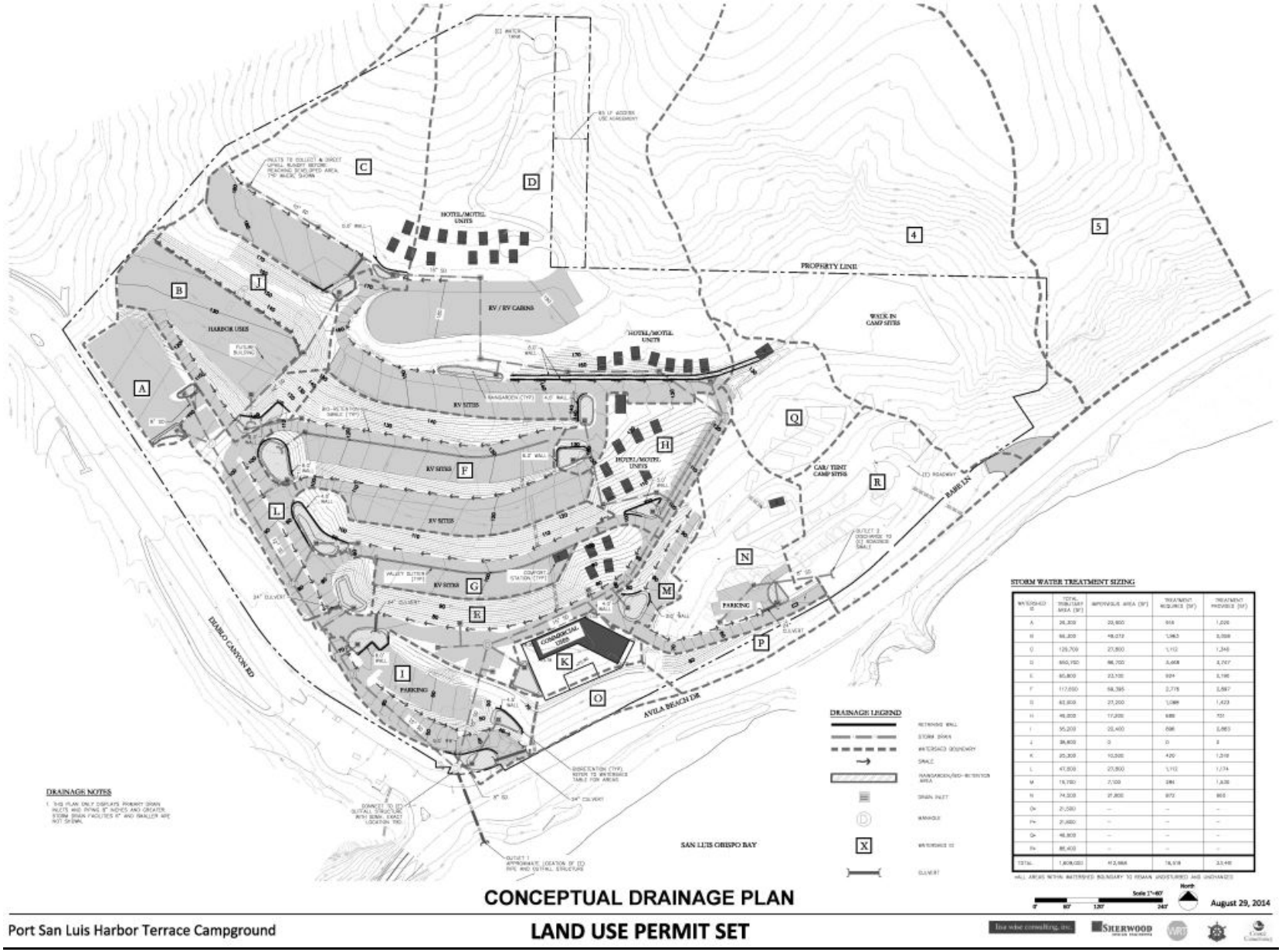


Figure ES-7. Conceptual Utility Plan

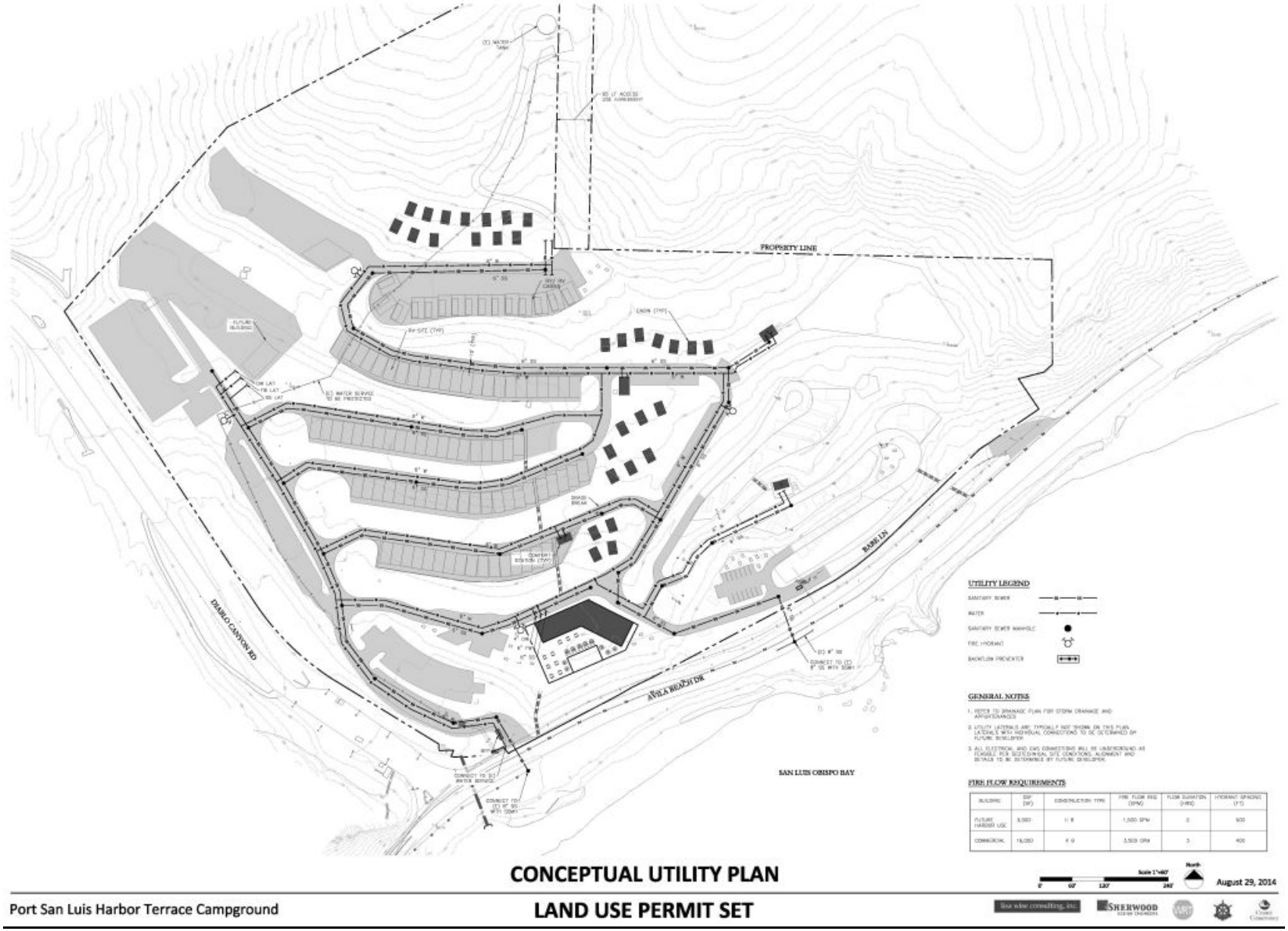
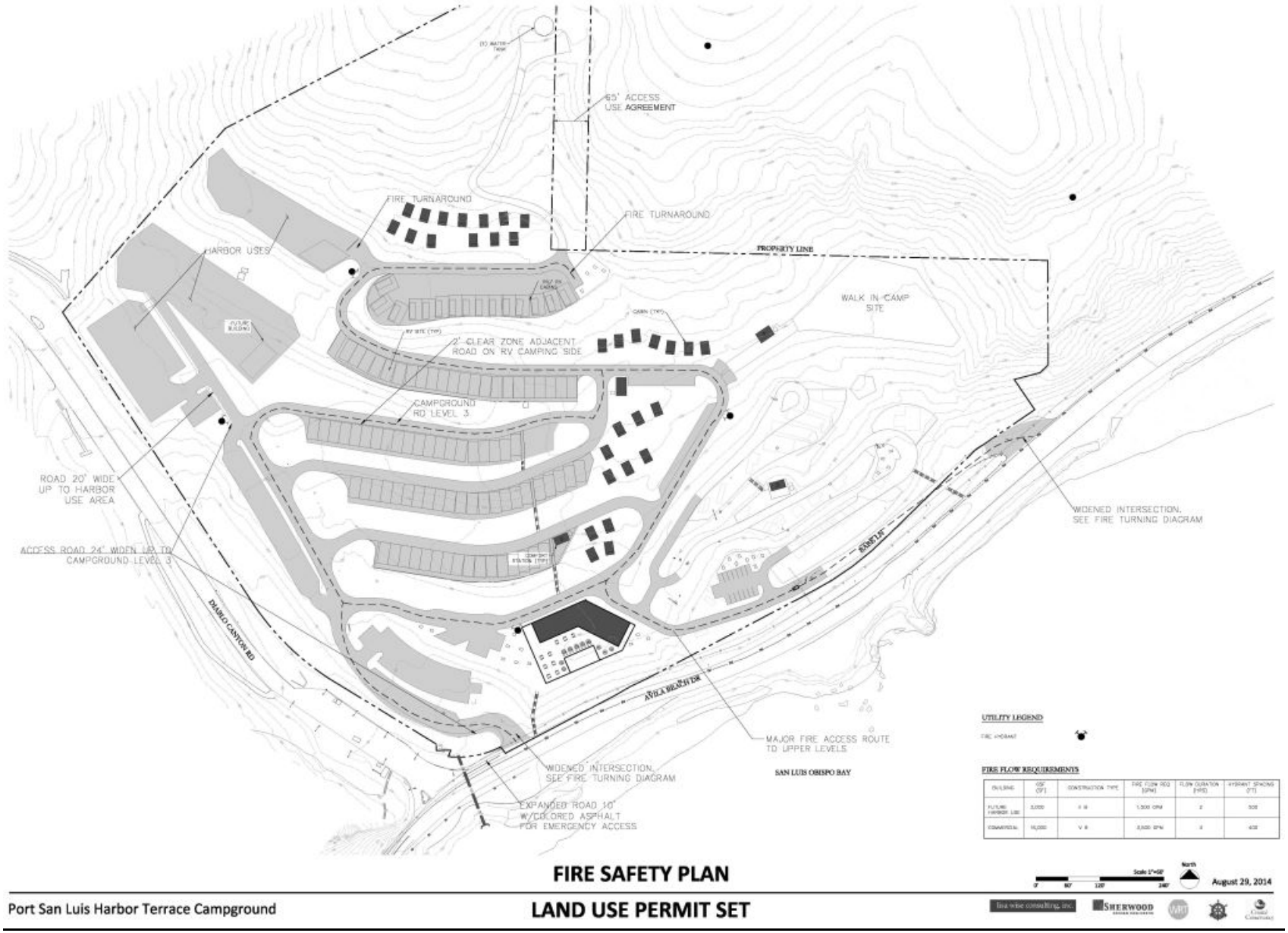


Figure ES-8. Fire Safety Plan



Agencies, organizations, and interested parties not contacted or who did not respond to the request for comments about the project during the preparation of the Draft EIR currently have the opportunity to comment during the 60-day public review period on the Draft EIR. Additional opportunities for comment include a Draft EIR public meeting scheduled for October 15, 2014 and consideration of the proposed project and certification of the Final EIR at the Port San Luis Harbor Commission hearing (to be scheduled, please refer to official notice and agenda).

G. SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED

Impacts of the proposed project and alternatives have been classified using the categories described below:

- **Significant, unavoidable, adverse impacts (Class I):** Significant impacts that cannot be fully and effectively mitigated. No measures could be taken to avoid or reduce these adverse effects to insignificant or negligible levels.

- **Significant, but mitigable impacts (Class II):** These impacts are potentially similar in significance to those of Class I, but can be reduced or avoided by the implementation of mitigation measures.

- **Less than significant impacts (Class III):** Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.

The term “significance” is used throughout the EIR to characterize the magnitude of the projected impact. For the purpose of this EIR, a significant impact is a substantial or potentially substantial change to resources in the local proposed project area or the area adjacent to the proposed project. In the discussions of each issue area, thresholds are identified that are used to distinguish between significant and insignificant impacts. To the extent feasible, distinctions are also made between local and regional significance and short-term versus long-term duration. Where possible, measures have been identified to reduce project impacts to less than significant levels. CEQA requires that public agencies should not approve projects as proposed if there are feasible mitigation measures available which would substantially lessen the environmental effects of such projects (CEQA Statute §21002). Included with each mitigation measure are the plan requirements needed to ensure that the mitigation is included in the plans and construction of the project and the required timing of the action (e.g., prior to development of final construction plans, prior to commencement of construction, prior to operation, etc.).

The impacts and associated mitigation measures are shown in the Summary of Impacts and Mitigation Measures (refer to Table ES-3). The table includes significant impacts, which are identified with an impact number (e.g., AES Impact 1). The table also includes less than significant impacts, which are not identified with an impact number, but are included and summarized in the table for reference.

Each issue area section of the impact summary table describes and classifies each impact, lists recommended mitigation when applicable, and states the level of residual impact (i.e., impact after implementation of mitigation). A brief summary of the key significant impacts and mitigation measures for each issue area is presented below.

1. **Aesthetic Resources.** Potential impacts to visual resources include silhouetting (commercial building), engineered appearance of terraces, potential visual clutter within

the RV sites, changes in visual character, and the creation of new sources of lighting, affecting the dark night sky.

2. **Air Quality.** During construction of the project, generated emissions would potentially exceed SLOAPCD thresholds for reactive organic gases (ROG) + nitrates of oxygen (NO_x) and diesel particulate matter (DPM), and grading and construction activities would generate fugitive dust. Naturally occurring asbestos and materials containing asbestos may be encountered, and would require special handling. Operation of the project would generate emissions potentially exceeding ROG+NO_x, PM_{10}, and DPM emissions.

3. **Biological Resources.** Impacts to special-status terrestrial species and avian species (including nesting birds) may occur during construction. The project would temporarily and permanently affect native habitats including coastal scrub and introduced valley needlegrass grassland.

4. **Cultural Resources.** Grading and construction activities may affect previously undiscovered subsurface cultural resources.

5. **Geology and Soils.** Implementation of the project would require mass grading of the project site to remediate underlying geologic hazards including landslides, expansion, slope instability, and susceptibility to fault activity including groundshaking, rupture, and liquefaction. The potential for erosion and down-gradient sedimentation is high during construction. Long-term management of drainage is required to prevent over-saturation of the soil.

6. **Greenhouse Gas Emissions and Climate Change.** The project would generate greenhouse gas emissions and would contribute to climate change. Standard energy efficiency measures would be required.

7. **Hazards and Hazardous Materials.** Implementation of the project would require the proper handling, storage, transport, and disposal of contaminated soil. During construction, the use of equipment may result in an accidental spill or leak affecting sensitive resources and the public. The project is located within a high fire risk area.

8. **Transportation and Circulation.** The creation of additional trips and turning movements on Avila Beach Drive may warrant a left turn lane at one of the project entrances, which may result in secondary impacts to sensitive habitats and resources. Creation and maintenance of clear sight lines is required to avoid a potentially unsafe condition; this would include vegetation management and removal of parking areas near the intersection.

H. PROJECT ALTERNATIVES

Criteria used to develop a reasonable range of alternatives included the potential to avoid significant impacts and whether or not the considered alternative could generally meet the project objectives. Table ES-3 shows each potential impact and all mitigation measures recommended to avoid or reduce identified impacts. Identified alternatives are summarized below.

1. No Project Alternative

Under the No Project Alterative, the project would not be developed. Selection of this alternative would not preclude future development proposals, consistent with the San Luis Bay Coastal Area Plan.

2. Reduced Project Alternative

Under the Reduced Project Alternative, the number of hotel/motel units would be reduced to 20, and all units would be located in areas designated as ruderal/disturbed habitat. This modification is proposed to address potential impacts to biological resources, including avoidance of coastal scrub and valley needlegrass grassland habitats in the northern portion of the project site. Harbor use areas, including five marine gear storage spaces and four harbor use storage spaces would be relocated to the east of the proposed storage areas, to avoid impacts to coastal scrub. This alternative also includes a 20% reduction in RV spaces (resulting in 64 spaces total), which would reduce visual clutter, provide greater flexibility to site RV pads in less visual areas (set back from the terrace edges), and allow for more integration of landscaping features. 15 RV/RV cabins are included in this alternative. Implementation of this alternative would result in fewer medium to lower-cost options for overnight visitor accommodations in the Avila Beach/Port San Luis area. In addition, the provision of 64 RV spaces would result in an overall net loss of approximately 16 RV spaces in the Port San Luis Area (i.e. within the Port San Luis Master Plan Area), which may potentially conflict with Coastal Policies intended to increase public accessibility to the coastline and provide low-cost accommodations for visitors.

I. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the alternatives section of an EIR to describe a reasonable range of alternatives to the project that avoid or substantially lessen any of the significant effects identified in the EIR analysis while still attaining most of the basic project objectives. The alternative that most effectively reduces impacts while meeting project objectives should be considered the "environmentally superior alternative." In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, the No Project Alternative would result in the fewest environmental impacts; however, this alternative does not provide for the remediation of potential geologic hazards and improved management of stormwater runoff. The No Project Alternative does not meet the primary objectives of the project.

As proposed, and with incorporation of recommended mitigation measures, the proposed project would not result in any significant, unavoidable environmental effects, and would meet project objectives. The proposed Reduced Project Alternative includes reductions in project development and avoidance of biological habitats to the maximum extent feasible. This alternative would further reduce impacts to aesthetic resources, air quality, greenhouse gas emissions, transportation and traffic, and public services and utilities. Mitigation identified in the EIR would be required to address all potentially significant impacts, and to mitigate potential effects to less than significant levels, including impacts that would be reduced by implementation of the Reduced Project Alternative.

The Reduced Project Alternative may be found inconsistent with the following project objective: "provide a range and mix of uses, with emphasis on coastal related and visitor serving uses,

including low and moderate cost overnight accommodations (campsites as stipulated in the LCP), so that the land is financially and physically supportive of Harbor District operations and functions". In addition, development intent for Harbor Terrace is described in the San Luis Bay Coastal Area Plan (pages 8-20) as, "The Harbor Terrace project will provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations." The Reduced Project Alternative may not be found "financially and physically supportive of Harbor District operations and functions" and would not likely generate income for the Harbor District for the following reasons, which will be considered by the Harbor Commission and the County of San Luis Obispo (through review of the proposed CDP application):

- **Change in Net Income:** Annual net income (revenue net of operational expenses) derived from overnight accommodation uses (RV, RV-Cabin, Hotel/Motel, and Camping) is projected to total $2,621,464 under the proposed project. Due to a decrease in RV spaces from 80 to 64 and a decrease in hotel/motel units from 31 to 20, annual net income derived from overnight accommodation uses under the Reduced Project Alternative is projected to total $2,110,931. The Reduced Project Alternative therefore presents a loss of approximately $510,532 annual net income as compared to the proposed project.

- **Change in Construction Cost:** Due to site configuration, location requirements of Harbor Uses prescribed in the San Luis Bay Coastal Area Plan[1], and balancing of AES-Impact-1 mitigation measures[2], construction costs of the Reduced Project Alternative related to shifting of the Harbor Use areas out of coastal scrub habitat are not reduced as compared to the proposed project. It is possible the construction costs would increase as a result of added retaining walls required to accommodate the shift in Harbor Uses, but for the purpose of this analysis, it is conservatively assumed that no construction cost increase would occur. The decrease from 31 to 20 hotel/motel units would decrease construction costs by approximately $295,000.

- **Change in Investment Return:** The loss of $510,532 annual net income associated with the Reduced Project Alternative that is offset by a corresponding $295,000 decrease in construction cost decreases the total project investment return by approximately 42%, from a 13.3% internal rate of return to a 7.8% return. The anticipated 7.8% return would render the project infeasible by normal standards of an investment risk-return profile.

[1] Location of the Harbor Uses on the site is somewhat restricted by the San Luis Bay Coastal Area Plan (pg. 8-22 – 8-25): A minimum of 70 trailer boat storage spaces, 20 marine-gear storage spaces, 48,000 square feet of general parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient.

[2] Mitigation Measure V-1 from the Port Master Plan states, "Grading shall be designed to conserve natural topographic features and appearances by means of land sculpting to blend graded slopes and benches with natural topography." Mitigation Measure V-2 from the Port Master Plan states, "Construction equipment and staging areas for the development of the Harbor Terrace and Avila parking lot sites shall be stored and located in the least visually prominent location on site, and/or screened from public view." The Northwest portion of the site is generally considered the least visually prominent location on site, as it is largely hidden from public viewpoints identified in the visual analysis of Chapter 4-1 of this EIR (due to the folding ridge pattern adjacent to Diablo Canyon Road).

Based strictly on an analysis of the relative environmental impacts, the Reduced Project Alternative, with adoption and incorporation of recommended mitigation measures, is considered the Environmentally Superior Alternative. The County will consider the whole of the record when considering the proposed Coastal Development Permit application, including but not limited to, public comment and testimony by the Harbor District, agencies, and the public. The County may select the project as proposed, an Alternative, or a specified combination of particular elements identified in the project and the Reduced Project Alternative, as the approved project. In all scenarios, the Mitigation and Monitoring Program would be applied to the approved project.

Table ES-3. Summary of Impacts and Mitigation Measures

Impacts	Mitigation Measures	Residual Impacts
Aesthetic Resources		
AES Impact 1 Implementation of the proposed project may result in the following potentially incompatible features: the proposed commercial building would potentially silhouette above the ridgeline as seen from locations along Avila Beach Drive; topographic constraints and proposed development area limits the creation of natural-appearing landform grading, which would result in constant planes with highly engineered appearance, which may be inconsistent with LCP visual policy; and, the parked recreational vehicles (RVs) on the hillside would be highly visible as seen from the majority of public viewpoints in and around the harbor, and the generally light-colors of the motor homes and trailers would increase their visibility, and add to a noticeable visual clutter on the hillside.	**AES/mm-1** Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall design and site the commercial buildings(s) and new water tank (if required) so that no part is above the natural ridgeline in the background. This may be accomplished by measures including but not limited to setting the structure further back from the leading edge of the graded top-of-slope, reducing building height, and/or stepping the upper portions of the building back from the lower façade. Prior to Harbor District approval of construction and architectural plans for proposed structures, a sight-line study shall be prepared showing the buildings will not silhouette above the primary natural ridgeline as seen from Avila Beach Drive. The sight-line study shall be submitted to the County with the construction permit application. **AES/mm-2** Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall submit final landscape plans incorporating substantial screening of all engineered graded surfaces. The plant palette shall incorporate plants of varied-size that will produce a natural pattern of vegetative growth. a. Plants shall be arranged in natural appearing patterns using a combination of ground covers, different sized shrubs, and different sized trees. Plant types shall be native or native appearing. b. Trees and large shrubs shall be planted such that within 10 years after project construction, no more than 20% of the parked RVs and other vehicles (at full-use capacity) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Screening vegetation shall be strategically planted on the slopes in front of the parking areas, as well as on the flatter areas among the spaces. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	the project site. c. Plant trees and large shrubs such that within 10 years after project construction, no more than 30% of the commercial and other buildings and structures including the water tank (if required) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to the project site. **AES/mm-3** Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall submit plans showing proposed recreational vehicle (RV) parking spaces set back as far back from the edge of the graded terrace as feasible, while avoiding the creation of additional cut slopes and retaining walls. Implement Port Master Plan Final Program EIR mitigation measures V-1, V-2, and V-3.	
AES Impact 2 Implementation of the proposed project may result in changes to the visual character of the area, including the creation of visible graded slopes, monotonous landscaping, blocky and generic commercial architecture, and other features that are not subordinate to the visual setting.	**AES/mm-4** Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall prepare and submit plans incorporating the following: a. All buildings and structures shall appear visually subordinate to the setting, blend with the hillside, and designed to reduce noticeability from off-site locations. b. Buildings shall reflect the historic character of the working harbor and shall be an architectural style distinct from the redeveloped buildings seen along Front Street in Avila Beach. Blocky, monotonous, and pre-fabricated architectural style and design shall not be applied. c. Buildings shall be pedestrian in scale, mass, layout, and appearance, (i.e., designed for visibility and use by pedestrians proximate to the building rather than visibility from Avila Beach Drive, such as finer distinctive architectural features, integration of art, massing and layout designed for function rather than to promote visibility, and smaller, lower positioned signage and	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	lighting). Exterior colors, materials, and finishes shall visually blend with or complement the natural surroundings. d. All site amenities including signage, light poles, street furniture, and other features shall be unobtrusive, blend with the setting, and support an architectural theme. e. All commercial buildings shall not exceed 25 feet in height, and shall be located on the lower, previously graded portions of the project site, consistent with San Luis Bay Coastal Area Plan Standards. ~~e.~~f. The design of above-ground retaining walls shall incorporate features of the natural setting, including colors and articulation (i.e., simulated stone) to blend the appearance of the visible portion of the retaining wall into the surrounding landscape. Implement Port Master Plan Final Program EIR mitigation measures V-1, V-2, and V-3. Implement mitigation measures AES/mm-1, AES/mm-2, and AES/mm-3.	
AES Impact 3 Implementation of the proposed project would result in additional sources of light and glare, potentially affecting dark-sky views in the area.	**AES/mm-5** Upon application for a construction permit from the County of San Luis Obispo, the Harbor District (or their designee) shall submit a comprehensive lighting plan to the Department of Planning and Building for review and approval showing the following: a. The Lighting Plan shall be based on a photometric study prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA), using guidance and best practices endorsed by the International Dark Sky Association. b. The Harbor District (or their designee) shall provide the specific technical data and performance criteria required by the applicable safety policy used as the basis for the lighting plan. c. As part of the Lighting Plan, illumination levels shall be the minimum required by the specifically defined public safety policy and ordinances.	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	d. As part of the Lighting Plan, all lighting sources shall be directed downward and shielded from view from public roads, beaches, the pier, parking lots, and other off-site public areas. e. As part of the Lighting Plan, lights shall be designed and constructed to reduce illumination of the adjacent slopes and hillsides where applicable. f. As part of the Lighting Plan, lighting shall include low-height bollard-type fixtures and be equipped with motion sensors to the greatest extent allowed by safety and security codes. Implement Port Master Plan Final Program EIR mitigation measure V-3.	
Air Quality		
AQ Impact 1 Construction activities would generate ROG+NOx and DPM emissions that exceed SLOAPCD thresholds of significance.	**AQ/mm-1** Prior to issuance of grading permits from the County of San Luis Obispo, and throughout project construction, as applicable, the Harbor District or their designee shall implement the following construction emission reduction measures: a. Properly maintain all construction equipment in proper tune according to manufacturer's specifications; b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); c. Use CARB Tier 3 certified diesel construction equipment or cleaner off-road heavy-duty diesel engines, and comply with state Off-Road Regulations; d. Use CARB 2007 or cleaner certified on-road heavy-duty diesel trucks and comply with state On-Road Regulations. e. If construction or trucking companies that are awarded the bid or are subcontractors for the project do not have equipment to meet the above two measures, the impacts from the dirtier equipment shall be addressed through SLOAPCD approved off-site or other mitigation measures;	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and job sites to remind drivers and operators of the 5-minute idling limit. g. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies. Sensitive receptors are defined in the SLOAPCD Handbook as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units; h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of SLOAPCD, including monitoring or low-particulate engine technologies; i. Equipment shall be electrified when feasible; j. Substitute gasoline-powered or diesel hybrids in place of diesel-powered equipment, where feasible; and k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel. **AQ/mm-2** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall ensure SLOAPCD regulations that prohibit developmental burning of vegetative material within San Luis Obispo County are followed. **AQ/mm-3** Prior to issuance of grading permits, the Harbor District or their designee shall ensure that portable equipment and engines 50 horsepower or greater, used during grading and construction activities have a California portable equipment registration (issued by the CARB) or an SLOAPCD permit. Proof of registration must be provided to the SLOAPCD prior to the start of grading or construction or a permit secured from the SLOAPCD prior to the start of grading or construction. The	

Impacts	Mitigation Measures	Residual Impacts
	following list is a guide to equipment and operations that may have permitting requirements, but it is not exclusive: a. Power screens, conveyors, diesel engines, and/or crushers; b. Portable generators and equipment with 50-horsepower or greater engines; c. Internal combustion engines; d. Unconfined abrasive blasting operations; e. Concrete batch plants; f. Rock and pavement crushing; g. Tub grinders; and h. Trommel screens. **AQ/mm-4** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall obtain the required SLOAPCD permits for the removal or remediation of hydrocarbon contaminated soil. In addition, the following measures shall be implemented unless otherwise directed by the SLOAPCD upon a finding that alternative measures will result in equal or greater reduction in emission of air contaminants: a. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal; b. Contaminated soil shall be covered with at least 6 inches of packed uncontaminated soil or other TPH – non-permeable barrier such as plastic tarp, or other methods as approved by the SLOAPCD. No headspace shall be allowed where vapors could accumulate; c. Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted; d. The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated, with emissions estimates provided to the SLOAPCD and mitigated with low emission trucks, low emission construction equipment, and/or offsets if needed, if total emissions exceed the SLOAPCD's construction phase thresholds. An	

Impacts	Mitigation Measures	Residual Impacts

estimate of these emissions is included in this EIR;

e. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance, or violation of SLOAPCD regulations would result;

f. Clean soil must be segregated from contaminated soil; and

g. The permit shall specify applicable criteria established by SLOAPCD.

The notification and permitting determination requirements shall be directed to the SLOAPCD Engineering Division.

AQ/mm-5 Prior to issuance of grading permits from the County of San Luis Obispo, or during construction, if emissions of ROG+NOx with the above mitigations still exceed the thresholds, the Harbor District or their designee shall secure SLOAPCD-approved off-site reductions in ROG+NOx emissions to ensure that ROG+NOx emissions do not exceed the SLOAPCD quarterly thresholds. Coordination with the SLOAPCD should begin at least 6 months prior to issuance of grading permits for the project to allow time for refining calculations and for the SLOAPCD to review and approve the CAMP and off-site mitigation approach. Emissions calculations and results of the subsequent air quality analysis shall be provided to the County Environmental Coordinator for review and approval, in addition to the SLOAPCD.

AQ/mm-6 Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall ensure that all grading and construction equipment greater than 100 bhp be equipped with CARB Level 3 diesel particulate filters (DPF), or equivalent, to achieve an 85% reduction in diesel particulate emissions. If CARB verified Level 3 DPFs cannot be secured for all of the equipment greater than 100 hp then the Harbor District (or their designee) will work to offset the added DPM with measures including but not limited to schedule modifications, implementation of no idling requirement, and expanded implementation of AQ/mm-1 measures i, j, and k (e.g., use of alternative fueled generators).

Impacts	Mitigation Measures	Residual Impacts
	AQ/mm-7 Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall produce a schedule detailing the phasing of activities and ensuring that the emissions of diesel particulates in any quarter falls below the applicable SLOAPCD thresholds. As an alternative approach, if scheduling is not feasible, the Harbor District (or their designee) shall provide SLOAPCD-approved off-site reductions in DPM emissions to ensure that DPM emissions do not exceed the SLOAPCD thresholds. Implement mitigation measures GHG/mm-1 and GHG/mm-2.	
AQ Impact 2 Construction activities would generate fugitive dust, potentially resulting in a nuisance, and potentially exceeding SLOAPCD thresholds of significance related to exhaust particulates.	**AQ/mm-8** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall provide satisfactory evidence that a SLOAPCD-approved Construction Activity Monitoring Plan (CAMP) has been prepared that addresses fugitive dust emissions. The Plan shall include requirements in the SLOAPCD CEQA Handbook. Fugitive dust mitigation measures in the plan shall include a combination of the following, as approved by the SLOAPCD: a. Reduce the amount of the disturbed area where possible. b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. c. All dirt stockpile areas should be sprayed daily as needed, covered, or a SLOAPCD-approved alternative method will be used. (90% reduction). d. 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. e. Exposed ground areas that will 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, unless other	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	dust and erosion control measures are specified in the agency-approved Dust Control Plan. f. 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. g. 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. h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site. i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114. j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. k. 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 l. Apply water every 3 hours to disturbed areas within the construction site (61% reduction in particulate emissions). m. Application of soil binders to dirt roads shall be applied to achieve at least an 80% reduction in fugitive dust emissions. All soil binders used shall be 'environmentally friendly' and shall be either lignosulfonate- or calcium lignosulfonate-based approved by the SLOAPCD. All dust control methods, including soil binders, shall be demonstrated in the fugitive dust control plan to ensure compliance with SLOAPCD Rule 401. ~~n. All roadway, driveway, and sidewalk paving should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading~~	

Impacts	Mitigation Measures	Residual Impacts
	~~unless seeding or soil binders are used.~~ ~~o.~~n. The contractor or builder shall designate a person to monitor the fugitive dust emissions and oversee mitigation measure implementation as per SLOAPCD approval to minimize dust complaints, reduce visible emissions to less than 20% opacity, and to prevent transport of dust off-site. The designated monitor shall carry out these duties on regular workdays, as well as holidays and weekends when work may not be in progress. The name and telephone number of the designated monitor shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition. **AQ/mm-9** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit an APCD-approved CAMP, which shall include, but not be limited to the following elements: a. A Dust Control Management Plan that encompasses all, but is not limited to, measures identified in AQ/mm-8 and AQ/mm-13 (if required); b. Tabulation of on- and off-road construction equipment information (e.g., make, model, type, engine tier, DPM Level 3 filter age, horse-power, and miles or hours of operation); c. Construction truck trips scheduled during non-peak hours to reduce peak-hour emissions; d. Limited construction work-day period, if necessary; and e. Phase construction activities, if appropriate. **AQ/mm-10** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for both on- and off-road equipment during the project grading and construction phase near sensitive receptors: a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of the	

Impacts	Mitigation Measures	Residual Impacts
	SLOAPCD, including monitoring or low-particulate engine technologies; b. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies; c. Use alternative fueled equipment whenever possible; and d. Signs identifying the no idling requirements must be posted and enforced at the construction site. **AQ/mm-11** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for on-road vehicles during the grading and construction phases of the project: a. Section 2485 of CCR Title 13 limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater 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 these vehicles: - Shall not idle the vehicle's primary diesel engine for more than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and, - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation. b. Signs shall be posted in the designated queuing areas and job sites to remind on-road equipment operators of the 5-minute idling limit.	

Impacts	Mitigation Measures	Residual Impacts
	AQ/mm-12 Prior to issuance of applicable grading permit, the Harbor District (or their designee) shall implement the following idle restricting measures for off-road vehicles during the construction phase of the project: a. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf. b. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit.	
AQ Impact 3 Grading and construction activities have the potential to result in disturbance of naturally-occurring asbestos and/or asbestos containing materials.	**AQ/mm-13** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geologic evaluation under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. NOA has been identified as a toxic air contaminant by the CARB. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the Harbor District (or their designee) must 1) comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the SLOAPCD; 2) require that any crushing operations do not result in any dust that is visible crossing the property line, does not discharge into the air any visible emissions other than uncombined water vapor, for a period aggregating more than 3 minutes in any 1 hour which are 50% as dark or darker in shade as that designated as number one on the Ringlemann Chart or exceed at 10% opacity; and 3) conduct a geological evaluation prior to any grading. Technical Appendix 4.4 of the SLOAPCD CEQA Handbook includes a map of zones throughout the County where NOA has been found. More information on NOA is available at http://www.slocleanair.org/business/asbestos.php. **AQ/mm-14** Prior to issuance of demolition permits (if required) and during grading and construction, the Harbor	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	District or their designee shall comply with asbestos containing material (ACM) requirements. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of ACM. ACM could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes and pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 Code of Federal Regulations [CFR] 61, Subpart M - asbestos National Emission Standards for Hazardous Air Pollutants [NESHAP]). These requirements include but are not limited to: (1) notification to the SLOAPCD; (2) an asbestos survey conducted by a Certified Asbestos Inspector; and (3) applicable removal and disposal requirements of identified ACM. More information on asbestos is available at http://www.slocleanair.org/business/asbestos.php.	
AQ Impact 4 Operational activities associated with the project would generate ROG + NOx, PM_{10}, and DPM emissions exceeding identified daily thresholds.	**AQ/mm-15** Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following mitigation measures to reduce area source emissions, where applicable: a. Increase walls and attic insulation by 20% above what is required by the 2008 Title 24 requirements. b. Shade tree planting along southern exposures of buildings to reduce summer cooling needs. c. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. d. Use built-in energy efficient appliances, were applicable. e. Orient buildings toward streets with convenient pedestrian and transit access. f. Use double-paned windows. g. Use sodium low-energy parking lot and streetlights. (e.g., sodium) h. Use energy efficient interior lighting. i. Incorporate energy efficient skylights (if any) into roof plan (i.e., should meet the US EPA/Department of	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	Energy (DOE) Energy Star® rating). j. Install High efficiency or gas space heating. k. Install door sweeps and weather stripping if more efficient doors and windows are not available. l. Apply low volatile organic compound (VOC) paint (interior and exterior) (71 grams/liter or less). m. Institute recycling and composting services (as feasible). n. Incorporate a water efficient irrigation system. ~~n.~~o. Locate proposed fire pits at least 100 feet apart, at least 700 feet from any on-site manager residence where feasible, and as far as feasible from proposed hotel/motel units. **AQ/mm-16** Prior to issuance of construction permits, the Harbor District or their designee shall submit plans showing the following measures, which shall be implemented prior to occupancy to reduce vehicle emissions. a. Locate electrical vehicle charging station(s) in the parking lots at a ratio required by County or as recommended by SLOAPCD. - Provide long-and short-term bicycle parking onsite or within the Harford Pier parking area for employees; one bicycle parking space for every 10 employees is considered appropriate. - Provide shower stalls and locker facilities to encourage employees to bike to work. - Provide facilities for eating and convenience including refrigeration and other vending for employees onsite or within the Harford Pier parking area. - Internal circulation shall to the greatest extent possible be with all-electric vehicles. - Options shall be provided to guests for electric vehicle transport to adjacent District facilities. **AQ/mm-17** Prior to operation, the Harbor District or their designee shall obtain all required permits for equipment,	

Impacts	Mitigation Measures	Residual Impacts
	including but not limited to the portable generators and equipment with engines that are 50 hp or greater. **AQ/mm-18** During operation of the proposed project, the Harbor District or their designee shall comply with SLOAPCD Operational Phase Idling Limitations. Public health risk benefits can be realized by idle limitations for diesel engines. To help reduce the emissions impact of diesel vehicles that will access the facility or off-road equipment, the following idling control techniques shall be implemented: **California Diesel Idling Regulations** a. On-road diesel vehicles shall comply with §2485 of CCR Title 13. 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: - 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, - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation. b. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB's In-Use off-Road Diesel regulation, Rule 402. c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit. d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.	

Impacts	Mitigation Measures	Residual Impacts
	e. In addition to the State required diesel idling requirements, the project shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors, including onsite visitors: - Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors; - Diesel idling within 1,000 feet of sensitive receptors shall not be permitted; - Use of alternative fueled equipment is recommended; and - Signs that specify the no idling areas must be posted and enforced at the site.	
Biological Resources		
BIO Impact 1 Construction of the proposed project may directly and/or indirectly affect special-status species, including terrestrial and avian species, resulting in a potentially significant short-term impact.	**BIO/mm-1** Prior to initiation of grading activities, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of special-status species. A qualified biological monitor shall be present during any clearing and grading activities within 100 feet of onsite drainages and oak woodland. The work areas shall be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage). The qualified biologist will receive project-specific approvals from resource agencies prior to handling any special-status wildlife species. Speed limits shall be restricted to 15 mph and work shall be limited to daylight hours. **BIO/mm-2** Upon application for construction permits from the County of San Luis Obispo, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality: a. Grading and construction resulting in ground disturbance should be limited to the typical dry season (April 15 to October 15). b. If work must occur during the rainy season, the Harbor District (or their designee) shall install adequate erosion and sedimentation controls to prevent any sediment-	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	laden run-off from entering creeks, drainages, and the Pacific Ocean. c. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan. **BIO/mm-3** If feasible, all work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The surveys shall be conducted no more than 1 week prior to the scheduled onset of construction activities. If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning. If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance. **BIO/mm-4** All existing oak trees shall remain on-site. All oak trees <u>(greater than 4 inches in diameter)</u> that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the	

Impacts	Mitigation Measures	Residual Impacts
	distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface. **BIO/mm-5** All oak trees identified to remain shall not be removed, unless otherwise regulated by the County CZLUO §23.05.062 (Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees: a. year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); b. grading (includes cutting and filling of material); c. compaction (e.g., regular use of vehicles); d. placement of impermeable surfaces (e.g., pavement); or, e. disturbance of soil that impacts roots (e.g., tilling). Implement Port Master Plan Final Program EIR mitigation measures B-2, B-4, B-5, and B-9.	
BIO Impact 2 Implementation of the project would result in the loss of 0.08 acre of valley needlegrass grassland and 0.79 acre of coastal scrub. Vegetative management required by CAL FIRE may result in additional disturbance of these habitat types, in addition to coast live oak woodland. Additional human presence within these habitat types may have an adverse effect on special-status and common wildlife in the immediate area.	**BIO/mm-6** The trimming of oaks can be detrimental and shall be minimized as follows: a. Removal of larger lower branches should be minimized to: i. avoid making tree top heavy and more susceptible to "blow-overs;" ii. reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation;	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts

iii. retain the wildlife that is found only in the lower branches;

iv. retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and,

v. retain the natural shape of the tree.

b. The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum).

c. Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the Harbor District (or their designee) shall either use a skilled arborist or apply accepted arborist's techniques when removing limbs.

d. Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter.

e. Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

BIO/mm-7 Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a final landscape plan incorporating the following elements and standards:

a. 2:1 replacement of valley needlegrass grassland within the property boundaries.

b. 2:1 replacement of coastal scrub within the property boundaries.

c. The landscape plan shall be implemented prior to occupancy and operation of the campground. Initial establishment of native vegetation, including valley needlegrass grassland and coastal scrub species shall

Impacts	Mitigation Measures	Residual Impacts
	be verified by a qualified biologist. A letter documenting compliance shall be submitted to the County of San Luis Obispo prior to final inspection. d. Long-term establishment of valley needlegrass grassland and coastal scrub species shall be monitored by a qualified biologist for a period no less than three years. Annual monitoring reports shall be submitted to the County of San Luis Obispo, including one final monitoring report at the end of the three-year monitoring period. The reports shall document initial and consecutive acreage of species establishment, and any actions taken to remediate loss of restored vegetation. **BIO/mm-8** Prior to occupancy and operation of the proposed project, the Harbor District or their designee shall develop informative and educational materials to be provided to visitors. Materials may be available in hard copy or electronic form. Information included in the materials shall include, but not be limited to: a. Description of special-status, marine mammal, and avian species present within San Luis Bay and the surrounding terrestrial areas. b. Notification to avoid the creation of spur trails and subsequent disturbance of wildlife and habitats within undeveloped areas of the project site. c. Notification to store and dispose of trash and recyclables in appropriately designated containers and areas. d. Prohibition of fueling of generators outside of designated RV pads. e. Map identifying designated onsite trails and access routes. f. Prohibition of pets outside of paved areas, marked trails, and campsites. g. Requirement for all pets to be on leash or contained (with owners also onsite) in tents, RVs, and units. Implement Port Master Plan Final Program EIR mitigation measures B-1, B-4, B-5, and B-7.	

Impacts	Mitigation Measures	Residual Impacts
Cultural Resources		
CUL Impact 1 Grading and construction activities have the potential to impact previously undiscovered subsurface archaeological resources.	**CUL/mm-1** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all initial earth-disturbing activities. The Monitoring Plan shall include at a minimum: a. list of personnel involved in the monitoring activities; b. inclusion of involvement of the Native American community, as appropriate; c. description of how the monitoring shall occur; d. description of 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 (e.g., what is considered "significant" archaeological resources?); g. description of procedures for halting work on the site and notification procedures; h. provisions defining education of the construction crew; i. protocol for treating unanticipated finds; and, j. description of monitoring reporting procedures. **CUL/mm-2** Prior to initial ground disturbance, a County of San Luis Obispo-approved archaeologist shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the Harbor District (or their designee) shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	CUL/mm-3 During all initial ground disturbing construction activities, the Harbor District or their designee shall retain a qualified archaeologist (approved by the County Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved Monitoring Plan. If any significant archaeological resources not previously identified in the Monitoring Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The Harbor District (or their designee) shall implement the mitigation as required by the County Environmental Coordinator. **CUL/mm-4** Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. **CUL/mm-5** Prior to occupancy, the Harbor District or their designee shall submit samples of cultural resource interpretive materials to the County Environmental Coordinator. The Harbor District or their designee shall coordinate with local Native American representatives during the initial development of the materials, and subsequent updating of materials for the life of the project. Materials shall not specifically identify the locations of archaeologically sensitive sites. Interpretive materials may include, but not be limited to, pamphlets, posters, kiosks or boards, exhibits, online posting of information, and presentations. Interpretive materials shall include, but not be limited to: prehistory, modern history, and living history of the Chumash in the Avila/Port San Luis Area and region, and citation or reference to laws governing the protection of cultural resources. Implement Port Master Plan Final Program EIR mitigation measures C-1 and C-2.	

Impacts	Mitigation Measures	Residual Impacts
CUL Impact 2 Proposed grading and excavation activities have the potential to uncover and disturb paleontological resources, which would result in a potentially significant impact.	**CUL/mm-6~~5~~** A qualified paleontologist shall monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.	Significant, but mitigable (Class II)
Geology and Soils		
GEO Impact 1 The proposed project would be constructed in an area subject to potential geologic hazards including seismically-induced landslide, resulting in a potentially significant impact.	**GEO/mm-1** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a comprehensive geologic investigation. At a minimum, the investigation shall include all areas where development would be located within or below a landslide. The investigation shall conform to §§1803 of the 2013 edition of the CBC and the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013), or editions that are applicable at the time of investigation. The investigation shall be conducted by a Certified Engineering Geologist. At a minimum, it shall address the type, extent, depth, configuration, and activity level of the landslide, and shall include an analysis of slope stability. Upon application for grading and construction permits from the County of San Luis Obispo, a final grading plan shall be submitted that incorporates measures to mitigate potential landslide hazards based on review by the consulting Certified Engineering Geologist. A range of mitigation measures addressing treatment of the site to ensure slope stability, including regrading, structural mitigation, mitigation for roads and utilities, and monitoring are presented below. These measures include, but are not limited to, the following: a. Regrading. The entire landslide mass can be regraded from the toe to the upper limit, or the grading program could involve only those areas including and above proposed improvements. If an entire landslide mass were to be regraded, removal of the slide materials and replacement as a structural fill, including excavation of proper keyways, benches, and installation of subdrains would likely be necessary. Use of geogrid reinforcing	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	may be appropriate for some areas. Geogrid reinforcing involves the placement of alternating layers of geogrid and soil, and can be effective in increasing soil strength and stability. Another option that may be appropriate for specific project areas would be partial stabilization. This solution may include the construction of buttress fills below improvement areas that would be sufficient to resist movement of the upper portion of the slide mass. With partial stabilization, it should be noted that any improvements situated below the buttress still would still be at risk from landslide movement. This potential risk shall be addressed in the geologic investigation by the Certified Engineering Geologist. b. Structural mitigation. Structural mitigation may be a potential option, depending upon the characteristics of the landslide in the area where the improvements are located. For habitable buildings, such solutions may include deep foundations (e.g., driven piles or caissons designed with sufficient lateral resistance to overcome the sliding force exerted by the landslide). Foundation augmentation such as tie-back anchors attached to the caissons or piles, or batter piles, may be appropriate. Another potential solution would be to construct walls that would be anchored through the slide and founded in underlying stable material. c. Mitigation for Roads and Utilities. Potential mitigations to protect roads and utilities may include such measures as retaining walls, possibly anchored with tie-backs or reinforced with soil nails or geogrid, depending upon the depth and characteristics of the landslide in those areas. Flexible and/or articulating connections may provide some mitigation for utilities, depending upon the nature and severity of the landslide movement. For water lines, sacrificial water lines with automatic shut-off valves may be appropriate. If the geologic investigation confirms that the landslide is slow-moving, ongoing repair and replacement of damaged roads and utilities may be feasible. Another option may include constructing utilities above grade in utility raceways.	

Impacts	Mitigation Measures	Residual Impacts
	GEO/mm-2 For the life of the project monitoring of landslide movement shall be monitored by a Certified Engineering Geologist. As landslide movement tends to be associated with inclement weather, seasonal monitoring of the landslides for indications of incipient movement shall be implemented in addition to other selected mitigation measures. If monitoring indicates potential movement, or during periods of particularly intense or prolonged inclement weather, temporary restrictions on use and occupancy of the campground may implemented upon the recommendation of the consulting Certified Engineering Geologist. Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, G-3, and G-4.	
GEO Impact 2 The proposed project would be constructed in an area subject to potential geologic hazards including fault movement and seismic activity, which may result in a potentially significant impact including building damage and public hazards.	**GEO/mm-3** Upon application for grading and construction permits, the Harbor District or their designee shall submit a fault investigation for any potentially habitable structure. The building areas of habitable structures shall be investigated by excavating an exploratory trench(es) perpendicular to the fault trace, and extending beyond the building footprint at least the minimum setback distance for the anticipated building type. The fault investigation shall be overseen by a Certified Engineering Geologist and shall conform to the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013) or the applicable edition at the time of investigation. If any habitable structures are found to overlie the fault or are within the minimum setback distance to the fault, the structure shall be relocated within the existing boundary of the areas identified for development, or designed to accommodate potential fault movement (pending approval by the County of San Luis Obispo). Potential design solutions may include, but are not limited to, mat foundations or overexcavated and geogrid-reinforced building pads designed with sufficient strength to overcome the maximum shearing forced exerted by seismic movement. Utility lines shall be fitted with articulating connections and/or automatic shut-off valves. **GEO/mm-4** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	or their designee shall submit construction plans and a geotechnical engineering report in compliance with the CBC, which includes measures to reduce risk from seismic events. Structures shall be designed in accordance with the seismic parameters presented in a project-specific geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards. The geotechnical engineering report shall be prepared by a qualified geotechnical engineer. The potential for seismically induced settlement shall be addressed in the geotechnical engineering report, which shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an evaluation of the properties of the fill and native soils, address the potential for seismic settlement, and provide specific recommendations for mitigation if appropriate. Available alternatives to reduce the effects of soil settlement may include, but not be limited to, deep ground improvement methods, surcharging the site to further consolidate the underlying soils, use of deep foundations such as driven piles combined with structural support of floor slabs, use of lightweight fills, and limiting the thickness of fills. Structures shall be designed in accordance with the recommendations and seismic parameters presented in the geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards, including seismic settlement. Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, and G-10.	
GEO Impact 3 The proposed project would be constructed in an area subject to potential geologic hazards including liquefaction, lateral spreading, and associated slope failure, which may result in a potentially significant impact including building damage and public hazards.	**GEO/mm-5** Upon application for grading and construction permits, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall address potential for liquefaction, lateral spreading, and associated slope failure, and shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. If significant potentials for liquefaction or lateral spreading are found to exist, recommendations for	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	mitigation shall be developed and presented in the geotechnical engineering report. If it is determined that liquefaction or lateral spreading may affect certain parts of the site, there are numerous mitigation measures that can be implemented, including but not limited to the following recommendations. Depending upon the location, depth, and extent of liquefaction or lateral spreading-prone areas and the types of improvements planned for these areas, potential mitigations could include earthwork (grading) programs, specialized foundations (such as mat or deep foundations), ground modification, and designing pipes and pipe connections for high strength and ductility. Potential measures to mitigate slope instability induced by lateral spreading include deep ground improvement methods, reinforcing of slopes, reducing slope inclinations, or establishing adequate setbacks between structures and slopes. Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2.	
GEO Impact 4 Construction of the proposed project would require mass grading and incorporation of stormwater management measures including LID measures and BMPs, which may result in unintended geologic hazards including slope instability, resulting in a potentially significant impact.	**GEO/mm-6** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit erosion and sedimentation control plans addressing both short-term erosion hazards during construction, and long-term erosion hazards for the life of the project. The plan shall include, but not be limited to, the following measures: control of surface runoff; V-ditches, berms, brow ditches, or other drainage diversion features; mid-slope benches; vegetation; straw bales; erosion matting; vegetative cover, control of rodent activity, or other methods. Drainage shall discharge in a non-erosive manner away from improvements and, where slopes are present, away from the tops and toes of the slopes. **GEO/mm-7** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a project specific geotechnical engineering report, prepared by a qualified geotechnical engineer and conforming to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an assessment of the potential impacts of BMPs, including	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	infiltration SCMs, and provide recommendations for mitigation. The impacts of infiltration SCMs upon slope stability, settlement of fill soils, drainage, and the shrink/swell cycle of expansive soils, shall be analyzed and included in the report. Infiltration SCMs shall not be placed in or above fill, near descending cut slopes, or at the toe of any slope. Infiltration SCMs shall be set back from foundations and surface improvements, or barriers such as deepened curbs, cutoff walls or impermeable membranes shall be placed between infiltration SCMs and foundations and/or improvements. Infiltration tests shall be conducted to assess the infiltration potential for use in the design of infiltration SCMs. To address potentially adverse impacts associated with BMPs, a maintenance program for all BMPs shall be prepared and implemented. The program shall include periodic inspection of BMPs, cleaning and removal of accumulated silt, sand, and debris from BMPs, maintenance of vegetation in BMPs, and periodic rehabilitation of infiltration BMPs for the life of the project. Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2.	
GEO Impact 5 Construction of the proposed project on undocumented fill material could result in potentially significant geologic hazards including slope instability and damage to structures and stored materials and equipment.	**GEO/mm-8** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the properties of the existing fill and the stability of the existing fill slopes, and shall include assessment of the existing fills, including suitability of the materials used, original site preparation, and degree of compaction; the suitability of the fill for supporting the proposed improvements; settlement of potential of the fill; slope stability; the impacting of placing fill upon existing fill; placement of fill over existing cut slopes; and appropriate mitigations for all of these issues. If the fill is found to be inadequate for the support of proposed improvements or unstable, mitigation measures shall include, but not be limited to, regrading, including removal of existing materials and replacement with structural fill. For fill placed on slopes, this would likely entail excavation of	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	keyways, benches, and installation of drains. Use of geogrid reinforcing may be appropriate. Structural mitigation is another potential solution. Depending upon the characteristics of the fill, retaining structures founded in underlying competent material may be applicable to specific situations. Types of appropriate retaining structures could include post and lagging walls, possibly anchored; gravity walls, mechanically stabilized earth walls, or cantilevered walls augmented with tie-back anchors. In the commercial area, drainage measures beneath and surrounding the pool shall be incorporated into its design. **GEO/mm-9** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the impact of grading of steep slopes, including the potential for instability of natural and proposed slopes and shall provide recommendations for appropriate grading programs, including criteria for maximum slope heights and angles. Where buildings are to be constructed on steep slopes, development of suitable foundation systems and criteria for their design shall be included in the report. Potential mitigation measures shall include, but not be limited to removal of additional material and extending grading operations beyond the slope area to temporarily or permanently reduce slope gradients, use of geogrid reinforcement, or temporary shoring. Types of foundations appropriate for building construction on steep slopes may include driven piles, drilled caissons, or conventional foundations extended to bear in competent material. Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, G-5, G-6, G-7, and G-8.	
GEO Impact 6 Construction of the proposed project on expansive soils could result in damage to structures and paved features, resulting in	**GEO/mm-10** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
a potentially significant impact.	conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include assessment of the expansive properties of the soil, and provide recommendations for mitigation. Appropriate mitigation shall include, but not be limited to, such measures as deeper footings in combination with preserving or augmenting the soil moisture, and use of a layer of nonexpansive material beneath slabs. There are a number of other options available, including caissons and grade beams, post-tensioned slab foundations, conventionally reinforced mat foundations, and deep nonexpansive pads. Deepening of curbs between pavement and bioswales, increasing the separation distance between pavement and bioswales, or other LID infiltration features may be recommended to reduce the potential for expansive soil damage. Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2.	
Greenhouse Gas Emissions and Climate Change		
GHG Impact 1 Construction and operation of the proposed project would generate GHG emissions exceeding SLOAPCD thresholds of significance, resulting in a potentially significant impact.	**GHG/mm-1** Upon application for construction permits, the Harbor District or their designee shall submit construction plans incorporating LEED certifiable construction measures and additional elements to reduce GHG emissions including, but not limited to, the following: a. Provide pedestrian-friendly features to make walking more convenient, comfortable, and safe, including appropriate signage and crosswalk(s). b. Provide good access to/from the development for pedestrians, bicyclists, and transit users. c. Incorporate outdoor electrical outlets to encourage the use of electric appliances and tools. d. Provide shade tree planting in parking areas to reduce evaporative emissions from parked vehicles. Design shall provide 50% tree coverage within 10 years of construction using low ROG emitting, low maintenance, native, drought resistant trees. e. No wood burning appliances in the campground	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	manager residence, hotel/motel units, or cabins. f. Incorporate traffic calming modifications to project roads that reduce vehicle speeds and encourage pedestrian and bicycle travel. g. Provide onsite housing for employees (campground manager). h. Implement on-site circulation design elements in parking areas to reduce vehicle queuing and improve the pedestrian environment. i. Provide employee lockers and showers (one shower and five lockers for every 25 employees is recommended). j. If feasible, trusses for south-facing portions of roofs shall be designed to handle dead weight loads of standard solar-heated water and photovoltaic panels. If feasible, roof design shall include sufficient south-facing roof surface, based on structures size and use, to accommodate solar panels. For south facing roof pitches, the closest standard roof pitch to the ideal average solar exposure shall be used, if feasible. k. Increase the building energy rating by 20% above Title 24 requirements. Measures used to reach the 20% rating cannot be double-counted. l. Plant drought tolerant, native shade trees along southern exposures of buildings to reduce energy used to cool buildings in the summer. m. Utilize green building materials (materials that are resource efficient, recycled, and sustainable) and available locally, to the maximum extent feasible. n. Install high efficiency heating and cooling systems. o. Orient buildings to be aligned north/south to reduce energy used to cool buildings in the summer, to the maximum extent feasible. p. Design buildings to include roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south-facing windows (passive solar design), to the maximum extent feasible. q. Use high efficiency water gas or solar water heaters.	

Impacts	Mitigation Measures	Residual Impacts
	r. Utilize built-in energy efficient appliances where applicable. s. Utilize double-paned windows where applicable. t. Utilize low energy streetlights, where applicable. u. Utilize energy efficient interior lighting. v. Install door sweeps and weather stripping if more efficient doors and windows are not available. w. Install energy-reducing programmable thermostats, where applicable. x. Use roofing material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs, to the maximum extent feasible. Implementation of this measure shall avoid creation of glare visible from public roads and areas. y. Provide and require the use of battery powered or electric landscape maintenance equipment to the maximum extent feasible. z. Provide secure on-site bicycle storage, lockers, or racks. aa. Implement a "no idling" program for heavy-duty diesel vehicles, including signage and citations. **GHG/mm-2** Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall include building efficiency improvements with construction permit applications and/or secure SLOAPCD approved off-site reductions in GHG emissions to ensure that GHG emissions to not exceed the SLOAPCD thresholds. Off-site mitigation may include, but not be limited to, the following measures, as approved by the County of San Luis Obispo Environmental Coordinator and SLOAPCD: a. Payment of off-site mitigation fees, as approved by the SLOAPCD and the Carl Moyer grant program; b. Develop or improve park-and-ride lots; c. Retrofit existing homes in the project area with APCD-approved natural gas combustion devices; d. Retrofit existing homes in the project area with energy-efficient devices;	

Impacts	Mitigation Measures	Residual Impacts
	e. Retrofit existing businesses in the project area with energy-efficient devices; f. Construct satellite worksites; g. Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles. h. Replace/repower transit buses; i. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles); j. Fund an electric lawn and garden equipment exchange program; k. Retrofit or repower heavy-duty construction equipment, or on-road vehicles; l. Install bicycle racks on transit buses; m. Purchase Verified Diesel Emission Control Strategies (VDECS) for local school buses, transit buses or construction fleets; n. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.); o. Fund expansion of existing transit services; p. Fund public transit bus shelters; q. Subsidize vanpool programs; r. Subsidize transportation alternative incentive programs; s. Contribute to funding of new bike lanes; t. Install bicycle storage facilities; and, ~~b.~~ u. Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans.	
Hazards and Hazardous Materials		
HAZ Impact 1 During construction of the project, the use of heavy equipment may result in accidental spill or leakage of potentially hazardous materials (i.e., fuels, oil), resulting in a significant, short-term impact.	**HAZ/mm-1** Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a RWQCB-approved SWPPP. The SWPPP and final grading and construction plans shall identify equipment and materials staging areas, and include measures to contain and remediate accidental spills and leaks. During construction, equipment, staging, and storage areas shall be inspected daily. The SWPPP shall be implemented	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	during construction. Implement Port Master Plan Final Program EIR mitigation measures HAZ-1 and HAZ-3.	
HAZ Impact 2 Development of the Harbor Terrace site may result in the exposure of existing contaminants in the soil, resulting in a potentially significant impact.	Implement Port Master Plan Final Program EIR mitigation measures HAZ-2, HAZ-3, and HAZ-4.	Significant, but mitigable (Class II)
HAZ Impact 3 Construction and operation of the proposed project within a high fire hazard zone may increase the potential for wildfire, including use of equipment, vehicles, campsite fires within fire rings, and increased human presence at the urban/wildland interface. Implementation of the proposed project would place additional structures, life and property at risk for damage or destruction from wildland fires and/or structural fires. Potential impacts would be significant.	**HAZ/mm-2** Prior to issuance of grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall prepare and submit the following plans, which shall be reviewed and approved by CAL FIRE: a. Written Fire Safety Plan in compliance with California Fire Code Chapter 4 Emergency Planning and Preparedness; b. Building and construction plans incorporating fire prevention and suppression measures consistent with the complete California Fire and Building Code, California Fire and Building Code Chapter 7A Ignition Resistant Construction in Wildland Urban Interface Areas, National Fire Protection Association standards, the California Fire Code, and the California Electrical Code; c. Hazardous Materials Business Plan; d. Site access and addressing standards to the satisfaction of CAL FIRE; e. Operational fire water system, ~~F~~fire water storage tanks, and hydrants designed and located to the satisfaction of CAL FIRE; and, f. A fuel reduction/vegetation management plan to be implemented for the life of the project. **HAZ/mm-3** Prior to construction, an operational water system and established access roads shall be installed pursuant to California Fire Code Section 501.4. Use of spark arresters, provision of adequate clearance around welding operations, smoking restrictions, and onsite extinguishers are	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	required. Implement Port Master Plan Final Program EIR mitigation measures PS-8, PS-9, PS-10, and PS-11.	
Hydrology and Water Quality		
The 100-year flood zone extends across Avila Beach Drive. Based on estimates of sea level rise, and assuming 5.48 feet of sea level rise by the year 2100, coastal flooding in the future may reach the 30-foot elevation (base sea level) during a storm event. Increased wave action and storm surge may increase this level. Affected areas of the project site may include the access roads and lower parking areas. Exacerbated coastal erosion may compromise the commercial structure, swimming pool, and lower campsites. In the future, modifications to the site may be required to adapt to climate change and sea level rise, and may include removal of structures or features. Based on the lower elevations of the Port and community of Avila Beach, the effects would occur along the Avila coastline, and regional adaptation measures would be required for the region.	**HYD/mm-1** Prior to occupancy of the proposed project, the Harbor District or their designee shall develop a Sea Level Rise Adaptation Plan including, but not limited to, the Harbor District's (or their designee's) ongoing documentation of high tide elevation levels and coastal storms, the future removal of structures and features as a result of sea level rise and associated coastal hazards including erosion and slope stability, and indicators that the lower facility amenities may be compromised by sea level rise (i.e., wave action overtops and floods Avila Beach Drive and erodes the road cut adjacent to the project site). The initial plan, and subsequent revisions based on actual conditions, shall be submitted to the County of San Luis Obispo Environmental Coordinator for review and approval.	Less than significant (Class III)
Noise		
N Impact 1 Operation of the project may include personal use of portable generators, primarily associated with recreational vehicle (RV) use, which would generate noise levels potentially affected other visitors within the campground facility, and sensitive receptors within the beach area to the south, resulting in a potential noise nuisance.	**N/mm-1** The use of personal generators shall be prohibited within all recreational vehicle (RV), hotel, cabin, and car/tent campsites.	Significant, but mitigable (Class II)
N Impact 2 Noise associated with construction activities may adversely impact nearby noise-sensitive uses, resulting in a potentially significant impact.	Implement Port Master Plan Final Program EIR mitigation measures N-1, N-2, and N-3.	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
Transportation and Traffic		
Construction of the proposed project would result in the use of local roadways for the transport of equipment and materials to the project site. Due to the short-term nature of the construction period, the effects would be *less than significant* (Class III), and would therefore not require off-site road improvements. Prior to issuance of grading and construction permits, a Construction Traffic Mitigation Plan would be prepared, and would be implemented during the grading and construction phases.	**TR/mm-1** Prior to construction, the Harbor District or their designee shall prepare a Construction Traffic Mitigation Plan for review and approval by County Public Works. The Plan shall be implemented during construction, and shall include, but not be limited to, the following elements: a. Description of construction activities, including equipment lists and project schedule, including estimated start and end dates and working hours; b. Name of on-site construction manager; c. Identification of the work area, truck route(s), and staging areas in relation to cross streets, including all distances and dimensions; d. Traffic control plan, including: all temporary traffic control devices including signs and delineators; use of construction staff to manage or direct traffic; measures to reduce truck and equipment queuing on County streets; and safety measures for vehicles, pedestrians, bicyclists, and construction workers; e. Avoidance of peak traffic hours based on consultation with the County Public Works Department.	Less than significant (Class III)
TR Impact 1 Additional trips resulting from the proposed project may result in the need for a left-turn lane at either Babe Lane or the secondary access road. Secondary impacts may include additional ground disturbance, and potential impacts to air quality, water quality, and sensitive habitats including emission generation and sediment and pollutant discharge during construction. Mitigation measures identified in this EIR regarding these potential impacts would apply.	**TR/mm-2~~1~~** Prior to operation of the proposed project, the Harbor District or their designee shall prepare a Traffic Monitoring Plan for the review and approval of the County Public Works Department. The Monitoring Plan shall identify appropriate methodologies and timeframes for conducting onsite turning movement counts, determination of capacity and trip generation resulting from the proposed project, and identification of a threshold for implementation of a left turn lane if feasible. **TR/mm-3~~2~~** In the event a left-turn lane is required to be constructed, the Harbor District or their designee shall submit grading and construction plans for review and approval by County Public Works. The plan shall include the following measures and elements:	Significant, but mitigable (Class II)

Impacts	Mitigation Measures	Residual Impacts
	a. A Transportation Management Plan including measures to divert vehicle, bicyclist, and pedestrian traffic safely around the project area; b. Biological Resources Monitoring Plan including the presence of a qualified biological monitor during grading and construction activities and worker training; c. Cultural Resources Monitoring Plan including the presence of an archaeological monitor during initial ground disturbance and worker training; d. Erosion and Sedimentation Control Plan and SWPPP consistent with County Coastal Zone Land Use Ordinance and RWQCB standards and regulations.	
TR Impact 1 Existing vegetation near proposed primary and secondary access approaches may hinder safe viewing distances on Avila Beach Drive, resulting in a potentially significant impact.	**TR/mm-4~~3~~** For the life of the project, a clear sight triangle of at least 300 feet of stopping sight distance, and 440 feet of intersection sight distance shall be maintained at each access approach to Avila Beach Drive. This shall be achieved through long-term management of vegetation and limitations on parking on Avila Beach Drive.	Significant, but mitigable (Class II)

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CHAPTER 1
INTRODUCTION

1.1 PURPOSE OF THE EIR

The Port San Luis Harbor District (Harbor District) and the State Coastal Conservancy (Conservancy) propose a development plan for the Port San Luis Harbor Terrace Campground. The Harbor District is the CEQA lead agency and project proponent, and the Conservancy provided the funding for development of the plan and preparation of the EIR and County of San Luis Obispo Coastal Development Permit (CDP) application. The development plan includes site plan and preliminary grading and drainage plan details, and guidelines and parameters for future development and construction-level design of the site consistent with the San Luis Bay Coastal Area Plan Harbor Terrace Planning Area Standards and Port San Luis Harbor District Master Plan (Port Master Plan) (RRM Design Group 2004). The Certified Program Final Environmental Impact Report (EIR) for the Port Master Plan (Crawford, Multari, & Clark Associates [CMCA] 2004) included a programmatic-level assessment of future development on the project site. The plans for the proposed project include elements that are generally at a lower intensity level than the elements addressed in the Final Program EIR (i.e., fewer recreational vehicle [RV] and hotel/motel sites). This project-specific EIR tiers off the Port Master Plan Final Program EIR (2004). Relevant impact analysis and information presented in the Final Program EIR is incorporated by reference, and all mitigation measures applicable to the project site are included.

This EIR will be used by the Harbor District to consider approval of the project or an identified alternative. This EIR will also be used by the County of San Luis Obispo (County) during review and consideration of a Coastal Development Permit application and subsequent grading and construction permits.

1.2 SCOPING AND NOTICE OF PREPARATION PROCESS

In compliance with the California Environmental Quality Act (CEQA) Guidelines, the Harbor District has taken steps to provide opportunities to participate in the environmental process. During the Initial Study process, an effort was made to contact various federal, state, regional, and local governmental agencies and other interested parties to solicit comments and inform the public of the proposed project. This included project referrals, personnel correspondence, and telephone contact. In addition, the ~~County~~ Harbor District distributed the Notice of Preparation (NOP) on March 7, 2014, to various agencies, organizations, and interested persons throughout San Luis Obispo County and the surrounding area. The proposed project was described, the scope of the environmental review was identified, and agencies and the public were invited to review and comment on the NOP. The close of the NOP review period was April 7, 2014. In addition, a scoping meeting was held on March 19, 2014, at the Harbor District's public meeting space at the Coastal Gateway Building, 3900 Avila Beach Drive, Avila Beach, California 93424. Comments received at the scoping meeting included concerns regarding traffic on Avila Beach Drive, including: peak traffic due to events at the Avila Beach Golf Resort, Avila Farmer's Market, and Bellevue Santa Fe School-related traffic; cumulative traffic created by reasonably foreseeable projects (i.e., Avila Point General Plan Amendment and Development Plan); consideration of signage when then campground is full to avoid or reduce unnecessary recreational vehicle (RV) trips on Avila Beach Drive; and concerns regarding emergency access.

In addition to the required NOP scoping meeting, the Harbor District held two public meetings on the project, both in the Harbor District's Coastal Gateway conference room. A public meeting was held on February 12, 2014 to present, solicit feedback on, and respond to questions about the project's initial design. On this same date, following the public meeting, a Special Harbor Commission meeting was held to present, solicit feedback on, and respond to questions regarding the project's initial design. A Harbor Commission meeting was held on June 24, 2014, at which the project team solicited feedback on and presented the updated project design to the Harbor Commission. During this meeting, the public presented comments and questions. The Harbor District also attended Avila Valley Advisory Council Meetings (AVAC) on February 10, 2014, March 10, 2014, April 14, 2014, and May 12, 2014 to present information and respond to questions.

Agencies, organizations, and interested parties not contacted or who did not respond to the request for comments about the project during the preparation of the Draft EIR currently have the opportunity to comment during the 60-day public review period on the Draft EIR. Additional opportunities for comment include a Draft EIR public meeting scheduled for October 15, 2014 and consideration of the proposed project and certification of the Final EIR at the Port San Luis Harbor Commission hearing (to be scheduled, please refer to official notice and agenda).

1.3 EIR CONTENTS

The scope of the EIR includes issues identified by the lead agency during the preparation of the NOP for the proposed project, as well as environmental issues raised by agencies and the general public in response to the NOP and at the scoping meeting. The EIR is divided into the following major sections:

Executive Summary. Provides a brief summary of the project background, description, impacts and mitigation measures, and alternatives.

Introduction. Provides the purpose of an EIR, as well as scope, content, and the use of the document.

Project Description. Provides the general background of the project, objectives, a detailed description of the project characteristics, and a listing of necessary permits and government approvals.

Environmental Setting. Describes the physical setting and surrounding land uses.

Environmental Impacts Analysis. Discusses the environmental setting as it relates to the various issue areas, regulatory settings, thresholds of significance, impact assessment and methodology, project-specific impacts and mitigation measures, cumulative impacts, and secondary impacts. The EIR analyzes the potentially significant impacts to the following resource areas, as identified during the preparation of the NOP:

- Aesthetic Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions and Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services, Utilities, and Service Systems
- Transportation and Traffic
- Issues with Less than Significant Impacts

Alternatives. Summarizes the environmental advantages and disadvantages associated with the project and alternatives. As required, the "No Project" alternative is included among the alternatives considered. An "Environmentally Superior Alternative" is identified.

Other CEQA Considerations. Identifies growth-inducing impacts and a discussion of long-term/short-term productivity and irreversible environmental changes.

Mitigation Monitoring and Reporting Program. This section contains a matrix of all mitigation measures contained in the EIR, the requirements of the mitigation measures, the applicant's responsibility and timing for implementation of these measures, the party responsible for verification, the method of verification, and verification timing.

1.4 PROJECT SPONSORS

Lead Agency and Applicant: Port San Luis Harbor District
3950 Avila Beach Drive
P.O. Box 249
Avila Beach, California 93424
Steve McGrath, Harbor Manager

Environmental Consultant: SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
Ms. Shawna Scott, Project Manager

1.5 REVIEW OF THE DRAFT EIR

This Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, interested parties, and all parties requesting a copy of the Draft EIR in accordance with Public Resources Code (PRC) §21092(b)(3). The Notice of Completion and Notice of Availability of the Draft EIR were distributed and posted as required by CEQA. During this 60-day period, the EIR and all technical appendices are available for review at the following locations:

Port San Luis Harbor District
3950 Avila Beach Drive
Avila Beach, California 93424
http://www.portsanluis.com/

San Luis Obispo City/County Library
995 Palm Street
San Luis Obispo, California 93401

On behalf of the lead agency, comments on the Draft EIR shall be addressed to:

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants (consultants to the District)
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Or via email to sscott@swca.com

The public review period ~~is~~ was 60 days. Written responses to all significant environmental issues raised ~~will be~~have been prepared and ~~will be~~are included as part of the Final EIR and the environmental record for consideration by decision-makers for the project. All changes to the

EIR resulting from the responses to comments are marked by a vertical line in the left margin, and added text is underlined and deleted text is ~~strikethrough~~.

1.6 ACRONYMS

The following acronyms are used in the EIR. The acronyms are spelled out the first time they are used in the EIR, but are also provided in Table 1-1 below.

Table 1-1. Commonly Used Acronyms

Acronym	Term
3D	three-dimensional
A.D.	Anno Domini
AB	Assembly Bill
ACM	asbestos containing material
af	acre feet
afy	acre-feet per year
APN	Assessor Parcel Number
APS	auxiliary power system
ARB	California Air Resources Board
AS	Archaeologically Sensitive
ATCM	Air Toxics Control Measure
BACT	Best Available Control Technology
Basin Plan	Water Quality Control Plan for the Central Coast Region
BMP	Best Management Practice
BOD	biochemical oxygen demand
C5	Central Coast Clean Cities Coalition
CAA	Clean Air Act
CAL FIRE	California Department of Forestry and Fire Protection
Cal Poly	California Polytechnic State University, San Luis Obispo
CalEEMod	California Emission Estimator Model
CalEPA	California Environmental Protection Agency
CAMP	Construction Activity Management Plan
CAP	Clean Air Plan
CAZ	Coastal Appealable Zone
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CCTC	Central Coast Transportation Consultants

Table 1-1. Commonly Used Acronyms

Acronym	Term
CDFW	California Department of Fish and Wildlife
CDMG	California Division of Mines and Geology
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
cfs	cubic feet per second
CGS	California Geological Survey
CH_4	methane
CHP	California Highway Patrol
CMCA	Crawford, Multari, & Clark Associates
CNDDB	California Natural Diversity Database
CNEL	community noise exposure level
CNG	compressed natural gas
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
Conservancy	State Coastal Conservancy
COSE	Conservation and Open Space Element
County	County of San Luis Obispo
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CSA	County Service Area
CSD	Community Services District
CZLUO	Coastal Zone Land Use Ordinance
dB	decibel
dBA	A-weighted decibel
DD	doubling of distance
DHS	California Department of Health Services
DO	dissolved oxygen
DOC	California Department of Conservation
DPF	diesel particulate filters

Table 1-1. Commonly Used Acronyms

Acronym	Term
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protection Agency
ESHA	Environmental Sensitive Habitat Area
F_6S	sulfur hexafluoride
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIS	Flood Insurance Study
FRO	First Responder Operations
GHG	greenhouse gas
GIS	Geographic Information Systems
gpd	gallons per day
gpm	gallons per month
GSA	Geologic Study Area
Harbor District	Port San Luis Harbor District
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HDM	Highway Design Manual
HFC	hydrofluorocarbon
hp	horsepower
HRA	Health Risk Assessment
kWh	kilowatt hour
lbs/day	pounds per day
LCP	Local Coastal Program
Ldn	day/night sound level
Leq	hourly average sound level
LID	Low Impact Development
LNG	liquefied natural gas
LOS	levels of service
LUE	Land Use Element

Table 1-1. Commonly Used Acronyms

Acronym	Term
MBTA	Migratory Bird Treaty Act of 1918
$MMtCO_2e$	million metric tons of CO_2 equivalent
mph	miles per hour
msl	mean sea level
MT	metric tons
$MMtCO_2e$	million metric tons of CO_2 equivalent
$MTCO_2e/yr$	metric tons CO_2 per year
MWC	Mutual Water Company
N_2O	nitrous oxide
NCCP	Natural Community Conservation Plan
NCHRP	National Cooperative Highway Research Program
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_2	nitrogen dioxide
NOA	Naturally Occurring Asbestos
NOP	Notice of Preparation
NO_x	nitrates of oxygen
NPDES	National Pollutant Discharge Elimination System
NRCS	U.S. Department of Agriculture Natural Resources Conservation Service
O_3	ozone
OES	Office of Emergency Services
PCF	Paid Call Firefighter
PG&E	Pacific Gas and Electric Company
PM_{10}	inhalable particulate matter 10 microns or less in size
$PM_{2.5}$	inhalable particulate matter 2.5 microns or less in size
Port Master Plan	Port San Luis Harbor District Master Plan
PR	Performance Requirement
PRC	Public Resources Code
RLOS	Recommended Level of Severity
ROG	reactive organic gas
RV	recreational vehicle
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCM	storm water control measure

Table 1-1. Commonly Used Acronyms

Acronym	Term
SEMS	Standardized Emergency Management System
SHPO	State Historic Preservation Officer
SLOAPCD	San Luis Obispo County Air Pollution Control District
SO_2	sulfur dioxide
SP	Service Population
SRA	Sensitive Resource Area
SRV	Coastal streams and riparian vegetation
SSC	California Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
Tc	Time of Concentration
TCP	Transportation Choices Program
ton/qtr	tons per quarter
TSM	transportation systems management
UBC	Uniform Building Code
US 101	U.S. Highway 101
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
VOC	volatile organic compound
WDR	Waste Discharge Report

CHAPTER 2
PROJECT DESCRIPTION

The Harbor District and the Conservancy propose a development plan for the Port San Luis Harbor Terrace Campground. The development plan includes site plan and preliminary grading and drainage plan details, and guidelines and parameters for future development and construction-level design of the site.

2.1 PROJECT LOCATION

The project is located west of the unincorporated community of Avila Beach, on the north side of Avila Beach Drive, immediately east of Diablo Canyon Road, in San Luis Obispo County, California. The project is within the San Luis Bay Coastal Area Plan Area. The 32-acre project site consisted of six parcels: Assessor Parcel Numbers (APNs) 076-172-002 (approximately 19-acre portion of a 21-acre parcel), 076-172-010 (1.77 acres), 076-172-019 (5.72 acres), 076-172-022 (0.16 acre), 076-171-018 (approximately 1.0-acre portion of a 390.83-acre parcel), and 076-171-021 (approximately 4-acre portion of a 508.25-acre parcel). Consistent with the Local Coastal Plan (LCP) and approval by the County Subdivision Review Board and the Public Utilities Commission (PUC), the District now owns the subject property in fee, and is awaiting assignment of a single APN for the new, single, undivided, 32-acre parcel (hereafter referred to as the project site). The project also proposes an approximately 0.7-acre access use agreement ~~easement~~ on APN 076-171-021, improvements to the Babe Lane approach, and crosswalks across Avila Beach Drive, resulting in a total project area of approximately 34 acres. Refer to Figures 2-1 and 2-2, Project Vicinity and Project Location, below.

2.2 PROJECT BACKGROUND

2.2.1 History of Harbor Terrace

The project site and surrounding areas comprise lands once owned by the Marre family. Originally, Harbor Terrace consisted of rolling hills that sloped in a southerly direction. Union Oil Company graded the site in the 1930s for the storage of crude oil in aboveground oil storage tanks. In 1973, the site was graded for the proposed Port San Luis Marina Village, a project that was never completed. The Harbor District purchased 23 acres of the site with funding from the State Department of Boating and Waterways in 1976 to develop uses that could generate additional revenues for the Harbor District and provide needed land for harbor facilities. In 1980, 6 acres were added through a long-term lease agreement. After acquiring additional leases, the site became approximately 32 acres (RRM Design Group 2004) and is now owned in fee by the Harbor District.

Historic use of the site included the Port San Luis Trailer Park, which occupied approximately three acres off Babe Lane, and consisted of 41 spaces. In June 2012, the Harbor Commission adopted a resolution directing the Harbor District to close the Port San Luis Trailer Park. At the time, eight of the 41 spaces were occupied by travel trailers or mobile homes (Overland Pacific & Cutler, Inc. 2012). The District subsequently adopted a Closure and Impact Report and Relocation Plan, and consistent with the Report and Plan, the trailer park has been closed and trailers and mobile homes removed. The Harbor District has used the remainder of the site for commercial and recreational boat and fishing gear storage, recreational vehicle (RV) camping and Harbor District storage of materials and equipment. Efforts to develop the project site in the 1990's led to an update of the Port Master Plan and a LCP amendment incorporating the features now reflected in the current project.

Figure 2-1. Vicinity Map



Figure 2-2. Location Map



2.2.2 Port San Luis Harbor District Master Plan

The Harbor Terrace site was included in the Port San Luis Harbor District Master Plan (Port Master Plan) (RRM Design Group 2004) and was evaluated in the Port Master Plan Final Program EIR (CMCA 2004). Following approval of the Port Master Plan, mitigation measures adopted in the Port Master Plan Final Program EIR were incorporated as goals, policies, and planning area standards in the County's San Luis Bay Coastal Area Plan Land Use Element of the County's LCP (County of San Luis Obispo 2009).

The Harbor Terrace project is required to comply with the San Luis Bay Coastal Area Plan in its entirety so as to not require an amendment to this County's General Plan and LCP. The project site is identified as the "Harbor Terrace Planning Sub-Area" in the San Luis Bay Coastal Area Plan. The following paragraphs summarize existing goals and policies which apply to the site, and the manner in which the proposed project complies.

2.2.2.1 San Luis Bay Coastal Area – Goals & Policies for the Harbor Terrace Planning Sub-Area

The project will conform to the following goals and policies put forth in Chapter 8 (Planning Area Standards) of the San Luis Bay Coastal Area Plan for Harbor Terrace Planning Sub-Area (see page 8-20):

- **Development Intent:** The Harbor Terrace project will provides a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations.

- **Harbor Users:** The Harbor Terrace project must provide space to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses.

- **Visitor Uses:** The Harbor Terrace project will provide visitor-serving retail uses that are complementary to the harbor so the project may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. The project program must include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include affordable visitor serving facilities.

- **Environmental Performance:** The Harbor Terrace project shall integrate site and building design techniques that are environmentally sensitive and energy conserving.

- **Pedestrian Access:** New visitor serving developments on Harbor Terrace shall incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities.

- **Limitations on Use:** The Harbor Terrace project shall allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), yachting and rowing clubs, paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, communication facilities, specialized programs, outdoor retail sales, Harbor Operations (including offices, storage

and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture and mariculture.

- **Road, Infrastructure, and Service Restrictions:** The San Luis Bay Coastal Area Plan precludes the project from extending roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead connections.

2.2.2.2 San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub - Area

The project will conform to the following Planning Criteria put forth in Chapter 8 (Planning Area Standards) of the San Luis Bay Coastal Area Plan (Adopted/Certified in 1988 and Revised August 2009) for Harbor Terrace Planning Sub-Area (see pages 8-22 to 8-25):

- **Priority of Uses:** Proposed uses of the project shall include sufficient area for the highest priority coastal-dependent and coastal-related uses. Other uses shall be designed and constructed to avoid interference with coastal-dependent and coastal-related uses. To ensure the project provides adequate facilities necessary to serve the highest priority uses and does not reduce opportunities for lower cost visitor serving uses and coastal access and recreation, the project program shall provide the following:

  - **Minimum Required Uses:** A minimum of 70 trailer boat storage spaces, 20 marine gear storage spaces, 48,000 square feet of general public parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient.

  - **Prescribed Use Ratios:** A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every 1.5 unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three RV campsites.

  - **Project Phasing Limitations:** Permits necessary to construct the minimum number of lower-cost campsites (car or walk-in/bike-in tent campsites) must be approved prior to or concurrently with any permit approval for hotel/motel and/or commercial retail development on the project site, and the lower-cost campsites must be available for use within one year of the opening of the hotel/motel and/or commercial retail development.

  - **Purpose of Commercial Uses:** All commercial uses must serve coastal dependent uses, coastal-related uses and/or provide visitor-serving uses.

  - **Intent of Accommodations:** With the exception of an on-site campground host or campground facilities manager, all overnight accommodations to be developed on the project site shall be exclusively available to the general public for transient occupancy. The establishment or conversion of overnight accommodations to a

private or members only use (e.g., timeshares or condominiums), or the implementation of any program to allow extended and exclusive use or occupancy of the facilities by an individual or limited group or segment of the public is prohibited.

- **Special Events:** Specialized programs and temporary events are subject to land use approval consistent with the Local Coastal Plan. Outdoor events conducted on the site shall be planned and staged so that noise generated by the event, attendees, and traffic is minimized. Temporary events shall not interfere with harbor operations and boating and fishing activities.

- **Building and Site Design Requirements:** New development shall be sited and designed to minimize the visual impacts of the development, including those related to light and glare, in order to preserve the scenic quality of the area as viewed from public viewing areas, adjacent roads, piers, beaches, and the ocean. Special attention shall be given to maintaining character of the Harbor area. This shall be accomplished by:

    - **Commercial Use Location:** Restricting the development of commercial retail facilities and structures (eating and drinking establishments, food and beverage retail sales, commissary, market, meeting rooms, parking, etc.) to the lower previously graded portions of the site, as depicted in Conceptual Harbor Terrace Plan Figure 8.7 of the San Luis Bay Coastal Area Plan.

    - **Commercial Use Height Limitations:** Limiting commercial retail facilities/structures and the harbor office/shop to two-stories with a maximum height of 25 feet.

    - **Hotel Use Height Limitations:** Limiting hotel motel units (yurts, cabins, inns, casitas, bungalows) to single-story with a maximum height of 15 feet.

    - **Camping Use Location:** Limiting the use of APN 076-171-021 to walk-in/bike-in camping. The small, previously disturbed area on the northwest portion of the parcel adjacent to the existing access road may be used for structures necessary to serve the walk-in/bike-in campsites. No new road development or road improvements shall occur on APN 076-171-021 and vegetation removal shall be minimized. Each walk-in/bike-in site shall be limited to a level area or platform for a tent, a picnic table, a fire ring, and a water spigot.

    - **Aesthetics:** Requiring that all development to be designed, colored, and sited to minimize visibility within the public viewshed.

        - **Bulk:** Project buildings shall avoid large, boxy structures by providing variations in height, articulated roof forms and pitch, and open space view corridors.

        - **Materials:** Structures shall blend in with the natural surroundings by using earth toned colors and materials. Reflective materials and finishes are prohibited.

- **Lighting:** Lighting (particularly overhead street lights should they be necessary) shall be minimized in number and shall be shielded to orient lighting downward.

- **Landscape:** The project shall be landscaped with native vegetation appropriate to the site in order to soften the visual prominence of the new development and to restore the visual qualities of the site. Invasive plant species in new landscaping are prohibited.

- **Landscape and Irrigation Plans:** Identifying revegetation areas necessary to stabilize slopes and planting areas necessary to minimize visual impacts of grading/terracing and the proposed use of the site. Landscape plans shall utilize native plant species appropriate to the site, and shall be designed to minimize the visual impact of all development on the site as viewed from public viewing areas, piers, beaches, and the ocean. Alteration of natural landforms is to be minimized and any areas of cut/grading shall immediately be re-seeded using a native seed mix.

- **Restroom Location:** Requiring a restroom building or other structures necessary to serve the campsites to be sited in the least visible portions of previously disturbed areas, and designed and landscaped to prevent its visibility from public view.

- **Water Tank Improvements:** Requiring that any improvements or additions to the existing water tank to be limited to the minimum necessary to provide approved site development with water storage for domestic supply and fire protection purposes; shall be placed underground to the greatest degree feasible; and shall be sited, colored, and landscaped to minimize visibility from public viewing areas (including roads, piers, beaches, and offshore areas).

- **Visual Analysis:** Requiring at the time of Coastal Development Permit application, or as part of an environmental review document, a detailed visual analysis which demonstrates that the visual and scenic character of the site will be preserved and improved where possible.

- **Biological Resources:** To protect and enhance sensitive biological resources and habitat areas, including water quality, on and adjacent to the project site, the following measures shall include, but are not limited to:

  - **Revegetation:** The revegetation of all cut slopes with native species of local stock appropriate to the site. Invasive plant species are prohibited.

  - **Tree Replacement:** The replacement of all oak trees in areas adjacent to existing oak woodland habitat, if the removal of such oak trees cannot be avoided. The number and replacement of trees shall be adequate to ensure that an equal or greater number of oak trees, in comparison to the number of trees removed, will be successfully established. A tree replacement program, including long-term maintenance measures, shall accompany any development plan that involves the removal of existing oak trees. This program will include strategies for improving natural oak recruitment.

- **Habitat Disturbance:** Designing grading and construction activities to avoid disturbance of habitat (e.g., coastal scrub habitat) and minimize the removal of oak trees.

- **Setback Zones:** The establishment, management, and maintenance of setback or buffer zones as habitat areas. The width of such setback/buffer areas shall be determined through a project specific biological analysis that identifies the minimum setback/buffer area necessary to protect the biological productivity of sensitive habitat areas. Setback areas necessary for fire safety shall be identified in the development plan and shall be designed to avoid the removal or disturbance of habitat areas. The width of the vegetative buffer area provided for the coastal stream adjacent to Diablo Canyon Road shall be no less than 50 feet.

- **Guest Education:** Providing information to future guests regarding nature-viewing opportunities.

- **Designated Habitat Areas:** The provision of designated areas for pets so that native habitat areas are avoided.

- **Grading:** Grading for approved development shall be designed and implemented to minimize sedimentation impacts on adjacent surface water bodies including coastal streams and San Luis Bay. Construction activities such as grading and clearing shall be scheduled to avoid the rainy season.

- **Storm Water Management:** Minimize impervious surfaces and install post development Best Management Practices (BMPs) to capture, infiltrate, and/or treat storm water runoff. The objective of drainage improvements shall be to avoid any increase in the quantity and intensity of storm water runoff exiting the site. Post construction BMPs shall be designed with adequate capacity to accommodate, at a minimum, the 85th percentile 24-hour runoff event.

- **Drainage Facilities:** If drainage facilities are proposed to flow into the stream/drainage channel adjacent to Diablo Canyon Road, the stream channel shall be restored to provide both flow capacity and natural habitat.

- **Drainage Filtration:** Filtering all drainage from parking facilities by using vegetated swales or oil/water separators to limit oil/grease pollution and the intensity of flow commonly associated with parking lots.

- **Limit Water Quality Impacts:** Use all BMPs possible to limit water quality impacts and eliminate to the greatest degree feasible the need for additional culverts and ocean/beach disposal points.

▪ **Cultural Resources:** Potential project impacts to cultural resources shall be evaluated, and the protection and/or mitigation for any significant resources identified shall be incorporated into the proposed site design in coordination with State Historic Preservation Officer (SHPO) and the local Chumash tribe. Archeological field surveys shall be conducted prior to project construction activities. In accordance with §23.05.140 of the Coastal Zone Land Use Ordinance, all construction activities shall cease should resources be identified during construction. In such an event, construction activities shall not re-commence until measures protecting and/or mitigating impacts to archaeological

resources have been developed and approved by the Planning Director, Environmental Coordinator, SHPO, and the Chumash tribe. No development shall occur west of Diablo Canyon Road other than restoration of the existing drainage course, and any cultural/archaeological preservation activities that have been coordinated and approved by the SHPO and representatives of the appropriate Chumash tribe.

- **Slope Stability:** To reduce hazards on the project site, new structures designated for human occupation and use (e.g., hotels, motels, campsites, parking lots, offices, commercial areas) must demonstrate a static factor of safety with respect to slope stability of 1.5 and a pseudostatic factor of safety to 1.1, using a horizontal seismic coefficient of 0.15g. In addition, uses on the project site or slopes above it that would have a significant potential to saturate the soils and add further slope instability, such as drainage detention basins or septic systems, shall be prohibited.

2.3 PROJECT OBJECTIVES

Project objectives were developed by the Harbor District and the Conservancy. The primary goals and objectives of the project are as follows:

- Develop a plan consistent with the County's San Luis Bay Coastal Area Plan standards, the County's Local Coastal Program, and the Coastal Act.

- Provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, including low and moderate cost overnight accommodations (campsites as stipulated in the LCP), so that the land is financially and physically supportive of Harbor District operations and functions.

- Provide a range and mix of uses that enhances the public's enjoyment of the Port and serves the needs of harbor users, including retail uses that are complementary to the harbor.

- Reserve area on Harbor Terrace to accommodate current and future Harbor District and other user needs including gear and trailer boat storage, and other harbor uses.

- Include overnight accommodations and commercial uses; make-up of overnight accommodations shall comply with LCP requirements that stipulate campsites shall be provided in specified ratios as related to unit count of RV and hotel/motel accommodations.

- Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving.

- In new visitor serving developments on Harbor Terrace, incorporate measures to provide safe pedestrian access on- and off-site and coordinate access to the beach and other Port facilities.

- Allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, outdoor retail sales, Harbor

Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture-supporting uses and mariculture-supporting uses.

- Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead or beach and bluff access connections.

2.4 PROJECT COMPONENTS

The proposed project would consist of a campground, including a range of overnight accommodations within a range of costs (including low-cost resource dependent campsites), visitor serving commercial uses, harbor uses, restrooms, and parking (refer to Table 2-1 below and Figure 2-3). Additional features include trails and paths between parking areas and campsites; an accessible ramp between the commercial use and pool area and the proposed crosswalk across Avila Beach Drive; a check-in station near the primary entrance, and trash and recycling enclosure within a screening wall and swinging doors. Implementation of the project may require the removal of a number of ornamental and eucalyptus trees onsite. No oak trees are proposed for removal. Approximately 25 RV camping spaces are currently located on Avila Beach Drive. With implementation of the proposed project, these 25 RV camping spaces would not be allowed on Avila Beach Drive. These spaces may remain available for roadside parking, including RVs.

Table 2-1. Project Components and Amenities

Amenity	Size or Unit	Description
Overnight Campground Accommodations		
RV	80 sites	RV sites would vary in dimensions, and would be improved with an impervious surface (paved). The maximum stay limit would be 30 days, with the exception of camp host(s).
RV / RV cabin	15 sites	RV / RV cabin sites would vary in dimensions, and would be improved with gravel or decomposed granite base. The maximum stay limit would be 30 days. RV cabins would be no taller than 15 feet in height, and may consist of an entry, bed(s), small kitchen area with a stove and sink, bathroom, outdoor terrace, and outdoor grill area. Installation of RV Cabins (in place of RV spaces) would trigger the 1:1.5 unit/campsite ratio identified in the San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub – Area Prescribed Use Ratio standards.
Hotel / motel	31 units	May consist of yurts, cabins, casitas, or bungalows. The maximum stay limit would be 30 days. Cabins would be no taller than 15 feet in height, and

Table 2-1. Project Components and Amenities

Amenity	Size or Unit	Description
		may consist of an entry, bed(s), small kitchen area with a stove and sink, bathroom, outdoor terrace, and outdoor grill area.
Car / tent campsites	35 sites	These low-cost campsites would vary in dimensions, and would be generally delineated and unpaved. Each site may include a picnic table and fire pit. The maximum stay limit would be 30 days.
Walk-in / bike-in campsites	21 sites	These low-cost campsites would vary in dimensions, and would be unimproved. Each site may include a picnic table and fire pit. The maximum stay limit would be 30 days.
Visitor Serving Commercial Uses		
Commercial Uses	16,000 square feet	Uses may consist of: retail, restaurant, meeting / conference facilities; office / lobby / reception area; manager's residence; storage / restroom / laundry; and picnic / gathering area / courtyard with barbeque; outdoor swimming pool/Jacuzzi and patio. The structure(s) would be no more than two stories, and would not exceed 25 feet in height.
Harbor Uses		
Trailer boat storage	70 spaces	250 square feet each space (10 feet by 25 feet) Storage may include commercial and recreational boats and associated boat trailers
Marine gear storage	20 spaces	800 square feet each space (20 feet by 40 feet) Storage may include commercial and recreational marine-related equipment such as boaters' gear, crab pots and nets among other marine-related gear.
Harbor storage area	1.05 acre	Storage may include trailers, boats, materials, and equipment. May also include limited storage of oils, fuels, and paints. The area would be within a fenced area and security gate.
Expansion area	10,000 square feet	
Future Harbor Use Building	6,000 square feet (3,000-square foot footprint)	The structure(s) would be no more than two stories, and would not exceed 25 feet in height.
Public Parking		
Public parking spaces	48,000 square feet	Paved (asphalt) and delineated.

Figure 2-3. Site Layout Plan



2.4.1 Landscaping

The Preliminary Landscape Plan identifies three planting areas, which would encompass the project site. A preliminary plant list is provided in Table 2-2 (Preliminary Plant Species List), and is shown on Figure 2-4. The three planting areas are described below.

Table 2-2. Preliminary Plant Species List

Common Name	Scientific Name
Trees	
Coast live oak	*Quercus agrifolia*
Buckeye	*Aesculus californica*
Toyon	*Heteromeles arbutifolia*
California sycamore	*Platanus racemosa*
Ash	*Fraxinus angustifolia 'Raywood'*
Sweet acacia	*Acacia farnesiana*
Redbud	*Cercis occidentalis*
Strawberry tree	*Arbutus*
Deodar cedar	*Cedrus deodara*
Shrubs, Grasses, and Groundcovers	
Lemonade berry	*Rhus integrifolia*
Coffeeberry	*Rhamnus californica*
Coyote brush	*Baccharis pilularis*
Monkey flower	*Mimulus aurantiacus*
California fuchsia	*Epilobium californica*
Mountain lilac	*Ceanothus*
Manzanita	*Manzanita*
Deer grass	*Muhlenbergia rigens*
Pacific wax myrtle	*Myrica californica*
Coast bush lupine	*Lupinus*
Buckwheat	*Eriogonum*
Deer weed	*Lotus scoparius*
Agave	*Agave*
Aloe	*Aloe*
Salvia	*Salvia*
Bulbine	*Bulbine fruitescens*
Bush anemone	*Carpenteria californica*

Source: Lisa Wise Consulting, Sherwood Design Engineers, WRT; March 2014

Figure 2-4. Preliminary Landscape Plan



- **Area 1: Existing Naturalized.** Existing vegetation in these areas consists of coastal scrub, non-native grassland, and oak woodland. No new landscaping or irrigation is proposed in these areas.

- **Area 2: Climate Appropriate/Native Planting.** This area would be vegetated with native and climate appropriate species, which shall enhance drainages, provide erosion control on hillsides, screen undesirable views (as seen from public viewing areas), shade internal access roads and parking areas, and extend the natural hillside planning character into the site. Irrigation would be provided to establish new plantings for the first three to six growing seasons. Long-term irrigation is not anticipated following establishment. Areas near buildings, entries, and trails may continue to be irrigated to allow for a greater diversity of species in the long-term. All irrigation would be designed per the California Department of Water Resources Updated Model Water Efficient Landscape Ordinance and Water Conservation in Landscaping Act of 2006, Assembly Bill 881 (AB 1881) (State of California 2014).

- **Area 3: Climate Appropriate with Lawn.** This area would consist of irrigated lawn and surrounding plantings, and will receive supplemental irrigation during the dry season.

2.4.2 Site Preparation

Preparation of the project site for development may include removal of grasses, shrubs, and non-native tree species within the development footprint. At this time, no oaks greater than four inches in diameter are proposed for removal. Revegetation of the project site would occur pursuant to the approved landscape plan (refer to Section 2.4.1 and Figure 2-4 above).

Preliminary grading plans identify 115,000 cubic yards of cut and 43,000 cubic yards of fill (refer to Figure 2-5). Approximately 73,000 cubic yards of soil would be exported from the site. Additional export of soil may be required based on final grading plans and landslide remediation at the project site (refer to EIR Section 4.5 for additional analysis and information regarding geologic hazards). Due to past use of the site, potentially hazardous materials or contaminated soil may be discovered during grading. Therefore, all grading, export, and disposal of fill material would occur in compliance with County Environmental Health, Department of Toxic Substances Control, and San Luis Obispo County Air Pollution Control District regulations. Standard erosion and sedimentation control measures would be implemented. The conceptual drainage plan is shown in Figure 2-6, and includes the use of drainage swales, bio-treatment structures, stormdrains, and culverts to manage runoff.

2.4.3 Water and Wastewater

Two 4-inch diameter waterlines and a 90,000-gallon water tank located on the site would remain. Water service to the project site would be provided by County Service Area 12. The preliminary utility plan is presented in Figure 2-7.

Restrooms are identified as “comfort stations” on the proposed site plan. Four stand-alone accessible comfort stations are proposed throughout the project, and would also be provided within the commercial use building. Each comfort station would consist of a men’s and women’s restroom, entryway (“chase”), unisex restroom, showers, and drinking fountain. Comfort stations may also include a laundry room in one of the comfort stations, dish washing area, and dog washing area. Laundry facilities are also proposed as a component of the project. Wastewater generated by the comfort stations, commercial building, future Harbor Use building, and laundry

facilities would be collected by the Harbor District and treated by the Avila Beach Community Services District.

2.4.4 Access and Fire Safety

Primary access to the project site would be provided by Babe Lane. A second access point and marked crosswalk would be located approximately 1,020 feet southwest of the primary access road, on Avila Beach Drive. Crosswalks at Babe Lane and the second access point would provide access between the proposed project and the beach area to the south. Internal access roads would vary between 16 and 24 feet wide, and improved with asphalt. Internal parking areas would be paved (asphalt). An approximately 0.7-acre access use agreement ~~easement~~ (clarification noted on all applicable Figures in this Final EIR) is proposed adjacent to the northeast property boundary to accommodate internal access that meets CAL FIRE standards. In the event of an emergency such as roadway flooding or wildfire, emergency evacuation would occur via Diablo Canyon Road.

The proposed fire safety plan identifies access for emergency vehicles throughout the project (refer to Figure 2-8). Four fire hydrants would be located onsite, including one adjacent to the commercial building, one near the lower hotel/motel units, one near the harbor use area, and one near the upper hotel/motel units. The construction of an additional water tank for fire suppression purposes may be required by CAL FIRE.

2.5 INTENDED USES OF THE EIR

2.5.1 Required Agency Actions and Permits

Various permitting requirements would need to be met prior to implementation of the proposed project. Table 2-3, below, summarizes local, state, and federal permits that may be required for the project and the agencies that are expected to use the EIR in their decision making and permitting processes.

Table 2-3. Agency Permit Requirements

Applicable Permit	Responsible Agency
Final EIR certification and adoption of CEQA Findings	Port San Luis Harbor District
Use Permit	Port San Luis Harbor District
Coastal Development Permit	County of San Luis Obispo
Grading and Building Permits	County of San Luis Obispo
Tree Removal Permit	County of San Luis Obispo
Encroachment Permit (and associated traffic management)	County of San Luis Obispo
Stormwater Control Plan or Exemption Approval	County of San Luis Obispo Regional Water Quality Control Board
General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) and Stormwater Pollution Prevention Plan	State Water Resources Control Board/ Regional Water Quality Control Board
Portable Equipment Use (50 horsepower or greater)	San Luis Obispo Air Pollution Control District

Figure 2-5. Conceptual Grading Plan

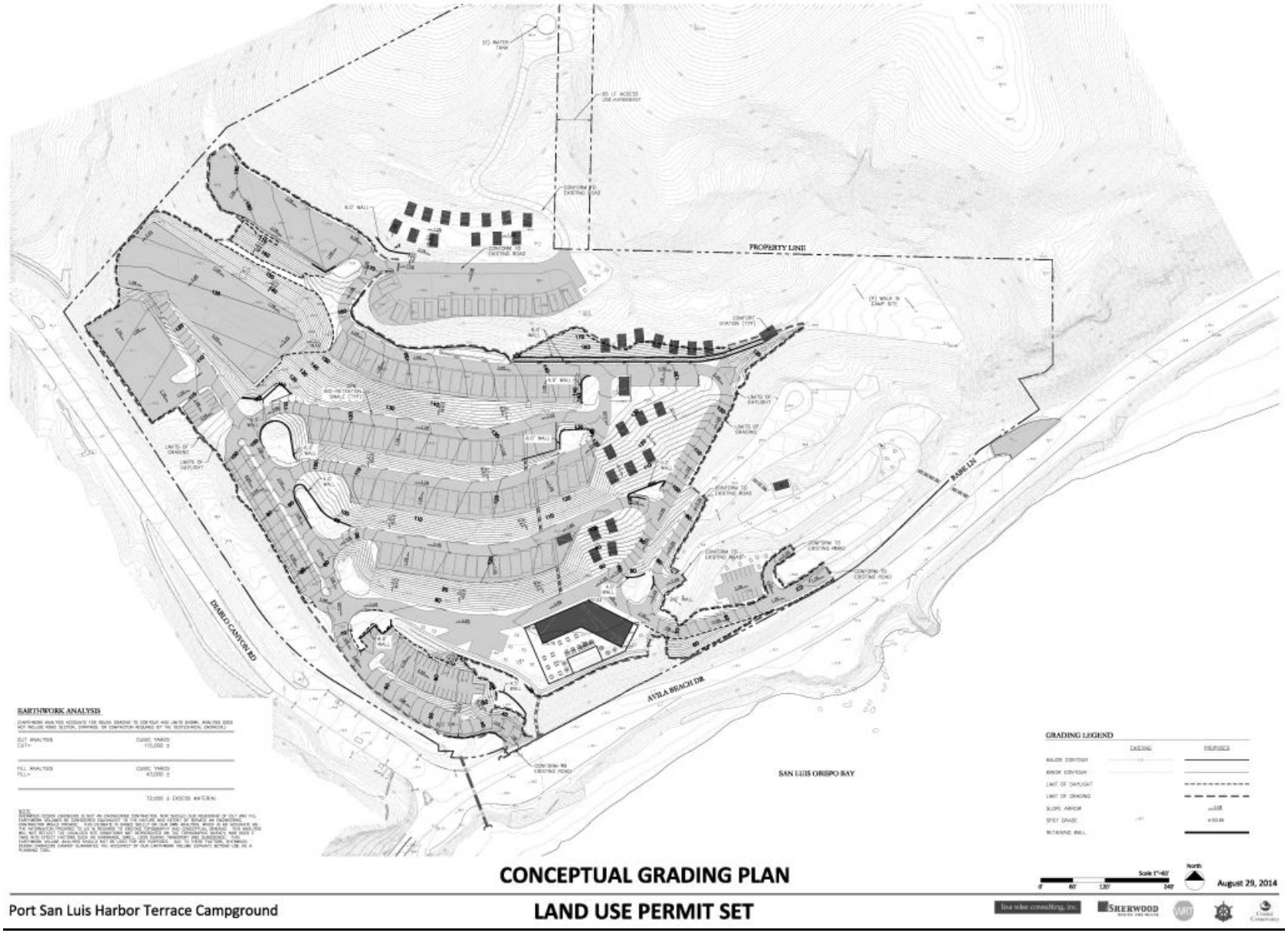


Figure 2-6. Conceptual Drainage Plan

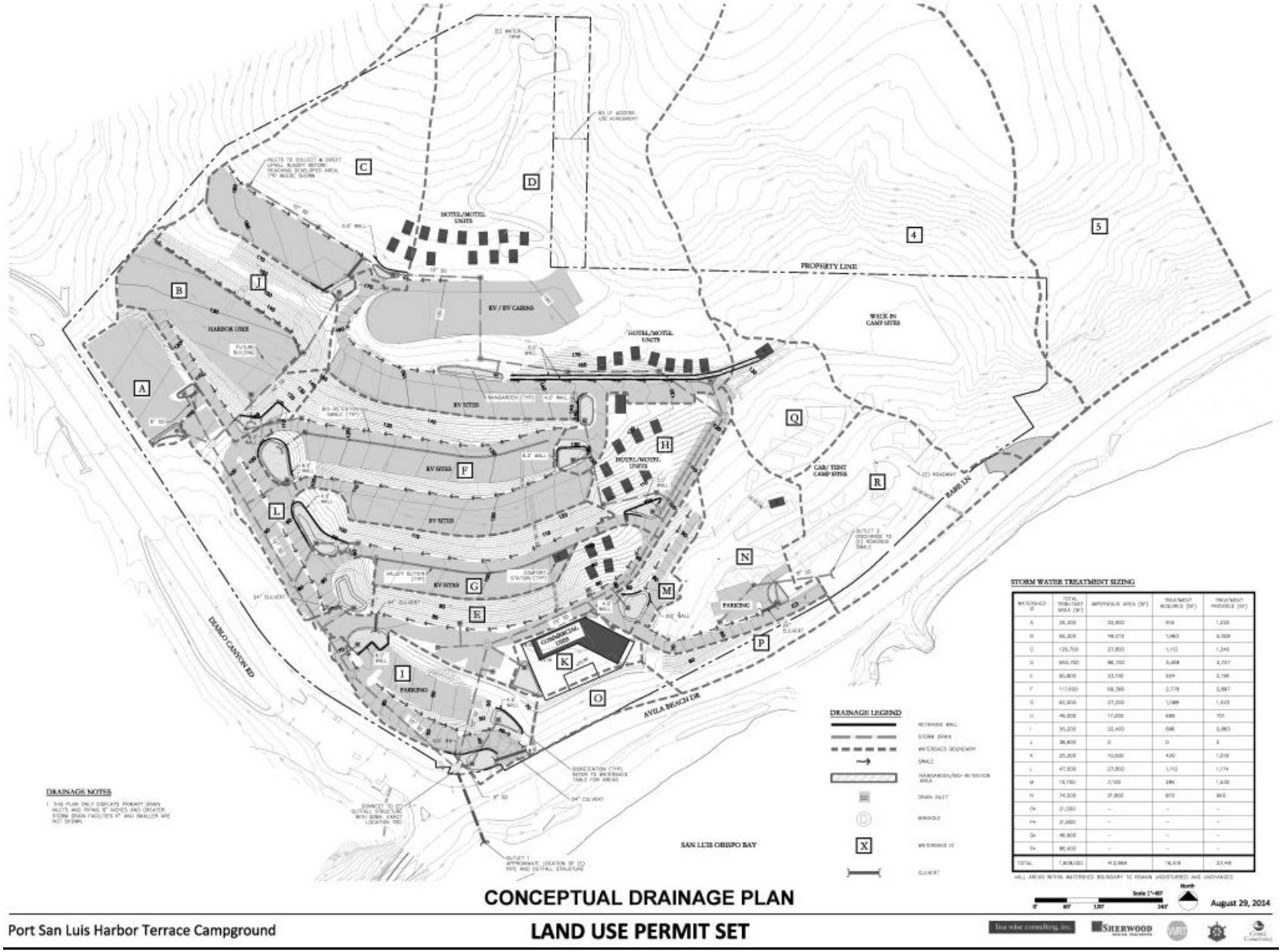


Figure 2-7. Conceptual Utility Plan

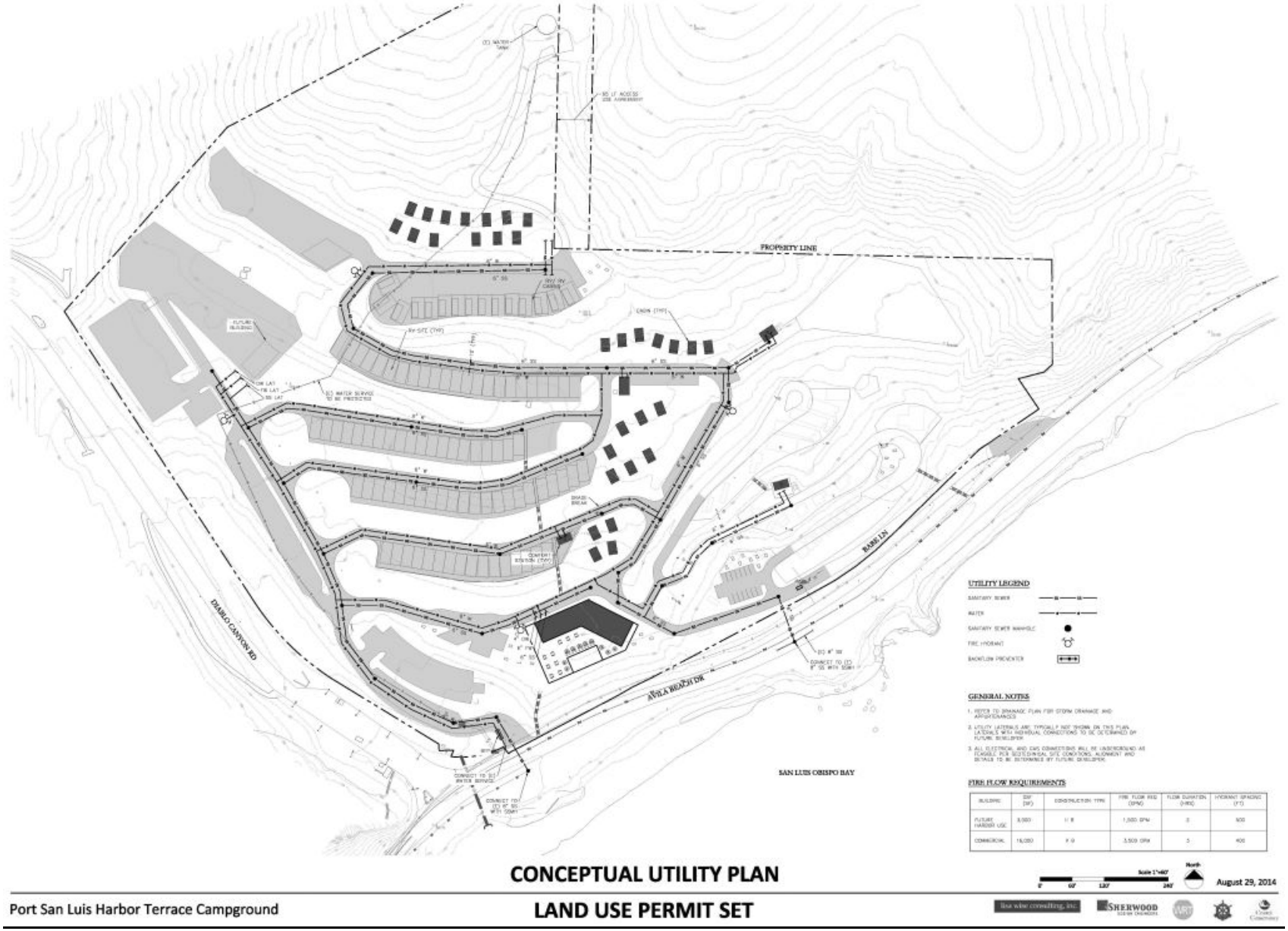
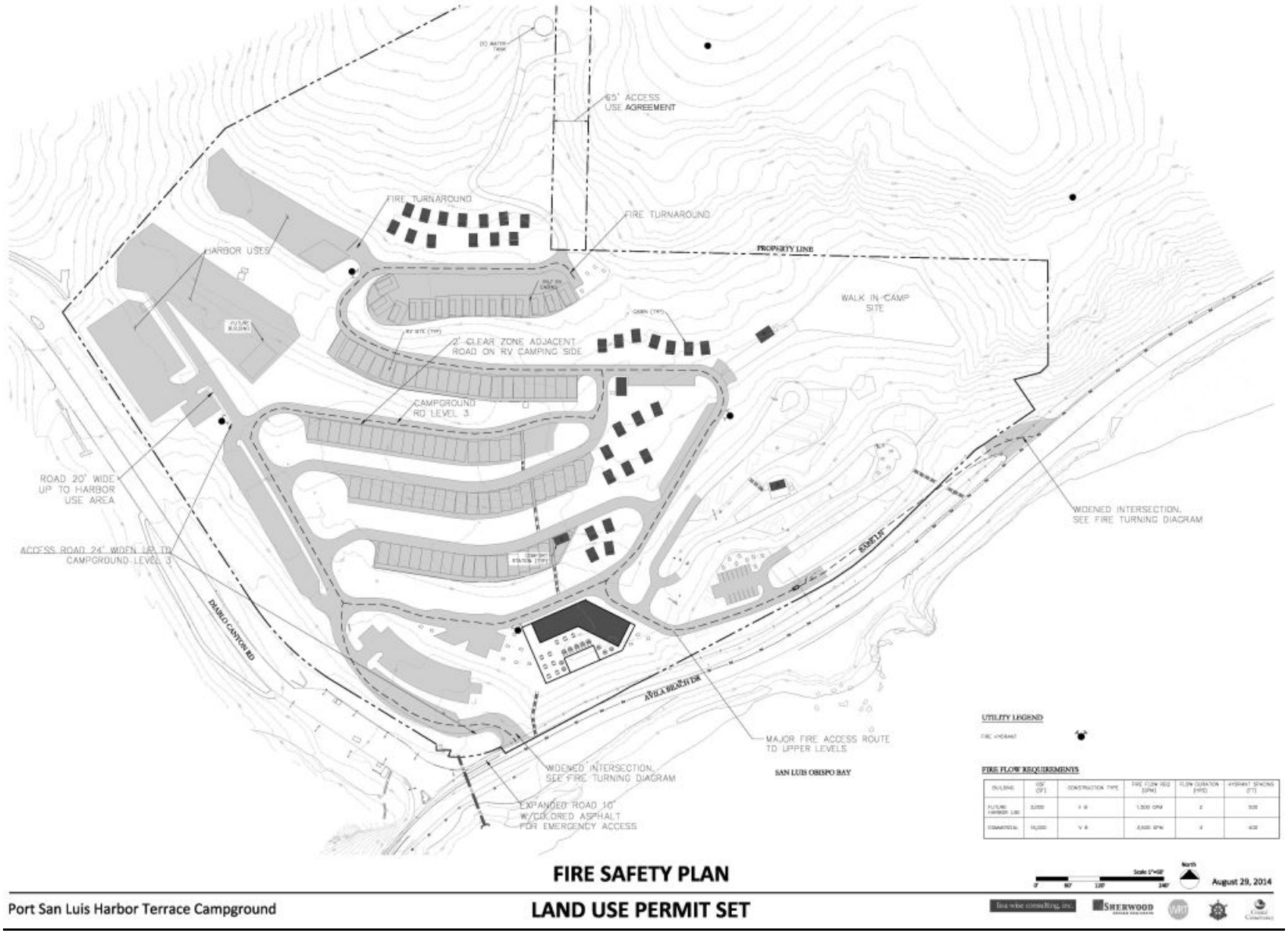


Figure 2-8. Fire Safety Plan



CHAPTER 3
ENVIRONMENTAL SETTING

3.1 PHYSICAL SETTING AND EXISTING LAND USES

The project is located west of the unincorporated community of Avila Beach, on the north side of Avila Beach Drive, immediately east of Diablo Canyon Road, in San Luis Obispo County, California (refer to Figures 2-1 and 2-2). The project is within the San Luis Bay Coastal Area Plan Area. The 32-acre project site consists of six parcels: APNs 076-172-002 (approximately 19-acre portion of a 21-acre parcel), 076-172-010 (1.77 acres), 076-172-019 (5.72 acres), 076-172-022 (0.16 acre), 076-171-018 (approximately 1.0-acre portion of a 390.83-acre parcel), and 076-171-021 (approximately 4-acre portion of a 508.25-acre parcel). Consistent with the LCP and subsequent to action by the County Subdivision Review Board and the PUC, the District now owns the subject property in fee, and is awaiting assignment of a single APN for the new, single, undivided 32-acre parcel (hereafter referred to as the project site).

The project site was historically altered, forming a series of graded, level terraces that ascend the steep hillside to an elevation of approximately 200 feet above mean sea level (msl). Existing uses onsite include Babe Lane (paved), gravel roadways, storage areas and equipment, boats and marine equipment, RVs, and a 90,000-gallon water storage tank. Vegetative habitats onsite include coast live oak woodland, coastal scrub, valley needlegrass grassland, ornamental trees and bushes, and ruderal/disturbed habitat. Two drainages are within or proximate to the project site. One drainage is located roughly parallel to Diablo Canyon Road west of the property boundary, and the second is located within the far eastern corner of the project site. Both drainages flow from coastal live oak/riparian forest north of the project site in to coastal scrub habitat within the project boundaries.

3.2 SURROUNDING LAND USES

Surrounding uses include undeveloped land to the northeast and northwest; road infrastructure including Avila Beach Drive and Diablo Canyon Road to the south and west, respectively; access control structures at Diablo Canyon to the west; and roadside RV camping on Avila Beach Drive upslope from Old Fisherman's Beach to the south. Harford Pier and the Port San Luis parking area are located to the southwest. Land uses and development in the Harford Pier area include restaurants, restrooms, and marine-related facilities including boat docks, boat storage, and fish markets. RVs are currently allowed to park on the ocean-side of Avila Beach Drive. The San Luis Bay Inn and Avila Beach Golf Resort are located to the east, proximate to residential, commercial, and retail development within the unincorporated community of Avila Beach. Pacific Gas and Electric's Diablo Canyon Power Plant is located up the coast, approximately 6 miles to the northwest. The historic Port San Luis Lighthouse is located approximately 1 mile southwest of the project site. Beach areas include Fisherman's Beach south of the project site, and Olde Port Beach to the southeast.

Figure 3-1. Land Use Category Map

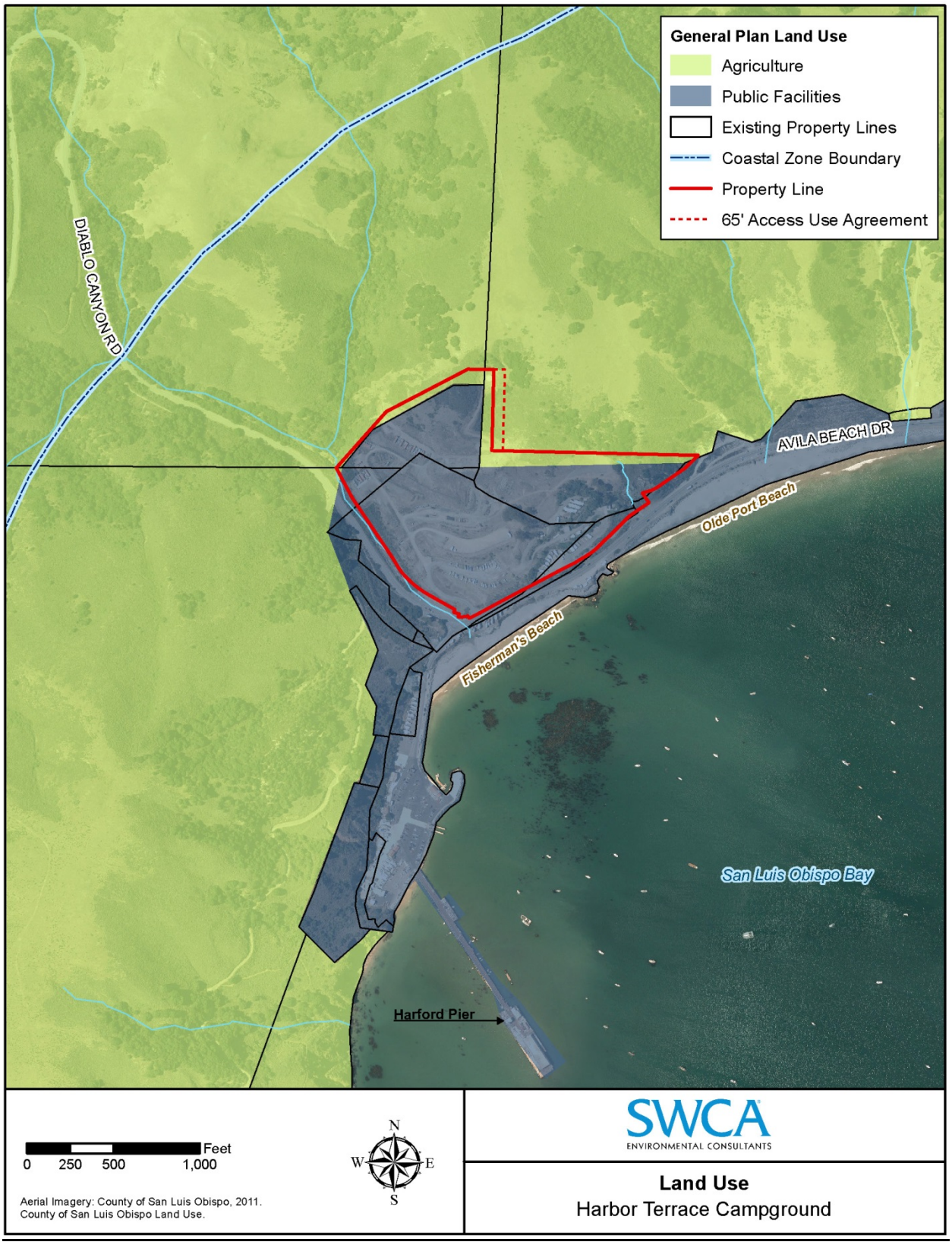
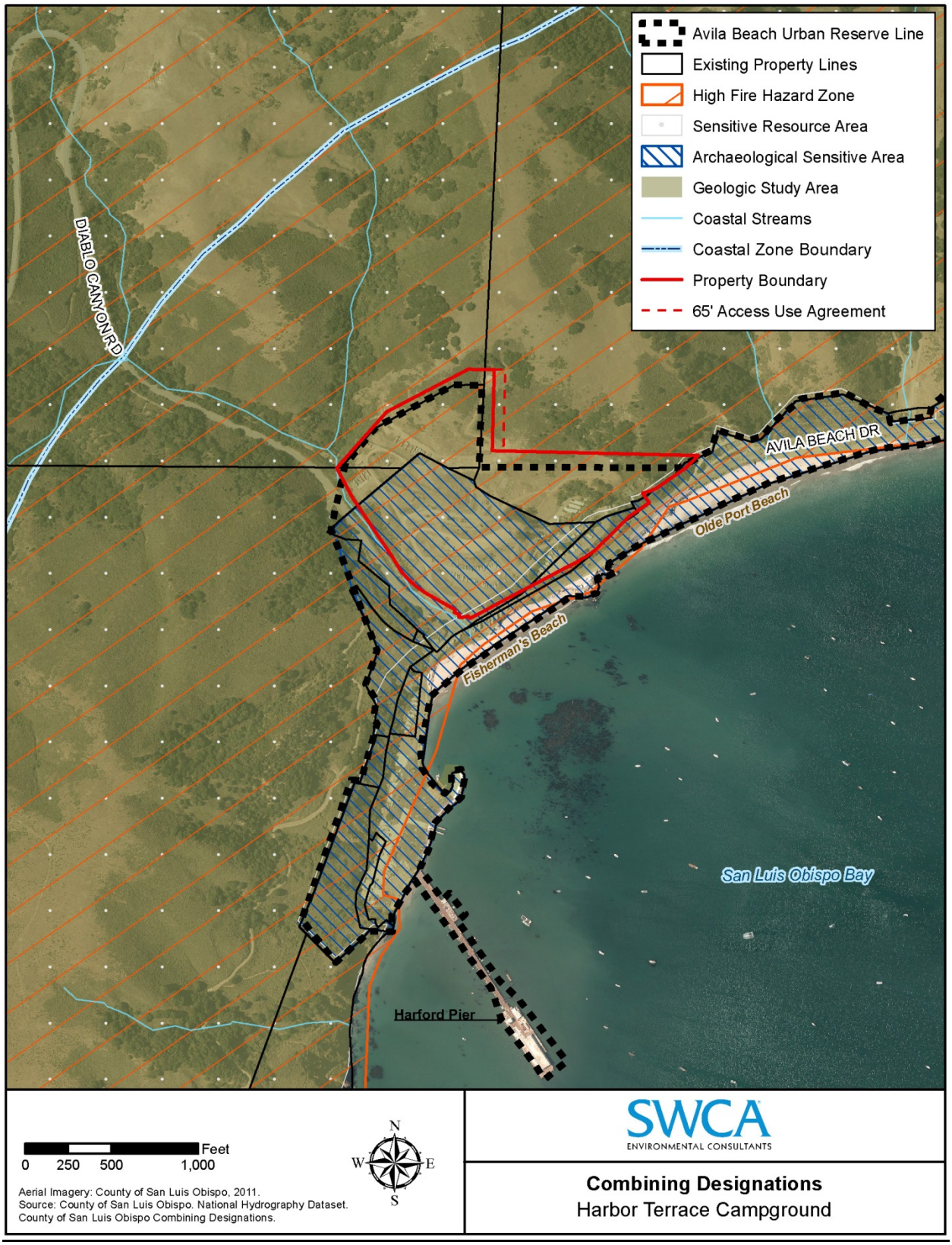


Figure 3-2. Combining Designation Map



3.3 CONSISTENCY WITH LAND USE PLANS AND POLICIES

3.3.1 Overview

CEQA Guidelines §15125(d) states, "the EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans." While CEQA requires a discussion of consistency with public plans, inconsistency does not necessarily lead to a significant impact. Inconsistency with public plans creates significant impacts under CEQA only when an adverse physical effect on the environment would result from the inconsistency. This section provides general information as to the plans and policies applicable to the proposed project. It is the responsibility of the Port San Luis Harbor District, as the CEQA lead agency decision makers, and the County Planning Commission or Board of Supervisors, during consideration of the Coastal Development Permit, to make the final determination regarding consistency issues. The proposed project was designed consistent with the Port Master Plan and Harbor District Code of Ordinances (2013), and applicable policies and goals are incorporated into each EIR analysis section. The following plans and policies are applicable to the proposed project and are described in the following sections:

- California Coastal Act
- Coastal Plan Policies – Local Coastal Program Policy Document
- Coastal Zone Land Use Ordinance Framework for Planning
- Coastal Zone Land Use Ordinance
- San Luis Bay Coastal Area Plan
- County of San Luis Obispo General Plan, Conservation and Open Space Element
- County of San Luis Obispo General Plan, Noise Element
- County of San Luis Obispo General Plan, Safety Element
- County of San Luis Obispo EnergyWise Plan
- Basin Plan for the Central Coast Region
- 2001 Clean Air Plan

Table 3-1 presents a summary of potential inconsistencies between the proposed project and the applicable plans and policies listed above. Additional consistency analysis with local plans and policies is provided in the individual environmental analysis sections of the EIR. For example, the Noise section includes an assessment of the project's consistency with the standards identified in the Noise Element of the County's General Plan. To the extent that the proposed project may be inconsistent with portions of these documents, remedies such as project revisions, special conditions of approval, or variance may be required. All adverse physical effects resulting from any inconsistency are discussed in the appropriate environmental analysis sections of the EIR (refer to Chapter 4).

3.3.1.1 California Coastal Act

The California Coastal Act (PRC §30000 et. seq.) is intended to "protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources." By state law, the coastal zone is established by the California Coastal Commission (CCC), which has authority to permit, restrict, or prohibit certain development within the zone. The Coastal Act mandates protection of public access, recreational opportunities, and marine and land resources. This umbrella legislation requires local governments to prepare a land use plan and schedule of implementing actions to carry out the policies of the Coastal Act within local jurisdictions.

3.3.1.2 Coastal Plan Policies – Local Coastal Program Policy Document

The LCP Policy Document (County of San Luis Obispo 2007) is part of the County's LCP and Land Use Element (LUE). Some of the policies have been implemented in the Coastal Zone Land Use Ordinance (CZLUO) (County of San Luis Obispo 2011b) and planning areas standards. The LUE is the coordinating mechanism for incorporating the policies of this document that have land use implications. In addition to amended portions of the LUE and the CZLUO, this document states the policy commitment of the County to implement the mandates of the Coastal Act. The document includes policies related to shoreline access, recreation and visitor-serving facilities, coastal watershed, visual and scenic resources, hazards, and air quality, among others.

3.3.1.3 Land Use Element, Framework for Planning – Coastal Zone

The LUE is a plan describing the official County policy on the location of land uses and their orderly growth and development. The LUE is one of several parts (elements) of the County's General Plan. The LUE also incorporates the Land Use Plan portion of the County LCP. The plan has been prepared in accordance with state law regulating General Plans and LCPs, and has been adopted by the County Board of Supervisors and CCC. The LUE coordinates policies and programs in other County General Plan Elements that affect land use, and provides policies and standards for the management of growth and development in each unincorporated community and the rural areas of the Coastal Zone. The Framework for Planning includes "General Objectives" of combining designations. These objectives are codified and implemented through the CZLUO combining designation standards.

3.3.1.4 Coastal Zone Land Use Ordinance

The CZLUO, Title 23 of the County Code, regulates land use in a manner that seeks to encourage and support the orderly development and beneficial use of lands within the county, minimize the effects on the public from such development, and protect and enhance the significant natural, historic, archaeological, and scenic resources within the county. The CZLUO includes permit requirements, site design and site development standards, operational standards, and combining designation standards to implement the County General Plan and LCP and meet these goals.

Combining designations are used to identify and highlight areas of San Luis Obispo County having natural or manmade features that are sensitive, hazardous, fragile, of cultural or educational value, or of economic value as extractable natural resources. The purpose of combining designation standards is to require project design that will give careful consideration to the land features, structures, and activities identified by the combining designations. These standards provide for more detailed project review where necessary to support public safety or proper use of public resources, or to satisfy the requirements of the Coastal Act and the LCP.

The project site is located within the Public Facilities land use designation. The Agriculture land use designation extends into the northern portion of the project site (refer to Figure 3-1). Combining designation overlays applicable to the project site include: Archaeologically Sensitive (AS), Geologic Study Area (GSA), LCP, Coastal Appealable Zone (CAZ), Coastal Streams, and Sensitive Resource Area (SRA) (refer to Figure 3-1). Surrounding land use categories include Public Facilities to the southwest and southeast along Avila Beach Drive, and Agriculture to the northwest and northeast.

3.3.1.5 San Luis Bay Coastal Area Plan

The project site is located within the San Luis Bay Coastal Area Plan. The San Luis Bay Coastal Area Plan describes County land use policies including regulations which are also adopted as part of the Land Use Ordinance and Local Coastal Program. The Area Plan allocates land use throughout the planning area by land use categories. The land use categories determine the varieties of land use that may be established on a parcel of land, as well as defining their allowable density and intensity. Specific development standards are included to address special problems and conditions in individual communities.

3.3.1.6 County of San Luis Obispo General Plan

Conservation and Open Space Element

The County Conservation and Open Space Element (COSE) (County of San Luis Obispo 2010) consists of a policy and program document and a technical appendix. The COSE policy and program document includes separate chapters to address air quality, biological resources, cultural resources, energy, mineral resources, open space, visual resources, and water resources. The technical appendix includes the County's first baseline greenhouse gas (GHG) emissions inventory. The COSE is based on the principles of smart growth, with the intent to preserve unique or valuable natural resources, to manage development within the sustainable capacity of the county's resources, and to reduce the county's contribution to global climate change.

Noise Element

The County Noise Element (County of San Luis Obispo 1992) provides a policy framework for addressing potential noise impacts in the planning process, and minimizing future noise conflicts. The Noise Element identifies transportation-related, stationary, and potential operational noise generators in the county, provides a list of noise-sensitive land uses, and identifies acceptable and unacceptable thresholds of noise exposure based on land use. The Noise Element also provides mitigation measures that should be applied to projects when noise attenuation is required to meet identified thresholds.

Safety Element

The two primary principles of the County Safety Element (County of San Luis Obispo 1999) are emergency preparedness and development appropriately managed to reduce risk. The Safety Element identifies potential emergency situations and natural disaster risks within the county, and includes goals and policies for response during an emergency or natural disaster and measures for the avoidance of unnecessary risk.

3.3.1.7 County of San Luis Obispo EnergyWise Plan

The EnergyWise Plan (County of San Luis Obispo 2011c) is a requirement of the COSE and is intended to facilitate the goals of the COSE, although implementation of the reduction measures contained in the plan will require action by the Board of Supervisors. This plan builds upon the goals and strategies of the COSE to reduce local GHG emissions. It identifies how the County will achieve the GHG emissions reduction target of 15% below baseline levels by the year 2020 in addition to other energy efficiency, water conservation, and air quality goals identified in the COSE. The EnergyWise Plan will also assist in the County's participation in the regional effort to implement land use and transportation measures to reduce regional GHG emissions from the transportation sector by 2035. Energy policies apply to County-implemented programs, and are not included in the consistency analysis table below.

3.3.1.8 Basin Plan for the Central Coast Region

The Water Quality Control Plan for the Central Coast Region (Basin Plan) (Regional Water Quality Control Board [RWQCB] 2011) is the RWQCB's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the state, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. Periodically, the RWQCB considers amendments to the Basin Plan. Each amendment is subject to an extensive public review process. At public hearing, the RWQCB may act to adopt the amendment. Adopted amendments are subject to approval by the State Water Resources Control Board (SWRCB), the Office of Administrative Law, and, in most cases, the U.S. Environmental Protection Agency (US EPA). Basin Plan standards are implemented through the County Code, therefore, specific measures are not included in the consistency analysis table below.

3.3.1.9 2001 Clean Air Plan

As part of the California Clean Air Act, the San Luis Obispo County Air Pollution Control District (SLOAPCD) is required to develop a plan to achieve and maintain the state ozone standard by the earliest practicable date. The Clean Air Plan (CAP) (SLOAPCD 2001) outlines the SLOAPCD's strategies to reduce ozone precursor emissions from a wide variety of stationary and mobile sources. The 2001 CAP was adopted by the SLOAPCD on March 26, 2002. Consistency with the 2001 Clean Air Plan is addressed in EIR Section 4.2 Air Quality.

3.3.1.10 Port San Luis Harbor District Code of Ordinances

The Port San Luis Harbor District Code of Ordinances provides the regulatory framework for the management of Port facilities and resources and incorporates various provisions of State law, including: Article X of the California Constitution; Sections 6000 et seq. of the Harbors and Navigation Code; Sections 65920 et seq. of the Government Code; and Section 21082 of the Public Resources Code (CEQA). The latest revision of the Code occurred in October 2013. The most relevant chapter of the Code for the proposed project is Chapter 8: Land Use and Development.

Table 8A lists allowable uses for each of the various planning sub-areas along with the corresponding entitlement necessary for approval. Uses are either allowed by right, allowed subject to an administrative permit, or allowed subject to approval of a use permit by the Board of Commissioners. A comparison of the proposed uses with Table 8A revealed that the uses proposed for the Harbor Terrace site (the project site), are either allowed by right or allowed subject to a use permit.

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Coastal Plan Policies		
Chapter 2 Shoreline Access		
Policy 1: Protection of existing access. Public prescriptive rights may exist in certain areas of the county. Development shall not interfere with the public's right of access to the sea where acquired through historic use or legislative authorization. These rights shall be protected through public acquisition measures or through permit conditions which incorporate access measures into new development. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.04.420 OF THE COASTAL ZONE LAND USE ORDINANCE (CZLUO).] This policy provides protection for the possible existence of public prescriptive rights as required by Coastal Act Policies 30211 and 30000.5.	The proposed project protects existing access to the shoreline, and would provide two crosswalks to provide safer access for pedestrians and bicyclists.	Potentially consistent
Policy 2: New Development. Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development. Exceptions may occur where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby, or; (3) agriculture would be adversely affected. Such access can be lateral and/or vertical. Lateral access is defined as those accessways that provide for public access and use along the shoreline. Vertical access is defined as those accessways which extend to the shore, or perpendicular to the shore in order to provide access from the first public road to the shoreline. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.420 a. AND c. OF THE CZLUO.]	The project site is located north of Avila Beach Drive and would not affect public access to the shoreline. The entire shoreline near the project site is, and will continue to be, accessible to the public via Avila Beach Drive, and ramps and stairways leading from the road to the beach.	Potentially consistent
Policy 4: Provision of Support Facilities and Improvements. Facilities necessary for public access shall be provided. This may include parking areas, restroom facilities, picnic tables or other such improvements. The level of these facilities and improvements should be consistent with the existing and proposed intensity and level of access use and provisions for on-going maintenance. Requirements for coastal access and improvements are identified in the specific Planning Area Standards and the Land Use Ordinance for the coastal zone. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.420 h. OF THE CZLUO.]	The project would include support facilities including comfort stations, laundry facilities, dog washing stations, picnic tables, fire pits, and bicycle, RV, and vehicle parking. Facilities would be maintained by an operator approved by the Harbor District.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Chapter 3 Recreation & Visitor-Serving Facilities		
Policy 1: Recreation Opportunities. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means. Removal or conversion of existing lower cost facilities and opportunities in areas designated with the "V" Visitor Serving Overlay in the LUE shall be prohibited unless the use will be replaced by a facility offering comparable visitor serving or recreational opportunities. Visitor-serving facilities include all lodging establishments included in the definition of Hotels, Motels in Chapter 7 of Framework for Planning of the Land Use Element and Local Coastal Plan; provided that hotels and motels which are condominium or planned development projects may be approved only where specifically identified as an allowable use by planning area standards of the Land Use Element and Local Coastal Plan. The new construction of non-visitor-serving or non-principally permitted uses shall only be permitted if it can be found that they would not prejudice the provision of adequate visitor-serving facilities to meet the foreseeable demand over the next 20 years. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.] [Amended 1992, Ord. 2544]	The proposed project is consistent with this policy because it would create additional recreation and visitor-serving facilities ranging from hotel/motel units (e.g., yurts, cabins), to RV and tent camping sites on the coastline. Roadside RV spots removed from Avila Beach Drive would be incorporated into the project, which would improve coastal access and visibility along the Avila Beach Drive roadway.	Potentially consistent
Policy 2: Priority for Visitor-Serving Facilities. Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222. All uses shall be consistent with protection of significant coastal resources. The Land Use Plan shall incorporate provisions for areas appropriate for visitor-serving facilities that are adequate for foreseeable demand. Visitor-serving commercial developments that involve construction of major facilities should generally be located within urban areas. Provisions for new facilities or expansion of existing facilities within rural areas shall be confined to selected points of attraction. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The proposed project would create visitor-serving facilities within the Avila Urban Services Line and Port San Luis, and would not impair agricultural uses in the area based on the project's location and proposed development area. The project would provide on-site marine-related storage for recreational and commercial boating industries.	Potentially consistent
Policy 3: Low Cost Facilities. Larger visitor-serving projects shall make provisions for services which are geared to a range of costs, including low cost facilities. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The proposed project would provide a range of overnight visitor accommodation facilities, within a range of costs, including low-cost facilities, such as walk-in and car and tent campsites according to the ratios prescribed in the	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	certified LCP.	
Chapter 5: Commercial Fishing & Recreational Boating		
Policy 2: Priorities for Development of Facilities. Where feasible, oceanfront recreational development should give priority to boat ramps, dry storage and other recreational boating facilities as otherwise consistent with the policies of the Coastal Act. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.] NOTE: Policies 3 through 10 address the development that may occur within the Port San Luis Harbor District. For detailed specifics on development standards, refer to the San Luis Bay Planning Area, Chapter 8, Planning Area Standards, Public Facilities Category.	The proposed project includes storage areas for recreational and commercial fishing and boating uses, consistent with the approved Port San Luis Master Plan and San Luis Bay Coastal Area Plan. Specific policies are addressed below.	Potentially consistent
Policy 3: Port San Luis Harbor Master Plan. New development of facilities under jurisdiction of the Port San Luis Harbor District shall be permitted where consistent with the Local Coastal Program and Chapter 3 of the Harbor Master Plan. The policies of Chapter 3 have been extracted from the Master Plan and summarized in Policies 4 through 6 below. Specific standards for development are incorporated under public facilities in Chapter 8 of the LUE for the San Luis Bay Planning Area. Map 4 identifies the five planning areas as follows: Harford Pier, Harbor Terrace, Avila Beach, Beach and Bluff, and Lighthouse Areas. (Note: The number in parentheses at the end of the paragraph correlated to the policy number in the Harbor Master Plan.) [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO PLANNING AREA STANDARD.]	The project is located within the Harbor Terrace planning area, and the development is consistent with the policies and standards identified in the approved Port San Luis Master Plan and San Luis Bay Coastal Area Plan.	Potentially consistent
Policy 4: Priorities for Development of Facilities and Allocation of Service Capacity. Priorities for development of the harbor will reflect the goals and priorities as follows: **Priority I: Coastal-Dependent Uses** Commercial fishing and related mariculture/aquaculture; Sport fishing; Recreational boating and other oceanfront recreational uses; Energy-related facilities. **Priority II: Coastal-Related Uses** Other visitor-serving retail commercial uses and other coastal-related uses. **Priority III: Other Uses** Other uses which are neither coastal-dependent or coastal-related. Priorities and policies of the California Coastal Act shall	The proposed project provides coastal-dependent and visitor-serving uses and facilities that meet the identified priority standards, consistent with conceptual plans and standards identified for the Harbor Terrace planning area. Priority 1 uses include marine-related storage areas and Priority II uses include overnight visitor accommodations (including low-cost facilities such as a variety of campsites) and related facilities and amenities.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
be considered in all harbor development. Prior to approval of any use which is not coastal-dependent the Harbor District shall make a finding that adequate resources and services have been reserved for all coastal dependent uses proposed in the Master Plan. (PSL Policy G-3) [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO PLANNING AREA STANDARD.] [Amended 1995, Ord. 2702]		
Policy 5: Port San Luis Service Capacity. Proposed development of projects and related improvements shall be within the circulation and utility capacity available to the harbor area, or to be guaranteed through a planned program of improvements as specified in the Harbor Master Plan. These capacity limits are recognized for each service as follows: a. **Water:** Usage shall not exceed the 100 AFY available to the Harbor District from its Lopez entitlement. Adequate water pressures for fire suppression shall be maintained in all district water mains at all times. b. **Sewer:** Wastewater generation shall not exceed available capacity owned by the Harbor District in the Avila Beach county water district wastewater treatment plant and/or such other facility as may be constructed. c. **Traffic:** Avila Beach Road shall not be subjected to traffic levels exceeding level of service "C", based on the average hourly weekday two-way 3:00 p.m. to 6:00 p.m. traffic counts to be conducted during the second week in May of each year. [Amended 1995, Ord. 2702] d. **Parking:** All new uses shall be required to provide additional parking consistent with the County Coastal Zone Land Use Ordinance requirements or to provide an in-lieu contribution to a district-wide parking program. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO PLANNING AREA STANDARD.]	As addressed in EIR Section 4.10 (Public Services and Utilities), the proposed project would not result in service or utility demands exceeding allowable limits under both project-specific and cumulative conditions (build-out of the Port San Luis Master Plan). Based on the traffic impact analysis (refer to EIR Section 4.11 Transportation and Traffic, and EIR Appendix G), the project would not generate traffic resulting in a deterioration of level of service under specified conditions (second week of May). The project provides on-site parking and would alleviate off-site parking demand.	Potentially consistent
Chapter 6: Environmentally Sensitive Habitats		
Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats. New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing	The proposed project would be located a minimum of 50 feet from identified environmentally sensitive habitats (ESHAs), including LCP-designated and undesignated coastal streams, consistent with identified setback standards for this ESHA designation (refer to Policy 28	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
resource, only those uses dependent on such resources shall be allowed within the area. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTIONS 23.07.170-178 OF THE COASTAL ZONE LAND USE ORDINANCE (CZLUO).]	below). An LCP-designated coastal stream is located east of Diablo Canyon Road and west of the project property line; this stream flows into a culvert located approximately 350 feet northwest of Avila Beach Drive. The stream flows through riparian coast live oak woodland northwest of the project site, and continues through coastal scrub habitat adjacent to Diablo Canyon Road west of the project site. A second stream is located within the far eastern corner of the project site; this stream is not an LCP-designated coastal stream, but was treated as such during project development and analysis. This stream also flows through riparian coast live oak woodland north of the project site, and proceeds through coastal scrub within the project site. Actions within 100 feet of the coastal stream near Diablo Canyon Road includes grading, improvements and expansion of an existing Harbor District storage area, and native landscaping/restoration. These actions would not disrupt habitat present within the coastal streams because a minimum 50-foot buffer would be maintained, protection measures and biological monitoring would occur during construction (refer to EIR Section 4.3 Biological Resources), the proposed drainage plan includes the establishment of bioswales to collect and filter stormwater prior to discharge into the existing drainage system, which discharges onto the beach area (refer to EIR Section 4.8 Hydrology and Water Quality). The proposed walk-in campsites and landscaping/restoration would be located within 100 feet of the undesignated coastal stream in the eastern portion of the project site; development of these campsites would not require grading for establishment, and would not including parking spaces within the camping area; vehicle parking would be provided to the west, outside of the 100-foot zone. These uses constitute low-impact campsites that comprise a resource-dependent use. Uses within the walk-in campsites would be limited to picnic tables, fire pits, and tents, which would not have an adverse effect on the function of the stream. In addition, an improved vegetative buffer would remain between the campsites	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	and the stream. Vegetative trimming of oak trees may occur within the 100-foot zone as a result of California Department of Forestry and Fire Protection (CAL FIRE) requirements for fuel management; standards are identified to protect the long-term survival of trimmed trees (refer to EIR Section 4.3 Biological Resources).	
Policy 2: Permit Requirement. As a condition of permit approval, the applicant is required to demonstrate that there will be no significant impact on sensitive habitats and that proposed development or activities will be consistent with the biological continuance of the habitat. This shall include an evaluation of the site prepared by a qualified professional which provides: a) the maximum feasible mitigation measures (where appropriate), and b) a program for monitoring and evaluating the effectiveness of mitigation measures where appropriate. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTIONS 23.07.170-178 OF THE CZLUO.]	Potential adverse impacts to ESHA are addressed in this EIR (refer to EIR Sections 4.3 Biological Resources and 4.8 Hydrology and Water Quality). Mitigation and monitoring standards are identified to reduce potential construction and operation-related impacts to less than significant. Based on the location of proposed uses, including coastal-dependent harbor use areas and visitor-serving lodging and campsites, the project would not affect the ecological function or continuance of sensitive habitats, because it would primarily avoid sensitive habitats, preserve native and undisturbed habitat within the northern extent of the property, and would incorporate enhancement and restoration of coastal scrub, native grassland, and coast live oak woodland onsite.	Potentially consistent
Policy 3: Habitat Restoration. The county or Coastal Commission should require the restoration of damaged habitats as a condition of approval when feasible. Detailed wetlands restoration criteria are discussed in Policy 11. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.170 OF THE CZLUO.]	The proposed project landscape plan includes the enhancement of natural areas and the restoration of coastal scrub and coast live oak trees onsite, between campsites and parking areas, and along the perimeter of the developed area.	Potentially consistent
Policy 20: Coastal Streams and Riparian Vegetation. Coastal streams and adjoining riparian vegetation are environmentally sensitive habitat areas and the natural hydrological system and ecological function of coastal streams shall be protected and preserved. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.07.174 OF THE CZLUO.]	Two coastal streams are delineated onsite (refer to EIR Section 4.3 Biological Resources). These streams would be protected and preserved, consistent with this policy.	Potentially consistent
Policy 21: Development in or Adjacent to a Coastal Stream. Development adjacent to or within the watershed (that portion within the coastal zone) shall be sited and designed to prevent impacts which would significantly degrade the coastal habitat and shall be compatible with the continuance of such habitat areas. This shall	The proposed project avoids grading and construction within 50 feet of delineated coastal streams. Drainage plans include collection and filtration of stormwater, and erosion control, slope stabilization, and planting of native vegetation between the developed area and the coastal	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
include evaluation of erosion and runoff concerns. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.07.174 OF THE CZLUO.]	streams would preserve the function and habitat quality of the streams. Based on implementation of the plans as proposed, and incorporation of mitigation measures to avoid inadvertent direct or indirect disturbance or degradation of sensitive habitats, the project would be consistent with this policy.	
Policy 23: County and State Review of Coastal Stream Projects. The State Water Resources Control Board and the county shall ensure that the beneficial use of coastal stream waters is protected, for projects over which it has jurisdiction. For projects which do not fall under the review of the State Water Resources Control Board, the county (in its review of public works and stream alterations) shall ensure that the quantity and quality surface water discharge from streams and rivers shall be maintained at levels necessary to sustain the functional capacity of streams, wetland, estuaries and lakes. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.07.174 OF THE CZLUO.]	The proposed project would not divert flow entering onsite and adjacent coastal streams, which currently flow from the upper watersheds into existing culverts, which discharge south of Avila Beach Drive. The project includes measures to protect water quality, including erosion control, slope stabilization, collection and filtration of stormwater, and native plantings between the development and the streams.	Potentially consistent
Policy 26: Riparian Vegetation. Cutting or alteration of naturally occurring vegetation that protects riparian habitat is not permitted except for permitted streambed alterations (defined in Policy 23) and where no feasible alternative exists or an issue of public safety exists. This policy does not apply to agricultural use of land where expanding vegetation is encroaching on established agricultural uses. Minor incidental public works project may also be permitted where no feasible alternative exists including but not limited to utility lines, pipelines, driveways, and roads. Riparian vegetation shall not be removed to increase agricultural acreage unless it is demonstrated that no impairment of the functional capacity of the habitat will occur. Where permitted, such actions must not cause significant stream bank erosion, have a detrimental effect on water quality or quantity, or impair the wildlife habitat values of the area. This must be in accordance with the necessary permits required by Sections 1601 and 1603 of the California Fish and Game Code. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.174 OF THE CZLUO.]	The proposed project avoids any actions within designated coastal streams. Pursuant to CAL FIRE requirements, trimming of lower tree branches and management of vegetation may be required east of the walk-in campsites to ensure public safety. No structures are proposed within the walk-in campsites, and vegetation clearance within 30 feet would not be required. Therefore, these actions would not result in bare soil adjacent to the stream, and would not result in significant erosion or impairment of habitat in the stream.	Potentially consistent
Policy 28: Buffer Zone for Riparian Habitats. In rural areas (outside the USL) a buffer setback zone of 100 feet shall be	The proposed project (located within the Avila Urban Services Line) would maintain a 50-foot buffer zone	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
established between any new development (including new agricultural development) and the upland edge of riparian habitats. In urban areas this minimum standard shall be 50 feet except where a lesser buffer is specifically permitted. The buffer zone shall be maintained in natural condition along the periphery of all streams. Permitted uses within the buffer strip shall be limited to passive recreational, educational or existing nonstructural agricultural developments in accordance with adopted best management practices. Other uses that may be found appropriate are limited to utility lines, pipelines, drainage and flood control facilities, bridges and road approaches to bridges to cross a stream and roads when it can be demonstrated that: 1) alternative routes are infeasible or more environmentally damaging and 2) adverse environmental effects are mitigated to the maximum extent feasible. Lesser setbacks on existing parcels may be permitted if application of the minimum setback standard would render the parcel physically unusable for the principal permitted use. In allowing a reduction in the minimum setbacks, they shall be reduced only to the point at which a principal permitted use (as modified as much as is practical from a design standpoint) can be accommodated. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.174 OF THE CZLUO.]	between grading and development and delineated coastal streams. Existing habitat between the streams and the project would remain in place, or would be enhanced with native vegetation complimentary to the natural habitat (coastal scrub). The eastern edge of the walk-in campsite would be located within the 50-foot buffer. These uses constitute low-impact campsites that comprise a resource-dependent use. Passive recreation including tents, picnic tables, and fire pits would be located within the walk-in campsite, and would not require site alteration to accommodate the use.	
Policy 29: Protection of Terrestrial Habitats. Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat portion of the site. Development adjacent to environmentally sensitive habitat areas and holdings of the State Department of Parks and Recreation shall be sited and designed to prevent impacts that would significantly degrade such areas and shall be compatible with the continuance of such habitat areas. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.176 OF THE CZLUO.]	The project site is not located within or adjacent to areas designated as Terrestrial Habitat. The proposed development would infringe upon coastal scrub and native grassland habitat in the northern portion of the project site. Due to historical development and use of the project site (historically for tank storage, and more recently for Harbor District storage, RV parking, and a trailer park), the fringes of these habitat types do not possess unique ecological function, or characteristics suitable for special-status species. As noted in EIR Section 4.3, the project would permanently affect 0.79 acre of coastal scrub habitat onsite (out of 8.08 total acres onsite). The proposed landscape plan includes native coastal scrub species, and would be finalized to include a minimum of 1.58 acres of enhanced and restored coastal scrub (2:1 ratio of permanently affected habitat). An additional 0.11 acre of coastal scrub would	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	be affected by grading activities; these areas would be restored with native habitat. Overall, the project would enhance habitat value within the project site though implementation of the landscape plan and incorporation of mitigation measures identified in EIR Section 4.3 Biological Resources.	
Policy 30: Protection of Native Vegetation. Native trees and plant cover shall be protected wherever possible. Native plants shall be used where vegetation is removed. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.176 OF THE CZLUO.]	As noted in EIR Section 4.3 Biological Resources, mitigation is identified that requires protection of native vegetation during construction of the project, and the presence of a biological monitor to ensure compliance. The proposed landscape plan includes the use of native plants, which will replace any native vegetation removed during project development.	Potentially consistent
Policy 31: Design of Trails In and Adjoining Sensitive Habitats. San Luis Obispo County, or the appropriate public agency, shall ensure that the design of trails in and adjoining sensitive habitat areas shall minimize adverse impact on these areas. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	Proposed trails are limited to the area proposed for development, and to connect campsites within parking areas and other facilities. These trails would not infringe on native habitats.	Potentially consistent
Policy 35: Protection of Vegetation. Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value. All development shall be designed to disturb the minimum amount possible of wildlife or plant habitat. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.176 OF THE CZLUO.]	Implementation of the project would result in permanent impacts to approximately 0.15 acre of valley needlegrass grassland (including temporary and permanent effects), which was historically introduced to the project site, and do not provide significant habitat value for special-status species. This native grassland type is intermixed with non-native grassland and coastal scrub within the northern portion of the project site, above existing graded terraces. Identified mitigation includes enhancement and restoration at a 2:1 ratio onsite, which would improve the overall condition and ecological function of the grassland habitat presently occurring onsite.	Potentially consistent
Policy 38: Protection of Kelp Beds, Offshore Rocks, Rocky Points, Reefs and Intertidal Areas. Uses shall be restricted to recreation, education and commercial fishing. Adjacent development shall be sited and designed to mitigate impacts that would be incompatible with the continuance of such habitat areas. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The proposed project would not directly affect offshore and intertidal resources. The proposed drainage plan includes measures to filter stormwater prior to discharge offsite, which would protect ocean water quality, and aquatic resources.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Chapter 7: Agriculture		
Policy 1: Maintaining Agricultural Lands. Prime agricultural land shall be maintained, in or available for, agricultural production unless: 1) agricultural use is already severely limited by conflicts with urban uses; or 2) adequate public services are available to serve the expanded urban uses, and the conversion would preserve prime agricultural land or would complete a logical and viable neighborhood, thus contributing to the establishment of a stable urban/rural boundary; and 3) development on converted agricultural land will not diminish the productivity of adjacent prime agricultural land. Other lands (non-prime) suitable for agriculture shall be maintained in or available for agricultural production unless: 1) continued or renewed agricultural use is not feasible; or 2) conversion would preserve prime agricultural land or concentrate urban development within or contiguous to existing urban areas which have adequate public services to serve additional development; and 3) the permitted conversion will not adversely affect surrounding agricultural uses. All prime agricultural lands and other (non-prime) lands suitable for agriculture are designated in the land use element as Agriculture unless agricultural use is already limited by conflicts with urban uses. **Permitted Uses on Non-Prime Agricultural Lands.** Principal permitted and allowable uses on non-prime agricultural lands are designated on Coastal Table O - Allowable Use Chart in Framework for Planning Document. These uses may be permitted where it can be demonstrated that no alternative building site exists except on non-agricultural soils, that the least amount on non-prime land possible is converted and that the use will not conflict with surrounding agricultural lands and uses. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	A small section of the northern portion of the project site is located within the Agriculture land use designation. These areas are not considered prime farmland, and do not support agricultural uses. The project does not include any improvements within agriculturally zoned areas.	Potentially consistent
Policy 3: Non-Agricultural Uses. In agriculturally designated areas, all non-agricultural development which is proposed to supplement the agricultural use permitted in areas designated as agriculture shall be compatible with preserving a maximum amount of agricultural use. When continued agricultural use is not feasible without some supplemental use, priority shall be given to commercial recreation and low intensity visitor-serving uses allowed in Policy 1. Non-agricultural developments shall meet the following requirements:	A small section of the northern portion of the project site is located within the Agriculture land use designation, and these areas are not large enough to support agricultural uses. These areas and adjacent land are not considered prime farmland, and do not support agricultural uses. The project does not include any improvements within agriculturally zoned areas, and there are no existing uses which would require establishment of a buffer zone. The proposed uses near	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
a. No development is permitted on prime agricultural land. Development shall be permitted on non-prime land if it can be demonstrated that all agriculturally unsuitable land on the parcel has been developed or has been determined to be undevelopable. b. Continued or renewed agricultural use is not feasible as determined through economic studies of existing and potential agricultural use without the proposed supplemental use. c. The proposed use will allow for and support the continued use of the site as a productive agricultural unit and would preserve all prime agricultural lands. d. The proposed use will result in no adverse effect upon the continuance or establishment of agricultural uses on the remainder of the site or nearby and surrounding properties. e. Clearly defined buffer areas are provided between agricultural and non-agricultural uses. f. Adequate water resources are available to maintain habitat values and serve both the proposed development and existing and proposed agricultural operations. g. Permitted development shall provide water and sanitary facilities on-site and no extension of urban sewer and water services shall be permitted, other than reclaimed water for agricultural enhancement. h. The development proposal does not require a land division and includes a means of securing the remainder of the parcel(s) in agricultural use through agricultural easements. As a condition of approval of non-agricultural development, the county shall require the applicant to assure that the remainder of the parcel(s) be retained in agriculture and, if appropriate, open space use by the following methods: **Agricultural Easement.** The applicant shall grant an easement to the county over all agricultural land shown on the site plan. This easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land covered by the easement to agriculture, non-residential use customarily accessory to agriculture, farm labor housing and a single-family home accessory to the agricultural use. **Open Space Easement.** The applicant shall grant an open space easement to the county over all lands shown on the site plans as land unsuitable for agriculture, not a part of the	the northern property boundaries include hotel/motel units, and use of these areas would not be incompatible with potential grazing offsite because the uses are short-term (no longer than 30 days per stay) and would be separated from the agricultural use by native vegetation.	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
approved development or determined to be undevelopable. The open space easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land to non-structural, open space uses. Development proposals shall include the following: a. A site plan for the ultimate development of the parcel(s) which indicates types, location, and if appropriate, phases of all non-agricultural development, all undevelopable, non-agricultural land and all land to be used for agricultural purposes. Total non-agricultural development area must not exceed 2% of the gross acreage of the parcel(s). b. A demonstration that revenues to local government shall be equal to the public costs of providing necessary roads, water, sewers, fire and police protection. c. A demonstration that the proposed development is sited and designed to protect habitat values and will be compatible with the scenic, rural character of the area. d. Proposed development between the first public road and the sea shall clearly indicate the provisions for public access to and along the shoreline consistent with LUP policies for access in agricultural areas. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.050 OF THE CZLUO.]		
Chapter 8: Public Works		
Policy 1: Availability of Service Capacity. New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable…The applicant shall assume responsibility in accordance with county ordinances or the rules and regulations of the applicable service district or other providers of services for costs of service extensions or improvements that are required as a result of the project. Lack of proper arrangements for guaranteeing service	The project site is located within the Avila Urban Services Line, and as addressed in EIR Section 4.10 (Public Services and Utilities), the proposed project would not result in service or utility demands exceeding allowable allocated limits for Port San Luis under both project-specific and cumulative conditions (build-out of the Port San Luis Master Plan). Based on the traffic impact analysis (refer to EIR Section 4.11 Transportation and Traffic, and EIR Appendix G), the project would not generate traffic resulting in a deterioration of level of service under specified conditions (second week of May). The project provides on-site parking and would alleviate off-site parking demand.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
is grounds for denial of the project or reduction of the density that could otherwise be approved consistent with available resources. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.021c (DIVISIONS OF LAND), 23.04.430 AND 23.04.432 (OTHER DEVELOPMENT) OF THE CZLUO.] [Amended 2004, Ord. 3006]		
Policy 8: Priority Development. Where existing or planned public works facilities can accommodate only a limited amount of new development, the following land uses shall have priority for services in accordance with the Coastal Act and be provided for in the allocation of services in proportion to their recommended land use within the service area. a. Uses which require location adjacent to the coast (coastal-dependent uses). b. Essential public services and basic industries vital to the economic health of the region, state or nation including agriculture, visitor-serving facilities and recreation. Priority for development of such uses shall be given to lands within the USL that are already subdivided with services available and then to unsubdivided parcels within the USL with services available. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The proposed project would not generate a demand for public services and utilities exceeding pre-determined allocations. The project includes priority coastal-dependent and visitor-serving and recreational facilities.	Potentially consistent
Chapter 9: Coastal Watersheds		
Policy 1: Preservation of Groundwater Basins. The long-term integrity of groundwater basins within the coastal zone shall be protected. The safe yield of the groundwater basin, including return and retained water, shall not be exceeded except as part of a conjunctive use or resource management program which assures that the biological productivity of aquatic habitats are not significantly adversely impacted. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The project does not overlie a groundwater basin, and would obtain water via existing allocations provided by CSA 12 (Lopez Lake Reservoir). Therefore, the project would not have an adverse effect on coastal groundwater basins.	Potentially consistent
Policy 7: Siting of New Development. Grading for the purpose of creating a site for a structure or other development shall be limited to slopes of less than 20 percent except: Existing lots of record in the Residential Single-Family category and where a residence cannot be feasibly sited on a slope less than 20 percent; When grading of an access road or driveway is necessary to	Implementation of the project requires mass grading on existing steep terraced slopes to remediate potential hazards including landslides and soil contamination. These actions require review by the County of San Luis Obispo, including approval and issuance of Coastal Development Permit and Grading Permits. Coastal streams are located onsite or proximate to the project	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
provide access to an area of less than 20 percent slope where development is intended to occur, and where there is no less environmentally damaging alternative; The county may approve grading and siting of development on slopes between 20 percent and 30 percent through Minor Use Permit, or Development Plan approval, if otherwise required by the Coastal Zone Land Use Ordinance. Also in review of proposed land divisions, each new parcel shall locate the building envelope and access road on slopes of less than 20 percent. In allowing grading on slopes between 20 percent and 30 percent the county shall consider the specific characteristics of the site and surrounding area that include but are not limited to: the proximity of nearby streams or wetlands, the erosion potential and slope stability of the site, the amount of grading necessary, neighborhood drainage characteristics and measures proposed by the applicant to reduce potential erosion and sedimentation. The county may also consider approving grading on slopes between 20 percent and 30 percent where it has been demonstrated that there is no other feasible method of establishing an allowable use on the site without grading. Grading and erosion control plans shall be prepared by a registered civil engineer and accompany any request to allow grading on slopes between 20 percent and 30 percent. It shall also be demonstrated that the proposed grading is sensitive to the natural landform of the site and surrounding area. In all cases, siting of development and grading shall not occur within 100 feet of any environmentally sensitive habitat. In urban areas as defined by the Urban Services Line, grading may encroach within the 100 foot setback when locating or siting a principally permitted development, if application of the 100 foot setback renders the parcel physically unusable for the principally permitted use. Secondly, the 100 foot setback shall only be reduced to a point at which the principally permitted use, as modified as much as practical from a design standpoint, can be accomplished to no point less than the setback allowed by the planning area standard or 50 feet whichever is the greater distance. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO COASTAL ZONE LAND USE ORDINANCE SECTIONS: 23.05.034 (GRADING) AND 23.04.021 (LAND DIVISIONS).]	site, and measures are proposed to ensure long-term slope stability, erosion control and protection of water quality during construction and for the life of the project, and maintenance of 50-foot minimum vegetated buffers between the development and coastal streams (refer to EIR Chapter 2 and associated project plans and EIR Sections 4.3 Biological Resources, 4.7 Geology and Soils, 4.7 Hazards and Hazardous Materials, and 4.8 Hydrology and Water Quality).	
Policy 8: Timing of Construction and Grading. Land clearing and	The proposed project would be consistent with this	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
grading shall be avoided during the rainy season if there is a potential for serious erosion and sedimentation problems. All slope and erosion control measures should be in place before the start of the rainy season. Soil exposure should be kept to the smallest area and the shortest feasible period. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.05.036 OF THE CZLUO.]	standard, through compliance with the CZLUO.	
Policy 9: Techniques for Minimizing Sedimentation. Appropriate control measures (such as sediment basins, terracing, hydro-mulching, etc.) shall be used to minimize erosion and sedimentation. Measures should be utilized from the start of site preparation. Selection of appropriate control measures shall be based on evaluation of the development's design, site conditions, predevelopment erosion rates, environmental sensitivity of the adjacent areas and also consider costs of on-going maintenance. A site specific erosion control plan shall be prepared by a qualified soil scientist or other qualified professional. To the extent feasible, non-structural erosion techniques, including the use of native species of plants, shall be preferred to control run-off and reduce increased sedimentation. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.05.036 OF THE CZLUO.]	The proposed project includes erosion and sedimentation control measures identified in the proposed grading and drainage plans. Consistency with this policy would be assured through compliance with the CZLUO and mitigation measures to be incorporated into the project (refer to EIR Sections 4.5 Geology and Soils and 4.8 Hydrology and Water Quality).	Potentially consistent
Policy 10: Drainage Provisions. Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.05.034 OF THE CZLUO.]	The proposed project includes a preliminary drainage plan including incorporation of Low Impact Development (LID) measures and BMPs to reduce the potential for erosion.	Potentially consistent
Policy 11: Preserving Groundwater Recharge. In suitable recharge areas, site design and layout shall retain runoff on-site to the extent feasible to maximize groundwater recharge and to maintain in-stream flows and riparian habitats. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The project site is not located above a delineated groundwater basin. Proposed stormwater management measures would not interfere with recharge of existing coastal streams, which originate outside of the project boundaries.	Potentially consistent
Policy 13: Vegetation Removal. Vegetation clearance on slopes greater than 30% in geologically unstable areas or on soils rated as having severe erosion hazards shall require an erosion and sedimentation control plan. Stream vegetation removal is discussed in greater detail in the Sensitive Habitat chapter. [THIS POLICY	The proposed project requires mass grading to remediate existing geologic and soils hazards. The site would be engineered and stabilized, including planting of native vegetation and management of stormwater to reduce the potential for erosion. Erosion control	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.05.036 OF THE CZLUO.]	measures would be implemented during construction, and permanent slope stability measures would be maintained for the life of the project. No vegetation would be removed within identified coastal streams.	
Chapter 10: Visual and Scenic Resources		
Policy 1: Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved protected, and in visually degraded areas restored where feasible. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	As discussed in EIR Section 4.1 Aesthetic Resources, the project site is located within a highly scenic coastal area. No natural unique landforms are present onsite, and natural vegetation is limited to the northern and far eastern portions of the site, generally outside of the areas proposed for development and camping. Native landscaping is proposed along the edges of development, and would be contiguous with native vegetation to remain.	Potentially consistent
Policy 2: Site Selection for New Development. Permitted development shall be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors. In particular, new development should utilize slope created "pockets" to shield development and minimize visual intrusion. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The project site is located in a highly visible location north of Avila Beach Drive. The development would be visible from Avila Beach Drive, Fisherman's Beach, Harford Pier, and San Luis Bay. The development would not block views of the ocean, and implementation would include relocation of existing RV parking sites on Avila Beach Drive onto the project site, which would provide additional ocean views currently blocked by RVs. In addition to compliance with Port Master Plan and San Luis Bay Coastal Area Plan standards, mitigation is identified to provide additional visual compatibility, including use of site design, architectural standards, and native landscaping to partially block public views of vehicles, RVs, and structures (refer to EIR Section 4.1 Aesthetic Resources).	Potentially consistent
Policy 5: Landform Alterations. Grading, earthmoving, major vegetation removal and other landform alterations within public view corridors are to be minimized. Where feasible, contours of the finished surface are to blend with adjacent natural terrain to achieve a consistent grade and natural appearance. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.05.034 OF THE CZLUO.]	The site has been degraded by previous uses. Existing conditions onsite include un-natural terraces. Proposed grading would create softened terraces, which would be vegetated with native species to facilitate improved consistency with the surrounding landscape compared to existing conditions.	Potentially consistent
Policy 6: Special Communities and Small-Scale	Port San Luis is considered a special community, and	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Neighborhoods. Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO CHAPTER 23.11 (DEFINITIONS) OF THE CZLUO.]	existing structures and amenities are consistent with an active recreational and commercial marine resource, including beach areas, Harford Pier, and the harbor. In addition to compliance with the Port Master Plan and San Luis Bay Coastal Area Plan, mitigation measures are identified in EIR Section 4.1 Aesthetic Resources, which provide additional standards for architectural design, landscaping, and lighting in order to maintain consistency with the visual character of the area.	
Policy 7: Preservation of Trees and Native Vegetation. The location and design of new development shall minimize the need for tree removal. When trees must be removed to accommodate new development or because they are determined to be a safety hazard, the site is to be replanted with similar species or other species which are reflective of the community character. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.05.064 OF THE CZLUO.]	The proposed project may include the removal of ornamental trees, Eucalyptus, and vegetation near Babe Lane. No mature (over four inches in diameter) coast live oak trees would require removal. The proposed landscape plan incorporates the use of native trees and vegetation throughout the project site, and along the perimeter of the proposed development area.	Potentially consistent
Policy 8: Utility Lines within View Corridors. Where feasible, utility lines within public view corridors should be placed underground whenever their aboveground placement would inhibit or detract from ocean views. In all other cases, where feasible, they shall be placed in such a manner as to minimize their visibility from the road. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.08.284 OF THE CZLUO.]	The proposed project does not include modifications to existing over-head utilities including on-site utilities along Babe Lane and off-site poles (siren and light pole) near the intersection of Avila Beach Drive and Diablo Canyon Road.. New utilities onsite would be placed under ground or on the ground surface, and in no instance would utilities inhibit or detract from ocean views, because the site is located north of Avila Beach Drive.	Potentially consistent
Policy 9: Signs. Prohibit off-premise commercial signs except for seasonal, temporary agricultural signs. Design on premise commercial signs as an integral part of the structure they identify and which do not extend above the roofline. Information and direction signs shall be designed to be simple, easy-to-read and harmonize with surrounding elements. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.04.306, 23.04.310, AND 23.04.312 OF THE COASTAL ZONE LAND USE ORDINANCE.]	Any proposed on or off-site signage would be designed, constructed, and maintained consistent with existing CZLUO regulations.	Potentially consistent
Chapter 11: Hazards		
Policy 1: New Development. All new development proposed within areas subject to natural hazards from geologic or flood conditions	The project site is located within a Geology Study Area (GSA) and adjacent to the 100-year Flood Hazard (FH)	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
(including beach erosion) shall be located and designed to minimize risks to human life and property. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	zone. As discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide and slope stability hazards. Based on compliance with existing regulations including the Uniform Building Code, and compliance with recommendations and mitigation measures, potential hazards would be mitigated to less than significant. The project does not require the construction of shoreline protection measures, due to its location north of Avila Beach Drive. Stormwater management measures are identified such that the project does not create offsite hazards or flooding.	
Policy 2: Erosion and Geologic Stability. New development shall ensure structural stability while not creating or contributing to erosion or geological instability. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD AND PURSUANT TO SECTION 23.07.086 OF THE CZLUO.]	In addition to compliance with the CZLUO, the project includes erosion and geologic stability measures, and additional mitigation identified in the EIR would be incorporated into final grading and construction plans. These measures would ensure long-term erosion protection and slope stability on and off-site.	Potentially consistent
Policy 3: Development Review in Hazard Areas. The county shall require a detailed review of development proposed within the geologic study area and flood hazard combining designations as indicated on the Land Use Element maps for the coastal zone. The review shall be performed by a qualified registered and/or certified engineering geologist and shall be adequately detailed to provide recommendations and conclusions consistent with this plan. Residential, commercial and industrial development shall be prohibited within the 100 year floodplain (l% chance of inundation in any year) as delineated in the Flood Hazard combining designation except for those areas within an urban reserve line. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTIONS 23.07.082, 23.07.084, 23.07.062 AND 23.07.066 OF THE CZLUO.]	Geologic hazards review has been conducted for the project site, and the results of the review are summarized in EIR Section 4.5 Geology and Soils. All recommendations documented in the geologic hazards review (refer to EIR Appendix E) are identified as mitigation measures. The project site is not located within the 100-year FH zone, and includes stormwater management measures to control runoff such that off-site flooding is not exacerbated by the project.	Potentially consistent
Policy 7: Geologic Study Area Combining Designation. The GSA combining designation in coastal areas of the county is amended to include all coastal bluffs and cliffs greater than 10 feet in vertical relief and that are identified in the Assessment and Atlas of Shoreline Erosion (DNOD, 1977) as being critical to future or present development. Maps clearly distinguish the different geologic	The project site is located within a Geology Study Area (GSA) As discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide, fault, seismic, soils, and slope stability hazards. The lower elevations of the project site may be affected by a tsunami event; however, no structures are	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
and seismic hazards which the county covers by the GSA combining designation. These hazards shall include steep slopes, unstable slopes, expansive soils, coastal cliff and bluff instability, active faults, liquefaction and tsunami. [THIS POLICY SHALL BE IMPLEMENTED BY DESIGNATING GSA AREAS ON THE COMBINING DESIGNATION MAPS AND PURSUANT TO SECTION 23.07.080 OF THE CZLUO.]	proposed below the 50-foot elevation and short-term evacuation of vehicles and occupants of lower level car/tent campsites is available in the upper slopes of the property above the 50-foot elevation. Based on compliance with existing regulations including the Uniform Building Code, and compliance with recommendations and mitigation measures identified in the EIR, potential hazards would be mitigated to less than significant.	
Policy 9: High Fire Risk Areas. Fire hazard areas shall be defined as those having potential for catastrophic fire. The county shall designate and show on the Hazards maps those high risk fire areas as delineated by the State Division of Forestry. New residential development in high risk fire areas shall be required to be reviewed and conditioned by the Fire Warden to ensure that building materials, access, brush clearings and water storage capacity are adequate for fire flow and fire protection purposes. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.05.082 OF THE CZLUO.]	The proposed project is located within a high fire risk area. Based on review by CAL FIRE (2014), several standard measures are required, including access and construction standards, vegetation management, provision of fire suppression equipment and water supply, and approval of Fire Safety and Hazardous Materials storage plans. Based on incorporation of mitigation measures identified in EIR Section 4.7 and compliance with existing regulations, potential fire risk would be mitigated to less than significant.	Potentially consistent
Chapter 12: Archaeology		
Policy 1: Protection of Archaeological Resources. The county shall provide for the protection of both known and potential archaeological resources. All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored at the time of a development proposal to avoid development on important archaeological sites. Where these measures are not feasible and development will adversely affect identified archaeological or paleontological resources, adequate mitigation shall be required. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	As discussed in EIR Section 4.4 Cultural Resources, development of the project site would avoid significant cultural resources in the area. Mitigation is identified, including monitoring of initial grading activities to ensure the protection and management of unknown subsurface resources that may be encountered. Due the historic grading that occurred throughout most of the project site, the potential for unknown resource discovery is low.	Potentially consistent
Policy 2: Vandalizing of Resources. Activities other than development, which could damage or destroy archaeological sites, including off-road vehicle use on or adjacent to known sites and unauthorized collecting of artifacts, shall be prohibited. [THIS POLICY SHALL BE IMPLEMENTED AS A STANDARD.]	The proposed project avoids all documented cultural resources in the area. No trails or public access areas are located proximate to existing sites, which are located outside of the property boundaries.	Potentially consistent
Policy 4: Preliminary Site Survey for Development within Archaeologically Sensitive Areas. Development shall require a	The results of archaeological surveys conducted within and adjacent to the project site are summarized in EIR	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
preliminary site survey by a qualified archaeologist knowledgeable in Chumash culture prior to a determination of the potential environmental impacts of the project. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.106 OF THE CZLUO.]	Section 4.4 Cultural Resources.	
Policy 5: Mitigation Techniques for Preliminary Site Survey before Construction. Where substantial archaeological resources are found as a result of a preliminary site survey before construction, the county shall require a mitigation plan to protect the site. Some examples of specific mitigation techniques include: a. Project redesign could reduce adverse impacts of the project through relocation of open space, landscaping or parking facilities. b. Preservation of an archaeological site can sometimes be accomplished by covering the site with a layer of fill sufficiently thick to insulate it from impact. This surface can then be used for building that does not require extensive foundations or removal of all topsoil. c. When a project impact cannot be avoided, it may be necessary to conduct a salvage operation. This is usually a last resort alternative because excavation, even under the best conditions, is limited by time, costs and technology. Where the chosen mitigation measure necessitates removal of archaeological resources, the county shall require the evaluation and proper deposition of the findings based on consultation with a qualified archaeologist knowledgeable in the Chumash culture. d. A qualified archaeologist knowledgeable in the Chumash culture may need to be on-site during initial grading and utility trenching for projects within sensitive areas. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTION 23.07.106 OF THE CZLUO.]	Development of the project would avoid significant cultural resources; however, due to the cultural sensitivity of the area, mitigation is included requiring monitoring of initial grading to ensure no subsurface resources are present. In the event undocumented resources are uncovered, protection and management of the resources would occur pursuant to a County-approved monitoring plan and CZLUO regulations.	Potentially consistent
Policy 6: Archaeological Resources Discovered during Construction or through Other Activities. Where substantial archaeological resources are discovered during construction of new development, or through non-permit related activities (such as repair and maintenance of public works projects) all activities shall cease until a qualified archaeologist knowledgeable in the Chumash culture can determine the significance of the resource and submit	Implementation of the proposed project would comply with this existing standard, which would be ensured through archaeological monitoring conducted during initial ground disturbance.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
alternative mitigation measures. [THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO SECTIONS 23.05.140 AND 23.07.106 OF THE CZLUO.]		
Framework for Planning (Coastal Zone)		
Strategic Growth Goal 1: Preserve open space, scenic natural beauty and sensitive environmental areas. Conserve energy resources. Conserve agricultural resources and protect agricultural land.		
Objective 1 Environment – Maintain and protect a living environment that is safe, healthful and pleasant for all resident by: a. Assuring the protection of coastal resources such as wetlands, coastal streams, forests, marine habitats, and threatened and endangered species. b. Keeping the amount, location and rate of growth allowed by the Land Use Element within the sustainable capacity of resources, public services and facilities. c. Preserving and sustaining important water resources, watersheds and riparian habitats. d. Giving highest priority to avoiding significant environmental impacts from development through site and project design and alternatives. Where such impacts cannot be avoided, minimize and mitigate them to the maximum extent feasible.	The proposed project is consistent with this objective because the project is designed to avoid sensitive coastal resources including coastal streams, oak woodland, and habitats for special-status species; the proposed landscape plan includes the use of native species consistent with natural habitats surrounding the area proposed for development, and includes stormwater management features, which would protect water quality both on and offsite. The proposed project would not induce growth, and would provide additional opportunities for coastal-dependent and visitor-serving activities.	Potentially consistent
Objective 2 Air Quality – Preserve, protect and improve the air quality of the county by: a. Seeking to exceed or at least maintain the minimum state and federal ambient air quality standards. b. Mitigating to the extent feasible, potential adverse air quality impacts from new development using the best available technology. b. Minimizing the generation of air pollutants and greenhouse gases from existing and projected growth by promoting compact, urban infill development and discouraging leap-frog or rural sprawl development patterns, which can reduce travel time and distance. c. Implementing land use, circulation and infrastructure policies and programs that result in transportation alternatives to the single-passenger vehicle, in order to minimize travel time, distance and trip generation and reduce vehicle miles traveled.	The proposed project would generate emissions during the construction phase, which will require implementation of mitigation measures consistent with the SLOAPCD CEQA Handbook (2012). The project site is located within the Urban Services Line for Avila, is consistent with the land use category and the Port Master Plan and San Luis Obispo Coastal Area Plan, which include standards for campground development onsite, and would include measures to reduce long-term generation of GHG. Facilities to support the development and to serve existing and future visitors to the area would include a restaurant and market, which would potentially reduce the need for additional trips to access similar facilities outside of the area. The proposed development is designed to accommodate selective use of solar amenities where appropriate and outside of	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
d. Minimizing travel time and distance and trip generation by the location of land uses. e. Encouraging the use of alternative energy sources such as solar, wind, and wave technology to reduce the use of non-renewable resources.	public view.	
Objective 3 Open Space – Preserve urban and rural open space as an irreplaceable resource for future generations by: a. Encouraging cooperation of governmental agencies, landowners, and non-profit organizations in the preservation of open space. b. Balancing the rights of individual property owners and need for open space. c. Encouraging better access to the coast through the acquisition and development of coastal accessways, trails, and parks, in appropriate locations. d. Protecting agricultural, natural and other rural areas between communities, and working with landowners and these communities to maintain rural character and land uses.	The proposed project primarily limits development to areas currently disturbed or in use by the Harbor District. Surrounding undeveloped and natural areas would not be affected by the project. The project includes improved pedestrian access across Avila Beach Drive, and provides beneficial opportunities for coastal access for the public.	Potentially consistent
Objective 4 Agriculture – Encourage the protection and use of agricultural land for the production of food, fiber and other agricultural commodities, and support the rural economy and locally-based commercial agriculture.	The proposed development would occur within land designated Public Facilities, and does not include any feature that would be incompatible with grading or other agricultural activities in the immediate area.	Potentially consistent
Objective 5 Conserve energy resources by: a. Planning for energy efficiency and conservation through land use and transportation, and in subdivision and building. b. Decreasing reliance on environmentally costly energy sources, increasing conservation efforts, and encouraging use of alternative energy sources.	The proposed project would comply with energy conservation measures identified by the SLOAPCD (2012), including water and electricity conservation. The proposed development is designed to accommodate selective use of solar amenities where appropriate and outside of public view. The project is located near existing coastal-dependent and recreational land uses, adjacent to Avila Beach Drive and the community of Avila Beach..	Potentially consistent
Objective 6 Population Growth – Provide for an environmentally sustainable rate of orderly development within the planned capacities of resources and services by: a. Recognizing the impacts of land use and water consumption in a semi-arid climate. b. Developing and maintain information on population growth	The proposed project would not induce growth, and is consistent with regional planning identified for the area in the County General Plan.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
rates. c. Maintaining a growth management system that protects communities and resources from the adverse effects of growth. d. Establishing a growth management rate annually according to the Growth Management Ordinance. e. Guiding allocated development to areas of the county capable of sustaining growth without adverse effects. f. Providing the lead time necessary to fund and put in place resources and public services necessary to support population growth, considering the availability of resources and the county's and taxpayers' financial ability to provide them.		
Strategic Growth Goal 2: Strengthen and direct development toward existing and strategically planned communities.		
Objective 1 Distribution of Land Uses – Plan for most future development to be within existing and strategically planned cities and communities by: a. Maintaining rural areas in agriculture, low-intensity recreation, very low-density residential and open space uses, which will preserve and enhance a well-defined rural character. b. Avoiding establishing or expanding Residential Rural and Residential Suburban areas outside urban or village reserve areas. c. Creating active and vital urban environments that are attractive and compact, with the arrangements of structures and open space appropriate to the size and scale of each community. d. Create complete communities with appropriate areas for housing, commerce, civic uses, schools, recreation and open spaces. e. Implementing policies to determine where growth should occur, and to clearly distinguish between urban, village, and outlying rural areas.	The proposed project, as designed, is consistent with regional planning documents including the Port San Luis Master Plan and San Luis Bay Coastal Area Plan. The proposed use is consistent with the coastal-dependent and visitor-serving uses in the area, and includes amenities that will be designed to be compatible with the visual character of the area, including architectural features and building scale.	Potentially significant
Objective 3 Public Services and Facilities – Avoid the use of public resources, services, and facilities beyond their renewable capacities. a. Planning for and monitoring new development through the Resource Management System and growth management strategies, to ensure that resource demands will not exceed existing and planned capacities, or service levels.	The project would result in additional demand for public services and utilities including fire and police protection, energy consumption, use of water resources, and generation of wastewater. Based on the analysis in the EIR, the project would not require the construction or expansion of existing service facilities or infrastructure, and would not generate demand exceeding identified	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
b. Sharing the cost of additional services and facilities fairly among those who most immediately benefit and the entire community. c. Locating new public service facilities as close as possible to the users. If facilities are necessary in rural areas, allow for sufficient buffers to protect environmentally sensitive and agricultural areas. d. Planning new land uses that avoid overburdening existing resources, services and facilities. e. Providing adequate community amenities, parks, natural areas and trails in support of new development, which will support a high quality of life and a compact form of community development.	allocation limits. The project would result in a beneficial effect on recreational resources by providing opportunities for coastal access, including group gathering areas for picnics and educational opportunities and pedestrian crossings to the beach area. The project provides low-cost overnight accommodations on the coast as required by the RV/campsite and hotel/campsite ratios, which would reduce unmet demand for such facilities in the area and would enhance public access to the coast.	
Objective 6 Visitor Serving, Recreation, and Resort Development – Preserve and enhance visitor opportunities in appropriate locations as an important part of the coastal economy by: a. Requiring that new destination resorts and recreational development such as hotels, conference centers, and golf courses be located within or adjacent to urban or village areas, or existing visitor destination points. b. Allowing limited small scale recreational development such as motels, restaurants, parks, and beaches in rural areas - if consistent with all other provisions of the coastal program. c. Implementing the California Coastal Act by acknowledging that visitor serving facilities have priority over private residential, non-visitor serving commercial or industrial development, but not over agriculture or coastal dependent industry. d. Recognizing that while visitor serving uses are encouraged by the California Coastal Act, they shall not exceed resource capabilities, conflict with agricultural uses, or be permitted when adverse environmental effects may result. e. Carefully balancing the needs of visitors, businesses, and local residents. f. Periodically reviewing the location of 'V'- Visitor Serving Overlay classifications during the Plan update process.	The proposed project is consistent with identified objectives and policies because the project would: be located within a the Urban Services Line for Avila Beach; provides visitor-serving facilities (including low-cost, low-impact overnight accommodations) and amenities within the Coastal Zone including camping and marine storage, and would not have an adverse effect on agriculture or other coastal dependent uses including recreation, boating, and fishing; water demand and wastewater generation for the proposed development would be within estimates generated for the Port San Luis area and would not exceed specified allocations and capacity; and balances the needs of future users, visitors, and workers in the immediate area through use of appropriate setbacks, limitations on portable generator use, and site design.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Coastal Zone Land Use Ordinance (Title 23)		
Chapter 5: Site Development Standards		
23.05.034 – Grading Standards All excavations and fills, whether or not subject to the permit requirements of this title, shall be conducted in accordance with the provisions of Sections 7009 through 7013 of the Uniform Building Code, and the following standards: a. **Area of cuts and fills:** Cuts and fills shall be limited to the minimum amount necessary to provide stable embankments for required parking areas or street rights-of-way, structural foundations, and adequate residential yard area or outdoor storage or sales area incidental to a non-residential use. b. **Grading for siting of new development.** Grading for the purpose of creating a site for a structure or other development shall be limited to slopes less than 20% except: (1) Existing lots in the Residential Single-Family category, if a residence cannot feasibly be sited on a slope less than 20%; and (2) When grading of an access road or driveway is necessary to provide access to building site with less than 20% slope, and where there is no less environmentally damaging alternative; and (3) **Grading adjustment.** Grading on slopes between 20% and 30% may occur by Minor Use Permit or Development Plan approval subject to the following: (i) The applicable review body has considered the specific characteristics of the site and surrounding area including: the proximity of nearby streams or wetlands, erosion potential, slope stability, amount of grading necessary, neighborhood drainage characteristics, and measures proposed by the applicant to reduce potential erosion and sedimentation. (ii) Grading and erosion control plans have been prepared by a registered civil engineer and accompany the request to allow the grading adjustment. (iii) It has been demonstrated that the proposed grading is	Implementation of the project requires mass grading on existing steep terraced slopes to remediate potential hazards including landslides and soil contamination. Existing conditions onsite include un-natural terraces. Proposed grading would create softened terraces, which would be vegetated with native species to facilitate improved consistency with the surrounding landscape compared to existing conditions. These actions require review by the County of San Luis Obispo, including approval and issuance of Coastal Development Permit and Grading Permits pursuant to this code. Coastal streams are located onsite or proximate to the project site, and measures are proposed to ensure long-term slope stability, erosion control and protection of water quality during construction and for the life of the project, and maintenance of 50-foot minimum vegetated buffers between the development and coastal streams (refer to EIR Chapter 2 and associated project plans and EIR Sections 4.3 Biological Resources, 4.7 Geology and Soils, 4.7 Hazards and Hazardous Materials, and 4.8 Hydrology and Water Quality). The proposed project includes a preliminary drainage plan including incorporation of LID measures and BMPs to reduce the potential for erosion.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
sensitive to the natural landform of the site and surrounding area. (iv) It has been found that there is no other feasible method of establishing an allowable use on the site without grading on slopes between 20% and 30%. c. **Grading adjacent to Environmentally Sensitive Habitats.** Grading shall not occur within 100 feet of any Environmentally Sensitive Habitat except: (1) Where a setback adjustment has been granted as set forth in Sections 23.07.172d(2) (Wetlands) or 23.07.174d(2) (Streams and Riparian Vegetation) of this title; or (2) Within an urban service line when grading is necessary to locate a principally permitted use and where the approval body can find that the application of the 100-foot setback would render the site physically unsuitable for a principally permitted use. In such cases, the 100-foot setback shall only be reduced to a point where the principally-permitted use, as modified as much as practical from a design standpoint, can be located on the site. In no case shall grading occur closer than 50 feet from the Environmentally Sensitive Habitat or as allowed by planning area standard, whichever is greater. d. **Landform alterations within public view corridors.** Grading, vegetation removal and other landform alterations shall be minimized on sites located within areas determined by the Planning Director to be a public view corridors from collector or arterial roads. Where feasible, contours of finished grading are to blend with adjacent natural terrain to achieve a consistent grade and appearance. e. **Final contours:** Contours, elevations and shapes of finished surfaces are to be blended with adjacent natural terrain to achieve a consistent grade and natural appearance. Border of cut slopes and fills are to be rounded off to a minimum radius of five feet to blend with the natural terrain. f. **Grading near watercourses:** Grading, dredging or diking (consistent with Section 23.07.174) shall not alter any intermittent or perennial stream, or natural body of water shown on any USGS 7-1/2 minute map, except as permitted through approval of a county drainage plan and a streambed alteration permit from the California Department of Fish and Game issued		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
under Sections 1601 or 1602 of the Fish and Game Code. (Additional standards are contained in Sections 23.07.172 through 174 of this title.) Watercourses shall be protected as follows: (1) Watercourses shall not be obstructed unless an alternate drainage facility is approved. (2) Fills placed within watercourses shall have suitable protection against erosion during flooding. (3) Grading equipment shall not cross or disturb channels containing live streams without siltation control measures approved by the County Engineer in place. (4) Excavated materials shall not be deposited or stored in or alongside a watercourse where the materials can be washed away by high water or storm runoff. g. **Revegetation:** Where natural vegetation has been removed through grading in areas not affected by the landscape requirements (Section 23.04.180 et seq. - Landscape, Screening and Fencing), and that are not to be occupied by structures, such areas are to be replanted as set forth in this subsection to prevent erosion after construction activities are completed. [Amended 1993, Ord. 2649] (1) **Preparation for revegetation:** Topsoil removed from the surface in preparation for grading and construction is to be stored on or near the site and protected from erosion while grading operations are underway, provided that such storage may not be located where it would cause suffocation of root systems of trees intended to be preserved. After completion of such grading, topsoil is to be restored to exposed cut and fill embankments or building pads to provide a suitable base for seeding and planting. (2) **Methods of revegetation:** Acceptable methods of revegetation include hydro-mulching, or the planting of rye grass, barley or other seed with equivalent germination rates. Where lawn or turf grass is to be established, lawn grass seed or other appropriate landscape cover is to be sown at not less than four pounds to each 1,000 square feet of land area. Other revegetation methods offering equivalent protection may be approved by the Building Official. Plant materials shall be watered at intervals sufficient to assure survival and growth. Native plant		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
materials are encouraged to reduce irrigation demands. Where riparian vegetation has been removed, riparian plant species shall be used for revegetation. (3) **Timing of revegetation measures:** Permanent revegetation or landscaping should begin on the construction site as soon as practical and shall begin no later than six months after achieving final grades and utility emplacements. [Amended 2006, Ord. 3082]		
23.05.036 – Sedimentation and Erosion Control a. **Sedimentation and erosion control plan required:** Submittal of a sedimentation and erosion control plan for review and approval by the County Engineer is required when: (1) Grading requiring a permit is proposed to be conducted or left in an unfinished state during the period from October 15 through April 15; or (2) Land disturbance activities, including the removal of more than one-half acre of native vegetation are conducted in geologically unstable areas, on slopes in excess of 30%, on soils rated as having severe erosion hazard, or within 100 feet of any water course shown on the most current 7-1/2 minute USGS quadrangle map. (3) The placing or disposal of soil, silt, bark, slash, sawdust or other organic or earthen materials from logging, construction and other soil disturbance activities above or below the anticipated high water line of a watercourse where they may be carried into such waters by rainfall or runoff in quantities deleterious to fish, wildlife or other beneficial uses. When a sedimentation and erosion control plan is required, none of the activities described in subsections a(1) through a(3) above shall be commenced until such plan is approved by the County Engineer pursuant to this section. b. **Sedimentation and erosion control plan preparation and processing:** Sedimentation and erosion control plans shall address both temporary and final measures and shall be submitted to the County Engineer for review and approval. When such plans are required, they shall be prepared by a registered civil engineer or other qualified professional approved by the County Engineer. Such plans shall be	Implementation of the proposed project would require mass grading, and incorporation of erosion and sedimentation control measures both during construction and for the life of the project. Preliminary plans identify erosion control measures, which would be further refined through grading plan review by the County and RWQCB, consistent with existing regulations including the CZLUO. Long—term slope stability would be achieved pursuant to implementation of recommendations and mitigation measures identified in EIR Section 4.5 Geology and Soils.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination

prepared in accordance with the San Luis Obispo County Standard Improvement Specifications and Drawings. Sedimentation and erosion control plans may be incorporated into and approved as part of a grading, drainage or other improvement plan, but must be clearly identified as a sedimentation and erosion control plan. Selection of appropriate control measures shall be based upon evaluation of project design, site conditions, pre-development erosion rates and the environmental sensitivity of adjacent areas.

c. **Plan check, inspection, and completion:** Where required by the County Engineer, the applicant is to execute a plan check and inspection agreement with the county and the sedimentation and erosion control facilities inspected and approved before a certificate of occupancy is issued.

d. **Sedimentation and erosion control measures:** The control of sedimentation and erosion shall include but is not limited to the use of the following:

(1) Slope surface stabilization:

(i) Temporary mulching, seeding or other suitable stabilization measures approved by the County Engineer shall be used to protect exposed erodible areas during construction.

(ii) Earth or paved interceptors and diversions shall be installed at the top of cut or fill slopes where there is a potential for erosive surface runoff.

(2) Erosion and sedimentation control devices: In order to prevent polluting sedimentation discharges, erosion and sediment control devices shall be installed as required by the County Engineer for all grading and filling. Control devices and measures that may be required include, but are not limited to energy absorbing structures or devices to reduce the velocity of runoff water.

(3) Final erosion control measures: Within 30 days after completion of grading, all surfaces disturbed by vegetation removal, grading, haul roads, or other construction activity that alters natural vegetative cover, are to be revegetated to control erosion, unless covered with impervious or other improved surfaces authorized by approved plans. Erosion controls may include any combination of mechanical or vegetative measure, including those described in USDA

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Soil Conservation Service Bulletin 347. e. **Off-site effects.** Grading operations shall be conducted to prevent damaging effects of erosion, sediment production and dust on the site and on adjoining properties.		
23.05.064 – Tree Removal Standards Applications for tree removal in accordance with Section 23.05.062 are to be approved only when the following conditions are satisfied: a. **Tagging required.** Trees proposed for removal shall be identified for field inspection by means of flagging, staking, paint spotting or other means readily visible but not detrimental to a healthy tree. b. **Removal criteria.** A tree may be removed only when the tree is any of the following: (1) Dead , diseased beyond reclamation, or hazardous; (2) Crowded, with good horticultural practices dictating thinning; (3) Interfering with existing utilities, structures or right-of-way improvements; (4) Obstructing existing or proposed improvements that cannot be reasonably designed to avoid the need for tree removal; (5) Inhibiting sunlight needed for either active or passive solar heating or cooling, and the building or solar collectors cannot be oriented to collect sufficient sunlight without total removal of the tree; (6) In conflict with an approved fire safety plan where required by Section 23.05.080; (7) To be replaced by a tree that will provide equal or better shade, screening, solar efficiency or visual amenity within a 10-year period, as verified in writing by a registered landscape architect, licensed landscaping contractor or certified nurseryman. c. **Replacement.** Any tree removed to accommodate new development or because it is a safety hazard shall be replaced, in a location on the site and with a species common to the community, as approved by the Planning Director. d. **Tree removal within public view corridors.** Tree removal within public view corridors (areas visible from collector or	Proposed tree removal would be limited to ornamental and pine species and Eucalyptus. All tree removal would occur pursuant to conditions identified by the County through review of the Coastal Development Permit, consistent with CZLUO regulations. Native trees would remain, and the site would be re-vegetated with native trees and other vegetation, which addresses policies related to visual resources and visual character.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
arterial roads) shall be minimized in accordance with Visual and Scenic Resources Policy 5. e. **Preservation of trees and natural vegetation.** New development shall incorporate design techniques and methods that minimize the need for tree removal.		
23.05.086 – Fire Safety Standards In areas where fire protection is provided by the San Luis Obispo County Fire Department/California Department of Forestry and Fire Protection, new uses shall comply with applicable provisions of the Uniform Fire Code, 1988 Edition, or such later edition as adopted by an ordinance of San Luis Obispo County. In areas where fire protection is provided by another official agency (e.g., a community services district, etc.), new uses shall comply with such fire safety standards as required by the fire protection agency.	The project site is within a high fire hazard area, and the project is subject to review and approval by CAL FIRE, which shall ensure compliance with current regulations.	Potentially consistent
23.05.140 – Archeological Resources Discovery: In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply: a. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. b. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.	All grading and construction activities shall comply with this existing standard. Archaeological monitoring shall occur during initial ground disturbance (refer to EIR Section 4.4. Cultural Resources).	Potentially consistent
Chapter 7: Combining Designation Standards		
23.07.080 – Geologic Study Area (GSA) A Geologic Study Area combining designation is applied by the Official Maps (Part III) of the Land Use Element, to areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. These standards are applied where the following conditions exist: a. **Seismic hazard:** Areas of seismic (earthquake) hazard are identified through the application of an Earthquake Fault Zone.	The project site is located within a Geology Study Area (GSA) As discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide, fault, seismic, soils, and slope stability hazards. Based on compliance with existing regulations including the Uniform Building Code, and compliance with recommendations and mitigation measures identified in the EIR, potential hazards would be	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Earthquake Fault Zones are established by the state geologist as required by Sections 2621 et seq. of the Public Resources Code (the Alquist-Priolo Earthquake Fault Zones Act), and are identified in the Land Use Element (Part II); b. **Landslide hazard:** Areas within urban and village reserve lines, identified by the Seismic Safety Element as being subject to moderately high to high landslide risk, and rural areas subject to high landslide risk; c. **Liquefaction hazard:** Areas identified by the Seismic Safety Element as being subject to soil liquefaction. d. **Erosion and stability hazard – coastal bluffs:** Areas along the coast with coastal bluffs and cliffs greater than 10 feet in vertical relief that are identified in the Coastal Erosion Atlas, prepared by the California State Department of Navigation and Ocean Development (1977), in accordance with Hazards Policy No. 7 of the Local Coastal Plan.	mitigated to less than significant.	
23.07.082 – Applicability of GSA Standards: The standards of Sections 23.07.084 through 23.08.086 apply to all land uses for which a permit is required, except: a. One single-family residence, not exceeding two stories, when not constructed in conjunction with two or more residences by a single contractor or owner on a single parcel or abutting parcels, unless the site is located in an area subject to liquefaction or landslide. b. Alterations or additions to any structure, the value of which does not exceed 50% of the assessed value of the structure in any 12-month period, except where the site is adjacent to a coastal bluff.	The project site is located within a GSA designation, and is subject to the applicable standards identified in the CZLUO.	Potentially consistent
23.07.086 – Geologic Study Area Special Standards: All uses within a Geologic Study Area are to established and maintained in accordance with the following, as applicable: a. **Grading:** Any grading not otherwise exempted from the permit requirements of Sections 23.05.020 et seq. (Grading) is to be performed as engineered grading under the provisions of those sections. b. **Seismic hazard areas:** As required by California Public Resources Code Sections 2621 et seq. and California Administrative Code Title 14, Sections 3600 et seq., no	The project site is located within a GSA designation, and is subject to the applicable standards identified in the CZLUO. Recommendations identified in the Geology / Geologic Hazards Review (Earth Systems Pacific 2014) are incorporated into the EIR analysis, and shall be implemented during development of final grading and construction plans to ensure compliance with the CZLUO (refer to EIR Section 4.5 Geology and Soils).	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
structure intended for human occupancy shall be located within 50 feet of an active fault trace within an Earthquake Fault Zone. c. **Erosion and geologic stability:** New development shall insure structural stability while not creating or contributing to erosion, sedimentation or geologic instability.		
23.07.104 – Archaeologically Sensitive Areas: To protect and preserve archaeological resources, the following procedures and requirements apply to development within areas of the coastal zone identified as archaeologically sensitive. a. **Archaeologically sensitive areas.** The following areas are defined as archaeologically sensitive: (1) Any parcel within a rural area which is identified on the rural parcel number list prepared by the California Archaeological Site Survey Office on file with the county Planning Department. (2) Any parcel within an urban or village area which is located within an archeologically sensitive area as delineated by the official maps (Part III) of the Land Use Element. (3) Any other parcel containing a known archaeological site recorded by the California Archaeological Site Survey Office. b. **Preliminary site survey required.** Before issuance of a land use or construction permit for development within an archaeologically sensitive area, a preliminary site survey shall be required. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and approved by the Environmental Coordinator. The County will provide pertinent project information to the Native American tribe(s). c. **When a mitigation plan is required.** If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist. The County will provide pertinent project information to the Native American tribe(s) as appropriate. The purpose of the plan is to protect the resource. The plan may recommend the need for further study, subsurface testing, monitoring during construction activities, project redesign, or other actions to mitigate the impacts on the	The project site is located within the Archaeologically Sensitive (AS) combining designation overlay. The project site and surrounding areas were surveyed by a qualified archaeologist, and the project was sited to avoid impacts to documented archaeological sites. Mitigation is identified, including monitoring of initial ground disturbance, to ensure proper protection and management of unknown significant resources (refer to EIR Section 4.4 Cultural Resources).	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
resource. Highest priority shall be given to avoiding disturbance of sensitive resources. Lower priority mitigation measures may include use of fill to cap the sensitive resources. As a last resort, the review authority may permit excavation and recovery of those resources. The mitigation plan shall be submitted to and approved by the Environmental Coordinator, and considered in the evaluation of the development request by the Review Authority. d. **Archeological resources discovery.** In the event archeological resources are unearthed or discovered during any construction activities, the standards of Section 23.05.140 of this title shall apply. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist reviewed and approved by the Environmental Coordinator, is completed and implemented. The County will provide pertinent project information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan. The mitigation plan shall include measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Environmental Coordinator prior to occupancy or final inspection, whichever occurs first.		
23.07.160 – Sensitive Resource Area (SRA): The Sensitive Resource Area combining designation is applied by the Official Maps (Part III) of the Land Use Element to identify areas with special environmental qualities, or areas containing unique or endangered vegetation or habitat resources. The purpose of these combining designation standards is to require that proposed uses be designed with consideration of the identified sensitive resources, and the need for their protection, and, where applicable, to satisfy the requirements of the California Coastal Act. The requirements of this title for Sensitive Resource Areas are organized into the following sections: 23.07.162 Applicability of Standards 23.07.164 SRA Permit and Processing Requirements 23.07.166 Minimum Site Design and Development Standards 23.07.170 Environmentally Sensitive Habitats	The project site is located within the SRA combining designation. ESHA includes an LCP-designated coastal stream west of the western property boundary (east of Diablo Canyon Road) and potentially an undesignated coastal stream within the far eastern portion of the property. Specific standards are addressed below.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
23.07.172 Wetlands 23.07.174 Streams and Riparian Vegetation 23.07.176 Terrestrial Habitat Protection 23.07.178 Marine Habitats		
23.07.166 – Minimum Site Design and Development Standards: All uses within a Sensitive Resource Area shall conform to the following standards: a. Surface mining is not permitted except in areas also included in an Energy and Extractive Resource Area combining designation by the Land Use Element. Where the dual designation exists, surface mining is allowed only after approval of surface mining permit and reclamation plan, approved in accordance with Section 23.08.180. b. Shoreline areas shall not be altered by grading, paving, or other development of impervious surfaces for a distance of 100 feet from the mean high tide line, 75 feet from any lakeshore, or 50 feet from any streambank, except where authorized through Development Plan approval. Where the requirements of the California Department of Fish and Game or other public agency having jurisdiction are different, the more restrictive regulations shall apply. Special requirements for setbacks from wetlands, streams, and the coastline are established by Sections 23.07.172 through 23.07.178. c. Construction and landscaping activities shall be conducted to not degrade lakes, ponds, wetlands, or perennial watercourses within an SRA through filling, sedimentation, erosion, increased turbidity, or other contamination. d. Where an SRA is applied because of prominent geological features visible from off-site (such as rock outcrops), those features are to be protected and remain undisturbed by grading or development activities. e. Where an SRA is applied because of specified species of trees, plants or other vegetation, such species shall not be disturbed by construction activities or subsequent operation of the use, except where authorized by Development Plan approval.	The proposed project incorporates a minimum 50-foot buffer from designated and un-designated coastal streams. Only the perimeter of low-impact, resource-dependent passive camping areas would be located within 50 feet of the eastern coastal stream; no grading or development would occur. The project preserves native oak trees onsite, and would only affect the fringes of coastal scrub. The landscape plan incorporates native trees and vegetation consistent with native habitats in the area, and contiguous with existing habitats to the north and east. Grading and development shall be subject to existing regulations to protect water quality, and additional mitigation measures are proposed to prevent accidental disturbance or pollutant discharges (refer to EIR Sections 4.1 Aesthetic Resources, 4.3 Biological Resources, 4.5 Geology and Soils, and 4.7 Hydrology and Water Quality).	Potentially consistent
23.07.170 – Environmentally Sensitive Habitats: e. **Development standards for environmentally sensitive**	The proposed project would not directly affect ESHA, and would comply with existing standards, including a	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
habitats. All development and land divisions within or adjacent to an Environmentally Sensitive Habitat Area shall be designed and located in a manner which avoids any significant disruption or degradation of habitat values. This standard requires that any project which has the potential to cause significant adverse impacts to an ESHA be redesigned or relocated so as to avoid the impact, or reduce the impact to a less than significant level where complete avoidance is not possible. (1) **Development within an ESHA.** In those cases where development within the ESHA cannot be avoided, the development shall be modified as necessary so that it is the least environmentally damaging feasible alternative. Development shall be consistent with the biological continuance of the habitat. Circumstances in which a development project would be allowable within an ESHA include: i. **Resource dependent uses.** New development within the habitat shall be limited to those uses that are dependent upon the resource. ii. **Coastal accessways.** Public access easements and interpretive facilities such as nature trails which will improve public understanding of and support for protection of the resource. iii. **Incidental public services and utilities in wetlands.** Essential incidental public services and utilities pursuant to ESHA Policy 13 and CZLUO Section 23.07.172(e). iv. **Habitat creation and enhancement.** Where the project results in an unavoidable loss (i.e., temporary or permanent conversion) of habitat area, replacement habitat and/or habitat enhancements shall be provided and maintained by the project applicant. Plans for the creation of new habitat, or the enhancement of existing habitat, shall consider the recommendations of the California Coastal Commission, the California Department of Fish and Game and/or U.S. Fish and Wildlife Service. Generally, replacement habitat must be provided at recognized ratios to successfully reestablish the habitat at its previous size, or as is deemed appropriate in the particular biologic	50-foot setback and buffer zone between the proposed use and the coastal streams. Existing habitat between the streams and the project would remain in place, or would be enhanced with native vegetation complimentary to the natural habitat (coastal scrub). The eastern edge of the walk-in campsite would be located within the 50-foot buffer. Low-impact campsites (passive recreation) including tents, picnic tables, and fire pits would be located within the walk-in camp areas, and would not require site alteration to accommodate the use. Such campsites constitute a resource-dependent use. Potentially significant indirect impacts including sediment and pollutant discharge would be mitigated through compliance with existing standards to protect water quality and incorporation of identified mitigation measures including construction monitoring, erosion and sedimentation control measures, and hazards containment and clean-up measures.	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
assessment(s) for the impacted site. Replacement and/or enhanced habitat, whenever feasible, shall be of the same type as is lost ("same-kind") and within the same biome ("same-system"), and shall be permanently protected by a deed restriction or conservation easement. v. **Restoration of damaged habitats.** Restoration or management measure required to protect the resource. Projects located within or adjacent to environmentally sensitive habitat areas that have been damaged shall be conditioned to require the restoration, monitoring and long-term protection of such habitat areas through a restoration plan and an accompanying deed restriction or conservation easement. Where previously disturbed but restorable habitat for rare and sensitive plant and animal species exists on a site that is surrounded by other environmentally sensitive habitat areas, these areas shall be delineated and considered for restoration as recommended by a restoration plan. (2) **Development in ESHA to avoid takings.** If development in an ESHA must be allowed to avoid an unconstitutional taking, then all of the following standards shall apply with respect to such development: i. **Avoidance of a takings.** The amount and type of development allowed shall be the least necessary to avoid a takings. ii. **Impacts avoided/minimized.** All development in and impacts to ESHA shall be avoided to the maximum extent feasible. Any unavoidable impacts shall be limited to the maximum extent feasible. iii. **Mitigation required.** All adverse impacts to the ESHA shall be fully mitigated.		
23.07.174 – Streams and Riparian Vegetation Coastal streams and adjacent riparian areas are environmentally sensitive habitats. The provisions of this section are intended to preserve and protect the natural hydrological system and ecological functions of coastal streams. a. **Development adjacent to a coastal stream.** Development	The proposed project would be located a minimum of 50 feet from identified coastal streams. An LCP-designated coastal stream is located east of Diablo Canyon Road and west of the project property line; this stream flows into a culvert located approximately 350 feet northwest of Avila Beach Drive. The stream flows through riparian	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
adjacent to a coastal stream shall be sited and designed to protect the habitat and shall be compatible with the continuance of such habitat. b. **Limitation on streambed alteration:** Channelization, dams or other substantial alteration of stream channels are limited to: (1) Necessary water supply projects, provided that quantity and quality of water from streams shall be maintained at levels necessary to sustain functional capacity of streams, wetlands, estuaries and lakes. (A 'necessary" water project is a project that is essential to protecting and/or maintaining public drinking water supplies, or to accommodate a principally permitted use as shown on Coastal Table "O" where there are no feasible alternatives. (2) Flood control projects, including maintenance of existing flood control channels, where such protection is necessary for public safety or to protect existing commercial or residential structures, when no feasible alternative to streambed alteration is available; (3) Construction of improvements to fish and wildlife habitat; Streambed alterations shall not be conducted unless all applicable provisions of this title are met and if applicable, permit approval from the California Department of Fish and Game, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and California State Water Resources Control Board. In addition, every streambed alteration conducted pursuant to this title shall employ the best mitigation measures where feasible, including but not limited to: a. Avoiding the construction of hard bottoms; b. Using box culverts with natural beds rather than closed culverts to provide for better wildlife movement; and c. Pursuing directional drilling for pipes, cables, and conduits to avoid surface streambed disturbance. c. **Stream diversion structures:** Structures that divert all or a portion of streamflow for any purpose, except for agricultural stock ponds with a capacity less than 10 acre-feet, shall be designed and located to not impede the movement of native fish or to reduce streamflow to a level that would significantly affect the production of fish and other stream organisms.	coast live oak woodland northwest of the project site, and continues through coastal scrub habitat adjacent to Diablo Canyon Road west of the project site. A second stream is located within the far eastern corner of the project site; this stream is not an LCP-designated coastal stream, but was treated as such during project development and analysis. This stream also flows through riparian coast live oak woodland north of the project site, and proceeds through coastal scrub within the project site. Actions within 100 feet of the coastal stream near Diablo Canyon Road includes grading, improvements and expansion of an existing Harbor District storage area, and native landscaping/restoration. These actions would not disrupt habitat present within the coastal streams because a minimum 50-foot buffer would be maintained, protection measures and biological monitoring would occur during construction (refer to EIR Section 4.3 Biological Resources), the proposed drainage plan includes the establishment of bioswales to collect and filter stormwater prior to discharge into the existing drainage system, which discharges onto the beach area (refer to EIR Section 4.8 Hydrology and Water Quality). The proposed low-impact, resource-dependent walk-in campsites and landscaping/restoration would be located within 100 feet of the coastal stream in the eastern portion of the project site; development of these campsites would not require grading for establishment, and would not including parking spaces within the camping area; vehicle parking for these uses would be provided to the west, outside of the 100-foot zone. Uses within the low-impact, resource dependent walk-in campsites would be limited to picnic tables, fire pits, and tents, which would not have an adverse effect on the function of the stream. In addition, an improved vegetative buffer would remain between the campsites and the stream. Vegetative trimming of oak trees may occur within the 100-foot zone as a result of CAL FIRE requirements for fuel management; standards are identified to protect the long-term survival of trimmed trees (refer to EIR Section 4.3 Biological Resources).	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
d. **Riparian setbacks:** New development shall be setback from the upland edge of riparian vegetation the maximum amount feasible. In the urban areas (inside the URL) this setback shall be a minimum of 50 feet. In the rural areas (outside the URL) this setback shall be a minimum of 100 feet. A larger setback will be preferable in both the urban and rural areas depending on parcel configuration, slope, vegetation types, habitat quality, water quality, and any other environmental consideration. These setback requirements do not apply to non-structural agricultural developments that incorporate adopted nest management practices in accordance with LUP Policy 26 for Environmentally Sensitive Habitats. (1) **Permitted uses within the setback:** Permitted uses are limited to those specified in Section 23.07.172d(1) (for wetland setbacks), provided that the findings required by that section can be made. Additional permitted uses that are not required to satisfy those findings include pedestrian and equestrian trails, and non-structural agricultural uses. All permitted development in or adjacent to streams, wetlands, and other aquatic habitats shall be designed and/or conditioned to prevent loss or disruption of the habitat, protect water quality, and maintain or enhance (when feasible) biological productivity. Design measures to be provided include, but are not limited to: (i) Flood control and other necessary instream work should be implemented in a manner than minimizes disturbance of natural drainage courses and vegetation. (ii) Drainage control methods should be incorporated into projects in a manner that prevents erosion, sedimentation, and the discharge of harmful substances into aquatic habitats during and after construction. (2) **Riparian habitat setback adjustment:** The minimum riparian setback may be adjusted through Minor Use Permit approval, but in no case shall structures be allowed closer than 10 feet from a stream bank, and provided the following findings can first be made: (i) Alternative locations and routes are infeasible or more environmentally damaging; and		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
(ii) Adverse environmental effects are mitigated to the maximum extent feasible; and (iii) The adjustment is necessary to allow a principal permitted use of the property and redesign of the proposed development would not allow the use with the standard setbacks; and (iv) The adjustment is the minimum that would allow for the establishment of a principal permitted use. e. **Alteration of riparian vegetation:** Cutting or alteration of natural riparian vegetation that functions as a portion of, or protects, a riparian habitat shall not be permitted except: (1) For streambed alterations allowed by subsections a and b above; (2) Where an issue of public safety exists; (3) Where expanding vegetation is encroaching on established agricultural uses; (4) Minor public works projects, including but not limited to utility lines, pipelines, driveways and roads, where the Planning Director determines no feasible alternative exists; (5) To increase agricultural acreage provided that such vegetation clearance will: (i) Not impair the functional capacity of the habitat; (ii) Not cause significant streambank erosion; (iii) Not have a detrimental effect on water quality or quantity; (iv) Be in accordance with applicable permits required by the Department of Fish and Game. (6) To locate a principally permitted use on an existing lot of record where no feasible alternative exists and the findings of Section 23.07.174d(2) can be made.		
Chapter 8: Special (S) Uses		
23.08.262 – Hotels, Motels: a. **Limitation on use.** Transient lodgings in the Public Facilities category are limited to hotels and motels in conjunction with public airport or port facilities. b. **Permit requirement.** (1) **Two to 39 units.** Minor Use Permit approval, except that	The proposed project includes 31 hotel/motel units, which may consist of yurts, cabins, casitas, or bungalows. The units would be subject to a 30-day stay limit. These uses would be in conjunction with Port San Luis facilities, and will be reviewed by the County of San Luis Obispo (Coastal Development Permit). Due to the nature of the site, on-site parking is proposed for the	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Development Plan approval is required for all hotels and motels in the Recreation category. (2) **40 or more units.** Development Plan approval. c. **Density.** The density of a hotel or motel is not limited by this title except that a site for such use shall be designed to accommodate all proposed units while also satisfying all applicable height, setback, parking and other standards of this title and the Land Use Element without the need for modification, adjustment or variance of such standards. d. **Parking.** Hotels and motels shall provide off-street parking as set forth in Section 23.04.166c(9) (Transient Lodgings). In the event that a hotel or motel includes any facilities in addition to overnight units (e.g., restaurant, bar, meeting rooms, etc.), all additional facilities shall be provided off-street parking as required by Section 23.04.166c of this title, in addition to the parking required for the hotel or motel.	facility; off-site parking near Harford Pier and along Avila Beach Drive is currently provided for other existing visitors to the area, who may use the restaurant facility.	
23.08.266 – Recreational Vehicle (RV) Parks: The provisions of this section apply to all recreational vehicle parks and commercial campgrounds including any separate designated section of a mobile home park located in the Recreation category. These standards apply in addition to all applicable provisions of Title 25 of the California Administrative Code. a. **Permit requirements.** Development Plan approval, in addition to any permits required by the California State Department of Housing and Community Development. b. **Location criteria.** Approval of a Development Plan application by the Planning Commission is to include a finding that the recreational vehicle park will not be excessively visible from a public road or Residential use, or that such visibility will be acceptably mitigated. c. **Minimum site area.** RV Park site. 10 acres outside an urban or village reserve line; five acres within a reserve line. Individual RV spaces. 20 foot width; 750 square foot area. d. **Density.** The maximum density is to be 12 units per gross acre, not including any exterior public street right-of-way. e. **Site design standards.** (1) **Setbacks.** No part of a recreational vehicle is to be located	The proposed project includes 80 RV sites and 15 RV/RV cabins sites. These uses would be in conjunction with Port San Luis facilities, and will be reviewed by the County of San Luis Obispo (Coastal Development Permit). The campground facility, including RV spots, would be visible from Avila Beach Drive. As discussed in EIR Section 4.1 Aesthetic Resources, existing standards identified in the Port Master Plan and San Luis Bay Coastal Area Plan are incorporated into the project, and additional mitigation measures including siting of RV spots and standards for vegetative screening would be incorporated into final construction and landscape plans. The total acreage proposed for the RV and RV/Cabin sites would be approximately 2.7 acres, consistent with the standards. Individual spaces would comply with CZLUO standards. The total density of RV and RV/Cabin sites would be 105 spaces, which equates to 3.28 spaces per acre, consistent with the standard. No RV would be located closer than 250 feet from any	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
closer than 25 feet to any street property line, and no closer than 30 feet to any interior property line. No RV or tent is to be located closer than 10 feet to any other RV or tent. (2) **Recreation area and common open space.** In addition to the required setbacks (subsection e (1), "destination" (intended for more than overnight use) RV parks are to include common areas for recreational use by park occupants. Such areas are to include landscaped, common open space for passive recreation, and active recreation facilities. Active recreation facilities may include swimming pools, tennis and handball courts, recreation buildings, and barbecue areas. Such recreation areas are to be provided as follows: (i) Parks having uninterrupted pedestrian access to or located within 1,000 feet of a major public recreational facility including beach frontage, lakes or reservoirs are not required to provide recreation areas, except for playground facilities as specified by subsection (3) of this section. (ii) Parks located within one mile of major public recreational facilities or within 1,000 feet of public hiking or riding trails or forested areas are to provide 400 square feet of recreation or common open space per unit, of which 20% is to be designed for active recreation. (iii) Parks not meeting the criteria of subsections (2)(i) or (2)(ii) above are to provide 500 square feet of recreation or common open space per unit, of which 30 percent is to be designed for active recreation. (3) **Playgrounds.** In addition to any recreation areas required by subsection e(2) of this section, at least one 800 square foot children's playground is to be provided for a park with 20 or more spaces, at a ratio of one such square foot area for each 60 RV spaces or campsites or fraction thereof. Such playground is to be equipped with any of the following: swings, slides, climbing structures of timber, concrete or other material finished to eliminate sharp edges and minimize splinters, or other equipment which is ridden. (4) **Internal streets.** The width and improvement of roads and	property line, consistent with the standard. Ten feet of separation between RVs and tents will be provided. The proposed project includes recreational and common open space areas including group gathering areas for picnics, barbeques, and educational purposes, consistent with the standard, including a 16,000-square foot commercial area, swimming pool/Jacuzzi, and internal trails and landscaped areas. The facility does not include a designated playground; however, the site is located directly across from a public beach area, and special considerations may be granted by the County due to site constraints, protection of ESHA, and proximity to available public coastal recreational opportunities. Internal roads are designed in compliance with County and CAL FIRE standards, including designated parking areas. Water supply would be provided, and would connect to existing service lines for campground users. Final determination of RV hook-ups would be determined through review by the County of San Luis Obispo, including provision of dumpsites. Comfort stations, including restrooms, are provided throughout the project site, and would meet specified setback standards. Based on the topography of the site, solid fencing is not currently proposed. Due to the topography of the site, and existing road cut adjacent to Avila Beach Drive, provision of a wall or fence along the front property line would not provide any visual screening of RVs and other facilities. The existing road cut blocks views of the site from most locations along Avila Beach Drive (an exception is views from eastbound Avila Beach Drive, near Diablo Canyon Road). From identified Key	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
driveways within an RV park is to be as follows: (i) **One way.** 18 feet wide if road serves 60 spaces or more; 15 feet if road serves less than 60 spaces; 12 feet for one-way internal road between campsite clusters without individual space access. (ii) **Two-way divided.** 15 feet wide on each side of divider. (iii) **Two-way.** 24 feet wide. (iv) **Parking.** Parking along internal roadways is allowed only when a paved parking lane, eight feet wide is provided in addition to the roadway. (v) **Road improvement standard.** Two inches of A.C. plant mix over six inches of Class II Aggregate Base or equivalent structural section based on a Traffic Index of 4. For seasonal-occupancy parks in rural areas, or where density does not exceed 10 spaces per acre, double chip seal may be substituted for the two inches of A.C. Alternative hard-surface paving materials are allowable subject to approval by the County Engineer. (5) **Utilities.** (i) **Water.** All recreational vehicle spaces are to be provided water supply hookups. Tent camping spaces are to have water service for each 10 spaces, but not located within 20 feet of a designated tent site. When common water supply facilities are provided in the form of hose bibs, they are to be over a drain-equipped concrete pad, rock bed or other construction to prevent the creation of mud as a result of water supply use. (ii) **Holding tank dump.** All recreational vehicle parks are to be provided with one holding tank dumping facility for each 100 RV spaces or fraction thereof, to be located near park exits. (iii) **Restrooms.** No space or campsite is to be located closer than 25 feet, nor further than 400 feet from a public restroom facility. (6) **Fencing and screening.** A solid wood or masonry six foot high solid fence, screen or hedge will be required along all property lines and front yard setbacks. In addition,	Viewpoints, the RVs would be located in the upper elevations, and would not benefit from property frontage fencing. Landscaping would be installed throughout the project site to mitigate visual impacts as seen from public roadways and recreational areas, consistent with the standard.	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
recreational vehicle spaces should be generally screened from adjacent properties and public roads by means of natural landscaping, terrain variations and distance. Where a proposed park will be visible from a major highway or freeway, additional screening landscaping will be required, which is to utilize plant materials with the capability of achieving 80% opacity within two years when viewed from the roadway. The Planning Commission may waive or adjust fencing and screening standards where terrain, natural vegetation or area character would make screening unnecessary or ineffective. (i) **Street trees.** Street trees are to be planted where the park abuts a public road right-of-way. Trees are to be planted at 20 foot intervals, or at more frequent intervals if appropriate for the species selected. Varied groupings are encouraged with linear plantings to be varied in setback. (ii) **Interior trees.** Trees are to be planted in the park interior in all common and recreation areas.		
San Luis Bay Coastal Area Plan		
Port San Luis Districtwide Goals and Policies: A Harbor with protected, maintained, and enhanced resources that balances the environmental, social, and economic needs of the various user groups.		
Development Approvals 1. **Permit Requirement.** All new development shall obtain Harbor District approval prior to seeking approval from the County of San Luis Obispo or the California Coastal Commission. 2. **Coastal Development Permitting Authority.** All Port land-based properties are under the primary permitting jurisdiction of the County of San Luis Obispo, except for areas that have been previously filled or otherwise under jurisdiction of the California Coastal Commission. The California Coastal Commission retains permit jurisdiction for lands below the mean high tide line and where the public trust may exist (as shown in LCP Exhibit 8.6). 3. **Mitigation Measures.** New development shall avoid significant adverse impacts to coastal resources. Where significant adverse impacts cannot be avoided, appropriate mitigation	The project is proposed by the Harbor District and Coastal Conservancy, and will require review and approval of a Coastal Development Permit from the County of San Luis Obispo. All mitigation measures identified in the Port Master Plan and Final Program EIR are incorporated by reference into the project and EIR analysis.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
measures shall be implemented. Refer to Appendix J of the Port Master Plan for some examples of mitigation measures.		
Priorities, Services, And Facilities 1. **Priorities for Development of Facilities and Allocation of Service Capacity.** Use priorities and policies of the California Coastal Act when determining the appropriateness of proposed uses and developments and allocating service capacity. Prior to approval of any use that is not coastal dependent, the approval body shall make a finding that adequate resources and services are reserved for coastal dependent uses. Development will reflect the priorities according to the following classifications: a. **Priority I.** The first priority is to meet the needs of uses that derive their viability directly from proximity to the ocean including boating and fishing, Harbor operations, aquaculture and mariculture, beach activities, fish off-loading, and oceanfront recreational uses. b. **Priority II.** The secondary priority is to accommodate uses that relate to but do not require the presence of water including trailer boat storage, equipment rental, and seafood processing, as well as uses that provide for the needs of waterfront visitors and workers, such as overnight accommodations, restaurants, and parking. c. **Priority III.** The third priority is to accommodate those uses that do not otherwise fit into Priority I or Priority II uses, including marine research and education, offices or general retail.	The proposed project would create visitor-serving facilities including marine-related storage, oceanfront recreational uses and overnight accommodations (including low-cost overnight accommodation campsites), restaurants, and parking consistent with these goals. While marine-related storage is not visitor-serving, it is a priority, coastal-dependent use.	Potentially consistent
2. **Service Capacity.** Ensure proposed development of projects and related improvements are within the circulation and utility capacity available to the Harbor area or will be provided through a planned program of improvements. The following existing capacity limits are recognized for water and wastewater services, Avila Beach Drive road capacity, and parking: a. **Water.** Usage shall not exceed the existing 100 acre-feet per year (AFY) available to the Harbor District from its Lopez entitlement. The District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other Harbor uses. A 5-acre-foot per year reserve is desired. Water requirements for fire	As addressed in EIR Section 4.10 (Public Services and Utilities), the proposed project would not result in service or utility demands exceeding allowable limits under both project-specific and cumulative conditions (build-out of the Port San Luis Master Plan). Based on the traffic impact analysis (refer to EIR Section 4.11 Transportation and Traffic, and EIR Appendix G), the project would not generate traffic resulting in a deterioration of level of service under specified conditions (second week of May). The project provides on-site parking and would alleviate off-site parking demand.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
protection shall comply with the adopted fire code for the County of San Luis Obispo. b. **Wastewater.** Wastewater generation shall not exceed available capacity owned by the Harbor District in the Avila Beach Community Services District wastewater treatment plant and/or other such facility as may be constructed to expand wastewater treatment capacity. The District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other Harbor uses. c. **Parking.** Maintain adequate parking to accommodate Harbor users and visitors. New development shall provide parking consistent with the County Coastal Zone Land Use Ordinances and the Avila Specific Plan. d. **Road Capacity.** Please refer to Community-wide Standard #2.		
4. **Visitor Serving and Recreational Facilities.** Enhance public enjoyment of the San Luis Obispo Bay waterfront by protecting and where feasible and appropriate, providing a range of opportunities for coastal recreation and visitor serving facilities, including affordable services.	The project would provide enhanced public enjoyment of San Luis Bay by providing additional opportunities for coast-side camping (including low-cost overnight accommodation campsites) proximate to the beach.	Potentially consistent
5. **Revenue-Balanced Activities.** Provide a balanced mix of revenue and non-revenue producing uses on Port properties to support the District's public functions and meet the needs of waterfront visitors.	The project would contribute to revenue generated by the Harbor District, and also includes areas for Harbor District facilities and functions.	Potentially consistent
Port San Luis Districtwide Goals and Policies: Responsibly managed and protected resources in and surrounding San Luis Bay (State-granted Tidelands).		
1. **Marine Environments.** Unless allowed under Chapter 3 of the Coastal Act, new development, including alterations to port facilities is prohibited in marine environmentally sensitive habitat areas (ESHAs) and shall not result in significant water quality impacts to San Luis Obispo Bay. Marine resources shall be maintained, enhanced, and where feasible restored. New development within the marine environment shall sustain the biological productivity of coastal waters and maintain healthy populations of all species of marine organisms adequate for long term commercial, recreational, scientific, and	The proposed project would avoid direct effects to ESHA through established thresholds and maintenance of vegetated buffers. The preliminary drainage and stormwater management plans include the use of LID and BMPs to facilitate, manage, and filter stormwater prior to offsite discharge (refer to EIR Section 4.8 Hydrology and Water Quality).	Potentially consistent

Table 3-1. Consistency with Plans and Policies

	Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	educational purposes. New development within or adjacent to the marine environment shall include water quality Best Management Practices (BMPs) before, during, and after construction. Environmentally sensitive habitats of San Luis Creek and other coastal creeks, including their associated riparian habitats, shall be protected, preserved, and restored where feasible.		
3.	**Runoff Controls.** Require implementation of effective runoff control strategies and pollution prevention activities by incorporating the most current best management practices for all new development.	The preliminary drainage and stormwater management plans include the use of LID and BMPs to facilitate, manage, and filter stormwater prior to offsite discharge (refer to EIR Section 4.8 Hydrology and Water Quality).	Potentially consistent
4.	**Native Vegetation.** Native oak trees and plant cover shall be protected wherever feasible. New landside development shall require landscaping plans that include only native, drought tolerant plants of local stock appropriate to the site and that reflect the Port's waterfront character. Invasive plant species are prohibited.	Implementation of the project would not require the removal of coast live oak trees. The preliminary landscape plan includes the use of native trees and vegetation, consistent with this standard.	Potentially consistent
5.	**Land-based Sensitive Resources.** Consistent with the LCP provisions for Environmentally Sensitive Habitat Areas (ESHA) already required pursuant to Coastal Zone Land Use Ordinance Section 23.07.170, land based environmentally sensitive habitat areas (ESHA) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development adjacent to ESHA and parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.	The proposed project would be located a minimum of 50 feet from LCP-designated ESHA and potential ESHA (undesignated). The proposed project would be located a minimum of 50 feet from identified ESHAs, including coastal streams, consistent with identified setback standards for this ESHA designation. An LCP-designated coastal stream is located east of Diablo Canyon Road and west of the project property line; this stream flows into a culvert located approximately 350 feet northwest of Avila Beach Drive. The stream flows through riparian coast live oak woodland northwest of the project site, and continues through coastal scrub habitat adjacent to Diablo Canyon Road west of the project site. A second stream is located within the far eastern corner of the project site; this stream is not an LCP-designated coastal stream, but was treated as such during project development and analysis. This stream also flows through riparian coast live oak woodland north of the project site, and proceeds through coastal scrub within the project site. Actions within 100 feet of the coastal stream near Diablo Canyon Road includes	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	grading, improvements and expansion of an existing Harbor District storage area, and native landscaping/restoration. These actions would not disrupt habitat present within the coastal streams because a minimum 50-foot buffer would be maintained, protection measures and biological monitoring would occur during construction (refer to EIR Section 4.3 Biological Resources), the proposed drainage plan includes the establishment of bioswales to collect and filter stormwater prior to discharge into the existing drainage system, which discharges onto the beach area (refer to EIR Section 4.8 Hydrology and Water Quality). The proposed walk-in campsites and landscaping/restoration would be located within 100 feet of the coastal stream in the eastern portion of the project site; development of these low-impact, resource-dependent campsites would not require grading for establishment, and would not including parking spaces within the camping area; vehicle parking for low-impact resource dependent campsites would be provided to the west, outside of the 100-foot zone. Uses within the low-impact resource-dependent walk-in campsites would be limited to picnic tables, fire pits, and tents, which would not have an adverse effect on the function of the stream. In addition, an improved vegetative buffer would remain between the campsites and the stream. Vegetative trimming of oak trees may occur within the 100-foot zone as a result of CAL FIRE requirements for fuel management; standards are identified to protect the long-term survival of trimmed trees (refer to EIR Section 4.3 Biological Resources).	
Port San Luis Districtwide Goals and Policies: A Landscape that reflects the context of its use and the natural setting with minimal impacts to scenic viewsheds.		
1. **Waterfront Character.** Protect scenic qualities including the time-honored character of Port San Luis and compatibility with surrounding uses and views.	As discussed in EIR Section 4.1 Aesthetic Resources, the project site is located within a highly scenic coastal area. In addition to compliance with Port Master Plan and San Luis Bay Coastal Area Plan standards, mitigation is identified to provide additional visual compatibility, including use of site design, architectural standards, and native landscaping to partially block	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
	public views of vehicles, RVs, and structures (refer to EIR Section 4.1 Aesthetic Resources).	
2. **Bluffs and Hillsides.** New development on bluffs and scenic hillsides shall be sited and designed to protect scenic resources and enhance the visual quality of the bluffs and hillsides. Visually degraded areas shall be restored where feasible.	The project site is located on a historically graded hillside. No natural unique landforms are present onsite within the area proposed for development, and natural vegetation is limited to the northern and far eastern portions of the site, generally outside of the areas proposed for development and camping. Native landscaping is proposed along the edges of development, and would be contiguous with native vegetation to remain.	Potentially consistent
4. **Long-term Design.** Incorporate visually pleasing design solutions that limit long-term maintenance requirements	The proposed project would be constructed with visually compatible materials and architectural designs, and it is the Harbor District's intention that features are soundly built to reduce long-term maintenance requirements.	Potentially consistent
1. **Cultural Resources.** Incorporate into decisions implementation measures that conserve cultural and historical resources in development of affected Port properties.	The proposed project would avoid direct impacts to significant archaeological resources, consistent with this goal.	Potentially consistent
1. **Natural Hazards.** New development within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. All new development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion and geologic instability. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers.	The project site is located within a Geology Study Area (GSA) and adjacent to the 100-year Flood Hazard (FH) zone. As discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide and slope stability hazards. Based on compliance with existing regulations including the Uniform Building Code, and compliance with recommendations and mitigation measures, potential hazards would be mitigated to less than significant. The project does not require the construction of shoreline protection measures, due to its location north of Avila Beach Drive. Stormwater management measures are identified such that the project does not create offsite hazards or flooding.	Potentially consistent
Harbor Terrace Planning Area Standards		
Goals and Policies **Goal: Harbor Terrace encompasses a mix of uses that**	**Development Intent:** The project would provide a range and mix of uses, with emphasis on coastal related and	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
enhances the public's enjoyment of the Port, serves the needs of harbor users, and may augment Port income. 1. **Development Intent.** Development of the Harbor Terrace Planning Sub-Area shall provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations. 2. **Harbor Users.** Reserve area on Harbor Terrace to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses. 3. **Visitor Uses.** Provide visitor-serving retail uses that are complementary to the harbor so that this area may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. Include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include affordable visitor serving facilities. 4. **Environmental Performance.** Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving. 5. **Pedestrian Access.** New visitor serving developments on Harbor Terrace shall incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities. 6. **Limitation on Use.** Allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), yachting and rowing clubs, paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, communication facilities, specialized programs, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture and mariculture. 7. **Trailer Park.** The existing trailer park shall be closed, consolidated, or relocated consistent with the California Harbors and Navigation Code §6086 and Government Code §65863	visitor-serving uses (including low-cost overnight visitor accommodations), so that the land is financially and physically supportive of Harbor District operations. **Harbor Users:** The project provides space to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses. **Visitor Uses:** The project would provide visitor-serving retail uses that are complementary to the harbor so the project may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. The project program must include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include affordable visitor-serving facilities. **Environmental Performance:** The Harbor Terrace project would integrate site and building design techniques that are environmentally sensitive and energy conserving. **Pedestrian Access:** New visitor-serving developments on and adjacent to the project site incorporates measures to provide safe pedestrian access onsite including pedestrian crosswalks to access to the each and other Port facilities. **Prescribed Uses:** The project includes trailer boat and gear storage, a restaurant and market, paths, trails, scenic overlooks and sightseeing facilities, parking, picnicking, accessory storage, hotels and motels (camping, bungalows, yurts, and casitas), recreational vehicle spaces, meeting facilities, group camping, passive recreation, Harbor Operations (including offices, storage and maintenance yard), signage, and public safety facilities. Temporary events are not currently	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
prior to, or concurrent with, any approved development of the site. The mobile home park shall be consolidated, closed, or relocated, in a manner that maximizes the area available for coastal dependent and coastal related land uses prior to or concurrent with any approved development of the site. 8. **Parcel Acquisition.** The Harbor District shall pursue acquisition of necessary property adjacent to Harbor Terrace to implement the Port Master Plan Improvements. 9. **Service Restriction.** Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restrictions does not preclude trailhead connections.	proposed. **Trailer Park:** The trailer park has been closed. **Parcel Acquisitions:** The Harbor District has completed acquisition of nearby property to accommodate the proposed project. **Road, Infrastructure, and Service Restrictions:** The San Luis Bay Coastal Area Plan precludes the project from extending roads, infrastructure, services, or other development connections through the project site to other non-Harbor District properties.	
10. **Harbor Terrace Planning Criteria:** Development plans for Harbor Terrace shall be evaluated according to the following criteria: a. **Priority of Uses:** Proposed uses of the Harbor Terrace site shall include sufficient area for the highest priority coastal-dependent and coastal-related uses. To ensure that future development of the Harbor Terrace provides adequate facilities necessary to serve the highest priority uses and does not reduce opportunities for lower cost visitor serving uses and coastal access and recreation, future development shall provide the following: 1. **Minimum Required Uses:** A minimum of 70 trailer boat storage spaces, 20 marine gear storage spaces, 48,000 square feet of general public parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient. 2. **Prescribed Use Ratios:** A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every one and a half (1.5) unit of hotel/motel (cabin, bungalow, inn, yurt, casita)	**Priority of Uses:** The project site includes high priority coastal-dependent and coastal-related uses, including camping facilities, marine storage, and Harbor District storage and uses. These following uses would be located in the western portion of the project site: 70 spaces for trailer boat storage, 20 spaces for marine gear storage, 1.05 acres of harbor storage, 48,000 square feet of parking, and 10,000 square feet of harbor-related uses, including a 6,000-square foot future harbor use building (3,000 square-foot footprint). The project meets required prescribed ratios by including 80 RV sites, 15 RV/RV Cabin sites, 31 hotel/motel units, 35 car/tent campsites, and 21 walk-in campsites. Provision of RV/cabins in the RV/RV-Cabin designation would be subject to the prescribed one campsite per 1.5 hotel/motel unit ratio. Project phasing would be ensured and verified by the County of San Luis Obispo. Commercial uses would be coastal dependent, and would include visitor-serving uses including a restaurant, market, swimming pool, and patio. All accommodations would be available to the public.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
development. A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three (3) RV campsites. 3. **Project Phasing Limitations:** Permits necessary to construct the minimum number of lower-cost campsites (car or walk-in/bike-in tent campsites) must be approved prior to or concurrently with any permit approval for hotel/motel and/or commercial retail development on the Harbor Terrace, and the lower-cost campsites must be available for use within one year of the opening of the hotel/motel and/or commercial retail development. 4. **Purpose of Commercial Uses:** All commercial uses must serve coastal dependent uses, coastal-related uses and/or provide visitor-serving uses. 5. **Intent of Accommodations:** With the exception of an on-site campground host or campground facilities manager, all overnight accommodations to be developed on the Harbor Terrace shall be exclusively available to the general public for transient occupancy. The establishment or conversion of overnight accommodations to a private or members only use (e.g. timeshares or condominiums), or the implementation of any program to allow extended and exclusive use or occupancy of the facilities by an individual or limited group or segment of the public is prohibited. 6. **Special Events:** Specialized programs and temporary events are subject to land use approval consistent with the LCP. Outdoor events conducted on the site shall be planned and staged so that noise generated by the event, attendees, and traffic is minimized. Temporary events shall not interfere with harbor operations and boating and fishing activities. b. **Building and Site Design Requirements:** New development shall be sited and designed to minimize the visual impacts of the development, including those related to light and glare, in order to preserve the scenic quality of the area as viewed from public viewing areas, adjacent roads, piers, beaches, and the ocean. Special attention	No special events are proposed. **Building and Site Design Requirements:** The project is designed to minimize visual impacts to the maximum extent feasible giving the location and topography of the project site. Final landscaping and architectural plans would incorporate existing standards, and additional performance standards identified in mitigation measures (refer to EIR Section 4.1 Aesthetic Resources). Commercial development is limited to the lower elevations of the project site, and structures would not exceed 25 feet in height. Walk-in/bike-in camping would be provided in the eastern portion of the project site, and would not require grading, structural development, or vegetation removal. Comfort stations including restrooms would be provided throughout the site, and would be designed and landscaped to minimize visibility from public areas. Any additional water tank installation for fire suppression purposes would be located and constructed consistent with identified standards. A visual analysis is presented in EIR Section 4.1 Aesthetic Resources. **Biological Resources:** The proposed project incorporates the following standards, as required by the San Luis Bay Coastal Area Plan and mitigation measures identified in EIR Section 4.3 Biological Resources: cut slopes would be vegetated with native species; no oak trees would be removed by project activities and the proposed landscape plan includes oak trees and coastal scrub species; grading and construction activities would avoid coastal scrub habitat to the maximum extent feasible, and proposed landscape plans include enhancement and revegetation of coastal scrub onsite (2:1 ratio required by mitigation measures); a 50-foot coastal stream riparian setback is identified on the project plans, and no structures requiring fire safety clearance are proposed within 100 feet of coastal streams; the project would include	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
shall be given to maintaining character of the Harbor area. This shall be accomplished by: 1. **Commercial Use Location:** Restricting the development of commercial retail facilities and structures (eating and drinking establishments, food and beverage retail sales, commissary, market, meeting rooms, parking, etc.) to the lower previously graded portions of the site, as depicted in Conceptual Harbor Terrace Plan Figure 8.7 of the San Luis Bay Coastal Area Plan. 2. **Commercial Use Height Limitations:** Limiting commercial retail facilities/structures and the harbor office/shop to two-stories with a maximum height of 25 feet. 3. **Hotel Use Height Limitations:** Limiting hotel motel units (yurts, cabins, inns, casitas, bungalows) to single-story with a maximum height of 15 feet. 4. **Camping Use Location:** Limiting the use of APN 076-171-021 to walk-in/bike-in camping. The small, previously disturbed area on the northwest portion of the parcel adjacent to the existing access road may be used for structures necessary to serve the walk-in/bike-in campsites. No new road development or road improvements shall occur on APN 076-171-021, and vegetation removal shall be minimized. Each walk-in/bike-in site shall be limited to a level area or platform for a tent, a picnic table, a fire ring, and a water spigot. 5. **Aesthetics:** Requiring that all development to be designed, colored, and sited to minimize visibility within the public viewshed. New development shall avoid large, boxy structures by providing variations in height, articulated roof forms and pitch, and open space view corridors. Structures shall blend in with the natural surroundings by using earth toned colors and materials. Reflective materials and finishes are prohibited. Lighting (particularly overhead street lights should they be necessary) shall be minimized in number and shall be shielded to orient lighting downward. All development shall be landscaped with	educational materials for guests; substantial grading is required for the site, and implementation of an erosion and sedimentation control plan and Stormwater Pollution Prevention Plan is required; stormwater management includes the use of bioswales, filters, Low Impact Development measures, and BMPs consistent with County and RWQCB standards and regulations; and proposed drainage facilities would not discharge into the coastal stream near Diablo Canyon Road. The project will require a technical infeasibility exemption because the LCP prohibits on-site detention. The drainage plan is designed to meet stormwater regulations related to run-off and water quality. **Cultural Resources:** The cultural resources analysis, including incorporation of surveys conducted on the project site and adjacent areas, is incorporated into EIR Section 4.4 Cultural Resources. The project would not directly affect identified archaeological resources. An archaeological monitor shall be onsite during initial ground disturbance, and any discovery shall be mitigated by compliance with a County-approved monitoring plan and the CZLUO. **Slope Stability:** Grading and construction plans shall demonstrate compliance with existing standards, and shall incorporate recommendations identified as mitigation measures in EIR Section 4.5 Geology and Soils. No onsite septic or unlined (permeable) basins are proposed.	

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
native vegetation appropriate to the site in order to soften the visual prominence of the new development and to restore the visual qualities of the site. Invasive plant species are prohibited. 6. **Landscape and Irrigation Plans:** Requiring that landscape plans and appropriate irrigation plans be submitted with new developments. Plans shall identify revegetation areas necessary to stabilize slopes and planting areas necessary to minimize visual impacts of grading/terracing and the proposed use of the site. Landscape plans shall utilize native plant species appropriate to the site, and shall be designed to minimize the visual impact of all development on the site as viewed from public viewing areas, piers, beaches, and the ocean. Alteration of natural landforms is to be minimized and any areas of cut/grading shall immediately be re-seeded using a native seed mix. 7. **Restroom Location:** Requiring a restroom building or other structures necessary to serve the campsites to be sited in the least visible portions of previously disturbed areas, and designed and landscaped to prevent its visibility from public view. 8. **Water Tank Improvements:** Requiring that any improvements or additions to the existing water tank to be limited to the minimum necessary to provide approved site development with water storage for domestic supply and fire protection purposes; shall be placed underground to the greatest degree feasible; and shall be sited, colored, and landscaped to minimize visibility from public viewing areas (including roads, piers, beaches, and offshore areas). 9. **Visual Analysis:** Requiring at the time of coastal development permit application, or as part of an environmental review document, a detailed visual analysis which demonstrates that the visual and scenic character of the site will be preserved and improved where possible. c. **Biological Resources:** To protect and enhance sensitive biological resources and habitat areas, including water		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
quality, on and adjacent to the Harbor Terrace site, the following measures shall include, but are not limited to: 1. **Revegetation:** The revegetation of all cut slopes with native species of local stock appropriate to the site. Invasive plant species are prohibited. 2. **Tree Replacement:** The replacement of all oak trees in areas adjacent to existing oak woodland habitat, if the removal of such oak trees cannot be avoided. The number and replacement of trees shall be adequate to ensure that an equal or greater number of oak trees, in comparison to the number of trees removed, will be successfully established. A tree replacement program, including long-term maintenance measures, shall accompany any development plan that involves the removal of existing oak trees. This program will include strategies for improving natural oak recruitment. 3. **Habitat Disturbance:** Designing grading and construction activities to avoid disturbance of habitat (e.g. coastal scrub habitat) and minimize the removal of oak trees. 4. **Setback Zones:** The establishment, management, and maintenance of setback or buffer zones as habitat areas. The width of such setback/buffer areas shall be determined through a project specific biological analysis that identifies the minimum setback/buffer area necessary to protect the biological productivity of sensitive habitat areas. Setback areas necessary for fire safety shall be identified in the development plan and shall be designed to avoid the removal or disturbance of habitat areas. The width of the vegetative buffer area provided for the coastal stream adjacent to Diablo Canyon Road shall be no less than 50 feet. 5. **Guest Education:** Providing information to future guests regarding nature viewing opportunities. 6. **Designated Habitat Areas:** The provision of designated areas for pets so that native habitat areas are avoided. 7. **Grading:** Grading for approved development shall be designed and implemented to minimize sedimentation		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
impacts on adjacent surface water bodies including coastal streams and San Luis Bay. Construction activities such as grading and clearing shall be scheduled to avoid the rainy season. 8. **Storm Water Management:** Minimize impervious surfaces and install post development BMP's to capture, infiltrate, and/or treat storm water runoff. The objective of drainage improvements shall be to avoid any increase in the quantity and intensity of storm water runoff exiting the site. Post construction BMP's shall be designed with adequate capacity to accommodate, at a minimum, the 85th percentile 24-hour runoff event. 9. **Drainage Facilities:** If drainage facilities are proposed to flow into the stream/drainage channel adjacent to Diablo Canyon Road, the stream channel shall be restored to provide both flow capacity and natural habitat. 10. **Drainage Filtration:** Filtering all drainage from parking facilities by using vegetated swales or oil/water separators to limit oil/grease pollution and the intensity of flow commonly associated with parking lots. 11. **Limit Water Quality Impacts:** Use all BMP's possible to limit water quality impacts and eliminate to the greatest degree feasible the need for additional culverts and ocean/beach disposal points. d. **Cultural Resources:** Potential impacts to cultural resources shall be evaluated by all development proposals on the Harbor Terrace site, and the protection and/or mitigation for any significant resources identified shall be incorporated into the proposed site design in coordination with SHPO and the local Chumash tribe. Archeological field surveys shall be conducted prior to construction activities on the Harbor Terrace. In accordance with Section 23.05.140 of the CZLUO, all construction activities shall cease should resources be identified during construction. In such an event, construction activities shall not re-commence until measures protecting and/or mitigating impacts to archaeological resources have been developed and approved by Planning Director, Environmental		

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Coordinator, SHPO, and the Chumash tribe. No development shall occur west of Diablo Canyon Road other than restoration of the existing drainage course, and any cultural/archaeological preservation activities that have been coordinated and approved by the State Historic Preservation Officer and representatives of the appropriate Chumash tribe. e. **Slope Stability:** To reduce hazards on the Harbor Terrace, new structures designated for human occupation and use (e.g. hotels, motels, campsites, parking lots, offices, commercial areas) must demonstrate a static factor of safety with respect to slope stability of 1.5 and a pseudostatic factor of safety to 1.1, using a horizontal seismic coefficient of 0.15g. In addition, uses on the Harbor Terrace or slopes above it that would have a significant potential to saturate the soils and add further slope instability, such as drainage detention basins or septic systems, shall be prohibited.		
County of San Luis Obispo Conservation and Open Space Element		
Chapter 2 Air Quality		
Policy AQ 3.8 Reduce dust emissions Reduce PM_{10} and $PM_{2.5}$ emissions from unpaved and paved County roads to the maximum extent feasible. ▪ ***Implementation Strategy AQ 3.8.1 Reduce PM emissions from County roads.*** 1) Implement all APCD particulate matter (PM) emission controls.	As discussed in EIR Section 4.2 Air Quality, mitigation measures required implementation of all PM emission controls, pursuant to the SLOAPCD CEQA Handbook.	Potentially consistent
Chapter 3 Biological Resources		
Policy BR 1.11 Protect Wildlife Nursery Areas and Movement Corridors. Identify, protect, and enable the management of connected habitat areas for wildlife movement. Features of particular importance to wildlife for movement may include, but are not limited to, riparian corridors, shorelines of the coast and bay, and ridgelines. Identification and designation of wildlife corridors will not interfere with agricultural uses on private lands. (Refer to AGP 29 in the Agriculture Element).	Based on the project design, development would not interfere with potential wildlife corridors within coastal streams and shoreline areas.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Policy BR 1.12 Development Impacts to Corridors. Ensure that important corridors for wildlife movement and dispersal are protected as a condition of discretionary permits. Provide linkages and corridors as needed to connect sensitive habitat areas such as woodlands, forests, and wetlands. ▪ **Implementation Strategy BR 1.12.1 Identify and protect wildlife corridors.** Require all discretionary development applications in rural areas, including land divisions, to identify and protect wildlife corridors, and avoid disturbance of identified key wildlife corridors as the primary method of protection.	Based on the project design, development would not interfere with potential wildlife corridors within coastal streams and shoreline areas. The project would not directly impact coast live oak woodland, and important wildlife corridors within undeveloped areas to the north would remain unaffected.	Potentially consistent
Policy BR 1.13 Maintain Safe Wildlife Movement. Maintain and enhance existing stream channels and riparian corridors to provide for wildlife movement at roadway crossings.	Based on the project design, development would not interfere with potential wildlife corridors within coastal streams and shoreline areas.	Potentially consistent
Policy BR 1.15 Restrict Disturbance in Sensitive Habitat during Nesting Season. Avoid impacts to sensitive riparian corridors, wetlands, and coastal areas to protect bird-nesting activities. ▪ **Implementation Strategy BR 1.15.1.** Identify setbacks from bird nesting areas. Design land divisions and development with adequate setbacks from sensitive habitat areas that are occupied during the nesting season to protect bird nesting, rearing, and fledging activities. ▪ **Implementation Strategy BR 1.15.2.** Preconstruction surveys for bird nesting areas. Require preconstruction surveys, using established protocols, where development is proposed in sensitive habitat areas during the nesting season in order to protect nests in active use.	As designed, the project would avoid sensitive nesting habitats including coastal streams and coast live oak woodland. As discussed in EIR Section 4.3 Biological Resources, preconstruction surveys and avoidance of nests would be required consistent with identified mitigation measures.	Potentially consistent
Policy BR 2.6 Development Impacts to Listed Species. Ensure that potential adverse impacts to threatened, rare, and endangered species from development are avoided or minimized through project siting and design. Ensure that proposed development avoids significant disturbance of sensitive natural plant communities that contain special-status plant species or provide critical habitat to special-status animal species. When avoidance is not feasible, require no net loss of sensitive natural plant communities and critical habitat areas. ▪ **Implementation Strategy BR 2.6.1.** Use of biological resource surveys. Require applications for discretionary projects and land divisions to provide a biological resource survey performed by a	As discussed in EIR Section 4.3 Biological Resources, no special-status plant species are present onsite. Woodrat middens were observed in the eastern portion of the site, near coast live oak woodland; this area would not require grading or structural development. Mitigation is identified, including 2:1 habitat enhancement and revegetation to address potential impacts to valley needlegrass grassland and coastal scrub.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
qualified biologist when needed to address special-status animal and plant species and their associated habitats. ▪ **Implementation Strategy BR 2.6.2.** Use of habitat preservation ratio Where avoidance, restoration, or replacement of habitat of special status species is not feasible, require preservation and/or enhancement of similar habitat at a minimum 2:1 ratio to avoid significant cumulative loss of valuable habitats and to achieve no net loss of habitat value.		
Policy BR 2.7 Fire Suppression and Sensitive Plants and Habitats. Balance the need for fire suppression and/or vegetation (fuel) management with the need to protect sensitive biological resources. Where possible, design land divisions and development so that fuel-breaks, vegetation, or fuel modification areas that are needed to reduce fire hazards do not disrupt special-status plant communities or critical habitat for special-status animal species. Fuel-breaks and vegetation or fuel modification areas shall be located on the development side of required setbacks from sensitive features, and shall be in addition to the required setbacks. (Also refer to AGP 25.)	Management of vegetation shall be conducted pursuant to CAL FIRE requirements. Fuel modification would be required north of the proposed development, and would include mowing and tree trimming. These actions would not significantly impair the habitat functions of grassland and coastal scrub, and would not have an adverse effect on special-status species (refer to EIR Section 4.3 Biological Resources).	Potentially consistent
Policy BR 2.9 Promote Use of Native Plant Species. Landscaping for proposed development will use a variety of native or compatible non-native, non-invasive plant species as part of project landscaping to improve wildlife habitat values.	The proposed landscape plan incorporates native and non-invasive plant species.	Potentially consistent
Policy BR 3.1 Native Tree Protection. Protect native and biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats to the maximum extent feasible.	The proposed project would avoid impacts to coast live oak woodland onsite, and would not require the removal of individual coast live oak trees.	Potentially consistent
Policy BR 3.2 Protection of Native Trees in New Development. Require proposed discretionary development and land divisions to avoid damage to native trees (e.g., Monterey Pines, oaks) through setbacks, clustering, or other appropriate measures. When avoidance is not feasible, require mitigation measures. Implementation Strategy BR 3.2.1 Tree replacement in new development If avoidance of damage to native specimen trees is not feasible in discretionary land use permits and land divisions, require mitigation measures such as tree replacement using native stock at specified ratios, replanting plans, reseeding disturbed open areas with native, drought, and fire resistant species. A long-term	The proposed project would avoid impacts to coast live oak woodland onsite, and would not require the removal of individual coast live oak trees. Development of walk-in campsites near oak woodland in the eastern portion of the project site would not require grading or structural development. Mitigation including tree trimming standards are included in the EIR analysis (refer to EIR Section 4.3 Biological Resources). The proposed landscape plan includes coast live oak trees and coastal scrub species.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
monitoring plan will also be required		
Policy BR 3.3 Oak Woodland Preservation. Maintain and improve oak woodland habitat to provide for slope stabilization, soil protection, species diversity, and wildlife habitat.	The proposed project would avoid impacts to coast live oak woodland onsite, and would not require the removal of individual coast live oak trees. Development of walk-in campsites near oak woodland in the eastern portion of the project site would not require grading or structural development. Mitigation including tree trimming standards are included in the EIR analysis (refer to EIR Section 4.3 Biological Resources). The proposed landscape plan includes coast live oak trees and coastal scrub species. The project includes measure to reduce erosion and provide slope stability (refer to EIR Section 4.5 Geology and Soils).	Potentially consistent
Chapter 4 Cultural Resources		
Policy CR 4.4 Development Activities and Archaeological Sites. Protect archaeological and culturally sensitive sites from the effects of development by avoiding disturbance where feasible. Avoid archaeological resources as the primary method of protection. ▪ **Implementation Strategy CR 4.4.1 Native American participation in development review process.** In areas likely to contain Native American and cultural resources, include Native Americans in tasks such as Phase I II, and III surveys, resource assessment, and impact mitigation. Consult with Native American representatives early in the development review process and in the design of appropriate mitigations. Enable their presence during archaeological excavation and construction in areas likely to contain cultural resources. ▪ **Implementation Strategy CR 4.4.2 Cultural Resource Studies.** Require cultural resources studies (i.e., archaeological and historical investigations) by a professional who meets the Secretary of the Interior's Professional Qualifications Standards when development is proposed within an archaeologically or historically sensitive area. These studies will conform to the County's approved guidelines.	The project site is located within the Archaeologically Sensitive (AS) combining designation overlay. The project site and surrounding areas were surveyed by a qualified archaeologist, and the project was sited to avoid impacts to documented archaeological sites. During the Notice of Preparation (NOP) scoping period, notices were submitted to local Native American tribes, and the Harbor District responded to requests for information. Mitigation is identified, including monitoring of initial ground disturbance, to ensure proper protection and management of unknown significant resources (refer to EIR Section 4.4 Cultural Resources).	Potentially consistent
Policy CR 4.5 Paleontological Resources. Protect paleontological resources from the effects of development by avoiding disturbance where feasible.	Based on historical grading, the project has been substantially altered from natural (pre-1900) conditions. As discussed in EIR Section 4.4 Cultural Resources, the	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
▪ **Implementation Strategy CR 4.5.1 Paleontological Studies.** Require a paleontological resource assessment and mitigation plan to 1) identify the extent and potential significance of the resources that may exist within the proposed development and 2) provide mitigation measures to reduce potential impacts when existing information indicates that a site proposed for development may contain biological, paleontological, or other scientific resources. ▪ **Implementation Strategy CR 4.5.2 Paleontological Monitoring.** Require a paleontologist and/or registered geologist to monitor site-grading activities when paleontological resources are known or likely to occur. The monitor will have the authority to halt grading to determine the appropriate protection or mitigation measures. Measures may include collection of paleontological resources, curation of any resources collected with an appropriate repository, and documentation with the County.	underlying geologic formations are known to present significant paleontological resources; therefore, monitoring by a qualified paleontologist is included in construction-related mitigation measures. In the event of significant discovery, requirements identified in the COSE implementation strategy would be required.	
Chapter 5 Energy		
Policy E 4.1 Integrate green building practices. Integrate green building practices into the design, construction, management, renovation, operations, and demolition of buildings, including publicly funded affordable housing projects, through the development review and building permitting process.	As discussed in EIR Section 4.6 Greenhouse Gas Emissions and Climate Change, mitigation measures adapted from the SLOAPCD CEQA Handbook will be incorporated into the project to the maximum extent feasible, including green building materials and energy-efficient features.	Potentially consistent
Policy E 4.4 Solar exposure. Orient new buildings to maximize solar resources, shading, ventilation, and lighting.	As discussed in EIR Section 4.6 Greenhouse Gas Emissions and Climate Change, mitigation measures adapted from the SLOAPCD CEQA Handbook will be incorporated into the project to the maximum extent feasible, including orientation of buildings to maximize solar exposure.	Potentially consistent
Chapter 8 Soil Resources		
Policy SL 1.3 Minimize Erosion associated with New Development. Avoid development, including roads and driveways, on the steeper portions of a site except when necessary to avoid flood hazards, protect prime soils, and protect sensitive biological and other resources. Avoid grading and site disturbance activities on slopes over 30%. Minimize site disturbance and protect existing	Implementation of the proposed project would require mass grading within historically graded and disturbed areas. Incorporation of erosion and sedimentation control measures both during construction and for the life of the project are required. Preliminary plans identify erosion control measures, which would be further refined	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
vegetation as much as possible. ▪ **Implementation Strategy SL 1.3.1 Low Impact Development (LID)**. Implement Low Impact development (LID) for all new public and private projects. (Also refer to Water Resource Policy WR 4.7.)	through grading plan review by the County and RWQCB, consistent with existing regulations including the CZLUO, including LID measures and BMPs. Long—term slope stability would be achieved pursuant to implementation of recommendations and mitigation measures identified in EIR Section 4.5 Geology and Soils.	
Chapter 9 Visual Resources		
Policy VR 2.1 Develop in a manner compatible with Historical and Visual Resources. Through the review of proposed development, encourage designs that are compatible with the natural landscape and with recognized historical character, and discourage designs that are clearly out of place within rural areas.	As discussed in EIR Section 4.1 Aesthetic Resources, the project site is located in a highly visible location north of Avila Beach Drive. The development would be visible from Avila Beach Drive, Fisherman's Beach, Harford Pier, and San Luis Bay. The development would not block views of the ocean, and implementation would include relocation of existing RV parking sites on Avila Beach Drive onto the project site, which would provide additional ocean views currently blocked by RVs. In addition to compliance with Port Master Plan and San Luis Bay Coastal Area Plan standards, mitigation is identified to provide additional visual compatibility, including use of site design, architectural standards, and native landscaping to partially block public views of vehicles, RVs, and structures.	Potentially consistent
Policy VR 2.2 Site Development and Landscaping Sensitively. Through the review of proposed development, encourage designs that emphasize native vegetation and conform grading to existing natural forms. Encourage abundant native and/or drought-tolerant landscaping that screens buildings and parking lots and blends development with the natural landscape. Consider fire safety in the selection and placement of plant material, consistent with Biological Resources Policy BR 2.7 regarding fire suppression and sensitive plants and habitats.	As discussed in EIR Section 4.1 Aesthetic Resources, the project site is located within a highly scenic coastal area. No natural unique landforms are present onsite, and natural vegetation is limited to the northern and far eastern portions of the site, generally outside of the areas proposed for development and camping. Native landscaping is proposed along the edges of development, and would be contiguous with native vegetation to remain. Landscape screening would be provided within the project site to screen structures, RVs, and vehicles, and to minimize the effect of proposed re-graded terraces.	Potentially consistent
Policy VR 7.1 Nighttime Light Pollution. Protect the clarity and visibility of the night sky within communities and rural areas, by ensuring that exterior lighting, including streetlight projects, is	Implementation of the proposed project would create light and glare, affecting dark night skies. Mitigation is identified to reduce the effects of onsite lighting, including compliance with identified Dark Sky	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
designed to minimize nighttime light pollution.	performance standards (refer to EIR Section 4.1 Aesthetic Resources).	
Chapter 10 Water Resources		
Policy WR 1.8 Use of surface water projects. Water from surface water projects (e.g. Lopez Lake, Lake Nacimiento) will only be used to serve development within urban and village reserve lines and will not be used to serve development in rural areas.	Water supply would be provided under an existing agreement with CSA 12 (Lopez Lake Reservoir). The project site is within the Avila Urban Services Line, consistent with this policy.	Potentially consistent
Policy WR 1.12 Impacts of new development. Accurately assess and mitigate the impacts of new development on water supply. At a minimum, comply with the provisions of Senate Bills 610 and 221	An assessment of project-specific and cumulative water demand (including quantification of water demand) is provided in EIR Section 4.10 Public Services and Utilities.	Potentially consistent
Policy WR 3.1 Prevent water pollution. Take actions to prevent water pollution, consistent with federal and state water policies and standards, including but not limited to the federal Clean Water Act, Safe Drinking Water Act, and National Pollutant Discharge Elimination System (NPDES). ▪ **Implementation Strategy WR 3.1.3 Minimize construction-related impacts to water quality.** Minimize construction and post-construction impacts of development through implementation of the County's Stormwater Management Program and Stormwater Pollution Prevention and Discharge Control Ordinance in compliance with Phase II of the National Pollutant Discharge Elimination System (NPDES).	The proposed project would comply with existing County and RWQCB policies and regulations regarding water quality (refer to EIR Section 4.8 Hydrology and Water Quality). The project will require a technical infeasibility exemption because the LCP prohibits on-site detention. The drainage plan is designed to meet stormwater regulations related to run-off and water quality.	Potentially consistent
San Luis Obispo County Parks and Recreational Element		
Parks Recreation Goal, Objectives and Policies **Goal #1, Objective A:** Maintain and improve as well as provide new and expanded parks and recreation within the County consistent with Chapter 8 Parks and Recreation Project List, and the County's available funding. **Recreation Goal, Objectives and Policies** **Goal #2:** Recreation that serves the County's residents and visitors, various age groups, varying economic situations and physical abilities.	The proposed project would provide coastal recreation and visitor-serving facilities for the public. A variety of campsite types and costs would be provided.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
San Luis Obispo County Noise Element		
Chapter 3: Goals and Policies **3.1 Goals.** The goals of the San Luis Obispo County Noise Element are: 1. To protect the residents of San Luis Obispo County from the harmful and annoying effects of exposure to excessive noise. 2. To protect the economic base of San Luis Obispo County by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses. 3. To preserve the tranquility of residential areas by preventing the encroachment of noise-producing uses. 4. To educate the residents of San Luis Obispo County concerning the effects of exposure to excessive noise and the methods available for minimizing such exposure. 5. To avoid or reduce noise impacts through site planning and project design, giving second preference to the use of noise barriers and/or structural modifications to buildings containing noise-sensitive land uses.	As discussed in EIR Section 4.9 Noise, the proposed project is sited and designed to reduce exposure to noise-generating uses including traffic on Avila Beach Drive, and reduce public exposure to noise generated by the project, including use of portable generators. Mitigation is identified to reduce construction noise to the maximum extent feasible, and mitigation is identified to provide short time-frames for allowable generator use.	Potentially consistent
San Luis Obispo County Safety Element		
Chapter 3 Water Hazards		
Standard S-19: Do not allow development which will create or worsen known flood and drainage problems.	As discussed in EIR Section 4.8 Hydrology and Water Quality, the project would not create or exacerbate flood conditions on Avila Beach Drive.	Potentially consistent
Chapter 4 Fire Safety		
Standard S-29: Identify high value and high risk areas, including urban/wildland interface areas, and develop and implement mitigation efforts to reduce the threat of fire.	As discussed in EIR Section 4.7 Hazards and Hazardous Materials, construction and operation of the proposed facility would be conducted consistent with the California Fire Code, and required Fire Safety and Hazardous Materials Plans would be reviewed and approved by CAL FIRE prior to implementation	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Chapter 4 Fire Safety, Goal S-5 Minimize the potential for loss of life and property resulting from geologic and seismic hazards.		
Standard S-56: For developments in areas of known slope instability, landslides, or slopes steeper than 20 percent, the stability of slopes shall be addressed by registered professionals practicing in their respective fields of expertise. For subdivisions, such studies should be performed prior to delineating lot lines and building envelopes.	The project site is located within a Geology Study Area (GSA) and as discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide and slope stability hazards. In addition to compliance with the CZLUO, the project includes erosion and geologic stability measures, and additional mitigation developed by Earth Systems Pacific would be incorporated into final grading and construction plans. These measures would ensure long-term erosion protection and slope stability on and off-site. All recommendations documented in the geologic hazards review (refer to EIR Appendix E) are identified as mitigation measures.	Potentially consistent
Standard S-57: New development will not be permitted in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development.	As discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide and slope stability hazards. All recommendations documented in the geologic hazards review (refer to EIR Appendix E) are identified as mitigation measures, and would be required prior to construction of structural development.	Potentially consistent
Standard S-58: Expansion will not be permitted to existing structures or developments in areas of known landslide activity except when it will reduce the potential for loss of life and property.	As discussed in EIR Section 4.5 Geology and Soils, mass grading of the site is required to remediate landslide and slope stability hazards. All recommendations documented in the geologic hazards review (refer to EIR Appendix E) are identified as mitigation measures, and would be required prior to construction of structural development.	Potentially consistent
Standard S-59: Development proposals will be required to mitigate the impacts that their projects contribute to landslides and slope instability hazards on neighboring property, and appurtenant structures, utilities, and roads; such as emergency ingress and egress to the property, and loss of water, power or other lifeline facilities.	As discussed in EIR Section 4.5 Geology and Soils, landslide remediation is required, which would mitigate the existing potential for landslide movement at the project site. All recommendations documented in the geologic hazards review (refer to EIR Appendix E) are identified as mitigation measures, and would be required prior to construction of structural development.	Potentially consistent

Table 3-1. Consistency with Plans and Policies

Goals, Policies, Plans, Programs and Standards	Proposed Action	Preliminary Determination
Standard S-60: Enforce current building code requirements and applicable ordinances and sections of the General Plan that pertain to development on sloping ground.	The proposed project is subject to existing code and ordinance requirements.	Potentially consistent
Standard S-61: Require slope stability evaluations for developments in areas of moderate or higher landslide risk as indicated in the Technical Background Report.	Preliminary evaluation of slope stability is provided in EIR Section 4.5 Geology and Soils. Further review will occur during preparation of final grading plans, as required by existing regulations and incorporated mitigation measures and performance standards.	Potentially consistent

3.4 CUMULATIVE STUDY AREA

3.4.1 CEQA Requirements

Section 15130 of the CEQA Guidelines requires that an EIR assess cumulative impacts of a project to determine if the project's incremental effect is cumulatively considerable, as defined in §15065(c). Section 15355 of the State CEQA Guidelines defines “cumulative impacts” as two or more individual effects that, when considered together, are either considerable or compound other environmental impacts.

State CEQA Guidelines (14 California Code of Regulations [CCR] 15130) require a reasonable analysis of the significant cumulative impacts of a proposed project. Cumulative impacts are defined by CEQA as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (State CEQA Guidelines, §15355). Cumulative impacts are further described in §15355 as follows:

> *(a) The individual effects may be changes resulting from a single project or a number of separate projects.*
>
> *(b) The cumulative impact from several projects are the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.*

Furthermore, according to State CEQA Guidelines §15130(a)(1):

> *As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. An EIR should not discuss impacts which do not result in part from the project evaluated in the EIR.*

In addition, as stated in the State CEQA Guidelines, §15064(h)(4):

> *The mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project’s incremental effects are cumulatively considerable.*

A typical “project specific” cumulative analysis looks at the changes in the environment that result from the incremental impact of development of a proposed project and other reasonably foreseeable projects that have not been included in the environmental setting. For example, the air quality impacts of two projects in close proximity may prove to be insignificant when project emissions are analyzed separately, but could be significant when these emissions are combined and analyzed together. While these projects may be unrelated, their combined (i.e., cumulative) air quality impacts would be significant. The goal of the cumulative project analysis is to identify those reasonably foreseeable projects that could have spatial and temporal overlaps with the proposed project. These projects could have a potential for a significant cumulative environmental impact. Projects with temporal overlaps include those that are planned to occur during the same timeframe as the proposed project. Projects with spatial overlaps are those that would have impacts in the same area or on the same resources as those of the proposed project (e.g., emissions that could affect the same air basin).

The area within which a cumulative effect can occur varies by issue area. For example, air quality impacts tend to disperse over a large area, while noise and safety impacts are typically more localized. For this reason, the geographic scope for the analysis of cumulative impacts must be identified for each issue area. The analysis of cumulative effects considers a number of variables including geographic (spatial) limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the Project Site, and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the project.

In addition, each of the cumulative projects has its own implementation schedule, which may or may not coincide or overlap with the proposed project's schedule. This is a consideration for short-term impacts from the project. The cumulative impact analysis for each individual issue area is included in the respective discussions in Sections 4.1 through 4.12 of this EIR.

3.5 CUMULATIVE DEVELOPMENT SCENARIO

All approved or pending projects within the Avila Beach and Port San Luis area were identified using information from the County Department of Planning and Building. The final cumulative projects list was assembled from the projects that could both temporally and spatially overlap with the proposed project. Although some uncertainty exists as far as the final scope, design, and start time of some cumulative projects contained in Table 3-1, the best available information was used to determine the temporal and spatial overlaps.

Table 3-2 provides a list of the cumulative projects followed by Figure 3-1 that shows the location of the cumulative projects.

Table 3-2. Cumulative Projects List

Project Name	Project Location	Project Description
Projects Recently Approved		
Mario Travalini Minor Use Permit/Coastal Development Permit DRC2013-00019	137 1st Street, Avila Beach	The project includes the demolition of an existing 144-square foot second story covered deck, and the construction of a new 321-square foot second story covered deck. The existing and proposed deck is attached to the rear of an existing single family residence and will result in the disturbance of approximately 321 square feet of a 4,511 square foot parcel. This Minor Use Permit / Coastal Development Permit would also allow for the existing single family residence to be used as a residential vacation rental, and because the proposed residential vacation rental would be within 50 feet of another/existing residential vacation rental, a modification of the location standard is required. The proposed project is within the Residential Multi-Family land use category in the community of Avila, in the San Luis Bay Coastal planning area. This project is exempt under CEQA and received a Class 3 Categorical Exemption.

Table 3-2. Cumulative Projects List

Project Name	Project Location	Project Description
D Ray Properties, LLC. Development Plan/Coastal Development Permit DRC2013-00091	90 San Luis Street, Avila Beach	This project includes the conversion of two office spaces (approximately 720 square feet each) to residential vacation rentals on the first floor of an existing mixed-use (office/retail and residential) building (Building A). Building A fronts San Luis Street in Avila Beach and is a two-story structure with an existing 2-bedroom, 1,200-square foot vacation rental on the second floor and two separate office spaces on the first floor. Building B is located behind Building A and it includes a detached garage with an existing vacation rental on the second floor. No changes are proposed to Building B. The proposed project is within the Commercial Retail land use category, in the community of Avila, within the Avila Beach Central Business District, and within the San Luis Bay Coastal Planning Area. This project is exempt under CEQA and received a Class 3 Categorical Exemption.
County General Services Agency General Plan Conformity Report	50 San Juan Street, Avila Beach	Determination of conformity with the General Plan for the proposed transfer of a portion of one County-owned parcel located at 50 San Juan Street in Avila Beach. The parcel is located within the Recreation land use category and within the community of Avila in the San Luis Bay Coastal planning area. This is not considered a project under CEQA and did not require an environmental determination. Any subsequent land use permit application would be subject to CEQA.
Chevron Emergency Permit ZON2013-00416	Avila Tank Farm Property 1717 Cave Landing Road, Avila Beach	The Planning Director issued an emergency permit per Section 23.03.045b.(8) of the Coastal Zone Land Use Ordinance, which was reported to the Planning Commission. An emergency permit was issued for installation of portable equipment to remove contamination, resurfacing an existing road for equipment access, installing overhead power for the equipment use, and additional monitoring wells within this area.
Master and Specific Plans and Proposed Projects Pending Approval		
Port San Luis Harbor District Master Plan	Port San Luis	The 2003 Port Master Plan includes development of Harbor District properties, including development and improvements within the following sub-areas: Open Water, Harford Pier, Harford Landing, Beach and Bluffs, Olde Port Beach and Fisherman's Beach, Cal Poly Marine Education and Research Pier, Harbor Terrace (the proposed project), Lightstation, and Avila Pier, Beach, and Parking Lot.
Avila Beach Specific Plan	Avila Beach	The Avila Beach Specific Plan (2001) includes goals, policies, and standards for the

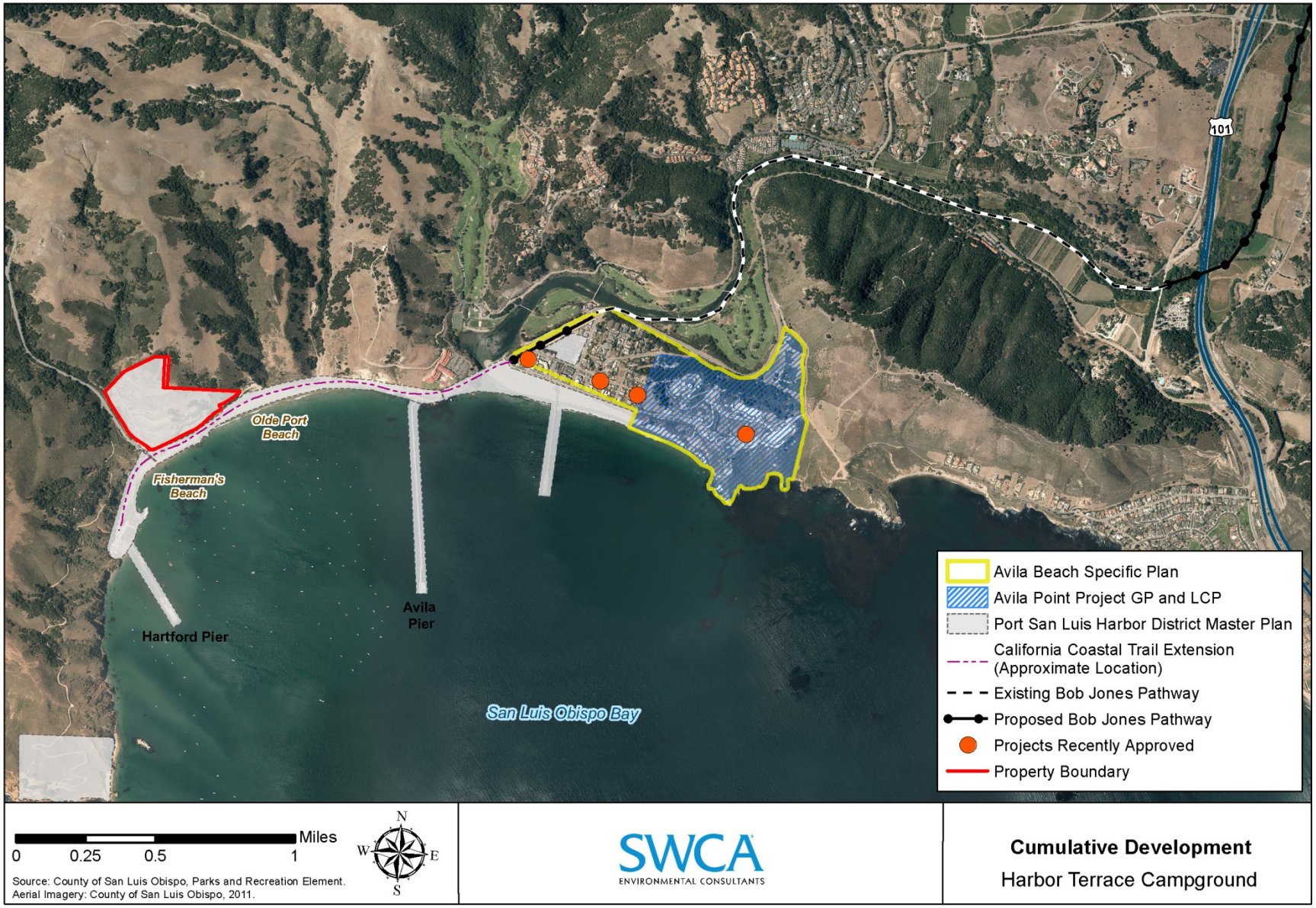
Table 3-2. Cumulative Projects List

Project Name	Project Location	Project Description
		development of Avila Beach. The Plan includes a Conceptual Plan, which identifies the following components: Town Center Conceptual Plan, key private development sites, Front Street development, mid-block pedestrian connection, improved parking lot, Front Street Park, open space preservation, possible affordable housing sites, San Miguel Street infill, hillside development, former mobile home park site plan, restrooms, and a streetscape plan. The plan includes measures addressing accessibility, historic preservation, circulation, parking, and infrastructure, and design guidelines and development standards, . In addition to LCP growth estimates for housing units (population buildout of 1,094 persons), the Specific Plan designates additional parcels for multi-family development, which would result in a population of 1,077 persons.
Ongoing temporary events	Avila Beach	Ongoing temporary events held in the area include special events, concerts, and fundraisers at the Avila Beach Golf Resort, and the Avila Farmers Market held within the Avila Promenade.
San Luis Bay Estates Master Plan	Avila Beach/San Luis Bay Estates	Continued build-out of the approved San Luis Bay Estates Master Plan. Anticipated current and future projects include build-out of residential units in Kingfisher Canyon and the potential development of 50 cottage units identified in the Master Plan (located west of the San Luis Bay Inn). Development of the cottage units would require further environmental review, subsequent to the approved Final EIR for the Master Plan.
Avila Point Project General Plan and Local Coastal Plan Amendment, Remediation, and Development	Avila Tank Farm 1717 Cave Landing Road, Avila Beach	The proposed project includes: Development Plan (i.e., Conditional Use Permit) for remediation of a contaminated site, which was once used as a petroleum product storage, and transfer facility, and small refinery; a General Plan/Specific Plan/Local Coastal Plan amendment for zoning changes to change the land use category from Industrial (current) to Recreation (proposed) with specific standards and guidelines to accommodate the development of the site for a resort; and Development Plan (i.e., Conditional Use Permit) for the future development of the recreation and resort use. Project development may include construction of a resort including a restaurant, spa, shops, cottages, hotel rooms, and related facilities (some of which may be fractional ownership). Included in the project is a coastal bluff trail and other trails throughout the site, remote parking areas (idea is for the site to remain car free if possible), and golf cart

Table 3-2. Cumulative Projects List

Project Name	Project Location	Project Description
		facilities for use on site. Water and wastewater facilities may be obtained by the Avila Beach Community Services District, wastewater may remain on-site.
Coastal Trail Extension	Avila Beach, Port San Luis	An extension of the coastal trail is proposed from Avila Beach to Port San Luis, and may include facilities for pedestrians and bicyclists.
Bob Jones Pathway	San Luis Obispo to Avila Beach	This section of the Bob Jones Pathway will result in a separated Class I trail, where possible, for a distance of approximately 4.5 miles between the Octagon Barn in south San Luis Obispo and the existing Bob Jones Trail at the Ontario staging area (near the Salisbury Winery at the intersection of Ontario Road and San Luis Obispo Creek). The existing route places bicyclists immediately adjacent to motorists and requires a physically dangerous at-grade crossing. The proposed project will provide an improved and safer route for bicyclists and new opportunities for pedestrians, encouraging greater use by families and users of all ages and abilities. The project will include an eight-foot wide asphalt surfaced pathway with two-foot wide shoulders on each side of the surfaced pathway. Grading and landscaping will occur within a 12 to 20 foot wide pathway easement. The pathway will run parallel to San Luis Obispo Creek and U.S. Highway 101 (US 101), and includes three bridge crossings over San Luis Obispo Creek and one 300-foot-long US 101 overcrossing. Two at-grade crossings of South Higuera are proposed within 0.5 miles of the Octagon Barn trailhead.

Figure 3-3. Cumulative Development Scenario Location Map



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CHAPTER 4
ENVIRONMENTAL IMPACT ANALYSIS

This chapter of the EIR evaluates the potential of the proposed project to result in significant impacts to the environment as a result of construction, operation, and maintenance of the proposed project. This section of the EIR provides a full scope of environmental analysis in conformance with the CEQA Guidelines.

The following environmental resources are assessed in this chapter in accordance with Appendix G of the CEQA Guidelines (refer to Table 4-1).

Table 4-1. Summary of Environmental Impacts Analysis

Environmental Resource	Less than Significant Impacts	Significant, but Mitigable Impacts	Significant, Unavoidable, Adverse Impacts
Aesthetic Resources		X	
Agricultural Resources	X		
Air Quality		X	
Biological Resources		X	
Cultural Resources		X	
Geology and Soils		X	
Greenhouse Gas Emissions and Climate Change		X	
Hazards and Hazardous Materials		X	
Hydrology and Water Quality	X	~~X~~	
Noise		X	
Population and Housing	X		
Public Services and Utilities	X		
Recreation	X		
Transportation and Traffic		X	

The Environmental Impact Analysis chapter of this EIR has been divided into sub-sections, as follows:

- **Existing Conditions**: The description of the physical environmental conditions in the vicinity of the project, as they exist at the time the NOP is published (baseline physical conditions).
- **Regulatory Setting**: The regulations in force at the time the NOP is published. These are the applicable regulations governing each environmental topic, such as the Clean Air Act and its requirements for maintaining air quality. This is not an exhaustive analysis of

the regulations, but rather information to assist the reader in understanding the potential impacts of the project from a regulatory perspective.

- **Thresholds of Significance**: The thresholds used to evaluate each environmental topic are usually based on Appendix G of the CEQA Guidelines, or are standard procedures related to existing regulations or are standards in the industry.

- **Impact Assessment and Methodology**: Methodology used to determine the impacts associated with the project, such as measurements or field investigative processes.

- **Project-Specific Impacts and Mitigation Measures**: These include the significant environmental effects of the proposed project, as further defined below. The impacts are identified and then are followed by the mitigation measures that can minimize significant impacts; mitigation measures must be enforceable and feasible. Where more than one mitigation measure could be used to reduce a significant effect, each should be discussed and rationale given for determining the preferable mitigation measure. In addition, there must be an essential nexus between the mitigation measure and a legitimate governmental interest, and the mitigation measure also must be "roughly proportional" to the impacts of the project.

- **Residual Impacts**: The statement of the level of impact, significant or insignificant, that is residual once mitigation is applied.

- **Cumulative Impacts**: The cumulative effects of the project when the project's effect is cumulatively considerable.

- **Secondary Impacts**: If a mitigation measures would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure must be discussed but in less detail than the significant effects of the project as proposed. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986).

All residual impacts in the EIR have been classified according to the following criteria (note: CEQA does not recognize a beneficial effect as an impact):

- **Class I – Significant, unavoidable, adverse impacts:** Significant impacts that cannot be fully and effectively mitigated. No measures could be taken to avoid or reduce these adverse effects to insignificant or negligible levels.

- **Class II – Significant, but mitigable impacts:** These impacts are potentially similar in significance to those of Class I, but can be reduced or avoided by the implementation of mitigation measures.

- **Class III – Less than significant impacts:** Mitigation measures may still be required for these impacts as long as there is rough proportionality between the environmental impacts caused by the project and the mitigation measures imposed on the project.

The term "significance" is used throughout the EIR to characterize the magnitude of the projected impact. For the purpose of this EIR, a significant impact is a substantial or potentially substantial change to resources in the proposed project area or the area adjacent to the proposed project. In the discussions of each issue area, thresholds are identified that are used to distinguish between significant and insignificant impacts. To the extent feasible, distinctions

are also made between local and regional significance and short-term versus long-term duration. Where possible, measures have been identified to reduce project impacts to less than significant levels. CEQA requires that public agencies should not approve projects as proposed if there are feasible mitigation measures available that would substantially lessen the environmental effects of such projects (CEQA Statute §21002). Included with each mitigation measure are the plan requirements needed to ensure that the mitigation is included in the plans and construction of the project and the required timing of the action (e.g., prior to development of final construction plans, prior to commencement of construction, prior to operation, etc.).

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4.1 AESTHETIC RESOURCES

This section of the EIR identifies and evaluates potential visual resource (aesthetic) impacts resulting from implementation of the project. The analysis focuses on the potential for the project to result in impacts to visual resources as seen from public vantage points in the area, and from the project site.

4.1.1 Existing Conditions

The project area is situated at the base of the Irish Hills of the southern Coastal Range region of California. The Irish Hills provide a backdrop for the beach community of Avila Beach as well as panoramic views of San Luis Obispo Bay, Port San Luis, and the Pacific Ocean. The open hillsides of the Irish Hills give way to a coastal terrace which averages in elevation of about 100 feet and includes nearly vertical sea cliffs and narrow beaches. San Luis Obispo Bay is bordered on the west by the southward jutting Point San Luis while Avila Beach lies on the eastern edge of the bay. Port San Luis sits at the western end of San Luis Obispo Bay along Avila Beach Drive. The major public vantage points are Avila Beach Drive, distant views from U.S. Highway 101 (US 101), the beaches, the piers, and San Luis Bay.

The project area is characterized by a variety of highly scenic features and includes well-known landmarks such as Avila Beach, the Avila Beach Pier, Port San Luis, the Harford Pier, and the Port San Luis Lighthouse. Scenic elements include the small-scale development of Avila Beach as well as commercial fishing and recreational boats moored in the bay. The San Luis Bay Inn, a multi-storied structure is visible on a hill immediately west of San Luis Obispo Creek. Views to Avila Beach are partially screened by the California Polytechnic State University, San Luis Obispo (Cal Poly) Marine Sciences Facility pier.

Port San Luis provides a small-scale harbor for the local commercial fishing community as well as recreational boaters. Services available in the Pier area include boat repair and maintenance and supply facilities, other marine-related businesses and restaurants. Scenic views of the bay, moored boats and the community of Avila Beach and backdrop of hills can be viewed from Harford Pier.

Areas surrounding Port San Luis are characterized visually by highly scenic natural features combined with a variety of man-made elements. Visually significant elements in the area include: the developed portions of the Avila Beach community; the former Unocal tank farm located above the Avila Beach community; three piers which extend into San Luis Obispo Bay, and the San Luis Bay Inn. These features are set amongst a visual backdrop of sloping hillsides surrounding an open bay. Views of the bay often include commercial fishing and recreational boats moored in proximity to the coastline. Views from Port San Luis, particularly from its higher elevations, include many of these visual elements.

Harford Pier and ancillary facilities are the identifiable features of Harford Landing and the Pier area. The pier, in particular can be seen from a number of points within the area. Generally, Port San Luis facilities are located on coastal hillsides facing San Luis Obispo Bay and the Pacific Ocean. These hillsides are part of a continuous set of ridgelines which trend westward from Avila Beach to Montaña de Oro State Park. Most of the hillsides near Port San Luis are undeveloped with the exception of the San Luis Bay Inn, approximately 0.75 mile east of the Port. Port facilities, and therefore occupy a visually prominent portion of the viewshed of the San Luis Obispo County and the San Luis Bay coastline, particularly from vantage points to the southeast, south, and southwest of the site.

Views of Port San Luis from other directions and from portions of Avila Beach Drive are mainly shielded by surrounding hillsides, higher elevations or other topographic barriers. Motorists, bicyclists and pedestrians utilizing Avila Beach Drive are provided views of the landing as they approach the site from the east (Avila Beach). Views of the Port begin as travelers pass by the Cal Poly Marine Sciences Facility pier approaching the site from the east.

The project site is clearly visible from Avila Beach Drive, and is located within a highly scenic area. Given the nature and extent of previous site alteration and existing uses onsite, however, most of the unique or significantly attractive natural features of the project site visible within the existing viewscape of the Port San Luis area have been eliminated. Development is incongruous and competes for attention with the natural landscape, but does not obscure the features inherent to the area. The facilities therefore exhibit a moderate visual condition (refer to Section 4.1.4 Impact Assessment and Methodology below for further description of categories).

4.1.1.1 Project Site

The project site is located north and east of the intersection of Avila Beach Drive and Diablo Canyon Road with views immediately facing San Luis Obispo Bay and the Pacific Ocean. The site provides a visual backdrop for views from San Luis Obispo Bay and Harford Pier as well as vantage points from Avila Beach, San Luis Bay, and the Pacific Ocean further out to sea. The project site area has been altered forming a series of graded, level terraces that ascend the steep hillside to an elevation of approximately 200 feet above mean sea level (msl). Due to these graded terraces much of the native vegetation as well as the natural topography of the site has been significantly degraded especially when compared to the natural conditions of the surrounding hillsides. Consequently, the graded slopes are largely bare and highly visible from surrounding viewsheds.

The project site is located in a prominent location in view of coastal roadways, beaches, and areas of significant public recreational use. The project site is visible from several key areas including Avila Beach Drive, Fisherman's Beach, Olde Port Beach, and Harford Pier. The site is also visible from within the harbor waters.

The existing visual character of the site is defined by large benched terraces, gravel roadways, storage areas and equipment, boats and marine equipment, RVs and vehicles, a 90,000-gallon water storage tank in the upper northern portion of the project site, and variable coverage with vegetation within the site. These manmade elements are prominent features when viewed from vantage points to the southeast, south and southwest. South of Avila Beach Drive and facing San Luis Obispo Bay the ocean bluff is protected by rock revetments. The project site is also visible at a greater distance from vantage points in Avila Beach as well as from US 101 (near Spyglass Drive, approximately 3.5 miles to the southeast, across the bay) and from San Luis Obispo Bay. The areas surrounding the site (including areas above the site at higher elevations) contain oak woodland, grassland, and coastal scrub habitats. Within the boundaries of the project site, the land and vegetation have been highly disturbed and present little value in terms of scenic variety. Bordering the project site, however, are steeper slopes, defined canyons, and varied vegetation, which, although common in the project area, provide higher value in terms of variety. Surrounding uses include open space, road infrastructure, access control structures at Diablo Canyon, roadside RV camping, and other facilities associated with the Port.

RVs are currently allowed to park and camp on the ocean-side of Avila Beach Drive across from the parking area, which blocks views of the ocean as seen from Avila Beach Drive.

4.1.2 Regulatory Setting

4.1.2.1 Federal and State Regulations

The California Coastal Act of 1976 was adopted after state voters approved the Coastal Conservation Act (Proposition 20) in 1972. The Act was intended to protect a range of coastal resources.

Section 30251 states:

> *"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."*

The Coastal Act places priority on the protection of ocean and coastal views from public areas including highways, roads, beaches, parks, coastal trails and accessways, vista points, and other public vistas. Policy clarification regarding consideration of public views versus private views is provided by the CCC concerning §30251 of the Coastal Act:

> *The primary concern under this section of the Act is the protection of ocean and coastal views from public areas such as highways, roads, beaches, parks, coastal trails and accessways, vista points, coastal streams and waters used for recreational purposes, and other public preserves rather than coastal views from private residences where no public vistas are involved.*

4.1.2.2 Local Regulations and Policies

<u>County of San Luis Obispo Local Coastal Program</u>

As required by the California Coastal Act, San Luis Obispo County developed the San Luis Obispo LUE – LCP/Coastal Plan Policies. The LCP contains policies and implementation programs aimed at protecting visual resources, including the following:

- **Protection of Visual and Scenic Resources.** Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas, and sensitive habitats are to be preserved, protected, and in visually degraded areas, restored where feasible.

- **Site Selection for New Development.** Permitted development should be sited so as to protect views to and along the ocean and scenic coastal areas. Wherever possible, site selection for new development is to emphasize locations not visible from major public view corridors.

- **Development on Coastal Bluffs.** New development on bluff faces shall be limited to public access stairways and shoreline protection structures. Permitted development shall be sited and designed to be compatible with the natural features of the landform as much as feasible. New development on bluff tops shall be designed and sited to minimize visual intrusion on adjacent sandy beaches.

The Local Coastal Program, Coastal Plan Policies, Chapter 10, Visual and Scenic Resources cites the CCA as follows:

> *30251 – Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of the surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas.*
>
> *30253 (5) – Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The San Luis Bay Coastal Area Plan (County of San Luis Obispo 2009) describes county land use policies for the Coastal Zone portion of the San Luis Bay Planning Area. As part of the Plan's Planning Area Standards is a section setting goals for visual and scenic resources. Additional policies are specifically identified for the project site.

> ***Visual and Scenic Resources***
>
> ***Goal: A Landscape that reflects the context of its use and the natural setting with minimal impacts to scenic viewsheds.***
>
> 1. ***Waterfront Character.*** *Protect scenic qualities including the time-honored character of Port San Luis and compatibility with surrounding uses and views.*
>
> 2. ***Bluffs and Hillsides.*** *New development on bluffs and scenic hillsides shall be sited and designed to protect scenic resources and enhance the visual quality of the bluffs and hillsides. Visually degraded areas shall be restored where feasible.*
>
> 3. ***Historic Areas.*** *Adhere to adopted guidelines and legal provisions for renovation of Port properties with historic significance.*
>
> 4. ***Long-term Design.*** *Incorporate visually pleasing design solutions that limit long-term maintenance requirements.*
>
> ***Harbor Terrace***
>
> b. *New development shall be sited and designed to minimize the visual impacts of the development, including those related to light and glare, in order to preserve the scenic quality of the area as viewed from public viewing areas, adjacent roads, piers, beaches, and the ocean. Special attention shall be given to maintaining character of the Harbor area. This shall be accomplished by:*
>
> 1. *Restricting the development of commercial retail facilities and structures (eating and drinking establishments, food and beverage retail sales, commissary, market, meeting rooms, parking, etc.) to the lower previously graded portions of the site, as depicted in Conceptual Harbor Terrace Plan Figure 8.7 (refer to the Area Plan).*

2. *Limiting commercial retail facilities/structures and the harbor office/shop to two-stories with a maximum height of 25 feet.*

3. *Limiting hotel motel units (yurts, cabins, inns, casitas, bungalows) to single-story with a maximum height of 15 feet.*

4. *Limiting the use of APN 076-171-021 to walk-in/bike-in camping. The small, previously disturbed area on the northwest portion of the parcel adjacent to the existing access road may be used for structures necessary to serve the walk-in/bike-in campsites. No new road development or road improvements shall occur on APN 076-171-021 and vegetation removal shall be minimized. Each walk-in/bike-in site shall be limited to a level area or platform for a tent, a picnic table, a fire ring, and a water spigot.*

5. *Requiring that all development to be designed, colored, and sited to minimize visibility within the public viewshed. New development shall avoid large, boxy structures by providing variations in height, articulated roof forms and pitch, and open space view corridors. Structures shall blend in with the natural surroundings by using earth toned colors and materials. Reflective materials and finishes are prohibited. Lighting (particularly overhead street lights should they be necessary) shall be minimized in number and shall be shielded to orient lighting downward. All development shall be landscaped with native vegetation appropriate to the site in order to soften the visual prominence of the new development and to restore the visual qualities of the site. Invasive plant species are prohibited.*

6. *Requiring that landscape plans and appropriate irrigation plans be submitted with new developments. Plans shall identify revegetation areas necessary to stabilize slopes and planting areas necessary to minimize visual impacts of grading/terracing and the proposed use of the site. Landscape plans shall utilize native plant species appropriate to the site, and shall be designed to minimize the visual impact of all development on the site as viewed from public viewing areas, piers, beaches, and the ocean. Alteration of natural landforms is to be minimized and any areas of cut/grading shall immediately be re-seeded using a native seed mix.*

7. *Requiring a restroom building or other structures necessary to serve the campsites to be sited in the least visible portions of previously disturbed areas, and designed and landscaped to prevent its visibility from public view.*

8. *Requiring that any improvements or additions to the existing water tank to be limited to the minimum necessary to provide approved site development with water storage for domestic supply and fire protection purposes; shall be placed underground to the greatest degree feasible; and shall be sited, colored, and landscaped to minimize visibility from public viewing areas (including roads, piers, beaches, and offshore areas).*

9. *Requiring at the time of coastal development permit application, or as part of an environmental review document, a detailed visual analysis which demonstrates that the visual and scenic character of the site will be preserved and improved where possible.*

Coastal Zone Land Use Ordinance

The CZLUO (County of San Luis Obispo 2011b) contains a number of standards designed to protect visual resources in the Coastal Zone. Relevant regulations include the following:

Section 23.05.034 Grading Standards:

d. ***Landform alterations within public view corridors.*** *Grading, vegetation removal and other landform alterations shall be minimized on sites located within areas determined by the Planning Director to be public view corridors from collector or arterial roads. Where feasible, contours of finished grading are to blend with adjacent natural terrain to achieve a consistent grade and appearance.*

e. ***Final contours.*** *Contours, elevations and shapes of finished surfaces are to be blended with adjacent natural terrain to achieve a consistent grade and natural appearance. Border of cut slopes and fills are to be rounded off to a minimum radius of five feet to blend with the natural terrain.*

g. ***Revegetation.*** *Where natural vegetation has been removed through grading in areas not affected by the landscape requirements, and that are not to be occupied by structures, such areas are to be replanted.*

Section 23.05.064 Tree Removal Standards:

d. ***Tree removal within public view corridors.*** *Tree removal within public view corridors (areas visible from collector or arterial roads) shall be minimized in accordance with Visual and Scenic Resources Policy 5.*

23.05.120 Underground Utilities:

Utilities serving new development shall be installed underground rather than by the use of poles and overhead lines, and where applicable shall be installed in accordance with California Public Utilities Commission rules and regulation. This requirement applies to electrical service and telecommunications (including cable TV, telephone and data transmission) connections between utility company distribution lines and all proposed structures on a site, and all new installations that distribute utilities within a site.

23.08.266 Recreational Vehicle (RV) Parks:

b. ***Location criteria.*** *Approval of a Development Plan application by the Planning Commission is to include a finding that the recreational vehicle park will not be excessively visible from a public road or Residential use, or that such visibility will be acceptably mitigated.*

e. ***Site design standards.***

(6) ***Fencing and screening.*** *A solid wood or masonry six foot high solid fence, screen or hedge will be required along all property lines and*

front yard setbacks. In addition, recreational vehicle spaces should be generally screened from adjacent properties and public roads by means of natural landscaping, terrain variations and distance. Where a proposed park will be visible from a major highway or freeway, additional screening landscaping will be required, which is to utilize plant materials with the capability of achieving 80% opacity within two years when viewed from the roadway. The Planning Commission may waive or adjust fencing and screening standards where terrain, natural vegetation or area character would make screening unnecessary or ineffective.

(i) ***Street trees.*** *Street trees are to be planted where the park abuts a public road right-of-way. Trees are to be planted at 20 foot intervals, or at more frequent intervals if appropriate for the species selected. Varied groupings are encouraged with linear plantings to be varied in setback.*

(ii) ***Interior trees.*** *Trees are to be planted in the park interior in all common and recreation areas.*

Port Master Plan and Port Master Plan Final Program EIR

The Port Master Plan (RRM Design Group 2004) included the following measures, which are applicable to the proposed project:

- Construct buildings and other structures with quality design and materials that are compatible with the waterfront character of Port San Luis.
- Use primarily native and other appropriate coastal vegetation for landscaping.
- Screen as recommended in the Harford Pier sub-area section above.
- Site structures, uses utilities, and roads to reduce visual impacts.
- Minimize visual impacts of new buildings by allowing uses to be divided into smaller components on the site and by incorporating variation in wall plane, wall height, and roof forms.
- Consider views to the site from public roads and offshore areas.
- Site harbor uses with sensitivity to visitor views from upper terraces to lower areas.
- Use latest lighting technology to decrease brightness.
- Discourage the use of chain link fencing. If chain link fencing is necessary, incorporate design elements such as landscaping and wooden posts to make it more attractive.

The Port Master Plan Final Program EIR (CMCA 2004) included the following mitigation measures, which are applicable to the proposed project:

V-1 *Grading shall be designed to conserve natural topographic features and appearances by means of land sculpturing to blend graded slopes and benches with natural topography.*

V-2 *Construction equipment and staging areas for the development of the Harbor Terrace and Avila parking lot sites shall be stored and located in the least visually prominent location on site, and/or screened from public view.*

V-3 *Lighting shall be hooded and designed to shine downward. To the extent practical, parking lot lighting shall be confined to the project site and shall be designed and oriented to ensure safety within the parking lots, access, and pedestrian walks. Lighting will be installed with the minimum foot-candles necessary to ensure safety.*

4.1.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. In addition to comparing the project to relevant policies and standards, the aesthetic resources assessment identified which specific criteria contribute most to the existing quality of each view and if change would occur to that criteria as a result of the project. If a change in visual criteria was identified, this change was analyzed for its potential effect on the existing scenic character. This analysis was combined with the potential number of viewers, their sensitivities, and viewing duration in order to determine the overall level of impacts. Specifically, the project would be considered to have a significant effect on the environment if the effects exceed the significance criteria described below.

a. Create an aesthetically incompatible site open to public view.

b. Introduce a use within a scenic view open to public view.

c. Change the visual character of the area.

d. Create glare or night lighting, which may affect surrounding areas.

e. Impact unique geological or physical features.

4.1.4 Impact Assessment and Methodology

A visual resource is the aggregate of characteristic features imparting visually aesthetic qualities to the environment. The setting for the visual resource may be natural (i.e., formed by nature with no apparent human intervention), rural, or urban. In describing the visual quality of an area or region, three attributes are relevant: visual condition, visual sensitivity, and scenic variety. The scenic variety of an area is a descriptive inventory of the distinguishing features of the landscape. Visual sensitivity indicates where adverse visual effects would be expected to generate the greatest controversy. Relevant factors include public concern, and the frequency with which the resource is viewed. Visual condition is the overall attractiveness of the resource and is a function not only of the appeal of inherent characteristics, but also of the effects of features that have been introduced and which appear incongruous.

Scenic variety is evaluated based on relative variations in natural characteristics such as landscape character, landforms, vegetation, drainage, and urban components, if applicable. In general, areas of steeper topography, with a wide variety of vegetation types, are considered "distinctive" and therefore more valuable aesthetically, while areas of relatively low relief and more homogenous vegetation are considered "common" or of "minimal" value. In general, landforms in the project area would be considered common to distinctive under the criteria presented. Outside of developed portions of the Avila Beach community, vegetation and

shorelines are likewise considered common to distinctive, as well as the general landscape character. As viewed from the beaches and local roadways, the community now presents a common to distinctive urban character, with areas of strong unity and proportion.

Visual Sensitivity. Visual sensitivity is the relative degree of public interest in the visual resource and concern over changes in the quality of that resource. The degree of interest and concern has not only to do with public attitudes, but also the frequency of viewing. Factors that affect visual sensitivity reflect the viewer's awareness of the scenic resources of the site, including the level of public concern, and frequency and level of detail at which the resource is viewed. Greater concern over visual quality is assumed to be felt by those driving for pleasure or those engaged in recreational activities. The community of Avila Beach is a major tourist destination within San Luis Obispo County. Inherent to its recreational value is the scenic quality of the area. Sensitivity to change is therefore considered high.

Visual Condition. The overall visual attractiveness of a region is defined as the visual condition. The determination is based on the inherent characteristic variety of the resources and the degree to which introduced features appear uncharacteristic or incongruous with their surroundings, thereby disrupting the continuity of the scene. Visual condition is termed high, moderate or low. Areas with high visual condition may have some incongruities, but they would be overlooked by the casual observer. Areas with moderate visual condition have incongruities that would compete with the inherent features of the site and may obscure such features to some degree. Areas with low visual condition have substantial incongruities that obscure natural features such that the inherent qualities of the area cannot be determined.

4.1.4.1 Key Viewpoints and Photo-simulations

Field reconnaissance was conducted in December 2013 by Robert Carr, Landscape Architect, to assess the existing visual setting and determine project visibility from public areas. Resulting from this initial review, representative viewpoints were determined for further analysis, based on dominance of the site within the view, duration of views, and expected sensitivity of the viewer group. Of those representative viewpoints, Key Viewpoints were selected that best illustrate the visual changes proposed by the project (refer to Figure 4.1-1). Photographs were taken from the following Key Viewpoints, which were selected to provide a reasonable analysis and representation of the project setting and public view areas:

Key Viewpoint 1: Harford Pier and San Luis Bay (Figures 4.1-2 and 4.1-3)

This viewpoint was selected due to the popularity of the Harford Pier and San Luis Bay. The photograph was taken near the existing boat launch and kayak rental facility. This viewpoint provides an expansive view of the project site, due to distance and perspective from the bay. The project site is visible for an extended period of time to persons walking northwest from the end of the Harford Pier to the shore and from boaters, kayakers, and paddlers within the bay. Visibility of the project site from is obscured in some locations by existing fishing and marine-related facilities on the pier. The waters of the bay are present in the foreground, Avila Beach Drive and parked RVs and vehicles are seen below a visible road cut, and the existing access roads, terraces, water tank, RVs, boats, and other storage materials are visible. The existing ridgeline is vegetated with a mix of grasses, coastal scrub, and oak woodland. Existing utility poles are also visible near Avila Beach Drive (refer to Figure 4.1-2)

Key Viewpoint 2: Olde Port Beach (Figures 4.1-4 and 4.1-5)

This viewpoint was selected due to the popularity of the beach area south of the project site. This viewing point is located on Olde Port Beach, southeast of the project site and below Avila

Beach Drive. The beach area is located in the foreground, and the existing steep road cut and ridgeline cut by Lighthouse Road dominate the view. The Babe Lane approach to Avila Beach Drive can be seen, in addition to existing RVs and vehicles parked on Avila Beach Drive. The boat dock at the entrance to the Port parking lot can be seen to the left of the photo (refer to Figure 4.1-4).

Key Viewpoint 3: Avila Beach Drive (Figures 4.1-6 and 4.1-7)

This viewing point represents a closer view of the project site, at the Diablo Canyon approach to Avila Beach Drive. This viewpoint was selected to represent public views of visitors exiting Port San Luis and heading towards the community of Avila, as seen from Avila Beach Drive. The emergency siren, utility poles, and chain link fencing can be seen, in addition to existing RVs parked on Avila Beach Drive. The existing road cut, the lower and upper terraces, and existing boat and RV storage can be seen (refer to Figure 4.1-6).

In order to understand the type and extent of physical change expected by project implementation, the physical size and form of buildings, structures, parking areas, RVs, and other site features, a three-dimensional (3D) model of generalized building massing and roof shape was developed using Sketch Up 3D software and placed in the perspective photo images that represent the Key Viewpoints noted above (refer to Figures 4.1-3, 4.1-5, and 4.1-7). All actual architectural detail, building and roof shape, massing, and site vegetation will be determined by a future developer, but would be generally consistent with the model. Buildings are presented to communicate a basic and preliminary visual character to be consistent with the San Luis Bay Area Plan requirements, including height (15 feet for cabins and 25 feet for commercial buildings). The visual simulations represent the most reasonable worst-case scenario as the buildings' massing, wall and roof articulation, openings, and general character communicate a basic consistency with the visual character as required per the San Luis Bay Area Plan. Future architectural design by the developer will refine the materials and articulation so that the visible portions of the building are appropriate to the setting, consistent with identified mitigation measures. Landscaping shown on the photo-simulations is intended to present conceptual vegetative treatments such as ground level plants and trees. The trees shown in the simulations are not intended to depict an exact species; however, they approximate the scale of a 10 to 15-year old native coast live oak or a 7 to 10-year-old ornamental tree. The simulations present trees (approximately 15 to 20 feet in height) and ground level vegetation in a general manner to not overly obscure the proposed buildings, and to present a conservative representation of vegetative screening after establishment and growth.

Figure 4.1-1. Key Viewpoints



Figure 4.1-2. Existing Visual Conditions Key Viewpoint 1



Figure 4.1-3. Photo-simulation of Proposed Project Key Viewpoint 1



Figure 4.1-4. Existing Visual Conditions Key Viewpoint 2



Figure 4.1-5. Photo-simulation of Proposed Project Key Viewpoint 2



Figure 4.1-6. Existing Visual Conditions Key Viewpoint 3



Figure 4.1-7. Photo-simulation of Proposed Project Key Viewpoint 3



4.1.5 Project Specific Impacts and Mitigation Measures

Create an Aesthetically Incompatible Site Open to Public View

The project site occupies a highly visible location as part of the Port San Luis viewshed as seen from a wide range of public viewpoints including roadways, beaches, the pier, and other recreational areas. Although the project site itself is degraded by previous actions and development, the greater visual context is considered a generally high-quality scenic vista due mostly to the varied and dramatic topography, patterns of native vegetation on the adjacent hillsides, the Pacific Ocean, sand beaches and cliffs, and the working and historic maritime structures and activities. The project would require re-grading of the site in designated areas, would construct new commercial and other buildings, and would increase parking and recreational vehicle activity on the site. Based on the location of the future Harbor Use building and analysis of visual simulations, the Harbor Use building would not be visible as seen from off-site locations due to intervening topography. Due to the steep viewing angle, and proximity of the roadway to the project site, the proposed commercial building may silhouette above the ridgeline as seen from Avila Beach Drive. This visual change would have the potential to adversely affect the Port San Luis scenic vista. Measures identified in the Port Master Plan and Final Program EIR would substantially reduce these potential adverse effects. However, review of the plans and photo-simulations indicate that visual impacts would remain even with implementation of the identified measures. As a result, additional measures are recommended to reduce visual impacts to a less than significant level, including standards to be incorporated into final site, grading, construction, and landscape plans.

AES Impact 1	
Implementation of the proposed project may result in the following potentially incompatible features: the proposed commercial building would potentially silhouette above the ridgeline as seen from locations along Avila Beach Drive; topographic constraints and proposed development area limits the creation of natural-appearing landform grading, which would result in constant planes with highly engineered appearance, which may be inconsistent with LCP visual policy; and, the parked recreational vehicles (RVs) on the hillside would be highly visible as seen from the majority of public viewpoints in and around the harbor, and the generally light-colors of the motor homes and trailers would increase their visibility, and add to a noticeable visual clutter on the hillside.	
Mitigation Measures	
AES/mm-1	*Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall design and site the commercial buildings(s) and new water tank (if required) so that no part is above the natural ridgeline in the background. This may be accomplished by measures including but not limited to setting the structure further back from the leading edge of the graded top-of-slope, reducing building height, and/or stepping the upper portions of the building back from the lower façade. Prior to Harbor District approval of construction and architectural plans for proposed structures, a sight-line study shall be prepared showing the buildings will not silhouette above the primary natural ridgeline as seen from Avila Beach Drive. The sight-line study shall be submitted to the County with the construction permit application.*
AES/mm-2	*Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall submit final landscape plans incorporating substantial screening of all engineered graded surfaces. The plant palette shall incorporate plants of varied-size that will produce a natural pattern of vegetative growth.* *a. Plants shall be arranged in natural appearing patterns using a combination of ground covers, different sized shrubs, and different sized trees. Plant types shall be native or native appearing.* *b. Trees and large shrubs shall be planted such that within 10 years after project construction, no more than 20% of the parked RVs and other vehicles (at full-use capacity) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier*

AES Impact 1
parking lot , and other public vantage points. Screening vegetation shall be strategically planted on the slopes in front of the parking areas, as well as on the flatter areas among the spaces. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to the project site. *c. Plant trees and large shrubs such that within 10 years after project construction, no more than 30% of the commercial and other buildings and structures including the water tank (if required) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to the project site.*
AES/mm-3 Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall submit plans showing proposed recreational vehicle (RV) parking spaces set back as far back from the edge of the graded terrace as feasible, while avoiding the creation of additional cut slopes and retaining walls.
Implement Port Master Plan Final Program EIR mitigation measures V-1, V-2, and V-3. *V-1 Grading shall be designed to conserve natural topographic features and appearances by means of land sculpturing to blend graded slopes and benches with natural topography.* *V-2 Construction equipment and staging areas for the development of the Harbor Terrace and Avila parking lot sites shall be stored and located in the least visually prominent location on site, and/or screened from public view.* *V-3 Lighting shall be hooded and designed to shine downward. To the extent practical, parking lot lighting shall be confined to the project site and shall be designed and oriented to ensure safety within the parking lots, access, and pedestrian walks. Lighting will be installed with the minimum foot-candles necessary to ensure safety.*
Residual Impacts
Based on the location of the project site, any development would be visible from public view areas including Harford Pier, San Luis Bay, Olde Port Beach, and Avila Beach Drive. In addition to several required standards, mitigation is identified for inclusion in final site and construction plans to facilitate visual compatibility to the maximum extent feasible, consistent with Coastal Policies related to visual and scenic resources, and the Port Master Plan. Based on compliance with existing regulations, mitigation measures identified in the Port Master Plan Final Program EIR, and additional mitigation measures identified above, residual impacts would be less than significant.

Introduce a Use within a Scenic View Open to Public View

As noted above, historical uses of the project site included a trailer park, RV and campsites, and storage areas. The proposed project would introduce uses similar to existing and historical uses, and would not consist of an entirely new use; however, the intensity of development, including commercial uses, swimming pool, comfort stations, cabins and yurts, and campsites would be greater than that of past uses and would be a noticeable change compared to the current setting. Please refer to impact discussion above, and below under “visual character.” No additional impact would occur under this significance threshold.

As noted above, RV camping is currently allowed on the ocean-side of Avila Beach Drive across from the parking area, which blocks views of the ocean and southern shoreline as seen from Avila Beach Drive. The proposed project would result in the relocation of these RV campsites onto the project site, which would open up highly scenic coastal views as seen from the roadway, resulting in a beneficial effect for pedestrians, bicyclists, and motorists.

Change the Visual Character of the Area

The existing visual character of the project site and its surroundings represents a variety of styles and eras of development. Historic structures such as the pier and associated buildings combine with more recent structures. The overall visual character is defined by the working and recreational maritime-related activities. The breakwater and rock-fortified beachfront slopes provide visual reminders of the powerful natural forces at work in the area. The character of the setting is equally defined by the natural setting including the surrounding hillsides and cliffs, the Pacific Ocean and sandy beaches, and the natural vegetative patterns. Currently the project site detracts from the visual character of the natural landscape because of its graded terraces and disturbed areas. Certain aspects of the project site however are not completely inconsistent with the visual character of the surrounding uses. The harbor is recognized in part as a working maritime zone, with boats, trailers, various equipment, and activities as part of the view. To some degree the project site contributes to the functional, working character of the area.

The project proposes a denser, more formal-appearing use for the site. The engineered slopes, commercial buildings, paved roadways, stairs, light poles, signage, and other elements would result in a substantially more organized, constructed-looking environment. In general, the proposed use of the site may not be unexpected given the sometimes intense level of existing activity that occurs in the area. Although the proposed use may be consistent with viewers' expectations, the potentially engineered-appearance of the graded terraces and formal and commercial appearance of structural development would substantially alter the character of the coastal setting. This adverse change in character could potentially be caused by such things as visible graded slopes, linear and commercial style landscaping, generic architectural styles (i.e., blocky, lack of articulation, monotonous rooflines, prefabricated plastic signage), buildings that are not subordinate to the setting, signage and lighting schemes that are obtrusive, and other elements.

Measures identified in the Port Master Plan and Port Master Plan Final Program EIR would substantially reduce these potential adverse effects. However, review of the plans and photo-simulations indicate that visual impacts would remain even with implementation of the identified measures. As a result the following additional measures are recommended to reduce visual impacts to a less than significant level.

AES Impact 2	
Implementation of the proposed project may result in changes to the visual character of the area, including the creation of visible graded slopes, monotonous landscaping, blocky and generic commercial architecture, and other features that are not subordinate to the visual setting.	
Mitigation Measures	
AES/mm-4	*Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall prepare and submit plans incorporating the following:* *a. All buildings and structures shall appear visually subordinate to the setting, blend with the hillside, and designed to reduce noticeability from off-site locations.* *b. Buildings shall reflect the historic character of the working harbor and shall be an architectural style distinct from the redeveloped buildings seen along Front Street in Avila Beach. Blocky, monotonous, and pre-fabricated architectural style and design shall not be applied.* *c. Buildings shall be pedestrian in scale, mass, layout, and appearance, (i.e., designed for visibility and use by pedestrians proximate to the building rather than visibility from Avila Beach Drive, such as finer distinctive architectural features, integration of art, massing and layout designed for function rather than to promote visibility, and smaller, lower*

AES Impact 2
positioned signage and lighting). Exterior colors, materials, and finishes shall visually blend with or complement the natural surroundings. *d. All site amenities including signage, light poles, street furniture, and other features shall be unobtrusive, blend with the setting, and support an architectural theme.* *e. All commercial buildings shall not exceed 25 feet in height, and shall be located on the lower, previously graded portions of the project site, consistent with San Luis Bay Coastal Area Plan Standards.* *~~e.~~ f. The design of above-ground retaining walls shall incorporate features of the natural setting, including colors and articulation (i.e., simulated stone) to blend the appearance of the visible portion of the retaining wall into the surrounding landscape.*
Implement Port Master Plan Final Program EIR mitigation measures V-1, V-2, and V-3. *V-1 Grading shall be designed to conserve natural topographic features and appearances by means of land sculpturing to blend graded slopes and benches with natural topography.* *V-2 Construction equipment and staging areas for the development of the Harbor Terrace and Avila parking lot sites shall be stored and located in the least visually prominent location on site, and/or screened from public view.* *V-3 Lighting shall be hooded and designed to shine downward. To the extent practical, parking lot lighting shall be confined to the project site and shall be designed and oriented to ensure safety within the parking lots, access, and pedestrian walks. Lighting will be installed with the minimum foot-candles necessary to ensure safety.*
Implement mitigation measures AES/mm-1, AES/mm-2, and AES/mm-3.
Residual Impacts
Based on the location of the project site, any development would be visible from public view areas including Harford Pier, San Luis Bay, Fisherman's Beach, Olde Port Beach, and Avila Beach Drive. In addition to several required standards, mitigation is identified for inclusion in final site and construction plans to ensure the final design of the project is consistent with the visual character of the area, consistent with Coastal Policies related to visual and scenic resources, and the Port Master Plan. Based on compliance with existing regulations, mitigation measures identified in the Port Master Plan Final Program EIR, and additional mitigation measures identified above, residual impacts would be less than significant.

Create Glare or Night Lighting

Because of the site's generally steep topography, variety of uses and activities, and 24-hour function, it is expected that extensive night lighting may be visible, including permanent lighting for public safety and portable lighting associated with RVs and campsites. This lighting would be visible from throughout the area and potentially from great distances down the coast. Glare from RV and vehicle windshields may also occur; however, the duration of the glare would be short-term during the day, and implementation of the proposed landscape plan would provide screening. Therefore, the effect would be less than significant. Measures identified in the Port Master Plan and Port Master Plan Final Program EIR would reduce these potential adverse effects to some degree. However, visual impacts would remain even with implementation of the identified measures. As a result, additional measures are recommended to reduce visual impacts caused by light and glare to a less than significant level.

AES Impact 3
Implementation of the proposed project would result in additional sources of light and glare, potentially affecting dark-sky views in the area.
Mitigation Measures
AES/mm-5 *Upon application for a construction permit from the County of San Luis Obispo, the Harbor District (or their designee) shall submit a comprehensive lighting plan to the Department of Planning and Building for review and approval showing the following:* *a. The Lighting Plan shall be based on a photometric study prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA), using guidance and best practices endorsed by the International Dark Sky Association.* *b. The Harbor District (or their designee) shall provide the specific technical data and performance criteria required by the applicable safety policy used as the basis for the lighting plan.* *c. As part of the Lighting Plan, illumination levels shall be the minimum required by the specifically defined public safety policy and ordinances.* *d. As part of the Lighting Plan, all lighting sources shall be directed downward and shielded from view from public roads, beaches, the pier, parking lots, and other off-site public areas.* *e. As part of the Lighting Plan, lights shall be designed and constructed to reduce illumination of the adjacent slopes and hillsides where applicable.* *f. As part of the Lighting Plan, lighting shall include low-height bollard-type fixtures and be equipped with motion sensors to the greatest extent allowed by safety and security codes.*
Implement Port Master Plan Final Program EIR mitigation measure V-3. *V-3 Lighting shall be hooded and designed to shine downward. To the extent practical, parking lot lighting shall be confined to the project site and shall be designed and oriented to ensure safety within the parking lots, access, and pedestrian walks. Lighting will be installed with the minimum foot-candles necessary to ensure safety.*
Residual Impacts
Based on the location of the project site, anticipated lighting requirements for security and public safety, and other sources of light (i.e., lanterns, recreational vehicle lighting), the project would result in light and glare that would affect dark-sky views in the immediate area. Although light and glare would be seen, and cannot be avoided, compliance with standard regulations for outdoor lighting and mitigation identified in the Port Master Plan Final Program EIR, and additional proposed mitigation measures would reduce the effects of light and glare to the maximum extent feasible. Therefore, potential impacts would be mitigated to less than significant.

Impact Unique Geological or Physical Features

Implementation of the proposed project would require re-grading and re-contouring of the existing landscape. The upper slopes of the ridgeline and surrounding coastal scrub, oak woodland, and drainage features on the site would remain intact. These features in the upper slopes are common to the area, and contribute to the high scenic quality. Based on the areas proposed for site alteration and development, the proposed project would not impact unique geological or physical features. Mitigation is identified above (AES/mm-1) in addition to mitigation required under the Port Master Plan Final Program EIR (V-1), which would address site alteration, and no additional impact would occur under this significance threshold.

4.1.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of the development of Harbor Terrace, identified potentially significant but mitigable and less than significant impacts that would occur as a result of build-out of the Port Master Plan. Potential impacts include an alteration of visual character and quality (less than significant upon implementation of mitigation measures), visibility of construction equipment (less than significant), and the creation of light and glare (less than significant upon implementation of mitigation measures). Implementation of the proposed project would contribute to these identified impacts, but would not result in a cumulatively considerable effect resulting in a significant, adverse, unavoidable effect. Mitigation is identified, including compliance with previously adopted mitigation for the Port Master Plan and additional mitigation measures specific to the currently proposed project at Harbor Terrace. No other major projects are proposed within the Harbor District.

Projects located outside of the Harbor District that may affect visual resources in the region include the Avila Point (Avila Tank Farm) remediation, general plan amendment, and development project. The Avila Tank Farm project site is located in a prominent location above the community of Avila Beach, approximately 1 mile east of Harbor Terrace. The visual analysis for the Avila Tank Farm project will be conducted as part of an EIR that will be prepared by the County and their consultants, and the impact analysis is not currently available. However, it can be anticipated that the project would have an effect on visual resources, including changes to visual character, introduction of new development features within the landscape, and creation of light and glare. Other smaller projects are anticipated within the Avila urban area, and would be subject to design standards identified in the Avila Specific Plan. All discretionary projects in the Avila and Port San Luis area would cumulatively shape the visual character of the region. Based on the existing visual setting onsite, the design of the project, and incorporation of identified mitigation measures, the proposed project would not have a significant, adverse, cumulative effect on visual resources.

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4.2 AIR QUALITY

The following section describes the existing air quality setting in San Luis Obispo County and the potential short-term and long-term air quality impacts associated with development of the proposed project. Emission rates were generated using standard emission factors and the California Emission Estimator Model (CalEEMod) modeling program, as applicable. CalEEMod data sheets and other emission calculations are included in the Air Quality and GHG Emissions Appendix (refer to Appendix C). This analysis attempts to provide a reasonable worst-case scenario of potential air emissions resulting from construction and operation of the project, and recommends mitigation to reduce those impacts to a less than significant level where feasible. Please refer to EIR Section 4.6 for an analysis of GHG Emissions and Climate Change.

4.2.1 Existing Conditions

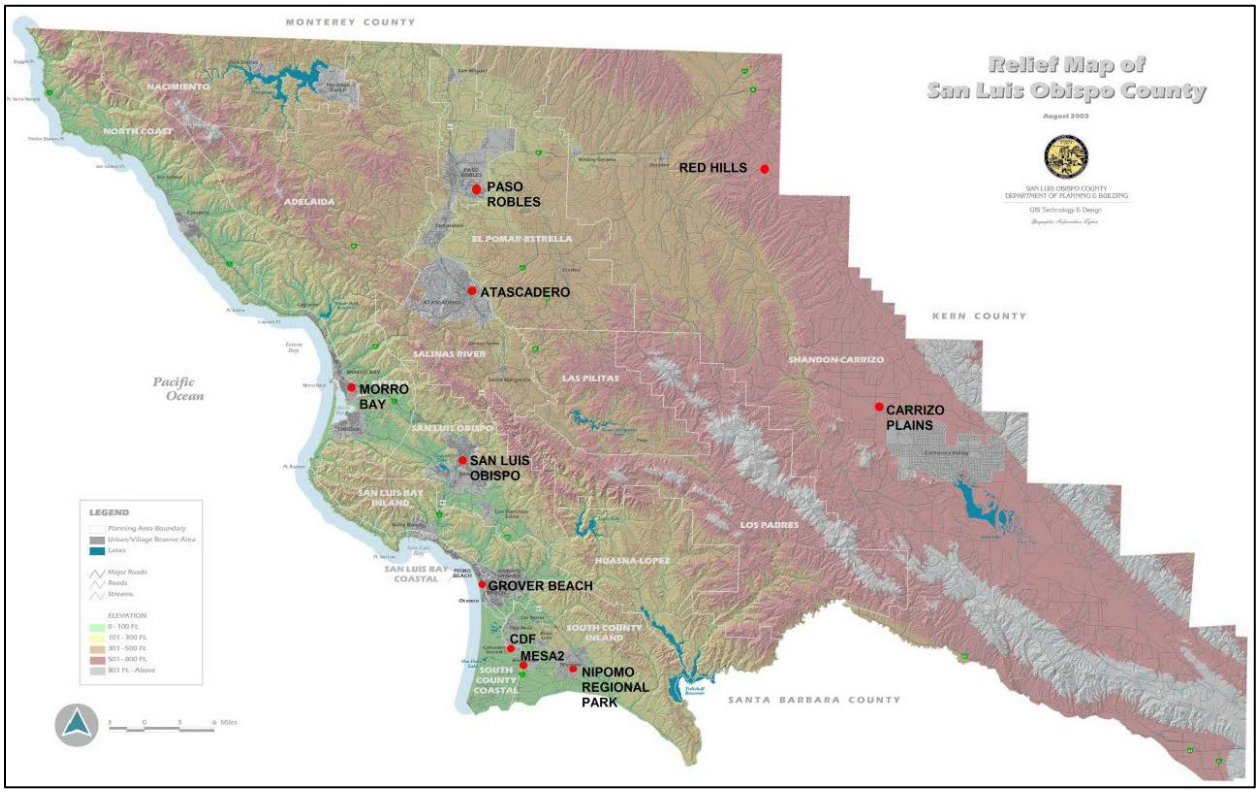
San Luis Obispo County constitutes a land area of approximately 3,316 square miles with varied vegetation, topography, and climate. From a geographical and meteorological standpoint, the county can be divided into three general regions: the Coastal Plateau, the Upper Salinas River Valley, and the East County Plain. Air quality in each of these regions is characteristically different, although the physical features that divide them provide only limited barriers to the transport of pollutants between regions. The proposed project is located within the Coastal Plateau (SLOAPCD 2001). Motor vehicles are the primary source of long-term emissions (SLOAPCD 2012a). Approximately 75% of the county population and corresponding portion of the commercial and industrial facilities are located within the Coastal Plateau. Due to higher population density and closer spacing of urban areas, emissions of air pollutants per unit area are generally higher in this region than in other regions of the county.

Asbestos can occur naturally in certain rock formations, such as those that include serpentine or ultramafic rock. At this site, the Franciscan Melange is present, generally underlying the Monterey Formation. It is a mixed-rock unit that, in this locale, consists predominantly of highly fractured green serpentine, dark-green to black shale, and metavolcanic rocks. Based on review of the SLOAPCD's Naturally Occurring Asbestos Zones Map, the project site is located in an area potentially containing naturally occurring asbestos.

4.2.1.1 San Luis Obispo County Air Quality Monitoring

The county's air quality is measured by multiple air ambient air quality monitoring stations, including a station located in Grover Beach approximately 8 miles southeast of the project site. There are ten permanent stations in the county; eight stations are operated by the SLOAPCD and two stations (San Luis Obispo and Paso Robles) are operated by the California Air Resources Board (CARB) (refer to Figure 4.2-1). Air quality monitoring is rigorously controlled by federal and state quality assurance and control procedures to ensure data validity. Gaseous pollutant levels are measured continuously and averaged each hour, 24 hours a day. Particulate matter is monitored in two ways: PM_{10} (inhalable particulate matter 10 microns or less in size) and $PM_{2.5}$ (inhalable particulate matter 2.5 microns or less in size) are sampled hourly (SLOAPCD 2013a).

Figure 4.2-1. Ambient Air Monitoring Stations



Source: SLOAPCD 2014

4.2.1.2 San Luis Obispo County Existing Air Quality

The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected, and include a factor of safety. In San Luis Obispo, ozone and fine particulate are the pollutants of main concern, since exceedances of state health-based standards for those pollutants are experienced in some areas of the county.

San Luis Obispo County Attainment Status

Table 4.2-1 summarizes the attainment status in San Luis Obispo County for the major criteria pollutants. The county is designated as a non-attainment area for the state ozone and PM_{10} standards.

Table 4.2-1. San Luis Obispo County Attainment Status

Pollutant	Averaging Time	California Standards*		Federal Standards*	
		Concentration*	Attainment Status	Concentration	Attainment Status
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m^3)	Non-Attainment	--	Non-Attainment Eastern SLO County – Attainment Western SLO County***
	8 Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)	
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m^3	Non-Attainment	150 µg/m^3	Unclassified*/ Attainment
	Annual Arithmetic Mean	20 µg/m^3		--	
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	No State Standard	Attainment	35 µg/m^3	Unclassified*/ Attainment
	Annual Arithmetic Mean	12 µg/m^3		12.0 µg/m^{3*****}	
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m^3)	Attainment	9 ppm (10 mg/m^3)	Unclassified*
	1 Hour	20 ppm (23 mg/m^3)		35 ppm (40 mg/m^3)	
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Attainment	0.053 ppm (100 µg/m^3)	Unclassified*
	1 Hour	0.18 ppm (330 µg/m^3)		100 ppb (196 mg/m^3)	
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	--	Attainment	0.030 ppm (80 µg/m^3)	Unclassified*
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (365 µg/m^3)	
	3 Hour	--		0.5 ppm (1300 µg/m^3)**	
	1 Hour	0.25 ppm (655 µg/m^3)		75 ppb (196 mg/m^3)	
Lead*	30 Day Average	1.5 µg/m^3	Attainment	--	No Attainment Information
	Calendar Quarter	--		1.5 µg/m^3	
	Rolling 3-month Average*	--		0.15 µg/m^3	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per kilometer – visibility of 10 miles or more (0.07-30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70%. Method: Beta Attenuation and Transmittance through Filter Tape.	Attainment	No Federal Standards	
Sulfates	24 Hour	25 µg/m^3	Attainment		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m^3)	Attainment		
Vinyl Chloride*	24 Hour	0.01 ppm (26 µg/m^3)	No Attainment Information		

* Unclassified (US EPA/Federal definition): Any area that cannot be classified on the basis of available information as meeting or not meeting the national primary or secondary ambient air quality standard for that pollutant.

** Secondary Standard

*** San Luis Obispo County has been designated non-attainment east of the -120.4 deg Longitude line, in areas of San Luis Obispo County that are south of 35.45 degrees, and east of the -120.3 degree Longitude line, in areas of San Luis Obispo County that are north of latitude 35.45 degrees. Map of non-attainment area is available upon request from the SLOAPCD.

***** Federal $PM_{2.5}$ Secondary Standard is 15 ug/m^3

Source: SLOAPCD 2013b

4.2.2 Regulatory Setting

4.2.2.1 Federal Policies and Regulations

Air quality protection at the national level is provided through the Clean Air Act (CAA), enacted in 1970 and significantly amended in 1990. These amendments represent the fifth major effort by the U.S. Congress to improve air quality. The federal CAA is generally less stringent than the California Clean Air Act. However, unlike the California law, the CAA set statutory deadlines for attaining federal standards. The 1990 amendments added several new sections to the law, including requirements for the control of toxic air contaminants, reductions in pollutants responsible for acid deposition, development of a national strategy for stratospheric ozone and global climate protection, and requirements for a national permitting system for major pollution sources.

4.2.2.2 State Policies and Regulations

The California Clean Air Act (CCAA) was signed into law in September 1988. It requires all areas of the state to achieve and maintain the California ambient air quality standards by the earliest practicable date. These standards are generally more stringent than the federal standards; thus, emission controls to comply with the state law are typically more stringent than necessary for attainment of the federal standards. The CCAA requires that all Air Pollution Control Districts adopt and enforce regulations to achieve and maintain the state ambient air quality standards for the area under its jurisdiction. Pursuant to the requirements of the law, the SLOAPCD adopted a Clean Air Plan (CAP) for its jurisdiction in 2001.

4.2.2.3 Local Policies and Regulations

The 2001 CAP (SLOAPCD 2001) is a comprehensive planning document intended to provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{10}. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. The following is a brief summary of programs currently implemented by SLOAPCD to reduce emissions and exposure to criteria and toxic air pollutants:

- **Rules and Regulations.** Numerous rules adopted by the County Board of Supervisors and implemented by SLOAPCD to address criteria pollutant emissions. For instance, several SLOAPCD rules address conventional emissions from combustion sources such as boilers, heaters, and engines that often result in equipment modifications or replacement that improves the energy efficiency of those units and reduces fossil fuel use. Similarly, rules that regulate or prohibit open burning activities reduce carbon dioxide (CO_2) emissions from that activity. SLOAPCD Rule 426 regulates landfill emissions of methane.

- **Clean Fuels.** SLOAPCD is actively involved in and supports the efforts of the Central Coast Clean Cities Coalition (C5), a local nonprofit coalition which promotes the use of cleaner alternative fuel technologies. With over 40% of the GHG emissions coming from mobile sources, these efforts are an essential tool in reducing fossil fuel use and associated CO_2 emissions.

- **Development Review.** Through the CEQA review process, SLOAPCD evaluates impacts from land use development projects and recommends measures to reduce emissions. Mitigation measures focus on reducing emissions from motor vehicles and

improving energy efficiency, both of which directly reduce criteria pollutants and GHGs. Such strategies include incorporation of energy efficiency measures (increased insulation, high efficiency appliances and lighting, passive and active solar systems, etc.) that go beyond current building standards, and including Smart Growth principles into the project design to reduce vehicle trips and increase the viability of alternative transportation.

- **Grant Programs.** Many emission reduction projects funded through the various grant programs administered by SLOAPCD result in replacement or retrofit of older, high emission engines with cleaner and more efficient engines that simultaneously reduce fuel use, thus reducing CO_2 emissions. Conversion of stationary and mobile diesel engines to natural gas or electric motors also serves to reduce CO_2 emissions.

- **Transportation Choices Program.** In partnership with San Luis Obispo Regional Rideshare, Ride-On, and SLOAPCD, the Transportation Choices Program (TCP) is a free program offered to businesses and organizations throughout San Luis Obispo County to reduce employee and student commute trips and promote the use of alternative transportation.

- **Pollution Prevention.** The Pollution Prevention Program promotes the use of, and publicly recognizes small businesses which successfully employ, pollution prevention and emission reduction techniques as part of routine operating procedures. Many of the businesses so recognized have incorporated operational changes that reduce their emissions through efficiency improvements that also reduce fuel and produce use and save energy.

- **Public Outreach.** SLOAPCD implements a number of outreach campaigns to promote a variety of clean air programs, including backyards burning reduction programs, clean car awareness, pollution prevention, energy efficiency, and transportation alternatives, all of which promote community consciousness and lifestyle choices that can help reduce our impacts on climate change.

4.2.3 Thresholds of Significance

The significance of potential air quality impacts is based on thresholds identified within Appendix G of the CEQA Guidelines, the San Luis Obispo County Initial Study Checklist, and standards established within the SLOAPCD CEQA Air Quality Handbook (SLOAPCD 2012a). The specifics of these guidelines are defined below.

The significance of potential impacts is based on thresholds identified within Appendix G of the CEQA Guidelines and the County Initial Study Checklist, which provide the following thresholds for determining impact significance with respect to air quality and climate change. Impacts would be considered significant if the proposed project would:

a. Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by the SLOAPCD.

b. Expose any sensitive receptor to substantial air pollutant concentrations.

c. Create or subject individuals to objectionable odors.

d. Be inconsistent with the District's Clean Air Plan.

e. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

f. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

The SLOAPCD has developed the 2012 CEQA Air Quality Handbook (SLOAPCD 2012a) to assist lead agencies, planning consultants, and project proponents in assessing the potential air quality impacts from residential, commercial, and industrial development. The CEQA Handbook defines the criteria used by the SLOAPCD to determine when an air quality analysis is necessary, the type of analysis that should be performed, the significance of the impacts predicted by the analysis, and the mitigation measures needed to reduce the overall air quality impacts. According to the CEQA Handbook, project impacts may also be considered significant if one or more of the following special conditions apply:

- If the project has the ability to emit hazardous or toxic air pollutants in the close proximity of sensitive receptors, such that an increased cancer risk affects the population;
- If the project has the potential to emit diesel particulate matter in an area of human exposure, even if overall emissions are low;
- If the project proposes remodeling or demolition operations where asbestos-containing materials will be encountered;
- If naturally occurring asbestos has been identified in the project area;
- If project has the ability to emit hazardous or toxic air pollutants in the close proximity of sensitive receptors, such as schools, churches, hospitals, etc.; or,
- If the project results in a nuisance odor problem to sensitive receptors.

Significance of Short-Term Construction Emissions

Heavy equipment and earth-moving operations can generate construction dust and combustion emissions. These may have substantial temporary impacts on local air quality. Table 4.2-2 summarizes the level of construction-related emissions requiring mitigation.

Table 4.2-2. Thresholds of Significance for Construction Emissions

Pollutant	Threshold		
	Daily (lbs)	Quarterly Tier 1 (tons)	Quarterly Tier 2 (tons)
Reactive organic gases (ROG) and Nitrates of Oxygen (NO_x) combined	137	2.5	6.3
Diesel particulate matter (DPM)	7	0.13	0.32
Fugitive particulate matter (PM_{10}), dust	n/a	2.5	n/a
Greenhouse Gases (CO_2, methane [CH_4], nitrous oxide [N_2O], hydrofluorocarbon [HFC], chlorofluorocarbon [CFC], sulfur hexafluoride [F_6S])	Amortized and Combined with Operational Emissions (see below)		

Source: SLOAPCD 2012a

Mitigation of construction activities is required when the emission thresholds are equaled or exceeded by fugitive and/or combustion emissions as follows:

Reactive Organic Gases (ROG) and Nitrates of Oxygen (NO_x) Emissions

- **Daily:** For construction projects expected to be completed in less than one quarter (90 days), exceedance of the 137 pounds per day (lbs/day) threshold requires Standard Mitigation Measures;

- **Quarterly – Tier 1:** For construction projects lasting more than one quarter, exceedance of the 2.5 tons per quarter (ton/qtr) threshold requires Standard Mitigation Measures and Best Available Control Technology (BACT) for construction equipment. If implementation of the Standard Mitigation and BACT measures cannot bring the project below the threshold, off-site mitigation may be necessary; and,

- **Quarterly – Tier 2:** For construction projects lasting more than one quarter, exceedance of the 6.3 ton/qtr threshold requires Standard Mitigation Measures, BACT, implementation of a Construction Activity Management Plan (CAMP), and off-site mitigation.

Diesel Particulate Matter Emissions

- **Daily:** For construction projects expected to be completed in less than one quarter, exceedance of the 7 lbs/day threshold requires Standard Mitigation Measures;

- **Quarterly – Tier 1:** For construction projects lasting more than one quarter, exceedance of the 0.13 ton/qtr threshold requires Standard Mitigation Measures, and BACT for construction equipment; and,

- **Quarterly – Tier 2:** For construction projects lasting more than one quarter, exceedance of the 0.32 ton/qtr threshold requires Standard Mitigation Measures, BACT, implementation of a CAMP, and off-site mitigation.

Fugitive Particulate Matter (PM10), Dust Emissions

- **Quarterly:** Exceedance of the 2.5 ton/qtr threshold requires Fugitive PM_{10} Mitigation Measures and may require the implementation of a CAMP.

Special Conditions for Construction Activity

In addition to the construction air quality thresholds defined above, there are a number of special conditions, local regulations, or state and federal rules that apply to construction activities. These conditions must be addressed in proposed construction activity and are summarized below.

Sensitive Receptors

The proximity of sensitive individuals (receptors) to a construction site constitutes a special condition and may require a more comprehensive evaluation of toxic diesel PM impacts and, if deemed necessary by the SLOAPCD, more aggressive implementation of mitigation measures than described below in the diesel idling section. Areas where sensitive receptors are most likely to spend time include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling unit(s). The types of construction projects that typically

require a more comprehensive evaluation include large-scale, long-term projects that occur within 1,000 feet of a sensitive receptor location(s).

Permits

Portable equipment and engines 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the CARB) or an Air Pollution Control District permit.

Significance of Long-term Operational Emissions

The threshold criteria established by the SLOAPCD to determine the significance and appropriate mitigation level for long-term operational emissions (i.e., vehicular and area source emissions) from a project are presented in Table 4.2-3, below. Emissions that equal or exceed the designated threshold levels are considered potentially significant and should be mitigated. As shown in the table, the level of analysis and mitigation recommended follows a tiered approach based on the overall amount of emissions generated by the project. For projects requiring air quality mitigation, the SLOAPCD has developed a list of both standard and discretionary mitigation strategies tailored to the type of project being proposed: residential, commercial, or industrial.

Table 4.2-3. Thresholds of Significance for Operational Emissions

Pollutant	Threshold	
	Daily (lbs)	**Annual (tons/year)**
Ozone Precursors (ROG+NOx)[1]	25	25
Diesel Particulate Matter (DPM)[1]	1.25	n/a
Fugitive Particulate Matter (PM_{10}), Dust	25	25
CO	550	n/a
Greenhouse gases	*Consistency with a Qualified Greenhouse Gas Reduction Plan or 1,150 metric tons (MT) CO_2 equivalent (CO_2e)/year or 4.9 CO_2e/Service Population (SP)/year (residents + employees)*	

[1] CalEEMod – use winter operational emission data to compare to operational thresholds.

Source: SLOAPCD 2012a, 2012b

Ozone Precursor Emissions

- If the project's ozone precursor emissions are below the APCD's **25 lbs/day** (combined ROG+NOx emissions) the project would not exceed the significant threshold identified by SLOAPCD and no ozone mitigation measures are necessary.

- Projects that emit **25 lbs/day** or more of ozone precursors (ROG+NOx combined) have the potential to cause significant air quality impacts, and should be submitted to the SLOAPCD for review. On-site mitigation measures, following the guidelines in §3.7 of the CEQA Air Quality Handbook (*Operational Emission Mitigation*), are recommended to reduce air quality impacts to a level of insignificance.

If all feasible mitigation measures are incorporated into the project and emissions can be reduced to less than 25 lbs/day, the proposed project would not exceed the significance threshold identified by SLOAPD (following implementation of mitigation measures).

If all feasible mitigation measures are incorporated into the project and emissions are still greater than 25 lbs/day, then an EIR should be prepared. Additional mitigation measures, including off-site mitigation, may be required depending on the level and scope of air quality impacts identified in the EIR.

- Projects which emit **25 tons/year** or more of ozone precursor (ROG+NOx combined), require the preparation of an EIR. Depending upon the level and scope of air quality impacts identified in the EIR, mitigation measures, including off-site mitigation, may be required to reduce the overall air quality impacts of the project to a level of insignificance.

Diesel Particulate Matter Emissions

Diesel particulate matter (DPM) is seldom emitted from individual projects in quantities, which lead to local or regional air quality attainment violations. DPM is, however, a toxic air contaminant and carcinogen, and exposure to DPM may lead to increased cancer risk and respiratory problems. Certain industrial and commercial projects may emit substantial quantities of DPM through the use of stationary and mobile on-site diesel-powered equipment as well diesel trucks and other vehicles that serve the project.

Projects that emit more than **1.25 lbs/day** of DPM need to implement on-site BACT measures. If sensitive receptors are within 1,000 feet of the project site, a Health Risk Assessment (HRA) may also be required.

Fugitive Particulate Matter (Dust) Emissions

Projects which emit more than **25 lbs/day** or **25 tons/year** of fugitive particulate matter need to implement permanent dust control measures to mitigate the emissions below these thresholds or provide suitable off-site mitigation approved by the SLOAPCD. Operational fugitive dust emissions from a proposed project are calculated using the California Emissions Estimator Model (CalEEMod) model discussed in §3.6.1 of the CEQA Handbook. Typical sources of operational emissions included the following:

- **Paved roadways:** Vehicular traffic on paved roads that are used to accesses large residential, commercial, or industrial projects can generate significant dust emissions.

- **Off- and/or on-site unpaved roads or surfaces:** Even at low traffic volume, vehicular traffic on unpaved roads or surfaces that are used to accesses residential, commercial, or industrial operations or that accesses special events, etc., can generate significant dust emissions.

- **Industrial and/or commercial operations:** Certain industrial operations can generate significant dust emissions associated with vehicular access, commercial or industrial activities.

Any of the above referenced land uses or activities can result in dust emissions that exceed the SLOAPCD significance thresholds, cause violations of an air quality standard, or create a

nuisance impact in violation of SLOAPCD Rule 402 *Nuisance*. In all cases where such impacts are predicted, appropriate fugitive dust mitigation measures shall be implemented.

Carbon Monoxide Emissions

Carbon monoxide (CO) is a colorless, odorless, tasteless gas emitted during combustion of carbon-based fuels. While few land use projects result in high emissions of CO, this pollutant is of particular concern when emitted into partially or completely enclosed spaces such as parking structures and garages. Projects that emit more than 550 lbs/day of CO and occur in a confined or semi-confined space (e.g., parking garage or enclosed indoor stadium) must be modeled to determine their significance. In confined or semi-confined spaces where vehicle activity occurs, CO modeling is required. If modeling shows the potential to violate the state CO air quality standard, mitigation or project redesign is required to reduce CO concentrations to a level below the health-based standard.

Guidelines for Applying ROG, NO_x and PM_{10} Mitigation Measures

In general, projects that do not exceed the 25 lbs/day ROG+NOx threshold do not require mitigation. For projects that exceed this threshold, the SLOAPCD has developed a list of mitigation strategies for residential, commercial, and industrial projects. The project proponent may suggest alternate mitigation measures if the APCD-suggested measures are not feasible. The recommended standard air quality mitigation measures have been separated according to land use (i.e., residential, commercial and industrial), measure type (i.e., site design, energy efficiency and transportation) and pollutant reduced (i.e., ozone, particulate matter, DPM, and GHGs). Any residential, commercial, or industrial project generating 25 lbs/day or more of $ROG+NO_x$ or PM_{10} should select the applicable number of mitigation measure as outlined below from Table 3-5 of the CEQA Air Quality Handbook to reduce the air quality impacts from the project below the significance thresholds.

4.2.4 Impact Assessment and Methodology

The APCD has established four separate categories of evaluation for determining the significance of air quality emissions. Full disclosure of the potential air pollutant and/or toxic air emissions from a project is needed for these evaluations, as required by CEQA. The evaluation categories include:

- Comparison of calculated project emissions to APCD emission thresholds;
- Consistency with the most recent Clean Air Plan;
- Comparison of predicted ambient pollutant concentrations resulting from the project to federal and state health standards, where applicable; and,
- The evaluation of special conditions that apply to certain projects.

Emission estimates for the proposed project have been quantified using CalEEMod software, and significance determinations are based on the SLOAPCD 2012 CEQA Air Quality Handbook and SLOAPCD CAP.

4.2.5 Project Specific Impacts and Mitigation Measures

The proposed project would result in both short-term construction-related impacts and long-term operational impacts. Grading and construction activities would result in the creation of construction dust, as well as short-term construction vehicle emissions. Fugitive dust emissions would result from land clearing, ground excavation, cut and fill operations, and equipment traffic. Combustion emissions, such as NO_x and DPM, are most significant when using large diesel fueled scrapers, loaders, dozers, haul trucks, compressors, generators, and other types of equipment. Operational impacts would include increased vehicle traffic and area source emissions from various project components. Construction-related and operational emissions are analyzed separately under each threshold below.

Violate Air Quality Standard or Exceed Emission Threshold

Construction-Related Emissions

As proposed, the project would result in the disturbance of approximately 16.5 acres, including approximately 115,000 cubic yards of cut and 43,000 cubic yards of fill. Based on recommendations identified in the Geologic/Geologic Hazards Study (Earth Systems Pacific 2014), and presence of crude-oil contaminated soil underlying the project site, grading activities would include the export of approximately 72,000 cubic yards of soil offsite. These actions would result in emissions of ROG, NO_x, PM_{10}, and DPM. Table 4.2-4 below identifies the potential emissions prior to implementation of default mitigation options identified in CalEEMod. Estimated emissions after implementation of standard mitigation measures are shown in Table 4.2-5. Based on the results of the modeling, construction of the proposed project would exceed daily and Quarterly Tier 2 thresholds for ROG+NO_x and DPM even after application of standard mitigation measures; therefore additional mitigation including a CAMP and potentially off-site mitigation are required.

Table 4.2-4. Construction Emissions (Unmitigated)

	ROG	NO_x	PM_{10}	DPM	CO_{2e}
Winter Emissions (lbs/day)	354.50	330.48	20.83	14.65	60,852.20
Threshold (lbs/day)	137 (ROG and NO_x)		n/a	7	n/a
Mitigation Required	**Yes**		n/a	**Yes**	n/a
Quarterly Emissions (tons/90 days)	15.95	14.87	0.94	0.66	n/a
Quarterly Tier 1 (tons)	2.5 (ROG and NO_x)		2.5	0.13	n/a
Mitigation Required	**Yes**		No	**Yes**	n/a
Quarterly Tier 2 (tons)	6.3 (ROG and NO_x)		n/a	0.32	n/a
Mitigation Required	**Yes**		n/a	**Yes**	n/a
Annual Emissions (tons/yr)	4.15	7.70	0.46	0.67	1,055.74
Annual Threshold (tons/yr)	25 (ROG and NO_x)		25	n/a	n/a
Mitigation Required	No		No	n/a	n/a

Table 4.2-5. Construction Emissions (After Application of Standard Mitigation Measures)

	ROG	NO_x	PM_{10}	DPM	CO_{2e}
Winter Emissions (lbs/day)	351.08	293.56	15.98	8.18	60,852.20
Threshold (lbs/day)	137 (ROG and NO_x)		n/a	7	n/a
Additional Mitigation Required	**Yes**		n/a	**Yes**	n/a
Quarterly Emissions (tons/90 days)	15.80	13.21	0.0005	0.37	2,738.35
Quarterly Tier 1 Threshold (tons)	2.5 (ROG and NO_x)		2.5	0.13	n/a
Additional Mitigation Required	**Yes**		No	**Yes**	n/a
Quarterly Tier 2 Threshold (tons)	6.3 (ROG and NO_x)		n/a	0.32	n/a
Additional Mitigation Required	**Yes**		n/a	**Yes**	n/a
Annual Emissions (tons/year)	3.73	5.31	0.35	0.19	1,055.74
Annual Threshold (tons/yr)	25 (ROG and NO_x)		25	n/a	n/a
Additional Mitigation Required	No		No	n/a	n/a

Air emissions of criteria pollutants (CO, ROG, NO_x, SO_2, and PM_{10}) during construction would result from the use of construction equipment with internal combustion engines (e.g., backhoes, cranes), and off-site vehicles (e.g., construction employee commuter vehicles and trucks delivering equipment and hauling materials to and from the site). Air emissions from construction equipment were estimated using the emission factors and equations from the CalEEMod software. Emissions of DPM would result from the use of diesel powered construction equipment and vehicles, and would occur within 1,000 feet of sensitive receptors (visitors to Old Fisherman's and Olde Port Beach).

As shown in Table 4.2-4, implementation of Standard Construction Measures, and use of Tier 3 or Tier 4 engines and diesel particulate filters would reduce ROG, NO_x, and DPM emissions; however, based on standard defaults in the CalEEMod program, these mitigation measures would not reduce construction-related emissions below Quarterly Tier 2 thresholds. Additional mitigation is required, including BACT and CAMP. It may be feasible, based on further refinement of the grading and construction plans (i.e., actual fleet make-up, emissions level, and schedule) during preparation of the CAMP to reduce emissions below Quarterly Tier 2 thresholds. If, after the standard and BACT mitigation measures are factored into the refined emission estimation, the project still exceeds the Tier 2 threshold, then SLOAPCD-approved off-site mitigation would be required. Coordination with the SLOAPCD should begin at least 6 months prior to issuance of grading permits for the project to allow time for refining calculations and for the SLOAPCD to review and approve the CAMP and off-site mitigation approach.

If required, the Harbor District may apply off-site mitigation funding towards implementation of SLOAPCD-approved ROG+NO_x and GHG emission reduction projects, or they may pay the off-site mitigation for projects plus an administration fee of 15% to the SLOAPCD to administer emission reduction projects. The Harbor District shall provide this funding at least two months

prior to the start of construction to help facilitate emission offsets that are as real-time as possible. If possible, the phase impacts should be addressed through one transaction.

AQ Impact 1	
Construction activities would generate ROG+NO_x and DPM emissions that exceed SLOAPCD thresholds of significance.	
Mitigation Measures	
AQ/mm-1	*Prior to issuance of grading permits from the County of San Luis Obispo, and throughout project construction, as applicable, the Harbor District or their designee shall implement the following construction emission reduction measures:* *a. Properly maintain all construction equipment in proper tune according to manufacturer's specifications;* *b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);* *c. Use CARB Tier 3 certified diesel construction equipment or cleaner off-road heavy-duty diesel engines, and comply with state Off-Road Regulations;* *d. Use CARB 2007 or cleaner certified on-road heavy-duty diesel trucks and comply with state On-Road Regulations.* *e. If construction or trucking companies that are awarded the bid or are subcontractors for the project do not have equipment to meet the above two measures, the impacts from the dirtier equipment shall be addressed through SLOAPCD approved off-site or other mitigation measures;* *f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and job sites to remind drivers and operators of the 5-minute idling limit.* *g. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies. Sensitive receptors are defined in the SLOAPCD Handbook as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units;* *h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of SLOAPCD, including monitoring or low-particulate engine technologies;* *i. Equipment shall be electrified when feasible;* *j. Substitute gasoline-powered or diesel hybrids in place of diesel-powered equipment, where feasible; and* *k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.*
AQ/mm-2	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall ensure SLOAPCD regulations that prohibit developmental burning of vegetative material within San Luis Obispo County are followed.*
AQ/mm-3	*Prior to issuance of grading permits, the Harbor District or their designee shall ensure that portable equipment and engines 50 horsepower or greater, used during grading and construction activities have a California portable equipment registration (issued by the CARB) or an SLOAPCD permit. Proof of registration must be provided to the SLOAPCD prior to the start of grading or construction or a permit secured from the SLOAPCD prior to the start of grading or construction. The following list is a guide to equipment and operations that may have permitting requirements, but it is not exclusive:* *a. Power screens, conveyors, diesel engines, and/or crushers;* *b. Portable generators and equipment with 50-horsepower or greater engines;* *c. Internal combustion engines;* *d. Unconfined abrasive blasting operations;*

AQ Impact 1	
	e. Concrete batch plants; *f. Rock and pavement crushing;* *g. Tub grinders; and* *h. Trommel screens.*
AQ/mm-4	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall obtain the required SLOAPCD permits for the removal or remediation of hydrocarbon contaminated soil. In addition, the following measures shall be implemented unless otherwise directed by the SLOAPCD upon a finding that alternative measures will result in equal or greater reduction in emission of air contaminants:* *a. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;* *b. Contaminated soil shall be covered with at least 6 inches of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp, or other methods as approved by the SLOAPCD. No headspace shall be allowed where vapors could accumulate;* *c. Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;* *d. The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated, with emissions estimates provided to the SLOAPCD and mitigated with low emission trucks, low emission construction equipment, and/or offsets if needed, if total emissions exceed the SLOAPCD's construction phase thresholds. An estimate of these emissions is included in this EIR;* *e. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance, or violation of SLOAPCD regulations would result;* *f. Clean soil must be segregated from contaminated soil; and* *g. The permit shall specify applicable criteria established by SLOAPCD.* *The notification and permitting determination requirements shall be directed to the SLOAPCD Engineering Division.*
AQ/mm-5	*Prior to issuance of grading permits from the County of San Luis Obispo, or during construction, if emissions of ROG+NOx with the above mitigations still exceed the thresholds, the Harbor District or their designee shall secure SLOAPCD-approved off-site reductions in ROG+NOx emissions to ensure that ROG+NOx emissions do not exceed the SLOAPCD quarterly thresholds. Coordination with the SLOAPCD should begin at least 6 months prior to issuance of grading permits for the project to allow time for refining calculations and for the SLOAPCD to review and approve the CAMP and off-site mitigation approach. Emissions calculations and results of the subsequent air quality analysis shall be provided to the County Environmental Coordinator for review and approval, in addition to the SLOAPCD.*
AQ/mm-6	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall ensure that all grading and construction equipment greater than 100 bhp be equipped with CARB Level 3 diesel particulate filters (DPF), or equivalent, to achieve an 85% reduction in diesel particulate emissions. If CARB verified Level 3 DPFs cannot be secured for all of the equipment greater than 100 hp then the Harbor District (or their designee) will work to offset the added DPM with measures including but not limited to schedule modifications, implementation of no idling requirement, and expanded implementation of AQ/mm-1 measures i, j, and k (e.g., use of alternative fueled generators).*
AQ/mm-7	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall produce a schedule detailing the phasing of activities and ensuring that the emissions of diesel particulates in any quarter falls below the applicable SLOAPCD thresholds. As an alternative approach, if scheduling is not feasible, the Harbor District or their designee shall provide SLOAPCD-approved off-site reductions in DPM emissions to ensure that DPM emissions do not exceed the SLOAPCD thresholds.*
Implement mitigation measures GHG/mm-1 and GHG/mm-2.	

AQ Impact 1
Residual Impacts
Implementation of Standard Construction Measures, BACT, and CAMP, including further refinement of the grading and construction schedule and subsequent modeling using actual fleet mixes and schedules may reduce potential air quality impacts to less than significant. If emissions are not shown to be reduced below SLOAPCD thresholds, off-site mitigation would be required. In combination, these measures would reduce potential impacts to less than significant.

During construction, a large portion of PM10 emissions typically arises from large pieces of equipment and vehicles traveling on disturbed soil, unpaved surfaces, and various earth-moving activities, such as grading and clearing. These emissions are known as "fugitive dust" and depend heavily on the size of the graded area, the volume of soil moved, the number of vehicles and construction machinery required, the duration of construction and the soil conditions (i.e., level of moisture, soil type). The fugitive PM10 emissions are estimated based on a disturbed area as provided on the preliminary grading plans. Grading activities could potentially result in a nuisance based on the proximity to beach areas and ocean breezes. Standard dust control measures would be required.

AQ Impact 2
Construction activities would generate fugitive dust, potentially resulting in a nuisance, and potentially exceeding SLOAPCD thresholds of significance related to exhaust particulates.
Mitigation Measures
AQ/mm-8 *Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall provide satisfactory evidence that a SLOAPCD-approved Construction Activity Monitoring Plan (CAMP) has been prepared that addresses fugitive dust emissions. The Plan shall include requirements in the SLOAPCD CEQA Handbook. Fugitive dust mitigation measures in the plan shall include a combination of the following, as approved by the SLOAPCD:* *a. Reduce the amount of the disturbed area where possible.* *b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.* *c. All dirt stockpile areas should be sprayed daily as needed, covered, or a SLOAPCD-approved alternative method will be used. (90% reduction).* *d. 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.* *e. Exposed ground areas that will 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, unless other dust and erosion control measures are specified in the agency-approved Dust Control Plan.* *f. 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.* *g. 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.* *h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.*

AQ Impact 2	
	i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114. *j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.* *k. 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* *l. Apply water every 3 hours to disturbed areas within the construction site (61% reduction in particulate emissions).* *m. Application of soil binders to dirt roads shall be applied to achieve at least an 80% reduction in fugitive dust emissions. All soil binders used shall be 'environmentally friendly' and shall be either lignosulfonate- or calcium lignosulfonate-based approved by the SLOAPCD. All dust control methods, including soil binders, shall be demonstrated in the fugitive dust control plan to ensure compliance with SLOAPCD Rule 401.* ~~*n. All roadway, driveway, and sidewalk paving 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.*~~ ~~o.~~*n. The contractor or builder shall designate a person to monitor the fugitive dust emissions and oversee mitigation measure implementation as per SLOAPCD approval to minimize dust complaints, reduce visible emissions to less than 20% opacity, and to prevent transport of dust off-site. The designated monitor shall carry out these duties on regular workdays, as well as holidays and weekends when work may not be in progress. The name and telephone number of the designated monitor shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.*
AQ/mm-9	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit an APCD-approved CAMP, which shall include, but not be limited to the following elements:* *a. A Dust Control Management Plan that encompasses all, but is not limited to, measures identified in AQ/mm-8 and AQ/mm-13 (if required);* *b. Tabulation of on- and off-road construction equipment information (e.g., make, model, type, engine tier, DPM Level 3 filter age, horse-power, and miles or hours of operation);* *c. Construction truck trips scheduled during non-peak hours to reduce peak-hour emissions;* *d. Limited construction work-day period, if necessary; and* *e. Phase construction activities, if appropriate.*
AQ/mm-10	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for both on- and off-road equipment during the project grading and construction phase near sensitive receptors:* *a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies;* *b. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies;* *c. Use alternative fueled equipment whenever possible; and* *d. Signs identifying the no idling requirements must be posted and enforced at the construction site.*
AQ/mm-11	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for on-road vehicles during the grading and construction phases of the project:* *a. Section 2485 of CCR Title 13 limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California*

AQ Impact 2	
	based vehicles. In general, the regulation specifies that drivers of these vehicles: - *Shall not idle the vehicle's primary diesel engine for more than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,* - *Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.* *b. Signs shall be posted in the designated queuing areas and job sites to remind on-road equipment operators of the 5-minute idling limit.*
AQ/mm-12	*Prior to issuance of applicable grading permit, the Harbor District (or their designee) shall implement the following idle restricting measures for off-road vehicles during the construction phase of the project:* *a. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.* *b. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit.*
Residual Impacts	
Implementation of Standard Construction Measures, BACT and CAMP, and dust control measures would reduce potential air quality impacts related to fugitive dust to less than significant.	

When rock containing naturally-occurring asbestos is broken or crushed, such as during grading operations, asbestos fibers may be released and become airborne. Exposure to asbestos fibers may result in health issues such as lung cancer, mesothelioma, and asbestosis. In addition, during construction, materials containing asbestos may be discovered, and would require special handling pursuant to existing regulations and mitigation identified below.

AQ Impact 3	
Grading and construction activities have the potential to result in disturbance of naturally-occurring asbestos and/or asbestos containing materials.	
Mitigation Measures	
AQ/mm-13	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geologic evaluation under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. NOA has been identified as a toxic air contaminant by the CARB. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the Harbor District (or their designee) must 1) comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the SLOAPCD; 2) require that any crushing operations do not result in any dust that is visible crossing the property line, does not discharge into the air any visible emissions other than uncombined water vapor, for a period aggregating more than 3 minutes in any 1 hour which are 50% as dark or darker in shade as that designated as number one on the Ringlemann Chart or exceed at 10% opacity; and 3) conduct a geological evaluation prior to any grading. Technical Appendix 4.4 of the SLOAPCD CEQA Handbook includes a map of zones throughout the County where NOA has been found. More information on NOA is available at http://www.slocleanair.org/business/asbestos.php.*

AQ Impact 3	
AQ/mm-14	*Prior to issuance of demolition permits (if required) and during grading and construction, the Harbor District or their designee shall comply with asbestos containing material (ACM) requirements. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of ACM. ACM could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes and pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 Code of Federal Regulations [CFR] 61, Subpart M - asbestos National Emission Standards for Hazardous Air Pollutants [NESHAP]). These requirements include but are not limited to: (1) notification to the SLOAPCD; (2) an asbestos survey conducted by a Certified Asbestos Inspector; and (3) applicable removal and disposal requirements of identified ACM. More information on asbestos is available at http://www.slocleanair.org/business/asbestos.php.*
Residual Impacts	
Implementation of standard measures, including compliance with existing regulations noted above, would reduce potential impacts related to naturally-occurring and material-containing asbestos to less than significant.	

Operational Emissions

Based on the traffic impact study conducted for the project, which considered a "worst case scenario," the average additional net daily trips generated by the project would be 1,215 trips (Central Coast Transportation Consulting [CCTC] 2014). Additional emissions would be generated by energy use and gas heaters in permanent units, which are included in the modeled emissions. Operational emissions that would result from the proposed project were calculated using CalEEMod, pursuant to the CEQA Handbook, before and after standard mitigation (refer to Tables 4.2-5 and 4.2-6 below). Based on implementation of operational mitigation measures would reduce area source, energy use, and mobile emissions to less than significant. In addition to the sources of operational emissions captured by CalEEMod, use of the project would include fire pits at each campsite, which would generate sources of particulate matter. The amount of particulate matter would vary depending on use and daily and nightly temperatures. The Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions, including drought conditions and high winds, and during poor air quality conditions as determined by the SLOAPCD. Based on the anticipated dispersal of particulates, and limited amount of wood burned in campsite-sized fire pits, the potential additional impact is not anticipated to increase PM_{10} emissions above identified thresholds.

Table 4.2-6. Operational Emissions (Unmitigated)

	ROG	NO_x	PM_{10}	DPM	CO	CO_{2e} (MT)
Winter (lbs/day)	41.30	13.58	4.09	32.40	168.31	9,407.18
Threshold (lbs/day)	25 (ROG and NO_x)		25	1.25	550	n/a
Mitigation Required	**Yes**		No	**Yes**	No	n/a
Annual (tons/year)	3.25	2.24	0.72	1.05	11.85	1,860.06
Annual Threshold tons/year)	25 (ROG and NO_x)		25	n/a	n/a	1,150.00
Mitigation Required	No		No	n/a	n/a	**Yes**

Table 4.2-7. Operational Emissions (Mitigated)

	ROG	NO_x	PM_{10}	DPM	CO	CO_{2e} (MT)
Winter (lbs/day)	12.31	11.41	3.89	0.46	46.64	6,895.36
Threshold (lbs/day)	25 (ROG and NO_x)		25	1.25	550	n/a
Additional Mitigation Required	No		No	No	No	n/a
Annual (tons/year)	2.17	2.07	0.69	0.08	7.98	1,598.25
Annual Threshold (tons/year)	25 (ROG and NO_x)		25	n/a	n/a	1,150.00
Mitigation Required	No		No	n/a	n/a	**Yes**

AQ Impact 4

Operational activities associated with the project would generate ROG + NO_x, PM_{10}, and DPM emissions exceeding identified daily thresholds.

Mitigation Measures

AQ/mm-15 *Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following mitigation measures to reduce area source emissions, where applicable:*

a. Increase walls and attic insulation by 20% above what is required by the 2008 Title 24 requirements.
b. Shade tree planting along southern exposures of buildings to reduce summer cooling needs.
c. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles.
d. Use built-in energy efficient appliances, were applicable.
e. Orient buildings toward streets with convenient pedestrian and transit access.
f. Use double-paned windows.
g. Use sodium low-energy parking lot and streetlights. (e.g., sodium)
h. Use energy efficient interior lighting.
i. Incorporate energy efficient skylights (if any) into roof plan (i.e., should meet the US EPA/Department of Energy (DOE) Energy Star® rating).
j. Install High efficiency or gas space heating.
k. Install door sweeps and weather stripping if more efficient doors and windows are not available.
l. Apply low volatile organic compound (VOC) paint (interior and exterior) (71 grams/liter or less).
m. Institute recycling and composting services (as feasible).
n. Incorporate a water efficient irrigation system.
~~n.~~ o. Locate proposed fire pits at least 100 feet apart, at least 700 feet from any on-site manager residence where feasible, and as far as feasible from proposed hotel/motel units.

AQ/mm-16 *Prior to issuance of construction permits, the Harbor District or their designee shall submit plans showing the following measures, which shall be implemented prior to occupancy to reduce vehicle emissions.*

a. Locate electrical vehicle charging station(s) in the parking lots at a ratio required by

AQ Impact 4	
	County or as recommended by SLOAPCD. - *Provide long-and short-term bicycle parking onsite or within the Harford Pier parking area for employees; one bicycle parking space for every 10 employees is considered appropriate.* - *Provide shower stalls and locker facilities to encourage employees to bike to work.* - *Provide facilities for eating and convenience including refrigeration and other vending for employees onsite or within the Harford Pier parking area.* - *Internal circulation shall to the greatest extent possible be with all-electric vehicles.* - *Options shall be provided to guests for electric vehicle transport to adjacent District facilities.*
AQ/mm-17	*Prior to operation, the Harbor District or their designee shall obtain all required permits for equipment, including but not limited to the portable generators and equipment with engines that are 50 hp or greater.*
AQ/mm-18	*During operation of the proposed project, the Harbor District or their designee shall comply with SLOAPCD Operational Phase Idling Limitations. Public health risk benefits can be realized by idle limitations for diesel engines. To help reduce the emissions impact of diesel vehicles that will access the facility or off-road equipment, the following idling control techniques shall be implemented:* ***California Diesel Idling Regulations*** *a. On-road diesel vehicles shall comply with §2485 of CCR Title 13. 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:* - *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,* - *Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.* *b. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB's In-Use off-Road Diesel regulation, Rule 402.* *c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.* *d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.* *e. In addition to the State required diesel idling requirements, the project shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors, including onsite visitors:* - *Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;* - *Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;* - *Use of alternative fueled equipment is recommended; and* - *Signs that specify the no idling areas must be posted and enforced at the site.*
Residual Impacts	
Implementation of standard measures, including compliance with existing regulations noted above, would reduce potential impacts related to operational emissions to less than significant.	

Expose any Sensitive Receptor to Substantial Air Pollutant Concentrations

The project is located in proximity to sensitive land uses. Construction activities can generate fugitive dust, which could be a nuisance to residents and businesses in proximity to the project site. Dust complaints could result in a violation of the SLOAPCD's 402 Nuisance Rule. In addition, operation of construction equipment and operational equipment, including equipment idling, generates diesel particulate matter, which can have an adverse effect on sensitive receptors. This impact is captured above, and noted mitigation would apply.

Create or Subject Individuals to Objectionable Odors

Occasionally, marine life and other ocean-related conditions can generate objectionable odors such as animal decay and fish or shellfish operations. It is anticipated that occurrences would not be frequent, and visitors to the campsite would anticipate a certain degree of ocean-related odors. Therefore, potential impacts would be less than significant.

Clean Air Plan Consistency

The project is consistent with the general level of development anticipated and projected in the CAP, and would provide coastal dependent and visitor-serving uses consistent with the land use category and Port Master Plan. Therefore, potential impacts would be less than significant.

4.2.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR (CMCA 2004) included an assessment of the development of Harbor Terrace. A significant, adverse, and unavoidable air quality impact was identified due to the generation of construction-related emissions associated with build-out of the Master Plan, including development of Harbor Terrace. Standard mitigation measures were identified in the Final Program EIR; the EIR for the proposed project includes an updated emissions model and applies current mitigation measures identified in the SLOAPCD CEQA Handbook. The generation of emissions associated with Harbor Terrace consists of a significant portion of noted emissions based on the amount of grading required to prepare the site for development and to address potential geologic hazards.

~~A p~~Projects located outside of the Harbor District that may affect air quality include~~s~~ the Avila Tank Farm remediation, general plan amendment, and development project and buildout of the Avila Urban Area and San Luis Bay Estates Master Plan. An analysis of air quality impacts would be conducted during environmental review for the Avila Tank Farm project, and is anticipated to result in construction and operation-related air emissions, which would require implementation of mitigation measures. In general, standard air quality mitigation measures apply to all discretionary projects in the County.

As discussed under project impacts, identified mitigation would reduce potential adverse air quality effects to less than significant. Therefore, the project would not result in a cumulatively considerable significant air quality impact.

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4.3 BIOLOGICAL RESOURCES

This section of the EIR identifies and evaluates potential impacts to biological resources resulting from implementation of the project. Regional information is provided based on the Port Master Plan Final Program EIR (CMCA 2004), and is supplemented within information from the California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS) database (refer to Appendix D). Project specific information is based on biological and botanical surveys and mapping conducted on the following dates: December 4, 2013, and March 20, May 15, and August 11, 2014.

4.3.1 Existing Conditions

4.3.1.1 Regional Setting

The area surrounding the project site encompasses a wide range of habitats, from marine to terrestrial. Habitat types in the immediate region include open water, marine intertidal, estuarine, riparian, sandy beach, coastal scrub, coast live oak (*Quercus agrifolia*) woodland, annual grassland, and ruderal/disturbed.

Open Water

The bay bottom is predominantly sandy with benthic fauna typical of sand bottom habitats. Small isolated rock outcrops provide scattered hard-bottom habitat. There is evidence of kelp beds in association with the Cal Poly Marine Sciences pier. Various species of seaweed and algae have established on pier pilings.

Marine mammals, such as the Southern sea otter (*Enhydra lutris*), California sea lion (*Zalophus californianus*), and harbor seal (*Phoca vitulina*) utilize marine intertidal and estuarine habitats for feeding, and haul-out along rocky shore areas to rest. Marine species such as staghorn sculpin (*Leptocottus armatus*) will often enter coastal lagoons and estuarine habitats to feed and/or reproduce during the winter and spring when sand bars at the mouths of the streams have been breached. Humpback whales (*Megaptera novaeangliae*) and killer (orca) whales (*Orcinus orca*) have been observed in the bay and further out to sea.

Marine Intertidal

From the mouth of San Luis Obispo Creek westward, large rocks are present in the intertidal zone. These rocks are covered with red and green algae but are otherwise generally lacking in higher plants. The mouth of San Luis Obispo Creek is approximately 0.7 mile east of the project site.

Some of the more common inhabitants of the intertidal zone are the rock lice (*Logia occidentalis*), periwinkles (*Littorina* spp.), and white acorn barnacles (*Chthamalus* spp.), along with the green algaes. Downward in progression are the upper and mid-intertidal zones. California mussels (*Mytilus californianus*) form beds in these zones that are the basis of an array of fauna. The seastar, mostly *Pisaster ochracesus*, is the hardiest predator in the middle intertidal. Other animals include the gooseneck barnacles (*Pollicipes* spp.), acorn barnacles (*Blanus* spp.), abalone (*Haliotis* spp.), limpets (*Lottia* spp.), chitons, and the anemones (*Anthopleura* spp). A variety of algae provide shelter and protection from desiccation for many animals that otherwise could not exist so high up on shore. Common invertebrate species within the low rocky intertidal zone are the sea urchin (*Stronglyocentrotus* spp.), and the limpet (*Acmaea* spp).

Estuarine

Vegetation between Avila Beach Drive and the lagoon formed by San Luis Creek on the road berm is coastal scrub dominated by coyote brush (*Baccharis pilularis*) with some California sage (*Artemisia californica*), black sage (*Salvia mellifera*), toyon (*Heteromeles arbutifolia*), and goldenbush (*Isocoma menziesii*). Along the edge of the lagoon is a narrow band of salt marsh where the banks are not riprap or otherwise cleared. The dominant plants present in the salt marsh are pickleweed (*Salicornia virginica*), fleshy jaumea (*Jaumea carnosa*), and alkali heath (*Frankenia grandiflora*).

The lagoon provides habitat for a variety of aquatic species. Invertebrates include amphipods and polychaete worms. Fish that inhabit or seasonally use the lagoon include tidewater goby (*Eucyclogobius newberryi*), starry flounder (*Platichthys stellatus*), Pacific herring (*Clupea pallasii harengus*), topsmelt (*Atherinops affinis*), staghorn sculpin (*Leptocottus armatus*), striped bass (*Morone saxatilis*), Southern steelhead (*Oncorhynchus mykiss*), king salmon (*Oncorhynchus tshawytscha*), and Pacific lamprey (*Petromyzon tridentata*). Other primarily freshwater fish may enter the lagoon seasonally from upstream. Native species include threespine stickleback (*Gasterosteus aculeatus*), speckled dace (*Rhinichthys osculus*), and prickly sculpin (*Cottus asper*).

Bullfrogs (*Rana catesbeiana*) and crayfish, both non-native species, inhabit lower San Luis Obispo Creek as well as the native Pacific treefrog (*Hyla regilla*) and western toad (*Bufo boreas*). The fish and invertebrates in the lagoon attract wading birds such as the great blue heron (*Ardea herodias*) and great egret (*Casmerodius albus*) as well as several species of waterfowl including grebes, American coot (*Fulica americana*), and mallard (*Anas platyrhynchos*). California least tern (*Sterna antillarum browni*) may also be present during the summer. Common shorebirds present at least seasonally include least and western sandpipers (*Calidris minutilla* and *C. mauri*), long-billed curlew, marbled godwit, sanderling, and terns. Flocks of gulls rest on the exposed sand flats near the lagoon mouth and on the waters of the lagoon.

Riparian

Wild Cherry Canyon and Harford Creek are located approximately 1,500 feet and 0.7 mile east of the project site, respectively. These creeks are both ephemeral waterways with limited riparian canopy. Ephemeral creeks in coastal San Luis County typically will contain grasses, rushes and sedges. Some potential species include: Dallis grass (*Paspalum dilatum*), Italian ryegrass (*Lolium multiflorum*), spreading rush (*Juncus patens*), low bulrush (*Scirpus cernuus*), and flatsedge (*Cyperus involucratus*). Wetter areas may additionally support woodier species such as sweet fennel (*Foeniculum vulgare*), mugwort (*Artemisia douglasiana*), and southern honeysuckle (*Lonicera subspicata*). Coast live oak riparian habitat is present in limited areas within the project site.

Except for San Luis Obispo Creek, riparian systems in the immediate area are considered ephemeral, and exhibit little riparian canopy. Because of the limited area and seasonality of these channels, they are unlikely to support permanent wildlife habitat. Animals may visit these areas for water and forage. These may include species such as Tri-colored blackbird (*Agelaius tricolor*), along with other avian species. San Luis Obispo Creek supports habitat for special-status species including California red-legged frog (*Rana aurora draytonii*), Southwestern pond turtle (*Clemmys marmorata pallida*), southern steelhead, and tidewater goby.

Sandy Beach

Bluffs range from being almost completely covered with iceplant (*Carpobrotus edulis*) to being barren in the vertical portions. No vegetation is present on the beach between the ocean and the bluff. Sandy beach areas are located approximately 60 to 130 feet from the southern edge of the project site, across Avila Beach Drive.

Several invertebrate species (predominantly crustaceans such as sand crabs and beach hoppers) are adapted to the wave action and shifting sands of the beach. These invertebrates attract numerous shorebirds such as willets (*Catoptrophorus semipalmatus*), sanderlings (*Calidris alba*), marbled godwits (*Limosa fedoa*), long-billed curlews (*Numenius americanus*), and black-bellied plovers (*Pluvialis squatarola*). These species are most abundant during the winter. Other common migrant species include Baird's and pectoral sandpipers (*Calidris bairdii* and *C. melanotos*), semipalmated plover (*Charadrius semipalmatus*), and terns (royal [*Sterna maxima*], elegant [*S. elegans*], Caspian [*S. caspia*], and Forster's [*S. forsteri*]). Several species of gulls (*Larus* spp.) and the California brown pelican (*Pelecanus occidentalis californicus*) rest and preen on the beach. Western snowy plover (*Charadrius alexandrines nivosus*) may winter on Avila Beach.

Coastal Scrub

Species composition is highly variable in coastal scrub communities and is generally dependent on topography, soils and slope aspect. Plants occurring in coastal scrub communities are characterized as being aromatic, low growing and drought tolerant. Common plant species include California sagebrush, coyote brush (*Baccharis pilularis*), monkeyflower (*Mimulus* sp.), poison oak (*Toxicodendron diversilobum*), California buckwheat (*Eriogonum fasciculatum*), and black sage (*Salvia mellifera*). Understory within coastal scrub communities is generally sparse and includes forbs such as plantain (*Plantago* sp.) and yarrow (*Achillea* sp.). This habitat type is present within the project site.

Coastal scrub areas provide resources for prairie falcon (*Falco mexicanus*), American peregrine falcon (*Falco peregrinus anatum*), California quail, acorn woodpecker, brown towhee, and dark-eyed junco. Wading birds, such as the snowy and great egret and great blue heron, frequent and utilize coastal saltmarsh and freshwater marsh habitats for feeding. Silvery legless lizard (*Anniella pulchra pulchra*) and California horned lizard (*Phrynosoma coronatum frontale*) may also be present.

Coast Live Oak Woodland

Coast live oak woodlands in the region typically occur as a mosaic closely associated with communities such as coastal scrub and non-native grassland. Typical understory plan species where oaks provide a dense canopy include toyon, poison oak, bracken fern (*Pteridium aquilinum*), miner's lettuce (*Claytonia perfoliata*), bedstraw (*Galium apartine*), and coffeeberry. In drier areas, coast live oak woodland often integrates into other plant communities, such as chaparral and grassland, and understory becomes highly variable. Stands of coast live oak woodland are located within the project site, near the northeastern and northwestern property boundaries.

Species which are expected to be present in oak woodland include, but are not limited to, western skink (*Eumeces skiltonianus*), silvery legless lizard, California newt (*Taricha torosa*), southern alligator lizard (*Gerrhonotus multicarinatus*), western fence lizard (*Sceloporus occidentalis*), acorn woodpecker (*Melanerpes formicivorus*), western bluebird (*Sialia mexicana*), red-tailed hawk (*Buteo jamaicensis*), Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk

(*Accipiter striatus*), white-tailed kite (*Elanus leucurus*) pocket gopher (*Thomomys* spp), raccoon (*Procyon lotor*), mule deer (*Odocoileus hemionus*), bobcat (*Lynx rufus*), coyote (*Canis latrans*), Townsend big-eared bat (*Corynorhinus* [*Plecotus*] *townsendii*), and pallid bat (*Antrozous pallidus*).

Annual Grassland

The majority of grasslands throughout California are dominated by non-native grasses that were accidentally introduced from the Mediterranean region during the Spanish Colonization period. Non-native grasses, native wildflowers and weedy annual forbs (broadleaf plants) dominate grassland areas. In addition, a few native species of grass may potentially occur infrequently as part of the non- native grassland association in the area. Typical non-native grass species in the regoin include wild oat (*Avena* sp.), soft chess (*Bromus mollis*), red brome (*Bromus rubens*), Italian rye grass (*Lolium multiflorum*) and annual fescues (*Vulpia* spp.). Typical forbs associated with grassland communities in the planning area include native wildflowers such as California poppy (*Eschscholzia californica*), goldfields (*Lasthenia californica*), lupine (*Lupinus* sp.), owl's clover (*Orthocarpus densiflorus*), popcorn flower (*Plagiobothrys* spp.), blue-eyed grass (*Sisyrinchium bellum*), and clarkia (*Clarkia* sp.). Non-native forbs include wild mustard (*Brassica* spp.), redstem filaree (*Erodium cicutarium*), long-beak filaree (*E. botrys*), and burclover (*Medicago hispida*). Native species of grass, which may occur in scattered locations throughout the planning area, include purple needlegrass (*Stipa pulchra*) and slender needlegrass (*S. lepida*). Non-native annual grassland is present within the project site.

Typical species that utilize open grassland areas and fields include loggerhead shrike (*Lanius ludovicianus*), northern harrier (*Circus cyaneus*), prairie falcon, American peregrine falcon, red-tailed hawk, red-shouldered hawk (*Buteo lineatus*), American kestrel (*Falco sparverius*), Cooper's hawk, white-tailed kite, western meadowlark (*Sturnella neglecta*), Say's phoebe (*Sayornis saya*), and western bluebird. California horned lizard, Townsend big-eared bat, and pallid bat may also be present.

Ruderal (Disturbed)

Ruderal vegetation has been disturbed by agriculture, landscaping, construction, or other land clearing activities. Disturbed habitat occurs throughout the project area at the margins of parking areas, roadsides, and vacant lots (such as the project site). Vegetation in these areas typically consists of low-growing grasses, forbs and weedy species. The primary difference between non-native grasslands and ruderal habitats are that the soil is often disturbed in ruderal habitats, and native wildflowers are often lacking. Characteristic uncultivated species recorded in disturbed habitat include non-native species such as wild mustard, cheeseweed (*Malva parviflora*), milk thistle (*Silybum marianum*), sow thistle (*Sonchus* sp.), scarlet pimpernel (*Anagallis arvensis*), and burclover (*Medicago* sp.). Landscaped areas can range widely in terms of species present.

Wildlife associated with ruderal habitat include species such as western fence lizard, southern alligator lizard (*Gerrhonotus multicarinatus*), gopher snake (*Pittuophis melanoleucus*), Botta's pocket gopher (*Thomomys bottae*), northern mockingbird (*Mimus polyglottos*), Brewer's blackbird (*Euphagus cyanocephalus*), house finch (*Carpodacus mexicanus*), and gulls.

4.3.1.2 Project Site Setting

The project site is located north of Avila Beach Drive, and ranges in elevation from approximately 30 to 330 feet above mean sea level (msl). The project site supports limited vegetation due to grading and land uses that have occurred throughout the site's history. As

shown in Figure 4.3-1, Habitat Map, habitats within and adjacent to the property boundaries include coast live oak woodland, coastal scrub, valley needlegrass grassland, non-native grassland, ornamental trees, and ruderal/disturbed area.

4.3.1.3 Environmentally Sensitive Habitat

A basic goal of the California Coastal Act is to "protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources." To achieve this goal, the County's LCP identifies and protects sensitive habitat areas through the designation of appropriate land uses and management techniques. Environmentally sensitive habitats are defined by the Coastal Act as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments." The San Luis Coastal Area Plan identifies Environmental Sensitive Habitat Areas (ESHAs) and Sensitive Resource Areas (SRAs) ~~in the project area~~within and proximate to the project site, including the following described below.

San Luis Creek Estuary

This small estuary west of the community of Avila Beach is an SRA and an important feeding and resting area for migratory water fowl. San Luis Creek may be the southernmost stream supporting steelhead rainbow trout runs in the State. One mile upstream from the mouth of the creek a check dam was installed to stop salt water intrusion. However, with the exception of the rainbow trout, the dam has blocked migration up and down the stream. Most of the estuary is in private holdings. The project site is located approximately 0.7 mile of the estuary.

Coastal Streams and Riparian Vegetation

Coastal streams and riparian vegetation (SRV) are ESHAs and the natural hydrological system and ecological function of coastal streams shall be protected and preserved. Enforcement of SRV protection is provided by §23.07.174 of the CZLUO, including a requirement for a 50-foot setback for sites within the Urban Services Line, such as the project site. SRV within and proximate to the project includes two unnamed drainages. One drainage is located parallel to Diablo Canyon Road, approximately 50 feet west of the western property boundary (with the exception of the northwestern corner). This drainage is identified as a coastal stream in the County LCP. The second drainage is located within the far eastern portion of the project site; this feature is not identified as a coastal stream; however, this EIR analysis considers similar protection measures (i.e., avoidance and application of a 50-foot development buffer). These features are shown on Figure 4.3-1.

4.3.1.4 Native and Important Vegetation

Areas dominated by coast live oak as well as scattered oak trees occur at several locations around the periphery of the project site. Oaks occur on-site near the northeastern property boundary and next to the water tank near the northern property boundary. They also occur outside of the property boundary in a deep canyon northwest of the project site and near Diablo Canyon Road, and in clusters north of the project site. The oak woodland at the northeastern side of the project site is dense in spots with an understory composed of species common to the adjacent coastal sage scrub or non-native grassland habitats. Nine coast live oak trees are located within ornamental trees and vegetation along Babe Lane, and 12 coast live oak trees are located in the far eastern corner of the project site.

Coastal scrub is located within the northern portion of the project site, on upper slopes near the existing water tank, and on steep slopes northeast of the property. This habitat type is also

present east of Diablo Canyon Road, and within a small area north of Avila Beach Drive. Dominant species include coyote brush, coastal buckwheat, California sagebrush, giant wildrye, deerweed, goldenbrush, toyon, black sage, pepper trees, and scattered coast live oak trees (in the eastern corner of the project site).

Non-native grassland and valley needle grassland including bunches of purple needlegrass ~~is~~are located on the upper slopes of the project site and is interspersed with coastal sage scrub and oak woodland habitats surrounding the site. The grassland observed within and adjacent to the project property supports a variety of introduced annual grasses including valley needlegrass and weedy herbaceous species including wild oats, bromes, mustard, and tocalote.

Native grassland observed on the project site was classified as valley needlegrass grassland (Holland 1986) and more specifically as a Nassella Pulchra Herbaceous Alliance (Sawyer et. al 2009). This plant community consists of mid-height (up to 2 feet) grasslands dominated by perennial, tussock-forming purple needlegrass (*Nassella [=Stipa] pulchra*). Native shrubs/forbs and non-native annual grasses were observed between the purple needlegrass tussocks, and were observed to be intermixed with non-native grassland, coastal scrub and coast live oak woodlands in particular areas of the site.

Native grasslands on the site were determined by estimating the percent cover of purple needlegrass within 10-meter plots. One-meter quadrats were also placed within the plots to determine species richness within the plots and to further support the cover of purple needle grass within the plots. The 10-meter plots were also placed in areas determined to be non-native grassland and where a distinct change in species composition was observed. Native grasses and forbs observed in the plots and during surveys conducted during the blooming period include purple needlegrass, soap plant (*Chloragalum pomeridianum*), blue eyed grass (*Sisyrinchium bellum*), blue dicks (*Dichelostemma capitatum*), wild cucumber (*Marah fabaceus* var. *fabaceus*), catch fly (*Silene gallica*), rattlesnake weed (*Daucus pusillus*), pacific sanicle (*Sanicula crassicaulis*), yarrow (*Achillea millefolium*), arroyo lupine (*Lupinus succulentus*), coast morning glory (*Calystegia macrostegia* ssp. *cyclostegia*), and California poppy (*Eschscholzia californica*). Emergent native shrubs observed in the native grassland areas include saw-toothed goldenbush (*Hazardia squarrosa*), coyote brush (*Baccharis pilularis*), and California sagebrush (*Artemisia californica*). Non-native grasses and forbs observed in the native grassland areas include oats (*Avena* spp.), brome (*Bromus* spp.), rattail fescue (*Festuca myuros*), Italian ryegrass (*Festuca perennis*), and iceplant (*Carpobrotus edulis*).

Percent cover of purple needlegrass within the plots was observed to be 20-60% in the areas mapped as native grassland. Purple needlegrass presence within the random 1-meter quadrats was observed to be 30-90%. The condition of the grassland habitat onsite varied based on slope and location. Native grassland within the upper slopes of the northwest portion of the project site appears to have remained undisturbed due to the topography and lack of historic and recent access. Grassland areas on gently sloping areas adjacent to ruderal/disturbed areas have historically been disturbed by the storage of materials and use of equipment near existing storage areas and roads, and do not exhibit the same habitat quality as the upper northwestern grassland areas.

Stands of ornamental trees are located along and west of Babe Lane, and include pepper trees, Monterey pines, blue gum eucalyptus trees, and Italian cypress. Native vegetation interspersed with the ornamental vegetation includes coast live oak trees, toyon, and yucca (*Yucca* spp.). Scattered native shrubs and grasses are present on slopes between the terraces, including coyote brush, coast goldenbush, and needlegrass.

Figure 4.3-1. Habitat Map



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A stand of introduced blue gum eucalyptus trees is located near the center of the site with a dense stand of needlegrass beneath, a native bunchgrass. Several toyon shrubs are growing beneath the stand of eucalyptus. Various ornamental landscape species have been planted around the trailer park. Several individuals of these species, including California pepper and myosporum, have spread to other areas.

The remainder of the project site consists of ruderal/disturbed habitat, including graded roads, pads, terraces, and storage areas. Vegetation includes various grasses and shrubs.

4.3.1.5 Special-Status Species

No rare, threatened or endangered plant species were found on the Harbor Terrace site during site surveys conducted for the Harbor Terrace EIR in 1996. Furthermore, inventories of sensitive species on Diablo Canyon lands in 1995 did not identify sensitive species on the property. Recent surveys conducted on December 4, 2013, and March 20, May 15, and August 11, 2014, by Barrett Holland documented the presence of woodrat middens; no other special status plants or wildlife was observed.

Special-status Plants

Based on review of the CNDDB and CNPS databases, (refer to Appendix D), 18 special-status plant species and one natural community of concern have the potential to occur in the area (refer to Table 4.3-1). Out of these species, suitable habitat conditions are present for the following:

- San Luis Obispo owl's clover (*Castilleja densiflora* ssp. *obispoensis*)
- Mesa horkelia (*Horkelia cuneata* ssp. *puberula)*
- Jones's layia (*Layia jonesii*)
- southern curly-leaved monardella (*Monardella sinuata* ssp. *sinuate*)

Based on appropriately-timed seasonal botanical surveys, no special-status plant species were observed onsite.

Special-status Animal Species

Based on review of the CNDDB, eight special-status animal species have the potential to occur in the immediate area (refer to Table 4.3-2 and Appendix D). Out of these species, suitable habitat conditions are present for the following:

- Nesting birds (Class Aves)
- San Diego woodrat (*Neotoma lepida intermedia*)

No rare, threatened, or endangered wildlife species were observed; however, woodrat middens were documented within and adjacent to oak woodland located in the far northeastern portion of the project site, near the property boundary.

Nesting and Migratory Birds

Trees and groundcover provide habitat for nesting and migratory birds. Endangered or threatened birds such as California brown pelican or American peregrine falcon may occasionally fly over the site.

Table 4.3-1. Special-Status Plant Species Evaluated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
Hoovers bent grass *Agrostis hooveri*	Chaparral, cismontane woodland, valley and foothill grasslands in sandy soils. Elevation 6-610 meters.	April-July	--/--/1B.2	**Suitable Conditions Absent:** Grassland and oak woodland habitat is present in the property boundaries; however, sandy soils were not observed. Species not observed during the appropriate blooming period.
Morro manzanita *Arctostaphylos morroensis*	Chaparral, cismontane woodland, coastal dunes, and coastal scrub in Baywood fine sand. Elevation 5-205 meters.	December-March	FT/--/1B.1	**Suitable Conditions Absent:** Coastal scrub and oak woodland habitat is present in the property boundaries; however, Baywood fine sand was not observed. No manzanita species (*Arctostaphylos* sp.) were observed in the property boundaries.
Pecho manzanita *Arctostaphylos pechoensis*	Closed-cone coniferous forest, coastal scrub, and chaparral on siliceous shale. Elevation 125-850 meters.	November-March	--/--/1B.2	**Suitable Conditions Absent:** Coastal scrub habitat is present in the property boundaries; however, siliceous shale soils were not observed. No manzanita species (*Arctostaphylos* sp.) were observed in the property boundaries.
Santa Margarita manzanita *Arctostaphylos pilosula* [formerly *Arctostaphylos wellsii*]	Closed-cone coniferous forest, cismontane woodland and chaparral (sandstone). Elevation 170-105 meters.	December-March	--/--/1B.2	**Suitable Conditions Absent:** Oak woodland habitat is present in the property boundaries. Species also occurs at slightly higher elevations than the property boundaries. No manzanita species (*Arctostaphylos* sp.) were observed in the property boundaries.
San Luis mariposa-lily *Calochortus obispoensis*	Chaparral, coastal scrub and grassland communities on serpentine soils. Elevation 75-665 meters.	May-July	--/--/1B.2	**Suitable Conditions Absent:** Grassland and coastal scrub habitat is present in the property boundaries; however, serpentine soils were not observed. Species not observed during the appropriate blooming period.

Table 4.3-1. Special-Status Plant Species Evaluated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
La Panza mariposa-lily *Calochortus simulans*	Chaparrals, cismontane woodland, lower montane coniferous forest, and valley and foothill grassland (sandy, granitic or serpentine). Elevation 395-1100 meters	April-May	--/--/1B.3	**Suitable Conditions Absent:** Grassland and oak woodland habitat is present in the property boundaries; however, this species occurs at higher elevations than the property boundaries. Species not observed during the appropriate blooming period.
San Luis Obispo owl's clover *Castilleja densiflora* ssp. *obispoensis*	Valley and foothill grassland in clay or other rocky soils. Elevation 10-215 meters.	March-May	--/--/1B.2	**Suitable Conditions Present:** Grassland habitat and the appropriate soils are present in the property boundaries; however, species not observed during the appropriate blooming period.
Brewer's spineflower *Chorizanthe breweri*	Chaparral, cismontane woodland, coastal scrub, closed-cone coniferous forest; rocky or gravelly serpentine sites; usually in barren areas. Elevation 45-800 meters.	May-August	--/--/1B.3	**Suitable Conditions Absent:** Oak woodland habitat is present in the property boundaries; however, the appropriate soils were not observed. Species not observed during the appropriate blooming period.
Pismo clarkia *Clarkia speciosa* ssp. *immaculata*	Chaparral, cismontane woodland, valley/foothill grasslands in sandy soils. Found in southern SLO County. Elevation 25-180 meters.	May-July	FE/SR/ 1B.1	**Suitable Conditions Absent:** Grassland and oak woodland habitat is present in the property boundaries; however, sandy soils were not observed. Species not observed during the appropriate blooming period.
Eastwood's larkspur *Delphinium parryi* ssp. *eastwoodiae*	Perennial herb; chaparral and valley and foothill grassland (serpentinite, coastal). 75-500 meters	February-March	--/--/1B.2	**Suitable Conditions Absent:** Grassland habitat is present in the property boundaries; however, serpentine soils were not observed. Species not observed during the appropriate blooming period.

Table 4.3-1. Special-Status Plant Species Evaluated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
mouse gray dudleya *Dudleya abramsii ssp. murina*	Coastal scrub, valley and foothill grassland (serpentine), and chaparral. Elevation 90-440 meters.	May-June	--/--/1B.3	**Suitable Conditions Absent:** Grassland and coastal scrub habitat is present in the property boundaries; however, serpentine soils were not observed. Species not observed during the appropriate blooming period.
Indian Knob mountainbalm *Eriodictyon altissimum*	Maritime chaparral, cismontane woodland, coastal scrub, on sandstone. Elevation 80–270 meters.	March-June	FE/SE/1B.1	**Suitable Conditions Absent:** Oak and coastal scrub habitat is present in the property boundaries; however, the appropriate soils were not observed. Species not observed during the appropriate blooming period.
Mesa horkelia *Horkelia cuneata ssp. puberula*	Chaparral, cismontane woodland and coastal scrub (sandy or gravelly). Elevation 70-810 meters.	February-July (September)	--/--/1B.1	**Suitable Conditions Present:** Oak woodland and coastal scrub habitat is present; however, species not observed during the appropriate blooming period.
Jones's layia *Layia jonesii*	Chaparral and valley and foothill grassland (clay or serpentine outcrops). Elevation 5-400 meters.	March-May	--/--/1B.2	**Suitable Conditions Present:** Grassland habitat and the appropriate soils were observed in the property boundaries for this species. Species not observed during the appropriate blooming period.
southern curly-leaved monardella *Monardella sinuata* ssp. *sinuata*	Chaparral, coastal dunes, coastal scrub (openings), and cismontane woodland. 0-300 meters	April-September	--/--/1B.2	**Suitable Conditions Present:** Coastal scrub and oak woodland habitat is present; however, species not observed during the appropriate blooming period.
woodland woollythreads *Monolopia gracilens*	Occurs on serpentine in broadleaved upland forest, chaparral (openings), cismontane woodland, North Coast coniferous forest (openings), and valley and foothill grassland. 100-1200 meters.	February-July	--/--/1B.2	**Suitable Conditions Absent:** Grassland and cismontane woodland is present; however, the appropriate soils were not observed in the property boundaries for this species. Species not observed during the appropriate blooming period.

Table 4.3-1. Special-Status Plant Species Evaluated for Potential Occurrence

Species Name	Habitat and Distribution	Flower Season	Legal Status Federal/State/CNPS	Rationale for Expecting Presence or Absence
black-flowered figwort *Scrophularia atrata*	Conifer forest, chaparral, coastal dune, coastal scrub, and riparian scrub habitats with diatomaceous shale. Elevation 10-500 meters.	March - July	--/--/1B.2	**Suitable Conditions Absent:** Coastal scrub habitat is present; however, the appropriate soils were not observed in the property boundaries for this species. Species not observed during the appropriate blooming period.
most beautiful jewel-flower *Streptanthus albidus* ssp. *peramoenus*	Chaparral, cismontane woodlands, and valley and foothill grasslands on serpentinite soil. Elevation 94-1000 meters.	April - September	--/--/1B.2	**Suitable Conditions Absent:** Oak woodland and grassland habitat is present; however, the appropriate soils were not observed in the property boundaries. Species not observed during the appropriate blooming period.
Natural Communities of Concern				
Central maritime chaparral	A variable scrub community of moderate to high cover dominated by various *Arctostaphylos* or *Ceanothus* species. Found on well drained sandy soils in areas subject to summer fog.			**Absent:** This natural community was not observed within the property boundaries.

Status Codes:

Federal:
FE = Federally Endangered
FT = Federally Threatened

State:
SE = State Endangered
ST = State Threatened
SR = State Rare

California Native Plant Society (CNPS):
List 1B = rare, threatened, or endangered in California and elsewhere.
List 2 = rare, threatened, or endangered in California, but more common elsewhere.

Threat Code:
.1 = Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 = Fairly endangered in California (20-80% occurrences threatened)
.3 = Not very endangered in California (<20% of occurrences threatened or no current threats known)

Table 4.3-2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Fish			
southern steelhead – southern California DPS *Oncorhynchus mykiss irideus*	South coast flowing waters. Optimally, clear, cool water with abundant instream cover, well-vegetated stream margins, relatively stable water flow, and a 1:1 pool-to-riffle ratio.	FT / -- / SSC	**Suitable Conditions Absent:** Suitable aquatic habitat was not observed within the property boundaries or adjacent drainage.
tidewater goby *Eucyclogobius newberryi*	Brackish shallow lagoons and lower stream reaches where water is fairly still, but not stagnant.	FE / -- / SSC	**Suitable Conditions Absent:** Suitable aquatic habitat was not observed within the property boundaries or adjacent drainage.
Amphibians			
California red-legged frog *Rana draytonii*	Aquatic habitats with little or no flow and surface water depths to at least 2.3 feet. Presence of fairly sturdy underwater supports such as cattails.	FT /-- /SSC	**Suitable Conditions Absent:** Suitable aquatic habitat necessary to support this species was not observed within the property boundaries or adjacent drainage.
Reptiles			
black legless lizard *Anniella pulchra nigra*	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. Prefer soils with high moisture content.	-- / -- / SSC	**Suitable Conditions Absent:** The appropriate soils and vegetation necessary to support this species was not observed within the property boundaries.
western pond turtle *Emys marmorata*	Quiet waters of ponds, lakes, streams, and marshes. Typically in the deepest parts with an abundance of basking sites.	-- / -- / SSC	**Suitable Conditions Absent:** Suitable aquatic habitat was not observed within the property boundaries.
coast horned lizard *Phrynosoma blainvillii*	Frequents a wide variety of habitats; most commonly in lowlands along sandy washes with scattered low bushes.	-- / -- / SSC	**Suitable Conditions Absent:** Sandy wash habitat necessary to support this species was not observed within the property boundaries.

Table 4.3-2. Special-status Wildlife Species Investigated for Potential Occurrence

Species Name	Habitat and Distribution	Legal Status Federal/State/Other Status	Rationale for Expecting Presence or Absence
Birds			
other nesting birds Class Aves	Various habitats (nesting).	MBTA / -- / CDFW Code §3503	**Suitable Conditions Present:** Suitable foraging and nesting habitat for migratory birds is present within the property boundaries. No nesting birds or activity was observed during the survey; however, the property boundaries may be used by nesting birds active nest season (March-August).
Mammals			
San Diego woodrat *Neotoma lepida intermedia*	Forest habitats of moderate canopy and moderate to dense understory; also in chaparral habitats. Nests constructed of grass, feathers, etc. Population may be limited by availability of nest materials.	-- / -- / SSC	**Suitable Conditions Present:** Several woodrat middens were observed within the property boundaries.

General references: Unless otherwise noted all habitat and distribution data provided by California Natural Diversity Database

Status Codes

--= No status

Federal:
FE = Federal Endangered
FT = Federal Threatened
FC = Federal Candidate
CH = Federal Critical Habitat
PCH = Proposed Federal Critical Habitat
MBTA = Protected by Federal Migratory Bird Treaty Act

State:
SE = State Endangered
ST = State Threatened

California Department of Fish and Game:
SSC = California Special Concern Species
FP = Fully Protected Species
SA = Not formally listed but included in CDFW "Special Animal" List.

4.3.1.6 Common Wildlife

Animals expected or observed on site in literature include rodents, Audubon's cottontail (*Sylvilagus audubonii*), black-tailed jackrabbit (*Lepus californicus*), white-crowned sparrow (*Zonotrichia leucophrys*), California towhee (*Melozone crissalis*), Bewick's wren (*Thryomanes bewickii*), wrentit (*Chamaea fasciata*), bushtit (*Psaltriparus minimus*), California thrasher (*Toxostoma redivivum*), house finch, scrub jay (*Aphelocoma californica*), mourning dove (*Zenaida macroura*), and Anna's hummingbird (*Calypte anna*). Winter visitors include the ruby-crowned kinglet (*Regulus calendula*), yellow-rumped warbler (*Dendroica coronata*), golden-crowned sparrow (*Zonotrichia atricapilla*), and lesser goldfinch (*Carduelis psaltria*). Reptiles include western fence lizard, side-blotched lizard (*Uta stansburiana*), striped racer (*Masticophis lateralis*), gopher snake, common kingsnake (*Lampropeltis getulas*), and western rattlesnake (*Crotalus viridis*). Foraging animals may include coyotes, raccoons, long-tailed weasels (*Mustela frenata*), bobcats and badgers (*Taxidea taxus*) as well as red-tailed hawk, northern harrier, merlin (*Falco columbarius*), red-shouldered hawk, barn owl (*Tyto alba*), and great-horned owl (*Bubo virginianus*).

4.3.1.7 Wildlife Corridors and Migration.

Wildlife corridors serve to connect wildlife to important breeding areas, foraging sites, or water sources. Corridors typically need to exhibit sufficient cover to provide some protection for prey, but may also consist of relatively unobstructed access. In the project area, wildlife corridors may include drainages along the eastern and western property boundaries. Terrestrial open space to the north provides relatively uninterrupted movement opportunities for area wildlife.

4.3.2 Regulatory Setting

4.3.2.1 Federal and State

Endangered Species Act of 1973 (16 United States Code §1531 et seq.)

The Federal Endangered Species Act (FESA) protects threatened and endangered species, as listed by the U.S. Fish and Wildlife Service (USFWS), from unauthorized take, and directs Federal agencies to ensure that their actions do not jeopardize the continued existence of such species. Section 7 of FESA defines federal agency responsibilities for consultation with the USFWS. FESA requires preparation of a Biological Assessment to address the effects on listed and proposed species of a project requiring National Environmental Policy Act compliance. Under Section 10 of FESA, the USFWS may issue permits, with conditions, that authorize the take (harm or harassment) of a listed species.

Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands)

These Executive Orders require federal agencies to provide leadership to protect the natural and beneficial values served by floodplains and wetlands. Federal agencies are directed to avoid development in floodplains where possible, and to minimize the destruction or degradation of wetlands.

Clean Water Act of 1977, as amended (33 United States Code §1251 et seq.)

The Clean Water Act provides for the restoration and maintenance of the physical, chemical, and biological integrity of the nation's waters. Section 404 of the Act prohibits the discharge of dredged or fill materials into waters of the United States, including wetlands, except as permitted under separate regulations by the U.S. Army Corps of Engineers (USACE) and US EPA. An important aspect of the regulations is that discharges into waters of the United States,

and the placement of fill in wetlands in particular, should be avoided if there are practicable alternatives. A Section 404 permit application would have to be submitted to the USACE and approved prior to any discharge of fill or dredged material into San Luis Obispo Creek or the beach area below the high tide line. A Water Quality Certification is required under Section 401 of the Act before a Section 404 permit can be issued.

California Coastal Act of 1976 (Public Resources Code §30000 et seq.)

The California Coastal Act was established to provide for the conservation and development of California's coastline. It established the CCC as a permanent state coastal management and regulatory agency, with jurisdiction over the Coastal Zone. Cities and Counties, including San Luis Obispo County, have prepared, with the approval of the Coastal Commission, LCPs that provide policies, land use plans, and zoning ordinances that guide development decisions through the issuance of Coastal Development Permits.

The central provisions of Chapter 3 of the California Coastal Act provide guidance for the protection of sensitive resources. These provisions include §§30231, 30240, and 30250(a) as follows:

> *Section 30231 provides that the biological productivity of coastal waters, streams, wetlands, estuaries, and lakes must be maintained and, where feasible, restored. This is to be achieved by, among other means: minimizing adverse effects of wastewater discharges and entrainment; controlling runoff; preventing depletion of groundwater supplies and substantial interference with surface water flow; encouraging wastewater reclamation; maintaining natural buffer areas that protect riparian habitats; and minimizing alteration of natural streams.*
>
> *Section 30240 prohibits any significant disruption of habitat values, and limits development within environmentally sensitive habitat areas (ESHA) to uses that are dependent on the resources. It also requires development adjacent to ESHA be sited and designed to prevent significant degradation and be compatible with the continuance of the habitat.*
>
> *Section 30250 (a) directs new residential, commercial, or industrial development to existing developed areas. Where developed areas cannot accommodate new development, it is to be located in other areas where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

Under the California Coastal Act, estuaries and other wetlands within the Coastal Zone are environmentally sensitive habitats, and are to be protected, enhanced, and, where possible, restored. The proposed project would not include direct impacts to drainages onsite.

California Environmental Quality Act of 1970 (Public Resources Code §21000-21177; Guidelines at §15000 et seq.)

CEQA Guidelines stipulate that a plant or animal that is not listed but can be shown to meet criteria for listing under the California Endangered Species Act (CESA) (see below) shall be given the same consideration as a listed species.

California Endangered Species Act of 1984 (Fish and Game Code §2050 et seq.)

CESA ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the California Department of Fish and Wildlife (CDFW) is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence to CESA protected species.

California Fish and Game Code

California Fish and Game Code §3511 includes provisions to protect Fully Protected species, such as: (1) prohibiting take or possession "at any time" of the species listed in the statute, with few exceptions; (2) stating that "no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to "take" the species; and (3) stating that no previously issued permits or licenses for take of the species "shall have any force or effect" for authorizing take or possession. The CDFW is unable to authorize incidental take of "fully protected" species when activities are proposed in areas inhabited by those species. §§3503 and 3503.5 of the Fish and Game Code state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, §3513 states that it is unlawful to take or possess any migratory bird as designated in the Migratory Bird Treaty Act of 1918 (MBTA) or any part of such migratory birds except as provided by rules and regulations under provisions of the MBTA. CDFW also manages the California Native Plant Protection Act of 1977 (Fish and Game Code §1900, et seq.), which was enacted to identify, designate and, protect rare plants. In accordance with CDFW guidelines, CNPS 1B list plants are considered "rare" under the CESA, and are evaluated in CEQA documents.

Fully Protected species may not be taken or possessed without a permit from the Fish and Game Commission and/or CDFW. Information on these species can be found within §3511 (birds), §4700 (mammals), §5050 (reptiles and amphibians), and §5515 (fish) of the Fish and Game Code.

Porter-Cologne Water Quality Control Act (California Water Code, §13020)

Under the authority of the Porter-Cologne Act and the Federal Clean Water Act, the Central Coast RWQCB acts as the regional agency for the State Water Resources Control Board and is responsible for the regional enforcement of water quality laws and coordination of water quality control activities. A Compilation of Water Quality Goals prepared by the RWQCB establishes water quality goals for protection of saltwater and freshwater aquatic life. These goals include maximum and average concentrations of organic and inorganic constituents in water.

Senate Bill 1334 Oak Woodlands Conservation

Under Senate Bill (SB) 1334, county governments are responsible for conserving oak woodlands within their jurisdiction. During the CEQA review process, SB 1334 requires county governments to determine if a proposed project would result in the conversion of oak woodland. If the County determines that the proposed project would result in the conversion of oak woodland, the County is mandated to require implementation of specified mitigation as outlined in an oak woodland management plan. In San Luis Obispo County, oak woodlands are defined as areas containing greater than 10% oak canopy cover. The County oak management plan defines conversion as cutting or removing 10% or more of the oak woodland canopy or

removing more than 10 oak trees. The proposed project would result in the conversion of oak woodland; therefore, is subject to mitigation as mandated by SB 1334 and the County oak management plan.

4.3.2.2 Local Regulations and Policies

The project is required to comply with the County of San Luis Obispo LCP, CZLUO, and San Luis Bay Coastal Area Plan.

San Luis Bay Coastal Area Plan

Applicable standards identified in the San Luis Bay Coastal Area Plan are listed below.

Sensitive Resource Areas (SRA)

9. ***Site Planning – Development Plan Projects.*** *Projects requiring Development Plan approval are to concentrate proposed uses in the least sensitive portions of properties. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas. Native vegetation is to be retained as much as possible.*

Port San Luis

Aquatic and Terrestrial Habitats

Goal: Responsibly managed and protected resources in and surrounding San Luis Obispo Bay (State-granted Tidelands).

1. ***Marine Environments.*** *Unless allowed under Chapter 3 of the Coastal Act, new development, including alterations to port facilities is prohibited in marine environmentally sensitive habitat areas (ESHAs) and shall not result in significant water quality impacts to San Luis Obispo Bay. Marine resources shall be maintained, enhanced, and where feasible restored. New development within the marine environment shall sustain the biological productivity of coastal waters and maintain healthy populations of all species of marine organisms adequate for long term commercial, recreational, scientific, and educational purposes.*

   New development within or adjacent to the marine environment shall include water quality Best Management Practices (BMP's) before, during, and after construction.

   Environmentally sensitive habitats of San Luis Creek and other coastal creeks, including their associated riparian habitats, shall be protected, preserved, and restored where feasible.

4. ***Native Vegetation.*** *Native oak trees and plant cover shall be protected wherever feasible. New landside development shall require landscaping plans that include only native, drought tolerant plants of local stock appropriate to the site and that reflect the Port's waterfront character. Invasive plant species are prohibited.*

5. ***Land-based Sensitive Resources.*** *Consistent with the LCP provisions for Environmentally Sensitive Habitat Areas (ESHA) already required pursuant to Coastal Zone Land Use Ordinance Section 23.07.170, land based environmentally sensitive habitat areas (ESHA) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development adjacent to ESHA and parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Harbor Terrace

c. *To protect and enhance sensitive biological resources and habitat areas, including water quality, on and adjacent to the Harbor Terrace site, the following measures shall include, but are not limited to:*

    1. *The revegetation of all cut slopes with native species of local stock appropriate to the site. Invasive plant species are prohibited.*

    2. *The replacement of all oak trees in areas adjacent to existing oak woodland habitat, if the removal of such oak trees cannot be avoided. The number and replacement of trees shall be adequate to ensure that an equal or greater number of oak trees, in comparison to the number of trees removed, will be successfully established. A tree replacement program, including long-term maintenance measures, shall accompany any development plan that involves the removal of existing oak trees. This program will include strategies for improving natural oak recruitment.*

    3. *Designing grading and construction activities to avoid disturbance of habitat (e.g. coastal scrub habitat) and minimize the removal of oak trees.*

    4. *The establishment, management, and maintenance of setback or buffer zones as habitat areas. The width of such setback/buffer areas shall be determined through a project specific biological analysis that identifies the minimum setback/buffer area necessary to protect the biological productivity of sensitive habitat areas. Setback areas necessary for fire safety shall be identified in the development plan and shall be designed to avoid the removal or disturbance of habitat areas. The width of the vegetative buffer area provided for the coastal stream adjacent to Diablo Canyon Road shall be no less than 50 feet.*

    5. *Providing information to future guests regarding nature viewing opportunities.*

    6. *The provision of designated areas for pets so that native habitat areas are avoided.*

    7. *Grading for approved development shall be designed and implemented to minimize sedimentation impacts on adjacent surface water bodies including coastal streams and San Luis Bay.*

Construction activities such as grading and clearing shall be scheduled to avoid the rainy season.

8. *Minimize impervious surfaces and install post development BMP's to capture, infiltrate, and/or treat storm water runoff. The objective of drainage improvements shall be to avoid any increase in the quantity and intensity of storm water runoff exiting the site. Post construction BMP's shall be designed with adequate capacity to accommodate, at a minimum, the 85th percentile 24-hour runoff event.*

9. *If drainage facilities are proposed to flow into the stream/drainage channel adjacent to Diablo Canyon Road, the stream channel shall be restored to provide both flow capacity and natural habitat.*

10. *Filtering all drainage from parking facilities by using vegetated swales or oil/water separators to limit oil/grease pollution and the intensity of flow commonly associated with parking lots.*

11. *Use all BMP's possible to limit water quality impacts and eliminate to the greatest degree feasible the need for additional culverts and ocean/beach disposal points.*

Coastal Zone Land Use Ordinance

Section 23.07.170 of the CZLUO provides standards and findings required for development proposed within ESHA, as defined by Chapter 23.11. To approve a land use permit for a project within or adjacent to an ESHA, the review body must find that:

1. *There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.*

2. *The proposed use will not significantly disrupt the habitat.*

Section 23.07.170 (d) provides development standards for ESHA that must be satisfied, which include:

1. *New development within or adjacent to the habitat shall not significantly disrupt the resource.*

2. *New development within the habitat shall be limited to those uses that are dependent upon the resource.*

3. *Where feasible, damaged habitats shall be restored as a condition of development approval.*

4. *Development shall be consistent with the biological continuance of the habitat.*

5. *Grading adjacent to ESH shall conform to the provisions of Section 23.05.034c.*

Port Master Plan and Port Master Plan Final Program EIR

The Port Master Plan includes the following goals and policies, which are incorporated in greater detail in the San Luis Bay Coastal Area Plan (refer to list of standards above).

> ***Goal: A harbor with protected, maintained, and enhanced resources that balances the environmental, social, and economic needs of the various user groups.***
>
> ***Aquatic and Terrestrial Habitats***
>
> 1. *Marine Environments. No actions taken by the Board of Commissioners of Harbor District will result in significant and unavoidable decreases in water quality of San Luis Obispo Bay, including sensitive habitats in San Luis Creek.*
>
> 2. *Runoff Controls. Require implementation of effective runoff control strategies and pollution prevention activities by incorporating the most current best management practices for all new development.*
>
> 3. *Native Vegetation. Require landscaping plans to incorporate native plants and other coastal species appropriate to the site that reflect the Port's waterfront character.*
>
> 4. *Land-based Sensitive Resources. Incorporate decisions and implementation measures that protect environmentally sensitive resources.*

The following mitigation measures identified in the Port Master Plan Final Program EIR are applicable to the proposed project:

B-1. *Oak trees removed or damaged by project activities shall be replaced by planting oak trees in areas adjacent to existing oak woodlands outside project grading limits. These oak trees should be grown from locally collected acorns. San Luis Obispo County recommends a 4:1 replacement of oak trees removed or damaged by development activities. Existing oak trees shall be beneficially incorporated where possible in the project landscaping along with other native species.*

B-2. *Grading and construction in and adjacent to sensitive native habitat areas shall be minimized. Project grading activities shall generally avoid steep slopes and bluff areas.*

B-3. *Construction limits shall be clearly defined and enforced. Oak tree protective measures shall be incorporated by installing construction fencing outside of the drip line of oak trees and preventing any construction or grading activities from damaging existing oak trees.*

B-4. *Projects abutting open, natural areas, will incorporate a buffer zone incorporating fire clearance requirements, and transition zones between introduced and native landscaping. Maintenance of this buffer zone would include prevention of non-native vegetation in the project area from spreading into the native habitats surrounding the site.*

B-5. *Initial land-clearing and grading activities shall be scheduled to avoid spring and early summer months in areas where oak woodland or dense coastal scrub border the site. If clearing must occur during this time period, preconstruction surveys shall be conducted to identify nesting birds in coastal scrub and oak woodland habitats within 500 feet of any project grading or related activities (parking, equipment storage, construction office, etc.). If active nests of Cooper's hawk, northern harrier, white-tailed kite, or Bell's sage sparrow are found, construction or related activities shall be postponed within 500 feet of the nest until the young have fledged or the nest becomes inactive.*

B-6. *Botanical surveys shall be conducted to determine the presence and distribution of special status plant species on the Harbor Terrace site prior to project approval. Botanical surveys shall be conducted by a qualified botanist during known flowering periods of plant species listed in Table 5.6-1 and focus on vegetated areas that would be disturbed by the project. If special-status species would be adversely affected by the project, mitigation measures shall include:*

a. Relocating project components to avoid impacts;

b. Preservation of the majority of the population on the project site through a permanent conservation easement; and

c. Transplanting individual plants (perennials) or seeds (annuals) from impact areas to restoration areas.

Measure a. should be implemented if the plant is threatened or endangered or if a small percentage of the sensitive population on the project site would be affected. Otherwise, measures b. or c. may be implemented.

B-7. *Native landscaping shall be designed and installed to discourage pedestrian access from the Harbor Terrace site into adjacent native habitats. In addition, if pets are allowed, designated pet areas shall be incorporated into the design of new development so pets are not allowed into nearby habitat areas or buffer zones that support native wildlife.*

B-8. *To approve a land use permit for a project within or adjacent to an Environmentally Sensitive Area, the Harbor District must find that:*

1. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.

2. The proposed use will not significantly disrupt the habitat.

B-9. *The Harbor District shall implement the following provisions of the Coastal Zone Land Use Ordinance in the review and approval of new development that may affect environmentally sensitive areas:*

1. New development within or adjacent to the habitat shall not significantly disrupt the resource.

2. New development within a sensitive habitat shall be limited to those uses that are dependent upon the resource.

3. *Where feasible, damaged habitats shall be restored as a condition of development approval.*

4. *Development shall be consistent with the biological continuance of the habitat.*

5. *Grading adjacent to Environmentally Sensitive Habitat Areas shall conform to the provisions of Section 23.05.034c of the Coastal Zone Land Use Ordinance.*

B-10. *The Harbor District shall implement the following provisions of the Coastal Zone Land Use Ordinance in the review and approval of new development that may affect marine, nearshore and beach habitats:*

1. *Protection of kelp beds, offshore rocks, reefs and intertidal areas. Development shall be sited and designed to mitigate impacts that may have adverse effects upon the habitat, or that would be incompatible with the continuance of such habitats.*

2. *Siting of shoreline structures. Shorelines structures, including piers, groins, breakwaters, seawalls, and pipelines shall be designed or sited to avoid and to minimize impacts on marine habitats.*

3. *Coastal access. Coastal access shall be monitored and regulated to minimize impacts on marine resources. If negative impacts are demonstrated, then the Harbor District shall take steps to mitigate these impacts, including limitations of the use of the coastal access.*

4.3.3 Thresholds of Significance

According to the State CEQA Guidelines, the project would have a significant impact if it would:

a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the CDFW or USFWS.

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

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.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree protection policy or ordinance, or conflict with any regional plans or policies to protect sensitive species, or regulations of the CDFW or USFWS.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP).

g. Further, impacts are considered significant if the proposed plan or its implementation would conflict with the resource protection sections of the Coastal Act.

4.3.4 Impact Assessment and Methodology

Impact assessment focused on identifying potential project-related impacts associated with implementation of the project, and was based on details presented within the project description. Identified impacts represent a reasonable worst case scenario based on the provided project plans. Potential impacts were expected to occur where proposed construction or development activities would result in temporary or permanent modification of sensitive communities or habitats occupied by special-status species. Impacts to biological resources within the study area were evaluated by determining the sensitivity, significance, or rarity of each resource that would be adversely affected by the proposed project, and thresholds of significance were applied to determine if the impact constituted a significant impact. The significance threshold may be different for each habitat or species and is based on the resource's rarity or sensitivity and the level of impact that would result from the proposed project. Where potential project-related impacts to sensitive resources were identified, measures for avoiding or minimizing adverse effects to these resources were recommended.

4.3.5 Project Specific Impacts and Mitigation Measures

Implementation of the proposed project would primarily affect ruderal/disturbed areas of the project site (refer to Figure 4.3-2). Impacts to all habitat types onsite are summarized in Table 4.3-3 below, and are categorized based on use in Table 4.3-4. Additional management of vegetation would occur within 30 to 100 feet of proposed structures, and would include mowing and tree trimming, which would result in additional impacts to grassland and coastal scrub.

Table 4.3-3. Summary of Temporary and Permanent Impacts to Habitat

Habitat	Existing Habitat[1]	Permanent Impacts	Additional Temporary Impacts[2]	Total
Coast live oak woodland	0.16	0.02	0.0	0.02
Ruderal/disturbed	21.69	11.42	6.82	18.24
Valley needlegrass grassland	1.72	0.08	0.07	0.15
Non-native annual grassland	0.18	0.01	0.0	0.01
Ornamental trees	2.45	0.56	0.43	0.99
Coastal scrub	8.08	0.79	0.11	0.90
Total	**34.29**	**12.88**	**7.43**	**20.32**

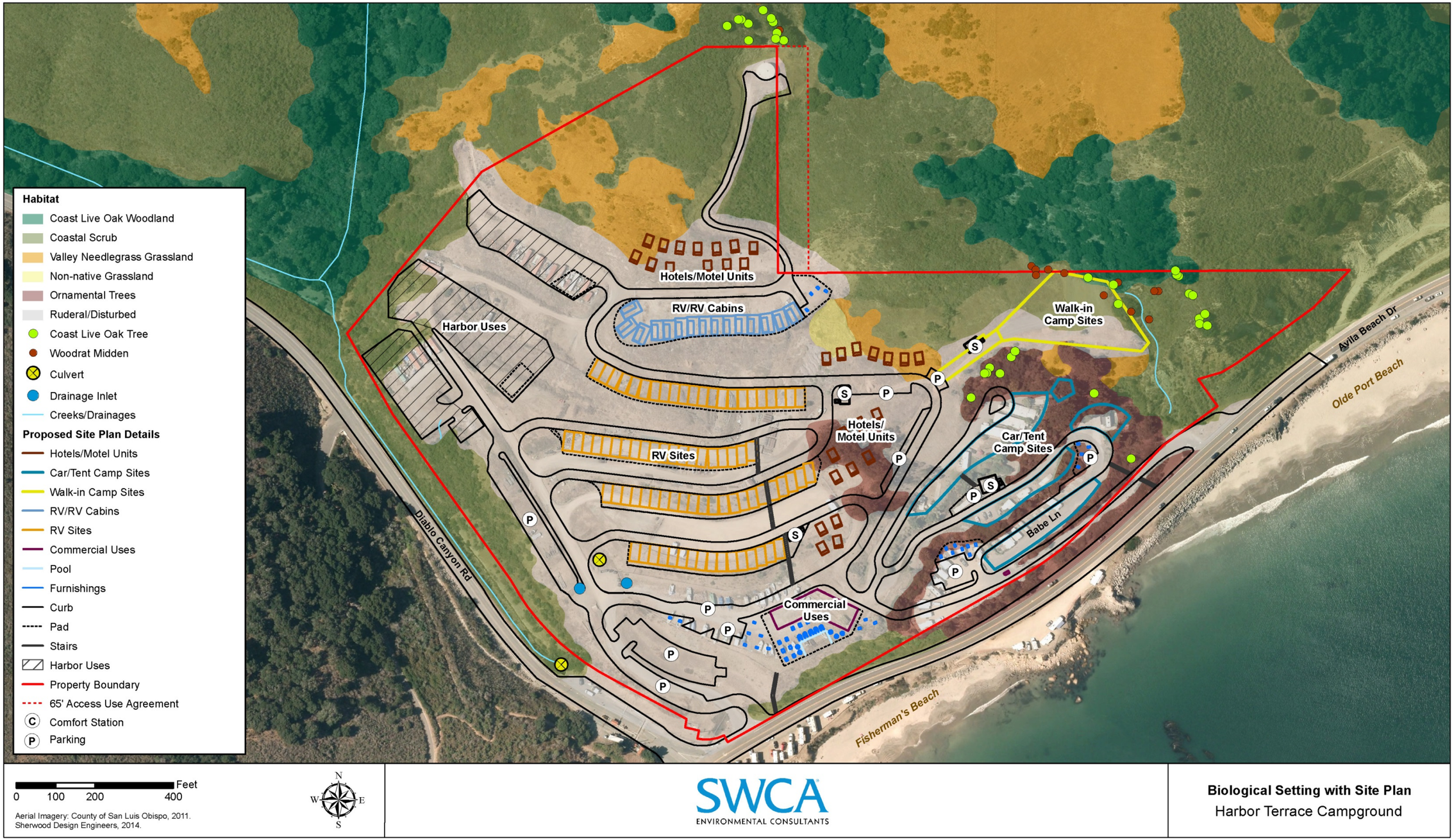
[1]Includes 32-acre project site and proposed 65-foot access use agreement ~~easement~~
[2]Includes additional areas to be disturbed by grading activities outside of the permanently impacted areas

Table 4.3-4. Detailed Temporary and Permanent Impacts Based on Use Area (acres)

Habitat	Existing Habitat[1]	Walk-In Campsites	Car/Tent Sites	RV Sites	RV/RV Cabins	Comfort Stations	Commercial Uses	Harbor Uses	Hotel Units	Picnic Areas	Paving	Temporary Impacts[2]
Coast live oak woodland	0.16	0.02	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Ruderal/disturbed	21.69	0.40	0.81	1.94	0.73	0.04	0.44	1.86	0.18	0.14	4.88	6.82
Valley needlegrass grassland	1.72	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.06	0.0	0.02	0.07
Non-native annual grassland	0.18	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.01	0.0	0.0	0.0
Ornamental trees	2.45	0.0	0.15	0.01	0.0	0.0	0.0	0.0	0.03	0.06	0.3	0.43
Coastal scrub	8.08	0.41	0.0	0.0	0.0	0.0	0.0	0.30	0.0	0.0	0.08	0.11
Total	**34.29[1]**	**0.84**	**0.96**	**1.95**	**0.73**	**0.04**	**0.44**	**2.16**	**0.28**	**0.20**	**5.29**	**7.43**

[1]Includes 32-acre project site and proposed 65-foot access use agreement ~~easement~~
[2]Includes additional areas to be disturbed by grading activities outside of the permanently impacted areas

Figure 4.3-2. Habitat Map with Project Overlay



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Effects on Special-Status Species and Habitat

Construction-Related Impacts

Based on the results of seasonally-timed biological surveys within and adjacent to the project site, no special-status plant species were observed. Project grading and development (including potential removal of trees and vegetation) would primarily occur within ruderal/disturbed and currently developed areas, and would not result in direct impacts to sensitive habitats including the drainage near Diablo Canyon Road and the drainage east of the proposed walk-in campsites. Potential impacts to valley needlegrass grassland and coastal scrub habitat are addressed under "Long-term Impacts" below. Inadvertent impacts to native habitats including coast live oak woodland, coastal scrub, grassland, and drainages may occur if staging areas and construction equipment enter these areas. Additional disturbance of woodrat middens, native habitats, including grading, equipment storage, discharge of materials, fuels, sediment, and other pollutants outside of the grading limits and ruderal/disturbed areas would result in a potentially significant impact. Removal of ornamental trees and Eucalyptus would have an adverse effect on nesting birds, if present. Mitigation is identified, which would reduce potential effects to less than significant.

BIO Impact 1	
Construction of the proposed project may directly and/or indirectly affect special-status species, including terrestrial and avian species, resulting in a potentially significant short-term impact.	
Mitigation Measures	
BIO/mm-1	*Prior to initiation of grading activities, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of special-status species. A qualified biological monitor shall be present during any clearing and grading activities within 100 feet of onsite drainages and oak woodland. The work areas shall be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage). The qualified biologist will receive project-specific approvals from resource agencies prior to handling any special-status wildlife species. Speed limits shall be restricted to 15 mph and work shall be limited to daylight hours.*
BIO/mm-2	*Upon application for construction permits from the County of San Luis Obispo, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality:* *a. Grading and construction resulting in ground disturbance should be limited to the typical dry season (April 15 to October 15).* *b. If work must occur during the rainy season, the Harbor District (or their designee) shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering creeks, drainages, and the Pacific Ocean.* *c. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's re-vegetation plan.*
BIO/mm-3	*If feasible, all work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning. If construction activities*

BIO Impact 1	
	must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.
BIO/mm-4	*All existing oak trees shall remain on-site. All oak trees (greater than 4 inches in diameter) that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.*
BIO/mm-5	*All oak trees identified to remain shall not be removed, unless otherwise regulated by the County CZLUO §23.05.062 (Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees:* *a. year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years);* *b. grading (includes cutting and filling of material);* *c. compaction (e.g., regular use of vehicles);* *d. placement of impermeable surfaces (e.g., pavement); or,* *e. disturbance of soil that impacts roots (e.g., tilling).*
Implement Port Master Plan Final Program EIR mitigation measures B-2, B-4, B-5, and B-9. *B-2 Grading and construction in and adjacent to sensitive native habitat areas shall be minimized. Project grading activities shall generally avoid steep slopes and bluff areas.* *B-4 Projects abutting open, natural areas will incorporate a buffer zone incorporating fire clearance requirements, and transition zones between introduced and native landscaping. Maintenance of this buffer zone would include prevention of non-native vegetation in the project area from spreading into the native habitats surrounding the site.* *B-5 Initial land-clearing and grading activities shall be scheduled to avoid spring and early summer months in areas where oak woodland or dense coastal scrub border the site. If clearing must occur during this time period, preconstruction surveys shall be conducted to identify nesting birds in coastal scrub and oak woodland habitats within 500 feet of any project grading or related activities (parking, equipment storage, construction office, etc.). If active nests of Cooper's hawk, northern harrier, white-tailed kite, or Bell's sage sparrow are found, construction or related activities shall be postponed within 500 feet of the nest until the young have fledged or the nest becomes inactive.* *B-9 The Harbor District shall implement the following provisions of the Coastal Zone Land Use Ordinance in the review and approval of new development that may affect environmentally sensitive areas:* *1. New development within or adjacent to the habitat shall not significantly disrupt the resource.* *2. New development within a sensitive habitat shall be limited to those uses that are dependent upon the resource.* *3. Where feasible, damaged habitats shall be restored as a condition of development approval.* *4. Development shall be consistent with the biological continuance of the habitat.* *5. Grading adjacent to Environmentally Sensitive Habitat Areas shall conform to the provisions of Section 23.05.034c of the Coastal Zone Land Use Ordinance.*	

BIO Impact 1
Residual Impacts
Based on the results of the biological surveys conducted for the project, mitigation was identified to ensure that no special-status species are present prior to construction. Mitigation measures include procedures for species identification and protection. The proposed landscape plan includes oak trees and native vegetation, consistent with the landscape. Identified mitigation includes protection measures to avoid inadvertent impacts during construction and standards for necessary trimming and hazardous tree removal. Based on incorporation of mitigation measures identified above, residual impacts would be less than significant with mitigation.

Long-term Impacts

Long-term impacts include the permanent loss of 0.08 acre of valley needlegrass grassland and 0.79 acre of coastal scrub. These effects would be mitigated through implementation of the proposed landscape plan, which includes native species consistent with these habitat types, including enhancement of existing natural areas to remain undeveloped, and restoration of currently ruderal/disturbed areas to native habitat. Establishment of walk-in campsites would affect approximately 0.02 acre of coast live oak woodland understory and up to three individual coast live oak trees as a result of soil compaction during long-term use. These effects would be mitigated by the incorporation of coast live oak trees in the proposed landscape plan. Based on the existing condition of the project site, and proposed restoration actions that would occur through implementation of the landscape plan, potential long-term impacts to habitat would be less than significant.

Fuel/vegetative management required by the California Department of Forestry and Fire Protection (CAL FIRE) would require mowing of vegetation and trees within 30 to 100 feet of proposed structures and within ten feet of access roads. These actions would result in additional impacts to native vegetation onsite; however, based on the existing conditions on the project site, these actions would not impair the ecological function of these habitats. In addition, enhancement of natural areas and existing ruderal/disturbed areas would result in an overall benefit. Tree trimming would be conducted by an arborist to ensure actions do not result in tree mortality. Therefore, potential impacts would be less than significant.

Use of the campground facilities would result in increased human presence in the area, including natural habitats in the northern portions of the project site. Pets, including dogs, would be permitted within the campsite, which could result in disruption of nesting birds and wildlife. No trails are proposed outside of the development area. The proposed development provides an opportunity for additional education regarding sensitive habitats and species including woodrat and nesting birds.

BIO Impact 2
Implementation of the project would result in the loss of 0.08 acre of valley needlegrass grassland and 0.79 acre of coastal scrub. Vegetative management required by CAL FIRE may result in additional disturbance of these habitat types, in addition to coast live oak woodland. Additional human presence within these habitat types may have an adverse effect on special-status and common wildlife in the immediate area.
Mitigation Measures
BIO/mm-6 The trimming of oaks can be detrimental and shall be minimized as follows: *a. Removal of larger lower branches should be minimized to:*

BIO Impact 2	
	i. *avoid making tree top heavy and more susceptible to "blow-overs;"* ii. *reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation;* iii. *retain the wildlife that is found only in the lower branches;* iv. *retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and,* v. *retain the natural shape of the tree.* b. *The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum).* c. *Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the Harbor District (or their designee) shall either use a skilled arborist or apply accepted arborist's techniques when removing limbs.* d. *Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter.* e. *Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.*
BIO/mm-7	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a final landscape plan incorporating the following elements and standards:* a. *2:1 replacement of valley needlegrass grassland within the property boundaries.* b. *2:1 replacement of coastal scrub within the property boundaries.* c. *The landscape plan shall be implemented prior to occupancy and operation of the campground. Initial establishment of native vegetation, including valley needlegrass grassland and coastal scrub species shall be verified by a qualified biologist. A letter documenting compliance shall be submitted to the County of San Luis Obispo prior to final inspection.* d. *Long-term establishment of valley needlegrass grassland and coastal scrub species shall be monitored by a qualified biologist for a period no less than three years. Annual monitoring reports shall be submitted to the County of San Luis Obispo, including one final monitoring report at the end of the three-year monitoring period. The reports shall document initial and consecutive acreage of species establishment, and any actions taken to remediate loss of restored vegetation.*
BIO/mm-8	*Prior to occupancy and operation of the proposed project, the Harbor District or their designee shall develop informative and educational materials to be provided to visitors. Materials may be available in hard copy or electronic form. Information included in the materials shall include, but not be limited to:* a. *Description of special-status, marine mammal, and avian species present within San Luis Bay and the surrounding terrestrial areas.* b. *Notification to avoid the creation of spur trails and subsequent disturbance of wildlife and habitats within undeveloped areas of the project site.* c. *Notification to store and dispose of trash and recyclables in appropriately designated containers and areas.* d. *Prohibition of fueling of generators outside of designated RV pads.* e. *Map identifying designated onsite trails and access routes.* f. *Prohibition of pets outside of paved areas, marked trails, and campsites.* g. *Requirement for all pets to be on leash or contained (with owners also onsite) in tents, RVs, and units.*

BIO Impact 2
Implement Port Master Plan Final Program EIR mitigation measures B-1, B-4, B-5, and B-7. *B-1 Oak trees removed or damaged by project activities shall be replaced by planting oak trees in areas adjacent to existing oak woodlands outside project grading limits. These oak trees should be grown from locally collected acorns. San Luis Obispo County recommends a 4:1 replacement of oak trees removed or damaged by development activities. Existing oak trees shall be beneficially incorporated where possible in the project landscaping along with other native species.* *B-4 Projects abutting open, natural areas, will incorporate a buffer zone incorporating fire clearance requirements, and transition zones between introduced and native landscaping. Maintenance of this buffer zone would include prevention of non-native vegetation in the project area from spreading into the native habitats surrounding the site.* *B-5 Initial land-clearing and grading activities shall be scheduled to avoid spring and early summer months in areas where oak woodland or dense coastal scrub border the site. If clearing must occur during this time period, preconstruction surveys shall be conducted to identify nesting birds in coastal scrub and oak woodland habitats within 500 feet of any project grading or related activities (parking, equipment storage, construction office, etc.). If active nests of Cooper's hawk, northern harrier, white-tailed kite, or Bell's sage sparrow are found, construction or related activities shall be postponed within 500 feet of the nest until the young have fledged or the nest becomes inactive.* *B-7 Native landscaping shall be designed and installed to discourage pedestrian access from the Harbor Terrace site into adjacent native habitats. In addition, if pets are allowed, designated pet areas shall be incorporated into the design of new development so pets are not allowed into nearby habitat areas or buffer zones that support native wildlife.*
Residual Impacts
The proposed project includes implementation of a landscape plan, which includes enhancement of natural areas to remain undeveloped and establishment of native vegetation throughout the project site. Performance standards and monitoring is identified to ensure establishment of sensitive vegetation in the long-term. Tree-trimming standards are identified to minimize adverse effects on adjacent coast live oak trees during fuel management activities. Provision of educational materials, and the presence of a campground manager, would reduce potential impacts to surrounding habitats and wildlife during operation of the facility. Based on the existing conditions on the project site, and implementation of identified mitigation measures, potential long-term impacts would be less than significant.

Effects on Riparian, Wetlands, and Other Sensitive Habitats

Implementation of the proposed project would not have an adverse effect on riparian habitats or drainage features. Proposed grading and development would be located a minimum of 50 feet from identified drainages. Similar to the impact discussion above regarding construction-related impacts to special-status species and habitat, potential impacts to ESHA including streams and riparian vegetation include inadvertent and accidental discharge of sediments and other pollutants into drainages. Project construction is required to comply with County and RWQCB standards regarding erosion control and water quality (refer to EIR Section 4.8). Additional measures noted above include delineation of the construction area and environmental monitoring to ensure compliance.

In the long-term, in the addition to vegetative restoration incorporated into the landscape plan, the project includes Low Impact Development (LID) measures and onsite stormwater management features, which would filter stormwater runoff prior to discharge offsite. These features would capture accidental oil or fuel leaks from vehicles, RVs, boats, and other equipment onsite, and would likely result in improved water quality compared to existing conditions (i.e., paving, disturbed and bare soil, no onsite filters of stormwater).

Effect on Wildlife Movement and Behavior

Development of the proposed project would primarily occur within ruderal/disturbed areas, including areas currently used for storage. The site is adjacent to expansive open space and natural habitats, and existing drainage features onsite would remain. Removal of ornamental trees, including eucalyptus, may result in a short-term reduction in potential nesting bird habitat onsite; however, the landscape plan includes the planting of trees, including coast live oaks, which would provide long-term nesting opportunities within the project site. In addition, the removal of eucalyptus may improve soil conditions for native plant and tree revegetation efforts onsite. Habitat for nesting birds and woodrat within the northern and far eastern portions of the project site would remain unaffected, and would be remain continuous with expansive, undeveloped habitat to the north. Uses adjacent to native habitats would be limited to low-impact, resource-dependent walk-in campsites. Therefore, the project would not have a significant adverse effect on wildlife movement in the area.

Consistency with Local Policies and Ordinances and the Coastal Act

Implementation of the proposed project would comply with existing regulations and policies identified in the California Coastal Act, the County's LCP, the San Luis Coastal Area Plan, CZLUO, and previously-adopted mitigation measure identified in the Port Master Plan Final Program EIR. The project would not result in disturbance within 50 feet of mapped and potential SRV ESHA, and would include restorative actions that would enhance native habitat within the property boundaries.

Consistency with HCP/NCCP

The project site is not located within an HCP or NCCP; therefore, no impact would occur.

4.3.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of the development of Harbor Terrace, identified potentially significant but mitigable and less than significant impacts to biological resources that would occur as a result of build-out of the Master Plan. Potential impacts included: loss of habitat for special-status plant and animal species (less than significant); impacts to sensitive natural communities including needlegrass grassland (less than significant with mitigation); increased impervious surfaces and stormwater runoff (less than significant with mitigation); disruption of wildlife movement (less than significant with mitigation); extension of human-related disturbance into open space areas (less than significant). Mitigation identified in the Port Master Plan Final Program EIR and additional project-specific measures would mitigate all identified impacts to less than significant.

Implementation of the Avila Tank Farm project, and areawide buildout development, may result in impacts to biological resources, including native habitat, special-status species, and nesting birds. Consistency with Coastal Policies related to mapped and potential ESHA and sensitive resources would be addressed during the County's review of that project, and mitigation would be identified through environmental analysis.

Based on the existing conditions on the project site (primarily ruderal/disturbed), avoidance of both mapped and unmapped ESHA (coastal streams), compliance with the County's LCP and Coastal Policies, and incorporation of identified mitigation measures, the proposed project would not have a significant, adverse, cumulative effect on biological~~visual~~ resources.

4.4 CULTURAL RESOURCES

This section summarizes the results of the cultural resources studies conducted for the project, including information and documents reviewed during the preparation of the EIR, and incorporated in the EIR analysis.

4.4.1 Existing Conditions

The following summary of existing conditions has been incorporated by reference from the Port Master Plan Final Program EIR (CMCA 2004) and *Results of Phase One Archaeological Surface Survey of the Harbor Terrace Project* (Gibson 1996). The Phase One report is a confidential document held on file at the Harbor District offices.

4.4.1.1 Pre-History

The project area lies within the historic territory of the Native American Indian group known as the Chumash. The Chumash occupied the region from San Luis Obispo County to Malibu Canyon on the coast, inland as far as the western edge of the San Joaquin Valley, and the four northern Channel Islands (CMCA 2004; Grant 1978 incorporated by reference). The Chumash are further divided into factions based on six distinct dialects: Barbareño, Ventureño, Purisimeño, Ynezeño, Obispeño, and Island. The Obispeño were the northernmost Chumash group, occupying much of San Luis Obispo County, including the Cal Poly area. The name Obispeño is derived from the mission with local jurisdiction, San Luis Obispo de Tolosa.

The archaeological record indicates that sedentary populations occupied the coastal regions of California more than 9,000 years ago (up to 15,000 years ago per consultation with Native American tribal representatives). Several chronological frameworks have been developed for the Chumash region including Rogers (1929), Wallace (1955), Harrison (1964), Warren (1968), and King (1990) (CMCA 2004, incorporated by reference). King postulates three major periods -- Early, Middle and Late. Based on artifact typologies from a great number of sites, he was able to discern numerous style changes within each of the major periods. The Early Period (8000 to 3350 Before Present [B.P.]) is characterized by a primarily seed processing subsistence economy. The Middle Period (3350 to 800 B.P.) is marked by a shift in the economic/subsistence focus from plant gathering and the use of hard seeds, to a more generalized hunting-maritime-gathering adaptation, with an increased focus on acorns. The full development of the Chumash culture, one of the most socially and economically complex hunting and gathering groups in North America, occurred during the Late Period (800 to 150 B.P.).

The Chumash aboriginal way of life ended with Spanish colonization. As neophytes were brought into the mission system, they were transformed from hunters and gatherers into agricultural laborers and exposed to diseases to which they had no resistance. By the end of the Mission Period in 1834, the Chumash population had been decimated by disease and declining birthrates. Population loss as a result of disease and economic deprivation continued into the next century. Today many people proudly claim Chumash ancestry and take an active interest in promoting their culture and protecting archaeological evidence of their ancestors.

The Avila Beach area has a large site (SLO-56) which was occupied for over 5,000 years. It was also the location of a Mission Period village, named Sepjato, which was occupied as late as 1804. Following an annual cycle of hunting, fishing, fowling, and harvesting, the Chumash people adapted to changing environmental and social conditions and grew into a large complex society. Aboriginal society underwent major changes soon after Spanish contact in 1769,

primarily due to the introduction of epidemic European diseases and the consequent high mortality rate. Most of the Chumash from rancherias in the general area were baptized at San Luis Obispo Mission between 1772 and 1805.

4.4.1.2 Modern History

In 1769 Gaspar de Portolà and Father Junipero Serra departed the newly established San Diego settlement and marched northward toward Monterey with the objective to secure the port and establish five missions along the route. The Portolà expedition passed through present day San Luis Obispo County that same year. The closest mission to the project site is Mission San Luis Obispo de Tolosa founded in 1772 (CMCA 2004, Krieger 1985 incorporated by reference).

The San Miguelito Rancho of 22,136 acres of land borders San Luis Bay. This area was granted in 1867 by the Mexican Government to Don Miguel Avila. The town of Avila was laid out by the Avila brothers on the lands adjacent to the sandy beach overlooking the bay. In 1868, John Harford and associates charted the People's Wharf Company to construct a deep water wharf to serve coastal shipping. At Avila Beach, near Point San Luis, the "People's Wharf" (located 400 feet east of the present pier), held two large warehouses, a hotel and a 2-foot, 6-inch narrow-gauge horse-drawn railroad to connect the wharf with the County road at Avila. The railroad was completed in 1873. This became the first narrow gauge railroad in California. The San Luis Obispo Railroad was incorporated in 1873 to build a 3-foot narrow-gauge railroad from Avila to San Luis Obispo, but construction only progressed as far as Miles Station which was the homestead of W. Miles and then a stage stop and horse change on the county highway, before funds ran out. At this point, Charles Goodall of San Francisco bought out Harford and the San Luis Obispo Railroad, and in August 1876, completed the 10.75-mile line to San Luis Obispo. The railroad tracks were located along the general area of Avila Beach Drive immediately south of the Harbor Terrace project site.

In 1867, President Andrew Johnson signed an executive order directing the Department of the Interior "to take the necessary steps to cause the reservation for Light House purposes of an area not exceeding twenty acres of land at each of the following named points on the Pacific Coast" including "Point San Luis". After several delays, work at the station was completed in June 1890, and the light was officially lit for the first time on June 30, 1890. The completed Victorian structure with 40-foot tower and fourth-order Fresnel lens stands just outside the harbor. An assistant keeper's dwelling, fog signal building (a 10-inch steam whistle), and small wharf were built nearby. The site also contains an oil house, two cisterns, a privy, workshop, and dwellings added in the 1960s.

The station continued operations for more than 80 years with only minor changes. The steam fog signal system was replaced with a compressed air system in about 1915 and the kerosene lamp in the tower was replaced with an electric light in 1933. During World War II, a radio listening station was built in front of the lighthouse and a second duplex was built just east of the original double dwelling. In 1961 the original double dwelling was replaced with a modern wood-frame duplex. It was reported that the Coast Guard simply pushed the original building over the cliff and into the ocean with a bulldozer. In 1969 the Fresnel lens was retired and replaced by an automated electric light. In 1974 the Coast Guard closed the station. After much work, in 1992, the Port San Luis Harbor District received the 30-acre site from the Federal Government with the requirement that the station be restored and opened to the public. In 1995, the Point San Luis Lighthouse Keepers non-profit corporation was formed to take on this responsibility. In 2000, the Lighthouse Keepers prepared a Historic Structures Report and Treatment Plan for the renovation of the station and conversion to a museum. All development within the Lightstation

Planning Sub-Area must adhere to the National Park Service approved Treatment Plan and documents of Utilization and Acquisition, as well as all other applicable LCP standards.

Avila Beach has been a popular attraction for the residents of San Luis Obispo with structures being constructed as early as 1869. In 1908-1910, commercial establishments were constructed along Front Street. In 1924, electricity led to the rapid growth of the town of Avila Beach.

Passenger train service in 1930 was reduced to twice a week to Los Olivos; on the rest of the days the train turned around at Orcutt. By 1934, regular service had ended and all trains were "extras." Service was suspended between Los Alamos to Los Olivos in 1933 and the branch was abandoned in 1935. All passenger service was discontinued in 1937. The tracks all the way to Port San Luis were pulled up and salvaged in 1941-42. Many of the rails and much of the hardware were shipped to Hawaii and the Southwest Pacific for use at naval supply bases during World War II.

4.4.1.3 Site Specific Setting

Archaeological Resources

Native American coordination was conducted during preparation of the EIR. Responding parties included representatives from the Northern Chumash Tribal Council and the Northern Chumash Tribe yak tityu tityu. Both representatives noted the cultural significance of the Port San Luis/Avila Beach area, and an interconnected Native American village complex extending from Indian Head Point to the Port San Luis Lighthouse. Evidence of this village complex is supported by the archaeological records available for the area.

Surveys have recorded a number of smaller prehistoric sites in the Wild Cherry Canyon, located immediately east of the Harbor Terrace project area and on the terraces just north of the town of Avila Beach. Sites in these areas are much smaller and more specialized than the large sites observed at SLO-56 and SLO-773 (see description below).

An archival records search conducted for the Harbor Terrace site (including an area approximately 0.5 mile beyond its boundaries) indicated the existence of 12 recorded archaeological sites. Of this total, three sites were recorded near or within the Harbor Terrace site boundaries. These three sites have been previously recorded (from prior area surveys conducted in 1977 and 1991) as SLO-773, SLO-756, and SLO-757. Pedestrian surveys of the Harbor Terrace site and adjacent areas confirmed the location and mapped the boundaries of these three archaeological sites. No new historic or prehistoric archaeological sites were discovered on or adjacent to the Harbor Terrace site. These three archaeological sites are described below. The descriptions of the location and contents of these sites are limited in order to discourage future disturbance or looting of resources. None of the documented sites are located within areas proposed for grading, development, or public access.

- **Site SLO-773.** Prehistoric site SLO-773 is located west of the intersection of Avila Beach Drive and Diablo Canyon Road. A portion of the original site was likely removed and/or displaced during the construction of Avila Beach Drive. Preliminary assessment of this site in 1977 indicated that it was a major village site, probably dating to post 1500 Anno Domini (A.D.). It contains evidence of a full range of cultural activities associated with a permanent Chumash village including one or more cemeteries. Documented resources included shell fragments, burnt rock, chipped stone artifacts, and one Olivella bead.

- **Site SLO-756.** This prehistoric site is located on top of a terrace overlooking San Luis Bay, east of Diablo Canyon Road and north of the existing water tank. Documented resources included shell fragments, chert flakes, pitted stones, and one mano.

- **Site SLO-757.** The prehistoric site is located on the same ridge as SLO-756, east-southeast of the water tank site. This site is similar in appearance to SLO-756; documented resources included shell fragments, chert flakes, chipped stone tools, and one mano.

Sites SLO-756 and SLO-757 possess artifacts indicative of two separate activity areas located adjacent to each other, a common pattern is Obispeño sites. One is an area for food preparation and consumption associated with living areas and trash dumps. These areas are marked by shellfish fragments, burnt rock, ground stone tools, simple scraping and cutting tools, and some flakes. The other area is for tool manufacturing activities and is characterized by an absence of shell, bone, burnt rock, and ground stone tools. More common are biface blanks, biface thinning flakes, hammerstones, and various stone tools. It is probable that both sites much larger than originally mapped, and may connect within the similar landform.

Based upon a comparison of resources found on other archaeological sites in the San Luis Bay area, these two sites display an absence of artifacts (native oyster shells), which would indicate that these sites pre-date the extinct lagoon which previously existed at the mouth of San Luis Creek. Otherwise, the precise period of occupation of these two sites, SLO-756 and SLO-757 is unknown.

All three of these prehistoric cultural sites identified during the surface survey of the Harbor Terrace site were largely intact cultural deposits. Guidelines for evaluation of cultural resources have been developed by the State of California as part of CEQA. Based on the surface information gathered from these three sites, SLO-773, SLO-756, SLO-757, and a general review of other information from sites in the Avila Beach and Port San Luis area, all three sites would fall within the following definitions of important and significant archaeological resources. These sites:

a. “are associated with an event or person of recognized scientific importance in prehistory;”

b. “can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions;”

c. “have a special or particular quality such as oldest, best, largest, or last surviving example of its kind;”

d. “are at least 1000 years old and possesses substantial stratigraphic integrity;” or

e. “involve important research questions that historical research has shown can be answered only with archaeological methods.”

Historical Resources

No evidence of the Pacific Coast Narrow Gage Railroad was observed during pedestrian surveys. This historical resource was probably removed during the construction of Avila Beach Drive.

Paleontological Resources

The geologic units underlying the project site include the Miocene-age Monterey Formation and rocks associated with the Jurassic/Cretaceous-age Franciscan Melange (refer to Figure 4.5-1). A majority of the site has been greatly altered by past grading activity, and is overlain by surficial units consisting of colluvium, landslide debris, and fill soil. The natural formations underlying the project site are known to contain paleontological resources; the potential for significant paleontological discovery is high in native soils.

4.4.2 Regulatory Setting

4.4.2.1 State Regulations

The State of California has formulated laws for the protection and preservation of historic and archaeological resources. Generally, a cultural resource shall be considered to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (CRHR) (PRC §5024.1, 14 CCR §4852) including the following:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to PRC §5020.1(k)), or identified in an historical resources survey (meeting the criteria in PRC §5024.1(g)) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC §§5020.1(j) or 5024.1.

If the project may cause damage to a significant archaeological resource, the project may have a significant effect on the environment. Section 15064.5 of CEQA pertains to the determination of the significance of impacts to archaeological and historic resources, and provides guidelines for administering to archaeological resources that may be adversely affected by project development in §151226.4. Achieving CEQA compliance with regard to treatment of impacts to significant cultural resources requires that a mitigation plan be developed for the resource(s). Preservation in place is the preferred manner of mitigating impacts to archaeological resources.

4.4.2.2 Local Regulations and Policies

The project is required to comply with the County of San Luis Obispo LCP, CZLUO, and San Luis Bay Coastal Area Plan. Applicable standards include the following:

Coastal Zone Land Use Ordinance

Section 23.07.104 - Archaeologically Sensitive Areas:

To protect and preserve archaeological resources, the following procedures and requirements apply to development within areas of the coastal zone identified as archaeologically sensitive.

a. Archaeologically sensitive areas. The following areas are defined as archaeologically sensitive:

(1) Any parcel within a rural area which is identified on the rural parcel number list prepared by the California Archaeological Site Survey Office on file with the county Planning Department.

(2) Any parcel within an urban or village area which is located within an archaeologically sensitive area as delineated by the official maps (Part III) of the Land Use Element.

(3) Any other parcel containing a known archaeological site recorded by the California Archaeological Site Survey Office.

b. Preliminary site survey required. Before issuance of a land use or construction permit for development within an archaeologically sensitive area, a preliminary site survey shall be required. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and approved by the Environmental Coordinator. The County will provide pertinent project information to the Native American tribe(s).

c When a mitigation plan is required. If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist. The County will provide pertinent project information to the Native American tribe(s) as appropriate. The purpose of the plan is to protect the resource. The plan may recommend the need for further study, subsurface testing, monitoring during construction activities, project redesign, or other actions to mitigate the impacts on the resource. Highest priority shall be given to avoiding disturbance of sensitive resources. Lower priority mitigation measures may include use of fill to cap the sensitive resources. As a last resort, the review authority may permit excavation and recovery of those resources. The mitigation plan shall be submitted to and approved by the Environmental Coordinator, and considered in the evaluation of the development request by the Review Authority.

d. Archeological resources discovery. In the event archeological resources are unearthed or discovered during any construction activities, the standards of Section 23.05.140 of this title shall apply. Construction activities shall not commence until a mitigation plan, prepared by a qualified professional archaeologist reviewed and approved by the Environmental Coordinator, is completed and implemented. The County will provide pertinent project information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan. The mitigation plan shall include

measures to avoid the resources to the maximum degree feasible and shall provide mitigation for unavoidable impacts. A report verifying that the approved mitigation plan has been completed shall be submitted to the Environmental Coordinator prior to occupancy or final inspection, whichever occurs first.

Section 23.05.140 - Archeological Resources Discovery:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

a. *Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.*

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

San Luis Bay Coastal Area Plan

Archaeology

1. *Cultural Resources. Incorporate into decisions implementation measures that conserve cultural and historical resources in development of affected Port properties.*

Harbor Terrace

d. *Potential impacts to cultural resources shall be evaluated by all development proposals on the Harbor Terrace site, and the protection and/or mitigation for any significant resources identified shall be incorporated into the proposed site design in coordination with SHPO and the local Chumash tribe. Archeological field surveys shall be conducted prior to construction activities on the Harbor Terrace. In accordance with Section 23.05.140 of the CZLUO, all construction activities shall cease should resources be identified during construction. In such an event, construction activities shall not re-commence until measures protecting and/or mitigating impacts to archaeological resources have been developed and approved by Planning Director, Environmental Coordinator, SHPO, and the Chumash tribe.*

   No development shall occur west of Diablo Canyon Road other than restoration of the existing drainage course, and any cultural/archaeological preservation activities that have been coordinated and approved by the State Historic Preservation Officer and representatives of the appropriate Chumash tribe.

Port Master Plan and Port Master Plan Final Program EIR

In addition, the project is subject to the following mitigation measures identified in the Port Master Plan Final Program EIR:

C-1 *In the event archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative should monitor any mitigation work associated with prehistoric cultural material.*

C-2 *If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance 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 has 24 hours to notify the Native American Heritage Commission (NAHC).*

4.4.3 Thresholds of Significance

CEQA directs lead agencies to protect and preserve resources with cultural, historic, scientific, or educational value. In accordance with §15064.5 (Determining the Significance of Impacts to Archaeological and Historic Resources) and Appendix G of the CEQA Guidelines, the County identified the following questions to determine a project's impact on cultural resources. Would the project:

a. Disturb archaeological resources;

b. Disturb historical resources; or,

c. Disturb paleontological resources.

4.4.4 Impact Assessment and Methodology

CEQA applies to historic and archaeological sites. When a project will impact an archaeological site, the lead agency must first determine whether the site is an historical resource. A substantial adverse change in the significance of a historical resource would occur if the project results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resources would be materially impaired. The significance of an historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or,

2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to PRC §5020.1(k) or its identification in an historical resources survey meeting the requirements of PRC §5024.1(g), unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for the purposes of CEQA.

4.4.5 Project Specific Impacts and Mitigation Measures

Disturb Archaeological Resources

Proposed grading and construction activities would not result in the disturbance of any known archaeological resources. Due to the archaeological sensitivity of the area, and historic alteration of landforms, unknown and displaced subsurface resources may be present. Disturbance, looting, or destruction of these unknown resources would result in a potentially significant impact.

Other impacts to archaeological resources may include increased human presence and unauthorized collection. This impact would be minimized by the project location and design; no trails or public use areas are located within or adjacent to known sites, and these sites are not located within the property line of the project site. Due to the potential for trespass, mitigation is identified to discourage such activities, including education regarding prehistory of the area.

CUL Impact 1	
Grading and construction activities have the potential to impact previously undiscovered subsurface archaeological resources.	
Mitigation Measures	
CUL/mm-1	*Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all initial earth-disturbing activities. The Monitoring Plan shall include at a minimum:* *a. list of personnel involved in the monitoring activities;* *b. inclusion of involvement of the Native American community, as appropriate;* *c. description of how the monitoring shall occur;* *d. description of 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 (e.g., what is considered "significant" archaeological resources?);* *g. description of procedures for halting work on the site and notification procedures;* *h. provisions defining education of the construction crew;* *i. protocol for treating unanticipated finds; and,* *j. description of monitoring reporting procedures.*
CUL/mm-2	*Prior to initial ground disturbance, a County of San Luis Obispo-approved archaeologist shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the Harbor District (or their designee) shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.*
CUL/mm-3	*During all initial ground disturbing construction activities, the Harbor District or their designee shall retain a qualified archaeologist (approved by the County Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved Monitoring Plan. If any significant archaeological resources not previously identified in the Monitoring Plan, or human*

CUL Impact 1	
	remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The Harbor District (or their designee) shall implement the mitigation as required by the County Environmental Coordinator.
CUL/mm-4	*Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.*
CUL/mm-5	*Prior to occupancy, the Harbor District or their designee shall submit samples of cultural resource interpretive materials to the County Environmental Coordinator. The Harbor District or their designee shall coordinate with local Native American representatives during the initial development of the materials, and subsequent updating of materials for the life of the project. Materials shall not specifically identify the locations of archaeologically sensitive sites. Interpretive materials may include, but not be limited to, pamphlets, posters, kiosks or boards, exhibits, online posting of information, and presentations. Interpretive materials shall include, but not be limited to: prehistory, modern history, and living history of the Chumash in the Avila/Port San Luis Area and region, and citation or reference to laws governing the protection of cultural resources.*
Implement Port Master Plan Final Program EIR mitigation measures C-1 and C-2.	
C-1	*In the event archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative should monitor any mitigation work associated with prehistoric cultural material.*
C-2	*If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance 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 has 24 hours to notify the Native American Heritage Commission (NAHC).*
Residual Impacts	
Based on the design of the proposed project, significant archaeological sites would be avoided. Due to the potential for discovery of unknown archaeological resources, mitigation is identified including monitoring of initial ground disturbance, and contingency measures in the event of discovery. Based on implementation of mitigation measures and compliance with existing regulations, potential impacts would be less than significant.	

Disturb Historic Resources

No historic resources or structures are located within the project site; therefore, no impact would occur.

Disturb Paleontological Resources

Implementation of the project would require mass grading, primarily within previously disturbed areas. Due to the sensitivity of the underlying geologic formations, there is a potential for significant paleontological discovery. Grading activities have the potential to destroy significant resources, resulting in a potentially significant impact.

CUL Impact 2	
Proposed grading and excavation activities have the potential to uncover and disturb paleontological resources, which would result in a potentially significant impact.	
Mitigation Measures	
CUL/mm-6~~5~~	*A qualified paleontologist shall monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.*
Residual Impacts	
Based on compliance with paleontological resource monitoring requirements, potentially uncovered resources would be noted, documented, and managed under the guidance of a qualified paleontologist. Therefore, potential impacts would be mitigated to less than significant.	

4.4.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of the development of Harbor Terrace, identified potentially significant but mitigable impacts to cultural resources that would occur as a result of build-out of the Port Master Plan, including disturbance of unknown significant resources. Implementation of the proposed project would contribute to these identified impacts, but would not result in a cumulatively considerable effect resulting in a significant, adverse, unavoidable effect because documented significant resources would be avoided. Mitigation is identified, including compliance with previously adopted mitigation for the Port Master Plan and additional mitigation measures specific to the currently proposed project at Harbor Terrace.

Projects located outside of the Harbor District that may affect cultural resources in the region include the Avila Tank Farm remediation, general plan amendment, and development project. The Avila Tank Farm project site is located in an area of potential cultural significance. All discretionary projects in the Avila and Port San Luis area would be subject to existing regulations identified in the CZLUO regarding identification and discovery of significant cultural resources.

Based on the project's avoidance of known significant sites, and mitigation measures identified to avoid impacts to unknown subsurface resources, the proposed project would not result in a cumulatively considerable significant impact to cultural resources.

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4.5 GEOLOGY AND SOILS

This section identifies potential area-wide geologic hazards and regional seismic characteristics and evaluates the potential effects of geologic hazards related to the development of Harbor District properties and facilities in accordance with the Final Master Plan. These potential hazards include earthquakes, ground rupture, ground shaking, settlement, liquefaction, and landslides. Much of the analysis that follows is based on a Geologic/Geotechnical Hazards Study prepared for the Harbor Terrace Campground (Earth Systems Pacific 2014) (refer to Appendix E) and the Port Master Plan Final Program EIR (2004) (available for review at the Harbor District).

4.5.1 Existing Conditions

The project site was originally graded by Union Oil Company in the early 1900s, and used by Union Oil Company and Standard Oil Company as an oil storage facility. It was later purchased by the Marre family, and additional grading was conducted prior to the construction of a trailer park. In the early 1970s, the site was graded for the proposed Port San Luis Marina Village, a project that was never completed. Additional projects were proposed in the 1980s and the 1990s, but also not constructed. Consequently, the property has remained largely undeveloped, with the exception of the trailer park, an annex building used by the Harbor District, RV camping, and areas that have been used for storage of boats and equipment.

Several geologic and soil investigations have been conducted of the project site; the dates of these reports range from 1970 to 2008. Most of the reports were prepared in association with proposed projects that were planned for the site. A listing of the reports and summaries of their contents were presented in the *Summary of Geologic/Geotechnical Conditions Harbor Terrace Planning Sub-Area, Port San Luis District Master Plan, Port San Luis, California* (Earth Systems Pacific 2008).

The project site is located on the north side of Avila Beach Drive, and lies on the end of a moderately steep northwest-trending ridge. The elevation of the project site ranges from approximately 30 to 330 feet. The ridge has been extensively altered by grading into a series of terraces that are separated by cut and fill slopes. The terraces and the slopes between the terraces range in elevation from 50 feet to approximately 200 feet above msl. The terraces consist of a combination of cut and fill materials at gradients that vary from 1.5:1 to 2:1 (horizontal:vertical).

4.5.1.1 Regional Geology

Port San Luis is located within the Coast Ranges province of California, a north-northwest trending mountain range that extends from the Santa Maria area north to Humboldt County. The Coast Ranges comprise Mesozoic-age to recent sedimentary, volcanic, metavolcanic, metamorphic, and granitic rocks.

The Port is also located at the base of the Irish Hills of the southern Coast Ranges. The Irish Hills are part of the San Luis/Pismo structural block and, unlike the remainder of the Coast Ranges Province, are composed of Cenozoic Age to recent sedimentary rocks. Folds and faults within the Irish Hills are generally oriented northwesterly, which diverges slightly from the north-northwest structure of the Coast Ranges. The Irish Hills are bordered on the north by the Los Osos fault, on the west by the Hosgri fault, on the south by the Wilmar Avenue/Oceano/Pecho faults, and on the east by the West Huasna/Edna faults.

In the project area, the Irish Hills are composed predominately of the Miocene-Pliocene age Pismo Formation and the Miocene Age Monterey Formation. The Pismo Formation consists of five members: the Squire, Belleview, Gragg, Miguelito, and Edna Members. These members are composed of a variety of sedimentary rocks ranging from sandstone, siltstone, claystone, conglomerate, dolomitic sandstone, and bituminous sandstone. Each member has been mapped within the Irish Hills.

The Monterey Formation has been mapped along the northern and southern flanks of the Irish Hills. In the project region, the Monterey Formation consists of siltstone, claystone, dolomitic siltstone, cherty and opaline shale, and tuffaceous sandstone.

The Pismo and Monterey Formations are locally covered by Quaternary Age alluvium and terrace deposits. The alluvium is found mainly in association with drainages, such as San Luis Creek, while the terrace deposits are concentrated along the coastal zone near Shell Beach.

4.5.1.2 Local Geology

The project site lies at the end of a ridge within the Irish Hills, which constitute part of the southern Coast Ranges and are characterized by Jurassic, Cretaceous, and Tertiary-age rock units. The geologic units underlying the Harbor Terrace site include the Miocene-age Monterey Formation and rocks associated with the Jurassic/Cretaceous-age Franciscan Melange (refer to Figure 4.5-1). The Monterey Formation encompasses siltstone, claystone, dolomitic siltstone, cherty and opaline shale, and tuffaceous sandstone. The Franciscan Melange generally underlies the Monterey Formation. It is a mixed-rock unit that, in this locale, consists predominantly of highly fractured green serpentinite, dark-green to black shale, and metavolcanic rocks. The entire unit has been extensively altered by tectonic activity, which is expressed as shearing and folding. The bedrock structure is highly complex, particularly within the serpentinite and metavolcanic rocks, and at contact areas with the younger Monterey sedimentary rocks. The Franciscan Melange is particularly prone to instability and landsliding. The site is overlain by surficial units consisting of colluvium, landslide debris, and fill soil.

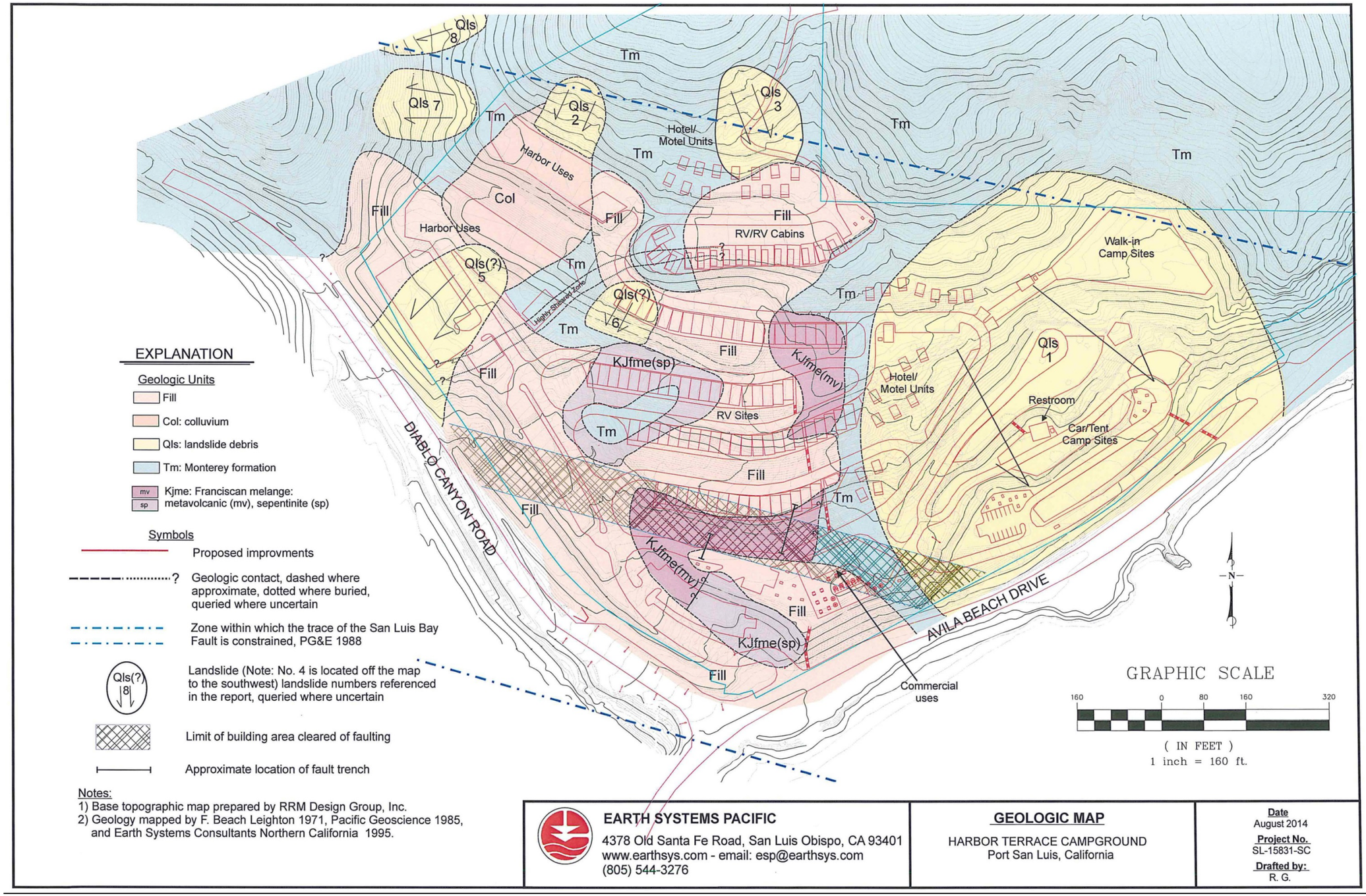
4.5.1.3 Soils

Soil types are shown in Figure 4.5-2 below. The soil types and characteristics described below are based on the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) soil survey, and does not capture fill material known to be present onsite.

- Lodo clay loam, 15-30 percent slopes
- Xerents-Xerolls-Urban land complex, 0 to 15 percent slopes
- Xerotherents, escarpment

Expansive soils tend to swell with increases in soil moisture and shrink as soil moisture decreases; typically, they are soils that contain a significant percentage of clay or silt. Borings drilled at the site during previous investigations indicated that overburden soils, where present, include moderate to high clay and silt fractions, suggesting that these soils likely have expansive qualities.

Figure 4.5-1. Geologic Map



Notes:
1) Base topographic map prepared by RRM Design Group, Inc.
2) Geology mapped by F. Beach Leighton 1971, Pacific Geoscience 1985, and Earth Systems Consultants Northern California 1995.

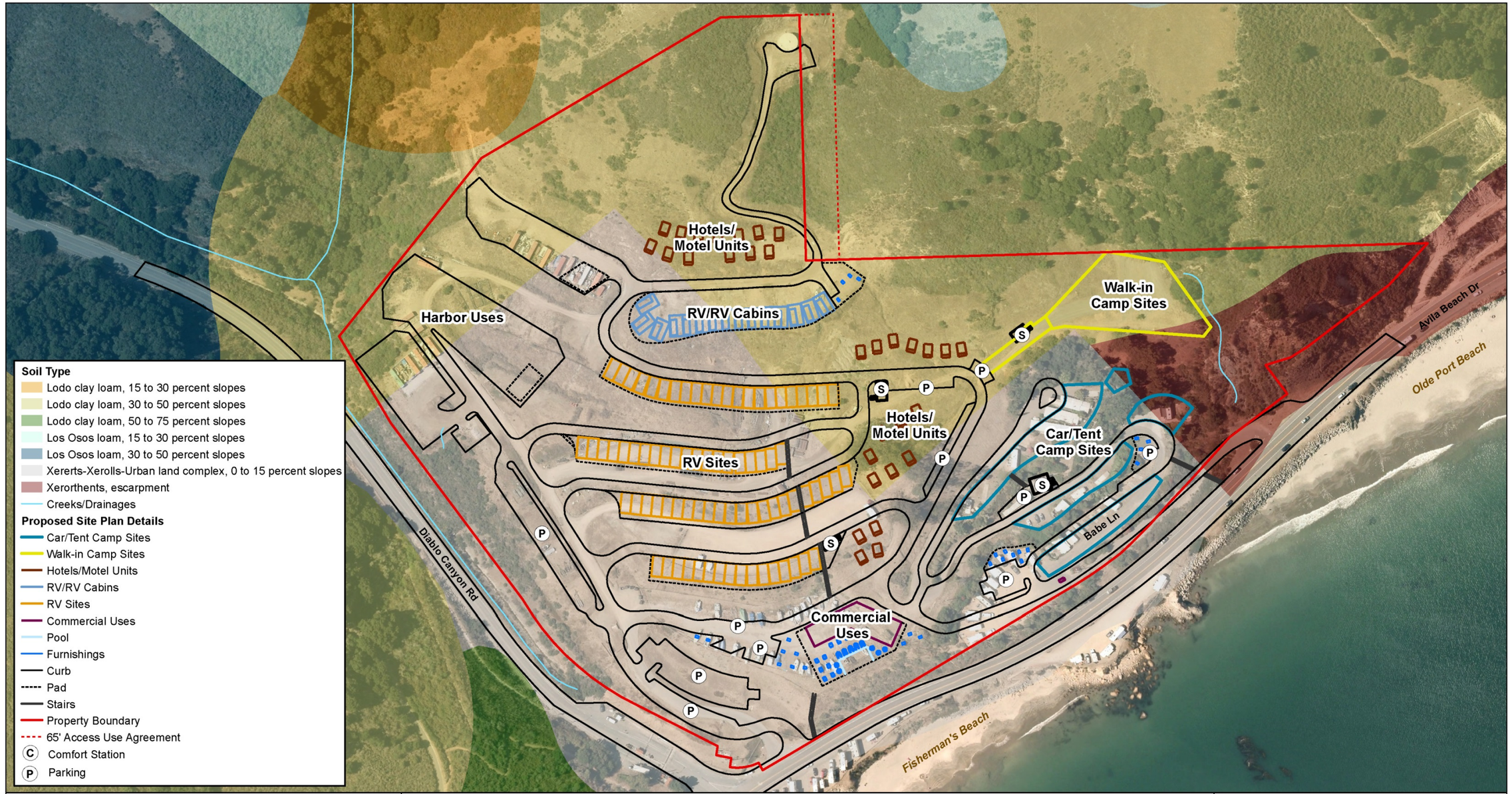
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GEOLOGIC MAP
HARBOR TERRACE CAMPGROUND
Port San Luis, California

Date
August 2014
Project No.
SL-15831-SC
Drafted by:
R. G.

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Figure 4.5-2. Soils Map



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4.5.1.4 Seismic Setting

The Port San Luis Harbor District is located in a seismically active region of California where relatively strong ground motion has occurred in the past, and is likely to occur again in the future. The fault activity nomenclature defined under the State of California's Alquist-Priolo Earthquake Fault Zoning Act (California Department of Conservation California Geological Survey [DOC CGS] 2007) was used as the basis for evaluating fault activity and seismicity for this study. The activity rating of faults under the act is summarized by the following guidelines:

- A fault is considered historically active if it has exhibited earthquake activity during historic time (within the last 200 years before present).
- A fault is considered active if it can be substantiated that the fault has ruptured during the Holocene (within the last 11,000 years before present).
- A fault is considered potentially active if it can be substantiated that the fault has ruptured during the Pleistocene (within the last 2,000,000 years before present) but not during the Holocene.
- A fault is considered inactive if it can be substantiated that the fault has not ruptured during the Pleistocene or Holocene (in other words, it has not ruptured within the last 2,000,000 years).

Active faults that may impact the project include the Los Osos Fault, the San Andreas Fault, and the Hosgri Fault. The newly discovered Shoreline Fault also lies in close proximity to the site; however, its activity level has not yet been determined. The San Luis Bay Fault, a potentially active fault that is part of the San Luis Range Fault System, is believed to cross the site and may also result in impacts (refer to Figure 4.5-1).

Los Osos Fault Zone

The Los Osos Fault is a west-northwest-trending reverse fault that extends predominantly along the northeastern margin of the San Luis Range in San Luis Obispo County. The fault, which has an overall length of about 35 miles, is divided into four segments. The most westerly segment of the fault is the Estero Bay segment, which lies mostly offshore. The Irish Hills segment, the only active fault segment, starts in the vicinity of Los Osos and extends southeasterly to just past San Luis Obispo Creek. A 2-mile length of the Irish Hills segment, west of Laguna Lake and near the westerly limit of the City of San Luis Obispo, is considered to be active and is designated as an Alquist-Priolo Earthquake Fault Zone (Earth Systems Pacific 2014). The other two segments of the Los Osos Fault are the Lopez Reservoir segment and the Newsome Ridge segment, both located southeast of the Irish Hills segment, east of San Luis Obispo Creek at its closest point. The Los Osos Fault lies approximately 7 miles north of the site. The Los Osos fault is capable of generating a maximum moment earthquake of magnitude 6.8; the recurrence interval for an earthquake of this magnitude is approximately 1,925 years (County of San Luis Obispo 1999).

San Andreas Fault Zone

The most seismically active fault in California is the San Andreas Fault, which lies about 45 miles to the east of the site. The San Andreas Fault is the primary surface boundary between the Pacific and North American plates, and it is generally considered to be the most likely source for strong ground motion in San Luis Obispo County.

Approximately 600 miles long, the San Andreas Fault extends from the Gulf of California to the north coast of California just south of the town of Humboldt. The fault is a right-lateral strikeslip fault and, for classification purposes, is divided into several segments. Locally, the Cholame segment extends southeast from Cholame for about 40 miles, and joins the Carrizo segment, which extends another 90 miles to the southeast. The San Andreas Fault undergoes a major change in character between Parkfield and Cholame. This change is in the Parkfield segment, which has an approximate length of 17 miles and extends from Cholame to 4 miles north of Parkfield. This fault segment is locked, generating an earthquake every 5 to 20 years on average. Dated earthquakes on this segment are 1857, 1881, 1901, 1922, 1934, 1936, 1939, 1966, and 2004. They have historically been in the magnitude 5.5 to 6.0 range (Earth Systems Pacific 2014, Bakun 1988 incorporated by reference). A 6.0-magnitude earthquake last occurred on this fault segment on September 28, 2004 (Earth Systems Pacific 2014).

Hosgri Fault

The Hosgri Fault consists of a series of faults off of the San Luis Obispo County coast. From an area offshore of San Simeon Point, the Hosgri Fault extends to an ocean shelf two miles west of Point Buchon, and then trends toward the Point Sal area. The fault is considered active by the United States Geologic Survey (Earth Systems Pacific 2014). At its closest point, the Hosgri Fault lies approximately six miles to the west of the site.

Shoreline Fault

The Shoreline Fault is a vertical strike-slip fault running along the coastline near San Luis Obispo, California, approximately 5.5 miles northwest of the site. Due to its relatively recent discovery, little is known about the Shoreline Fault, including its activity level, slip rate and details regarding its geometry. Research conducted to date has indicated that it is a single continuous fault that connects to the Hosgri Fault. As the Shoreline Fault is essentially vertical, and the Hosgri Fault dips steeply to the east, the Hosgri Fault is believed to dip toward and beneath the Shoreline Fault. The Shoreline Fault most likely transfers strike-slip motion between the Hosgri Fault and other faults of the Pacific-North America Plate Boundary system to the east.

San Luis Range Fault System

The San Luis Range Fault System comprises a series of west-northwest striking faults including, from south to north, the Santa Maria River Fault, the Wilmar Avenue Fault, the Oceano Fault, the San Luis Bay Fault, and the Pecho Fault. The Santa Maria River Fault is approximately 17 miles southeast of the site. The trend of this fault is inferred from oil well logs and geophysical records. It extends from south of Sisquoc in Santa Barbara County to the Wilmar Avenue Fault in Nipomo. The Wilmar Avenue Fault extends from northern Nipomo to Pismo Beach, where it is exposed in the ocean bluff at the end of Wilmar Avenue. At this location, Pleistocene terrace deposits are displaced in the face of the bluff. The Wilmar Avenue Fault is approximately 4 miles southeast of the site. The Oceano Fault is a 12-mile long northwest-trending fault extending from the town of Nipomo to the offshore area of San Luis Obispo Bay. At its closest point, the Oceano Fault is approximately seven miles to the southeast of the site. Because of thick dune sand and alluvial deposits, the onshore trace of the fault is buried or obscured, and the fault's geometry is inferred from subsurface geophysical and well data. The Pecho Fault is located along the coastline about 4 miles west of the site. It is the northernmost fault along the southwestern margin of the San Luis Range. The fault is not exposed in any outcrop and has no geomorphic expression. Its presence along the coast is

inferred on the basis of an offset of late Pleistocene marine terrace sequence (Earth Systems Pacific 2014).

San Luis Bay Fault

The San Luis Bay Fault, part of the San Luis Range Fault System described above, is generally a west-trending reverse fault that displaces and locally warps late Pleistocene marine terraces near the community of Avila Beach. From the Avila Beach area, the fault extends west into the offshore area between the coastline and the Hosgri Fault, and to the southeast offshore of Avila Beach. The San Luis Bay does not directly connect with the Wilmar Avenue Fault, but has similar geometry and structural features along the southwestern margin of the San Luis Range. Geologic data developed by onshore geologic studies, offshore drill holes, and geophysical data indicate that the fault has a maximum length of about 11.8 miles, including both onshore and offshore segments. The onshore portion is believed to have a length of approximately 2.8 miles. In the near-surface, it dips about 15 to 40 degrees to the north; the dip steepens to about 70 degrees at depth.

The fault is poorly exposed and not well-expressed geomorphically, suggesting a low level of activity. Due to the absence of onshore geomorphic expression, the age of the most recent movement is unknown. Mapping by Lettis and others (Earth Systems Pacific 2014; Lettis 1994 incorporated by reference) indicate that the fault displaces strata of Pleistocene-age terrace deposits, leading to its designation by the California Division of Mines and Geology (CDMG) as "potentially active." Radiocarbon dating of charcoal deposits derived from a strand of the fault exposed in a sea cliff near Avila Beach yielded a date of 21,040 (+/- 850) years. According to discussions with William Lettis (Earth Systems Pacific 2014; personal communication, December 1996 incorporated by reference), there was evidence that the fault had displaced younger sediments above where the charcoal sample was dated. There were no charcoal deposits within the displaced younger strata, however, that would allow radiocarbon dating to establish a more recent date of the fault activity (Earth Systems Pacific 2014; Lettis et al. 1994 incorporated by reference). Although this date does not establish the fault as active, the fact that it broke younger sediments above the charcoal deposits indicates that it has moved more recently than 21,000 years ago.

4.5.2 Geologic Hazards

The project area is subject to several types of related but distinct geologic hazards. These hazards are described briefly below.

4.5.2.1 Landslides

Eight significant landslides have been identified on and in the general vicinity of the site. The approximate locations of these landslides are shown on Figure 4.5-1; the delineation of these landslides is based on a compilation of data from previous reports and Earth System Pacific's site reconnaissance. It was not subject to GPS or other survey control; consequently, the locations of all the features shown should be considered approximate. It should also be noted that none of the geologic studies conducted to date included in-depth geologic analysis or detailed subsurface exploration of any of the landslides, and past grading of the site has obscured some of the topography related to the landslides. While the precise areal extent and configurations of the landslides are unknown and can only be approximated at this time, the existing data provides adequate information to analyze the potential effects of the existing landslides on project design, the effects the project may have on site stability, and identification of potential mitigation measures. Information regarding the landslides is summarized below.

The largest landslide, referred to herein as Landslide 1, is located in the eastern region of the site. This landslide was studied to a degree by F. Beach Leighton and Associates (Earth Systems Pacific 2014; Leighton 1971 incorporated by reference) and its limits approximated and mapped; however, due to the lack of subsurface exploration, the depth, geometry, and stability characteristics of the landslide are unknown.

While the slide's activity level is also unknown, Leighton noted that there had been recent movement at the time of his evaluation and, in the mid 1980's, it was reported that evidence of minor movement within the slide mass had been observed at the existing trailer park on Babe Lane. Based upon visual observations, it appears past movement of the slide has been slow; there is no visual evidence of rapid or catastrophic movement. At the time of the preparation of this report, four borings had been drilled in the past in this landslide; however, these borings were drilled as part of the subsurface assessment for environmental purposes and not as part of a geologic evaluation. The locations of the borings were designed to assess the footprints of the former aboveground crude oil storage tanks and the locations of other features, such as the crude oil pump house and previously identified locations of crude oil contamination (CMCA 2004). The site layout plan indicates several hotel/motel units (cabins), a restroom, car/tent campsites, and walk-in/bike-in campsites will be located within the boundaries of Landslide 1.

A second landslide, designated Landslide 2, is present in the northwestern part of the site. Downslope of Landslide 2, an area of colluvium is shown on Figure 4.5-1. The site layout plan indicates that the areas intended for harbor use, i.e. trailer boat, marine gear, and harbor storage, are located below Landslide 2.

Landslide 3, also a significant landslide mass, lies downslope of the existing water tank site. The site layout plan indicates that some hotel/motel units (cabins) will be situated within and below Landslide 3.

A fourth landslide, Landslide 4, is located off-site to the southwest of the project site and thus is not shown on the Figure 4.5-1. Discussion of this landslide was included in previous studies as its location was within an area previously contemplated for development; however, it is not part of the currently proposed project.

A fifth landslide was identified by Leighton in the western region of the site (Earth Systems Pacific 2014; Leighton 1971 incorporated by reference). Leighton indicates that this landslide was activated by grading activities that took place in the early 1970's. There is a reference to a buttress fill that was placed to stabilize the landslide; however, the topography has been so obscured by grading that the landslide may have been removed, and its location and that of the buttress fill can only be approximated. The Harbor storage and marine storage areas in the northwest region of the site, as shown on the site layout plan, may lie within the boundaries of Landslide 5, if it or any remnants still exist.

A sixth landslide was also described by Leighton in the central region of the site; this landslide was also evidently triggered by grading during the early 1970's and was attributed by Leighton to a combination of shallow groundwater, oversteepening of slopes, and the claystone bedrock. This landslide could not be identified during a site reconnaissance, and it is believed to have been largely (or entirely) removed by grading activities. RV sites may lie within the boundaries of Landslide 6, if it or any remnants are still present in this area. Due to uncertainty regarding their current status, Landslides 5 and 6 are shown as queried on Figure 4.5-1.

In addition to the landslides described above, there are two landslides located to the northwest that are designated on Figure 4.5-1 as Landslides 7 and 8. While Landslide 7 encroaches partially onto the site, it does not pose a threat to any components of the project as currently planned. Due to their off-site locations, Landslides 4 and 8 are not discussed further. There are also numerous smaller landslides and slumps located throughout the property that are not specifically identified.

4.5.2.2 Erosion

The extent and severity of erosion is related to the type of soil, the velocity of concentrated runoff that may come into contact with unprotected soil, and the length of time during which unprotected soils are in contact with concentrated runoff. Generally, the steeper the slopes, the less cohesive the soils, and the longer that the soils are unprotected and exposed to environmental elements, the greater the impact. At this site, there are many areas of steep slopes, some of which consist of fill soils that may not be properly or adequately compacted. Therefore, the potential for erosion is considered moderate to high.

4.5.3 Seismic Hazards

4.5.3.1 Faults

According to previous studies conducted in the area, the Harbor Terrace site is crossed by the San Luis Bay Fault (Earth Systems Pacific 2014; Pacific Gas and Electric Company [PG&E] 1988 incorporated by reference). While the precise location of the fault is not known, past studies constrained the fault to an approximately 1,200-foot wide zone that encompasses almost the entire campground site. (Earth Systems Pacific 2014; Leighton 1971 incorporated by reference) identified an area of highly sheared rock in the west central region of the site. Such a highly sheared rock zone is suggestive of faulting, and may represent a secondary fault extending from the main fault. Although the fault is not considered active and is not recognized as being within a designated Alquist-Priolo Earthquake Fault Zone, there is a potential for it to move sympathetically in response to strong ground shaking from a seismic event along another fault. According to County Guidelines for Engineering Geology Reports (County of San Luis Obispo 2013), structures intended for human occupancy must be setback an appropriate distance from active or potentially active faults.

In a previous phase of work for construction of a proposed building on the project site, a fault investigation was conducted in the southern region of the site (Earth Systems Pacific 2014). Per the procedures specified by the County of San Luis Obispo, exploratory trenches were excavated perpendicular to the fault trace and extended beyond the previously-proposed building footprint at least the minimum setback distance for the building type. Per Table 1 of the County Guidelines, the minimum setback under the 2013 California Building Code (CBC) for a Class 11B11 (Business Occupancy) structure would be 20 feet from the fault. An additional 10 feet (5 feet on each side) was added to the width of the previously-proposed building area to allow flexibility in the eventual positioning of the building. Two exploratory trenches were excavated in a general northeast trend (i.e., perpendicular to the trace of the northwest-trending fault). The materials exposed in the trenches were logged by a Certified Engineering Geologist.

County Guidelines require that exploratory fault trenches be excavated a minimum of 20 feet beyond the limits of the proposed (Class 11B11) structure(s). The previously proposed 100-foot wide building area was extended to 110 feet and the trenches extended 20 feet beyond the expanded building area. No evidence of faulting was observed in the two trenches, effectively "clearing" the previously designated building area of the San Luis Bay Fault. While shearing was

observed in the metavolcanic and serpentinite bedrock units, the shearing was discontinuous and exhibited a random pattern that extended throughout large bedrock blocks. In our professional opinion, the shear pattern found is an example of the shearing and alteration caused by tectonic activity that is characteristic of, and prevalent within, bedrock of the Franciscan Melange. No fault gouge was found, and there was no evidence of a fault plane.

As the trend of the fault is relatively well documented, the cleared area can be extrapolated parallel to the known fault trend (perpendicular to the trenches) and the extrapolated area can also be considered to be clear of faulting. This zone, shown on Figure 4.5-1, extends from the property boundary setback at Diablo Canyon Road to the property boundary setback at Avila Beach Drive. For structures built within the 110-foot "cleared" zone, no setbacks from the San Luis Bay Fault are considered necessary. Some potentially habitable structures are located outside of the cleared area, including hotel/motel units, the harbor building, and RV cabins.

4.5.3.2 Ground Shaking

The site is located in a seismically active area, as is most of California. The project site has the potential to experience strong ground shaking from earthquakes on regional and/or local causative faults. There are several faults in the vicinity of the project site that are capable of producing strong ground motion, including the active Los Osos, San Andreas and Hosgri Faults. Ground shaking could also occur in the event of movement along the newly discovered Shoreline Fault or the San Luis Bay Fault. During an earthquake (or sympathetic fault movement) along any of these faults, seismically-induced ground shaking would be expected to occur at the project site. The severity of the shaking will be influenced by the distance of the site to the seismic source, the soil conditions, and the depth to groundwater.

4.5.3.3 Ground Surface Rupture

Surface rupture is the physical displacement and cracking of the ground surface that occurs along a fault trace during an earthquake. Unlike seismically-induced ground shaking, which can affect a wide geographic area, surface rupture is confined to the area very near the fault. The project site is not located in an Alquist-Priolo State Earthquake Fault Zone, and there are no mapped active faults immediately adjacent to or crossing the site. Evidence indicates, however, that the site is crossed by the San Luis Bay Fault. In the event that the San Luis Bay Fault moved sympathetically in response to strong ground shaking from a seismic event along another fault, there is a potential for ground rupture to occur.

4.5.3.4 Liquefaction

Liquefaction is a phenomenon where unconsolidated and/or near saturated soils lose cohesion and are converted to a fluid state because of severe vibration. Unconsolidated, granular soils in saturated conditions are most susceptible to these effects, while more stable silty clay and clay materials are generally somewhat less affected. In order for a soil to be considered potentially liquefiable, three general conditions should be met: 1) the soil is granular; 2) the relative density of the soil is loose to medium dense; and 3) ground water is present within the potentially liquefiable soil column. Thus, in areas underlain by rock or clay, or dense sands, or in areas where ground water is very deep, there is a low potential for liquefaction to occur during an earthquake.

When liquefaction occurs, the visible expression of the phenomenon can be localized loss of soil bearing capacity, sand boils at the ground surface, and dynamic settlement. Lateral spreading is a phenomenon that is associated with liquefaction. Slopes may become unstable

during liquefaction, and level areas near descending slopes may move laterally toward the slope as the slope becomes unstable. While shallow groundwater was not encountered in most of the past borings drilled at the site, water seepage or perched water was noted in some borings, and Leighton attributed movement of Landside 6, in part, to shallow groundwater (Earth Systems Pacific 2014). Consequently, shallow groundwater may be present in some areas of the site. In view of this and the fact that the composition, density, and other properties of the native and fill soils at the site are not known, a potential for liquefaction and associated lateral spreading may exist in some areas of the site.

4.5.3.5 Seismically-induced Settlement

Seismic settlement and differential compaction occur when loose to medium dense granular soils densify during ground shaking. Seismically induced settlement or collapse can occur in soils that are loose, soft, or that are moderately dense but weakly cemented. Additionally, settlement can occur in relatively dry, partially saturated, and saturated granular soils.

Seismic shaking of loose to medium sands can result in a reduction in volume, or settlement, of those sands. This settlement could occur in or out of the presence of liquefaction. The settlement occurs because of grain-to-grain reorganization of sand particles due to shaking, resulting in a decrease in void space between grains. The result of such settlement can consist of expulsion of sediments and interstitial fluids during settlement. That expulsion could occur onto the ground surface or into a soil layer that could accommodate the volume of material being expelled.

Where foundations rest in soils of unknown composition or straddle differing soil types, differential settlement can occur. This phenomenon occurs in instances where soils have differing compaction rates, such as between rock and bay sediments.

Undocumented fill underlies much of the project site and may be deeper than the 36 feet encountered in past borings. Due to the unknown nature of the fill material, the potential for seismically induced settlement is considered moderate to high unless future analysis of the fill soils indicates otherwise. This risk is typically mitigated by ensuring that unidentified fill materials are completely excavated and replaced with a substance of known compaction prior to construction.

4.5.3.6 Seismically-induced Landsliding and Slope Instability

Eight significant landslides have been identified at, or in the general vicinity of, the site on geologic maps and in previous geologic studies. There are also significant slopes at the site that comprise undocumented fill soils. In view of these conditions, the potentials for seismically-induced landsliding and slope instability are considered high.

4.5.3.7 Tsunamis and Seiches

A seismic sea wave or tsunami, which means "harbor wave," is produced by a large displacement of the ocean bottom and can move at velocities of up to 500 miles per hour in deep ocean water. In the deep ocean, tsunamis can be only a few feet high. As the tsunami reaches shallower coastal waters, it travels much slower and wave energy is compressed, which can lead to a rapid and dramatic increase in wave height. Generally, a tsunami is not a single wave but a series of waves, and the first wave may not be the largest. Tsunami waves are often destructive, leading to property damage and sometimes loss of life. In some cases, the

coastal waters are drawn out into the ocean just before the tsunami strikes. When this occurs, more shoreline may be exposed than even at the lowest tide.

Typically, hazardous tsunamis along the California coastline are associated with seismic events and are caused by vertical displacement of submarine faults. They can also occur as a result of submarine landslides that may or may not occur in conjunction with seismic activity. The Hosgri Fault, which lies offshore of the site, is a right lateral fault with strike-slip (horizontal) movement. Consequently, it is unlikely to generate tsunami surges within San Luis Obispo Bay. Due to the gradual shallowing of the ocean toward the coast in south-central and southern California, tsunami waves originating from distant earthquakes on the coast of Japan, Alaska, and Hawaii have historically only produced a few feet of rise above mean high tide (Earth Systems Pacific 2014; Lander et al. 1993 incorporated by reference).

The coastline configuration of the central coast area also influences tsunami formation; south of San Francisco, the California coast trends to the southwest. As a result, waves associated with tsunamis originating from Alaska and Japan will be refracted, reducing the energy of the tsunami waves as they travel south. The diminished energy of the waves reduces the height and inland extent of the tsunami surge. Tsunamis along the central California coast are relatively rare, and only a few such events are well documented. According to the County of San Luis Obispo Tsunami Inundation Map (2009), only the first level of the car/tent camp site area lies within a Tsunami Inundation Zone. In the remainder of the site, the elevations are sufficiently high that inundation in the event of a tsunami striking this part of the central coast is not expected to occur.

The Tsunami Response Plan for San Luis Obispo County considers all coastal areas within 50 feet above mean sea level susceptible to tsunami hazard. The worst-case scenario would occur if a tsunami occurred during a meteorological high tide combined with a storm surge, which could add 14.5 feet to the wave height (County of San Luis Obispo 2013). The threat severity can range from low to high, and the probability of occurrence is low. Port San Luis is considered one of the most vulnerable locations in the County due to its proximity to San Luis Obispo Creek. Areas susceptible to tsunami are located below the 50-foot elevation, including the access road approaches to Avila Beach Drive, Babe Lane, lower parking areas, and lower level car/tent campsites near Babe Lane. Potential effects including flooding are addressed in EIR Section 4.8 Hydrology and Water Quality.

4.5.4 Mineral Resources

The project site is not located in an area currently used for mineral extraction.

4.5.5 Regulatory Setting

4.5.5.1 Federal and State Regulations

The Alquist-Priolo Earthquake Hazard Zone Act of 1972 was developed by the State to regulate development near active faults and mitigate the surface fault rupture and other hazards. The Act identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults. No Alquist-Priolo zones have been established within the project area.

Sections 17922 and 17951-17958.7 of the California Government Code (Health and Safety Code) requires cities and counties to adopt and enforce the Uniform Building Code (UBC) of the

International Conference of Building Officials providing minimum protection against some geologic hazards. The County of San Luis Obispo implements these provisions.

Water quality protection is regulated by the Federal National Pollutant Discharge Elimination System (NPDES) Program established by the Clean Water Act. The US EPA establishes stormwater permit requirements based on compliance with a NPDES permit. Discharges of stormwater associated with construction activity that results in a disturbance of one acre or more of total land area requires a NPDES General Permit for Discharges of Stormwater Associated with Construction Activity. This permit requires developers to implement BMPs to prevent the discharge of sediment-laden or otherwise contaminated water off site. The site-specific plan to implement BMPs is called the Stormwater Pollution Prevention Plan (SWPPP). The plan must include a description of soil stabilization and sediment load control methods that would be implemented to minimize erosion and sediment loading during construction of the project. The SWPPP also includes descriptions of post-construction BMPs. The State of California administers stormwater permits through the SWRCB and its local RWQCB – Central Coast Region. A SWPPP would be required for the proposed project. The proposed project would result in the disturbance of over 1 acre; therefore, a SWPPP would be required.

4.5.5.2 Local Regulations and Policies

The CZLUO (§23.07.080) sets forth the Combining Designation Standards for Geologic Study Areas. These are areas where "geologic and soil conditions could present new developments and their users with potential hazards to life and property." The standards require preparation of a report on geologic hazards and appropriate mitigation measures. Structures must be designed to overcome these hazards. Sedimentation and erosion control plans are required under the CZLUO (§23.05.036) for land-disturbing activities that occur under certain conditions. Geologic study areas have been identified within the project area, extending east from Harford Landing to the Cal Poly pier. This area incorporates the slopes at Harbor Terrace, and bluffs along the coastline. Development in much of the project area, therefore, is subject to special standards under the CZLUO.

San Luis Obispo County Tsunami Emergency Response Plan (Revised August 2011) is a component of the San Luis Obispo County Emergency Operations Plan (EOP) (County of San Luis Obispo Office of Emergency Services 2014). The Harbor District is responsible for emergency management of the beaches and adjacent lands within their jurisdiction. In the event of a tsunami, warnings and notifications would occur, and depending on the severity of wave-run up predictions, evacuation of the area may be warranted. Persons may be immediately moved to high ground (above the 50-foot elevation) on the project site.

The project site is included in the Geologic Study Area (GSA) combining designation in the San Luis Bay Area Plan Land Use Element. The GSA combining designation includes areas of coastal bluffs greater than 10 feet in vertical relief, along with areas of landslide potential, and areas of liquefaction potential. The GSA standards include a provision that new development ensure structural stability while not creating or contributing to erosion, sedimentation, or geologic instability. Inclusion in the GSA imposes additional requirements on development projects, including measures aimed at reducing the potential for landslide. Specific project proposals for the site will be required to provide detailed grading plans, and recommended building techniques to reduce risks to insignificant levels (§23.07.084). New construction is subject to compliance with the Uniform Building Code which includes measures to reduce risk from seismic events. New development is required to submit detailed grading plans, and to incorporate building techniques to reduce risk from seismic events to insignificant levels.

County of San Luis Obispo General Plan Safety Element

The proposed project is subject to goals, policies, and implementation measures identified in the County of San Luis Obispo Safety Element. Applicable measures include the following:

Goal S-5: Minimize the potential for loss of life and property resulting from geologic and seismic hazards.

Policy S-18 Fault Rupture Hazards

Locate new development away from active and potentially active faults to reduce damage from fault rupture. Fault studies may need to include mapping and exploration beyond project limits to provide a relatively accurate assessment of a fault's activity. The County will enforce applicable regulations of the Alquist-Priolo Earthquake Fault Zoning Act pertaining to fault zones to avoid development on active faults.

Policy S-19 Reduce Seismic Hazards

The County will enforce applicable building codes relating to the seismic design of structures to reduce the potential for loss of life and reduce the amount of property damage.

Implementation Measures:

Program S-50. Enforce applicable building code regulations pertaining to the design of structures and grading relative to seismic hazards.

Program S-51. Adopt new Uniform Building Code requirements, when necessary, to promote the use of updated design standards.

Program S-52. Encourage investigations to improve the existing characterizations of faults in areas of existing or proposed development, and their potential to generate damaging earthquakes, for the purpose of assisting in the design of structures to resist seismic loads. Implement appropriate design standards and building codes that address local seismic conditions.

Policy S-20 Liquefaction and Seismic Settlement

The County will require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the currently adopted Uniform Building Code.

Implementation Measures:

Standard S-53. Amend the LUE/LCP as-needed to incorporate medium to high liquefaction hazard areas identified in the Technical Background Report within the Geologic Study Area (GSA) combining designations.

Standard S-54. The County will enforce current building code requirements that require the potential for liquefaction to be addressed in the design of structures.

Standard S-55. The County will require geotechnical studies to be performed for habitable or important structures (as defined by the building code) sited in areas

having moderate to high liquefaction potential as defined in Table 4-15 of the Technical Background Report. The geotechnical study should evaluate the potential for liquefaction and/or seismic related settlement to impact the development, and mitigation to reduce these potential impacts, if needed.

Policy S-21 Slope Instability

The County acknowledges that areas of known landslide activity are generally not suitable for residential development. The County will avoid development in areas of known slope instability or high landslide risk when possible, and continue to encourage that developments on sloping ground use design and construction techniques appropriate for those areas.

Implementation Measures:

Standard S-56. For developments in areas of known slope instability, landslides, or slopes steeper than 20 percent, the stability of slopes shall be addressed by registered professionals practicing in their respective fields of expertise. For subdivisions, such studies should be performed prior to delineating lot lines and building envelopes.

Standard S-57. New development will not be permitted in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development.

Standard S-58. Expansion will not be permitted to existing structures or developments in areas of known landslide activity except when it will reduce the potential for loss of life and property.

Standard S-59 Development proposals will be required to mitigate the impacts that their projects contribute to landslides and slope instability hazards on neighboring property, and appurtenant structures, utilities, and roads; such as emergency ingress and egress to the property, and loss of water, power or other lifeline facilities.

Standard S-60. Enforce current building code requirements and applicable ordinances and sections of the General Plan that pertain to development on sloping ground.

Standard S-61. Require slope stability evaluations for developments in areas of moderate or higher landslide risk as indicated in the Technical Background Report.

San Luis Bay Coastal Area Plan

The project is required to comply with the San Luis Bay Coastal Area Plan. Applicable standards include the following:

Site Planning – Development Plan Projects

6. ***Sloping Sites.*** *Development plan proposals for sites with varied terrain are to include design provisions for concentrating developments on moderate slopes, retaining steeper slopes visible from public roads undeveloped.*

Hazards

1. ***Natural Hazards.*** *New development within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. All new development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion and geologic instability. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers.*

e. *To reduce hazards on the Harbor Terrace, new structures designated for human occupation and use (e.g. hotels, motels, campsites, parking lots, offices, commercial areas) must demonstrate a static factor of safety with respect to slope stability of 1.5 and a pseudostatic factor of safety to 1.1, using a horizontal seismic coefficient of 0.15g. In addition, uses on the Harbor Terrace or slopes above it that would have a significant potential to saturate the soils and add further slope instability, such as drainage detention basins or septic systems, shall be prohibited.*

Port Master Plan and Port Master Plan Final Program EIR

The Port Master Plan Final Program EIR included the following mitigation measures, which are applicable to the proposed project:

G-1 *Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.*

G-2 *No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:*

a. *The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and*

which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.

b. *The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.*

G-3 *There are five major landslides which have been identified on the Harbor Terrace site. These landslides are depicted as Landslides 1 through 5 on [Figure 4.5-1]. Specific recommendations related to each landslide are provided below as well as within the Harbor District offices.*

a. *Landslide 1, located in the eastern region of the site, shall be thoroughly assessed by the project geologist. In addition to analyzing the inherent stability of the landslide, the impact of making cuts in the body of the landslide must also be considered, as well as the impact of the 40-foot fill planned in the southeast region of the landslide. This study shall be conducted as part of the final project design, when final grades have been set and are available in a grading plan, yet while modifications are still possible to accommodate site conditions. This study shall be conducted as a feasibility study to determine the major characteristics of the slide and the extent of required mitigation. Specific measures that could be implemented, depending upon the characteristics of the landslide and the relationship of the landslide debris to the proposed building locations, include excavation of appropriate portions of the landslide and replacement with compacted fill. This type of grading solution would entail benching, the installation of drains, and possibly the use of geogrid reinforcing. Fill slopes shall not exceed a 2:1 horizontal to vertical ratio. Other alternatives could include stabilization systems utilizing tie-backs or caissons or project redesign to relocate structures out of the slide area.*

b. *Landslide 2, located in the northwest region of the site, shall be studied by the project geologist to determine its depth, activity level, and extent. This study shall be conducted as part of the final project design, as the relationship of the grading to the location and depth of the landslide will determine the appropriate mitigation(s). Possible mitigation measures for this landslide could include*

excavation of the landslide and replacement as a compacted fill, possibly with drains and geogrid reinforcement; increasing the height of the retaining wall to allow it to also function as a debris wall; or using another stabilizing system such as a tie-back system above the retaining wall in caissons.

c. *Landslide 3, located below the existing water tank, shall be analyzed to determine its depth and geometry and the effect of the proposed cut upon slope stability. This study shall be conducted as part of the final project design, as a fairly accurate depth of cut must be known to properly assess its impact upon slope stability. As major cuts are planned in this area, mitigation could be achieved by modifying the grading plan to remove all of the landslide debris. Other possible mitigations could include replacement with compacted fill, possibly with drains and geogrid reinforcement, use of a retaining wall, tie-backs, or caissons.*

d. *The location of Landslide 4 has been obscured by past grading, and by the subsequent placement of a buttress fill. This landslide area shall be investigated as part of final project design with respect to the materials used and its state of compaction. Mitigation, if any, will be determined by the outcome of such an investigation. Possible mitigations include removal of the slide debris and replacement as a compacted fill, placement of additional buttress fill, or use of structural solutions such as retaining walls, tie-backs, or caissons. This assessment shall be conducted by the project geologist as part of final project design.*

G-4 *In addition to the four major landslides described above, there are numerous smaller landslides and slumps located throughout the property. Landslide 5 will not be impacted by project development other than the possibility of decreasing the need for frequent maintenance due to the placement of fill and the subsequent increased distance between the landslide and the affected roadway. In areas where cuts are made, the project geologist shall determine whether all of the slide debris has been removed in each area. This determination should be made during project grading. If it is determined that slide debris remains in any areas, assessments regarding stability and any necessary mitigation measures shall be made at that time.*

G-5 *In areas where cuts are planned, the stability of the proposed slopes shall be evaluated by the project geologist. This study shall be conducted as part of the final design, as the depths of the cuts must be known to accurately assess their impact upon slope stability. In the event that the slopes in their planned configurations prove unstable, there are several potential mitigation measures. These potential measures include flattening of the proposed slopes to a stable configuration, overcutting the slopes and rebuilding them as stable, compacted fit, and possibly structural applications, such as retaining walls, caissons, driven piles, and installation of geogrid reinforcement.*

G-6 *The project geotechnical engineer shall conduct sufficient exploration of the existing fill during final project design to render an opinion regarding the suitability of the fill materials use, the degree of compaction, the settlement characteristics, and the strength of the fill materials. The stability and settlement potential of the fill, following the proposed grading shall also be assessed. If the results of this analysis indicate the existence of unstable soil materials, slope instability, inadequate compaction or excessive settlement potential, this situation shall be mitigated by project grading.*

G-7 *The placement of fill over cut slopes is specifically addressed in the Uniform Building Code; the potential for slope failure can be readily mitigated by proper grading techniques in accordance with the Uniform Building Code.*

G-8 *Slopes which involve new fill material over existing fill will require assessment by the project geotechnical engineer or geologist. Recommendations shall be developed as to the best method of mitigation. Such measures could include excavation of the cut slope and rebuilding the entire slope as a compacted fill, possibly utilizing drains and/or geogrid reinforcement. Recommendations from this shall be incorporated into the geotechnical engineering investigation or geologic study as part of the final project design.*

G-9 *Detailed grading plans shall be prepared and submitted for all project phases which identify existing and proposed drainage channels and proposed final site configuration. Grading plans shall be in conformance with the County Coastal Zone Land Use Ordinance.*

G-10 *It is recommended that on-site areas of sheared rock be evaluated by the project geologist and a determination made as to whether the sheared rock is fault-related. If the sheared rock zone is fault-related, the potential ramifications of the fault shall be studied and addressed by the project geologist. Potential mitigation measures to avoid seismic-related displacement include: setting back from the fault, structural augmentation of the foundation where the fault is straddled or removing the bedrock and replacing it with compacted fill as the foundation support material.*

G-11 *The entire length of bluff along San Luis Bay shall be assessed through a Stability Evaluation Report to determine the rate of bluff retreat and the characteristics of wave run-up. The need for setbacks or bluff protection shall be addressed by the project geologist in this assessment. The adequacy of the existing rip-rap structures shall also be assessed and a determination made as to whether augmentation is necessary to protect the proposed improvements. With respect to the fill planned to support the widened access road (Phase II), mitigation measures for erosion will include construction of a retaining structure at the toe of the fill, facing the fill with rip-rap, constructing the lower portion of the fill out of rip-rap, or other equivalent design solution.*

G-12 *To mitigate the potential for excessive settlement of the proposed road fill, bay sediments shall be removed as necessary in order to place fill on the underlying competent rock. The depth to the rock, recommendations for overexcavation, and the precise design solution (i.e. retaining structure, use of rip-rap, etc.) shall be made by the geotechnical engineer as part of the final geotechnical engineering investigation.*

G-13 *The further erosion of Avila Beach Drive at the entrance to Diablo Canyon shall be mitigated by the installation of engineered rip-rap or equivalent protective measures.*

4.5.6 Thresholds of Significance

The County thresholds of significance are based on the criteria set forth in Appendix G of the CEQA Guidelines. According to those criteria, a project would result in a significant geology, soils or drainage-related impact if it would:

a. Expose people or structures to potential hazards which may result in an increased risk of loss, injury or death involving rupture of known 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; strong seismic ground shaking; landslides; liquefaction; ground failure; land subsidence; or other similar hazards;

b. Result in substantial soil erosion, topographic changes, loss of topsoil, or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill;

c. Being 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;

d. Being located on expansive soil creating substantial risks to life or property;

e. Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards; or

f. Preclude the future extraction of valuable mineral resources.

4.5.7 Impact Assessment and Methodology

Potential geologic and soils impacts were evaluated based upon a review of the County's Geographic Information Systems (GIS) database of local geologic and soils conditions, the Geologic/Geotechnical Hazards Study Harbor Terrace Campground report (Earth Systems Pacific 2014) and the Port Master Plan Final Program EIR. The assessment considers compliance with regulations, such as the UBC and County Code.

4.5.8 Project Specific Impacts and Mitigation Measures

Exposure to Seismic Hazards

Landslides

Movement of landslides, including seismically-induced movement, could result in damage to proposed improvements that lie within their boundaries or in their path. Movement of Landslide 1 or Landslide 3 could damage cabins, campsites or vehicles and, depending upon the type and severity of the movement, could endanger those occupying these areas. If natural gaslines were to cross the sites, there would be a possibility of fire danger if rupture of the lines occurred. Rupturing or severing of "wet" utilities (i.e., water and sewer) could result in discharge of water or effluent into the subsurface, which could in turn trigger further instability and exacerbate slope movement. Movement of Landslide 2 could result in damage to boats, gear, vehicles, and other stored items. It is questionable as to whether Landslides 5 or 6, or remnants thereof, still exist; if movement in these areas occurred, damage to stored items in the Harbor area or to the RV sites could result. In general, movement of any of the landslides could result in damage to utilities, roads, pavement, retaining walls, and other infrastructure that lie within or below the landslides. Based on the geologic review, several options to mitigate identified hazards are presented, and would be finalized based on final grading and construction plans and review by a Certified Engineering Geologist.

GEO Impact 1	
The proposed project would be constructed in an area subject to potential geologic hazards including seismically-induced landslide, resulting in a potentially significant impact.	
Mitigation Measures	
GEO/mm-1	*Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a comprehensive geologic investigation. At a minimum, the investigation shall include all areas where development would be located within or below a landslide. The investigation shall conform to §§1803 of the 2013 edition of the CBC and the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013), or editions that are applicable at the time of investigation. The investigation shall be conducted by a Certified Engineering Geologist. At a minimum, it shall address the type, extent, depth, configuration, and activity level of the landslide, and shall include an analysis of slope stability. Upon application for grading and construction permits from the County of San Luis Obispo, a final grading plan shall be submitted that incorporates measures to mitigate potential landslide hazards based on review by the consulting Certified Engineering Geologist. A range of mitigation measures addressing treatment of the site to ensure slope stability, including regrading, structural mitigation, mitigation for roads and utilities, and monitoring are presented below. These measures include, but are not limited to, the following:* *a. Regrading. The entire landslide mass can be regraded from the toe to the upper limit, or the grading program could involve only those areas including and above proposed improvements. If an entire landslide mass were to be regraded, removal of the slide materials and replacement as a structural fill, including excavation of proper keyways, benches, and installation of subdrains would likely be necessary. Use of geogrid reinforcing may be appropriate for some areas. Geogrid reinforcing involves the placement of alternating layers of geogrid and soil, and can be effective in increasing soil strength and stability. Another option that may be appropriate for specific project areas would be partial stabilization. This solution may include the construction of buttress fills below improvement areas that would be sufficient to resist movement of the upper portion of the slide mass. With partial stabilization, it should be noted that any improvements situated below the buttress still would still be at risk from landslide movement. This potential risk shall be addressed in the geologic investigation by the Certified Engineering Geologist.* *b. Structural mitigation. Structural mitigation may be a potential option, depending upon the characteristics of the landslide in the area where the improvements are located. For habitable buildings, such solutions may include deep foundations (e.g., driven piles or caissons designed with sufficient lateral resistance to overcome the sliding force exerted by the landslide). Foundation augmentation such as tie-back anchors attached to the caissons or piles, or batter piles, may be appropriate. Another potential solution would be to construct walls that would be anchored through the slide and founded in underlying stable material.* *c. Mitigation for Roads and Utilities. Potential mitigations to protect roads and utilities may include such measures as retaining walls, possibly anchored with tie-backs or reinforced with soil nails or geogrid, depending upon the depth and characteristics of the landslide in those areas. Flexible and/or articulating connections may provide some mitigation for utilities, depending upon the nature and severity of the landslide movement. For water lines, sacrificial water lines with automatic shut-off valves may be appropriate. If the geologic investigation confirms that the landslide is slow-moving, ongoing repair and replacement of damaged roads and utilities may be feasible. Another option may include constructing utilities above grade in utility raceways.*
GEO/mm-2	*For the life of the project monitoring of landslide movement shall be monitored by a Certified Engineering Geologist. As landslide movement tends to be associated with inclement weather, seasonal monitoring of the landslides for indications of incipient movement shall be implemented in addition to other selected mitigation measures. If monitoring indicates potential movement, or during periods of particularly intense or prolonged inclement weather, temporary restrictions on use and occupancy of the campground may implemented upon the recommendation of the consulting Certified Engineering Geologist.*

GEO Impact 1

Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, G-3, and G-4.

G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.

G-2 No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:

a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.

b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.

G-3 There are five major landslides which have been identified on the Harbor Terrace site. These landslides are depicted as Landslides 1 through 5 on [Figure 4.5-1]. Specific recommendations related to each landslide are provided below as well as within the Harbor District offices.

a. Landslide 1, located in the eastern region of the site, shall be thoroughly assessed by the project geologist. In addition to analyzing the inherent stability of the landslide, the impact of making cuts in the body of the landslide must also be considered, as well as the impact of the 40-foot fill planned in the southeast region of the landslide. This study shall be conducted as part of the final project design, when final grades have been set and are available in a grading plan, yet while modifications are still possible to accommodate site conditions. This study shall be conducted as a feasibility study to determine the major characteristics of the slide and the extent of required mitigation. Specific measures that could be implemented, depending upon the characteristics of the landslide and the relationship of the landslide debris to the proposed building locations, include excavation of appropriate portions of the landslide and replacement with compacted fill. This type of grading solution would entail benching, the installation of drains, and possibly the use of geogrid reinforcing. Fill slopes shall not exceed a 2:1 horizontal to vertical ratio. Other alternatives could include stabilization systems utilizing tie-backs or caissons or project redesign to relocate structures out of the slide area.

b. Landslide 2, located in the northwest region of the site, shall be studied by the project geologist to determine its depth, activity level, and extent. This study shall be conducted as part of the final project design, as the relationship of the grading to the location and depth of the landslide will determine the appropriate mitigation(s). Possible mitigation measures for this landslide could

GEO Impact 1
include excavation of the landslide and replacement as a compacted fill, possibly with drains and geogrid reinforcement; increasing the height of the retaining wall to allow it to also function as a debris wall; or using another stabilizing system such as a tie-back system above the retaining wall in caissons. *c. Landslide 3, located below the existing water tank, shall be analyzed to determine its depth and geometry and the effect of the proposed cut upon slope stability. This study shall be conducted as part of the final project design, as a fairly accurate depth of cut must be known to properly assess its impact upon slope stability. As major cuts are planned in this area, mitigation could be achieved by modifying the grading plan to remove all of the landslide debris. Other possible mitigations could include replacement with compacted fill, possibly with drains and geogrid reinforcement, use of a retaining wall, tie-backs, or caissons.* *d. The location of Landslide 4 has been obscured by past grading, and by the subsequent placement of a buttress fill. This landslide area shall be investigated as part of final project design with respect to the materials used and its state of compaction. Mitigation, if any, will be determined by the outcome of such an investigation. Possible mitigations include removal of the slide debris and replacement as a compacted fill, placement of additional buttress fill, or use of structural solutions such as retaining walls, tie-backs, or caissons. This assessment shall be conducted by the project geologist as part of final project design.* *G-4 In addition to the four major landslides described above, there are numerous smaller landslides and slumps located throughout the property. Landslide 5 will not be impacted by project development other than the possibility of decreasing the need for frequent maintenance due to the placement of fill and the subsequent increased distance between the landslide and the affected roadway. In areas where cuts are made, the project geologist shall determine whether all of the slide debris has been removed in each area. This determination should be made during project grading. If it is determined that slide debris remains in any areas, assessments regarding stability and any necessary mitigation measures shall be made at that time.*
Residual Impacts
The proposed project is located in an area affected by geologic hazards, potentially including landslides. Further geotechnical review is required pursuant to existing regulations and identified mitigation measures. Based on review by Earth Systems Pacific, potential hazards can be mitigated through implementation of recommendations identified in the mitigation measures listed above. Therefore, potential impacts would be mitigated to less than significant.

Faults, Groundshaking, Ground Surface Rupture, and Seismically-Induced Settlement

For structures built within the 110-foot "cleared" zone, no setbacks from the San Luis Bay Fault are considered necessary. Potentially habitable structures are located outside of the cleared area, including the commercial building, comfort stations, cabins, and the building. In the event that the San Luis Bay Fault moved sympathetically in response to strong ground shaking from a seismic event along another fault, there is a potential for ground rupture to occur. In the event of fault movement, groundshaking, and/or surface rupture, buildings and associated improvements could be damaged, and building occupants could be endangered. Seismically induced settlement could result in damage to buildings, retaining walls, roads, utilities, and other infrastructure. Based on the geologic review, several options to mitigate identified hazards are presented, and would be finalized based on final grading and construction plans and review by a Certified Engineering Geologist.

GEO Impact 2
The proposed project would be constructed in an area subject to potential geologic hazards including fault movement and seismic activity, which may result in a potentially significant impact including building damage and public hazards.
Mitigation Measures
GEO/mm-3 *Upon application for grading and construction permits, the Harbor District or their designee shall submit a fault investigation for any potentially habitable structure. The building areas of habitable structures shall be investigated by excavating an exploratory trench(es) perpendicular to the fault trace, and extending beyond the building footprint at least the minimum setback distance for the anticipated building type. The fault investigation shall be overseen by a Certified Engineering Geologist and shall conform to the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013) or the applicable edition at the time of investigation. If any habitable structures are found to overlie the fault or are within the minimum setback distance to the fault, the structure shall be relocated within the existing boundary of the areas identified for development, or designed to accommodate potential fault movement (pending approval by the County of San Luis Obispo). Potential design solutions may include, but are not limited to, mat foundations or overexcavated and geogrid-reinforced building pads designed with sufficient strength to overcome the maximum shearing forced exerted by seismic movement. Utility lines shall be fitted with articulating connections and/or automatic shut-off valves.*
GEO/mm-4 *Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit construction plans and a geotechnical engineering report in compliance with the CBC, which includes measures to reduce risk from seismic events. Structures shall be designed in accordance with the seismic parameters presented in a project-specific geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards. The geotechnical engineering report shall be prepared by a qualified geotechnical engineer. The potential for seismically induced settlement shall be addressed in the geotechnical engineering report, which shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an evaluation of the properties of the fill and native soils, address the potential for seismic settlement, and provide specific recommendations for mitigation if appropriate. Available alternatives to reduce the effects of soil settlement may include, but not be limited to, deep ground improvement methods, surcharging the site to further consolidate the underlying soils, use of deep foundations such as driven piles combined with structural support of floor slabs, use of lightweight fills, and limiting the thickness of fills. Structures shall be designed in accordance with the recommendations and seismic parameters presented in the geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards, including seismic settlement.*
Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, and G-10. *G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.* *G-2 No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:* *a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern*

GEO Impact 2
corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints. *b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.* *G-10 It is recommended that on-site areas of sheared rock be evaluated by the project geologist and a determination made as to whether the sheared rock is fault-related. If the sheared rock zone is fault-related, the potential ramifications of the fault shall be studied and addressed by the project geologist. Potential mitigation measures to avoid seismic-related displacement include: setting back from the fault, structural augmentation of the foundation where the fault is straddled or removing the bedrock and replacing it with compacted fill as the foundation support material.*
Residual Impacts
The proposed project is located in an area affected by geologic hazards, potentially including fault activity, groundshaking, ground surface rupture, and seismically induced settlement. Further geotechnical review is required pursuant to existing regulations and identified mitigation measures. Based on review by Earth Systems Pacific, potential hazards can be mitigated through implementation of recommendations identified in the mitigation measures listed above. Therefore, potential impacts would be mitigated to less than significant.

Liquefaction, Lateral Spreading, and Associated Slope Failure

The project site is located in an area potentially subject to liquefaction. In the event of liquefaction or lateral spreading, buildings can be damaged, slopes can become unstable, underground utility lines can be ruptured, and surface improvements such as pavement, flatwork and slabs can experience cracks, deformation, and settlement. Based on the geologic review, several options to mitigate identified hazards are presented, and would be finalized based on final grading and construction plans and review by a Certified Engineering Geologist.

GEO Impact 3
The proposed project would be constructed in an area subject to potential geologic hazards including liquefaction, lateral spreading, and associated slope failure, which may result in a potentially significant impact including building damage and public hazards.
Mitigation Measures
GEO/mm-5 Upon application for grading and construction permits, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The

GEO Impact 3

report shall address potential for liquefaction, lateral spreading, and associated slope failure, and shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. If significant potentials for liquefaction or lateral spreading are found to exist, recommendations for mitigation shall be developed and presented in the geotechnical engineering report. If it is determined that liquefaction or lateral spreading may affect certain parts of the site, there are numerous mitigation measures that can be implemented, including but not limited to the following recommendations. Depending upon the location, depth, and extent of liquefaction or lateral spreading-prone areas and the types of improvements planned for these areas, potential mitigations could include earthwork (grading) programs, specialized foundations (such as mat or deep foundations), ground modification, and designing pipes and pipe connections for high strength and ductility. Potential measures to mitigate slope instability induced by lateral spreading include deep ground improvement methods, reinforcing of slopes, reducing slope inclinations, or establishing adequate setbacks between structures and slopes.

Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2.

G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.

G-2 No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:

a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.

b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.

Residual Impacts

The proposed project is located in an area affected by geologic hazards, potentially including liquefaction, lateral spreading, and associated slope failure. Further geotechnical review is required pursuant to existing regulations and identified mitigation measures. Based on review by Earth Systems Pacific, potential hazards can be mitigated through implementation of recommendations identified in the mitigation measures listed above. Therefore, potential impacts would be mitigated to less than significant.

Soil Erosion and Creation of Unstable Conditions

Construction of the proposed project would require mass grading of the project site. Based on preliminary grading plans, approximately 16.5 acres would be graded, including approximately 115,000 cubic yards of cut and 43,000 cubic yards of fill. Based on the amount of grading and area and volume proposed for disturbance, there is a high potential for erosion and down-gradient sedimentation to occur at the project site. The project is required to comply with existing regulations, including preparation and implementation of an erosion and sedimentation control plan and SWPPP.

In the long-term, based on the slopes of proposed terraces, there is a potential for uncontrolled runoff and un-stabilized slopes to result in erosion. The project includes revegetation of engineered slopes, and includes a preliminary plan to control stormwater runoff for the life of the project, including LID measures and BMPs. Examples of BMPs include passive methods such as disconnecting downspouts from storm drain systems and allowing them to drain on to the site; providing vegetated filter strip areas between parking lots, driveways or other hard surfaces and storm drain features, thereby allowing the vegetation to filter the and partially infiltrate water before it is discharged; and collecting storm water in rain barrels or other containment features to allow its re-use at a later date for irrigation or other non-potable uses. More active storm water control measures (SCMs) may include bioswales or vegetated swales, pervious pavement or pavers, subsurface infiltrators, and infiltration pits.

The use of BMPs can result in unanticipated geotechnical consequences that can adversely impact improvements such as foundations of structures, pavements, and retaining walls. All BMPs require maintenance, without which runoff may back up, overtop, or flow in unintended directions. This can cause erosion, localized flooding, excess shrink/swell of expansive soils, and possibly slope instability. Infiltration from BMPs may exacerbate fluctuations in soil moisture content and the corresponding shrink/swell cycle, causing damage to foundations and surface improvements. Infiltration BMPs and SCMs, whether maintained or not, may cause subsurface erosion, excess settlement of fill soils, or slope instability. For example, fills are generally constructed with drains; the intent of the drains is to capture and divert minor amounts of water and keep the fill in a reasonably dry condition. If infiltration SCMs are situated in or above a fill, drainage associated with the SCM may flow into the fill drains, which are typically not intended or designed to handle the resulting larger volume of water. In such a situation, the drainage may daylight out of the fill drains, resulting in such adverse consequences as erosion, saturation of the fill soil, and possibly slope instability or triggering of landslide movement. Furthermore, the original objective of the SCM to filter and control storm water may not be achieved.

Based on compliance with existing regulations and incorporation of measures identified by Earth Systems Pacific, potential hazards related to soil erosion and slope instability would be mitigated to less than significant.

GEO Impact 4	
Construction of the proposed project would require mass grading and incorporation of stormwater management measures including LID measures and BMPs, which may result in unintended geologic hazards including slope instability, resulting in a potentially significant impact.	
Mitigation Measures	
GEO/mm-6	*Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit erosion and sedimentation control plans addressing*

GEO Impact 4	
	both short-term erosion hazards during construction, and long-term erosion hazards for the life of the project. The plan shall include, but not be limited to, the following measures: control of surface runoff; V-ditches, berms, brow ditches, or other drainage diversion features; mid-slope benches; vegetation; straw bales; erosion matting; vegetative cover, control of rodent activity, or other methods. Drainage shall discharge in a non-erosive manner away from improvements and, where slopes are present, away from the tops and toes of the slopes.
GEO/mm-7	*Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a project specific geotechnical engineering report, prepared by a qualified geotechnical engineer and conforming to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an assessment of the potential impacts of BMPs, including infiltration SCMs, and provide recommendations for mitigation. The impacts of infiltration SCMs upon slope stability, settlement of fill soils, drainage, and the shrink/swell cycle of expansive soils, shall be analyzed and included in the report. Infiltration SCMs shall not be placed in or above fill, near descending cut slopes, or at the toe of any slope. Infiltration SCMs shall be set back from foundations and surface improvements, or barriers such as deepened curbs, cutoff walls or impermeable membranes shall be placed between infiltration SCMs and foundations and/or improvements. Infiltration tests shall be conducted to assess the infiltration potential for use in the design of infiltration SCMs. To address potentially adverse impacts associated with BMPs, a maintenance program for all BMPs shall be prepared and implemented. The program shall include periodic inspection of BMPs, cleaning and removal of accumulated silt, sand, and debris from BMPs, maintenance of vegetation in BMPs, and periodic rehabilitation of infiltration BMPs for the life of the project.*
Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2. *G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.* *G-2 No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:* *a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.* *b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing*	

GEO Impact 4
fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.
Residual Impacts
Construction and development of the project would include the use of LID measures and BMPs. If not property designed, these features could result in unintended geologic hazards. Further geotechnical review is required pursuant to existing regulations and identified mitigation measures. Based on review by Earth Systems Pacific, potential hazards can be mitigated through implementation of recommendations identified in the mitigation measures listed above. Therefore, potential impacts would be mitigated to less than significant.

Unstable Geologic Unit or Soil

The site has been extensively graded in the past, which has resulted in a series of terraces that extend across most of the site. The terraces were created by cut-and-fill grading, with fill placed or side-cast to form the outer margins of the terraces. Borings encountered fill soils that ranged in depth from 8 feet to 36 feet; however, the depth of fill is likely to vary throughout the site. As much of the grading took place to create pads for oil tanks, significant amounts of the fill were placed in a manner that would not be considered adequate by today's standards. A major fill area begins at the west end of the site, extends southeast along Diablo Canyon Road, continues along the south margin of the site, and may extend into the former trailer park on Babe Lane. This fill was placed during grading operations that took place in the early 1970's. Logs of borings drilled within the fill area indicated fill depths of 23 to 36 feet; however, based upon the existing topography, it is questionable as to whether the borings were drilled from the current ground surface elevation in this area. It is likely that these areas were filled after the borings were drilled; consequently, there are likely areas of this fill that are significantly deeper than indicated in the borings. It is generally believed that this fill was placed partially to provide a buttress for Landslide 5, and the landslide may have been removed by the grading that later took place in this area. There is no available documentation attesting to the proper placement or compaction of the fill soils and, based upon the time periods when the grading took place, it is unlikely that the fill slopes were keyed, benched, compacted, or fitted with drains in a manner that would be considered acceptable by today's standards. As a consequence, some of these slopes may be unstable and prone to failure, particularly during periods of inclement weather. The fill areas, based upon mapping by Leighton and logs of borings, are shown on Figure 4.5-1.

The area slated for commercial uses is above deep undocumented fill soil, and at the top of an existing fill slope. The harbor and marine storage areas in the northwest region of the project site are also located atop deep, undocumented fill soils. As discussed previously, the harbor and marine storage areas are also within the boundaries of Landslide 5 (if present). Colluvium is present in this region of the site, below Landslide 2. The stability of the fill slopes and the colluvium has not been studied in a comprehensive study, and require further analysis prior to development of final grading and construction plans pursuant to County Code.

Where there is no documentation attesting to the proper placement or compaction of fill soils, they should not be relied upon for support of buildings. Constructing a building on fill soil that has not been properly placed or compacted can lead to excessive settlement or differential settlement of the building, which can in turn cause extensive damage. If fill slopes are not keyed, benched, compacted, or fitted with drains, they may be unstable and prone to failure,

particularly during periods of inclement weather. In the event of failure of the slope supporting the commercial building, the building occupants could be endangered and damage to the commercial building, pool, and associated improvements could result. If the pool is damaged and water leaks into the subsurface, further instability and slope failure could result.

The preliminary grading plan for the project shows proposed fills of up to 37 feet, and in many cases, new fill will be placed upon existing fill or existing fill slopes. If new placement of fill over existing uncompacted fill is planned, instability could result. Similarly, slope failures could occur where fills are placed over existing cut slopes, or where grading exposes cut over fill. While the sites intended for harbor and marine storage would not be held to the same standard with respect to grading, and removal/replacement of the fill would most likely not be necessary, failure of fill slopes could impact these areas, potentially resulting in damage to stored items.

Where roads, retaining walls, and other infrastructure are constructed through areas of existing cut and fill, similar geotechnical issues could occur. Fill soils could prove to be unstable, resulting in slope failures that could range in severity from "nuisance factors" requiring periodic maintenance, to severe failures that could cause extensive damage and render portions of the campground inaccessible until repairs can be effected. Fill soils that are not adequately compacted could also result in settlement, development of tension cracks, and failure of paved roads.

Based upon a review of the preliminary grading plan, construction of the project may require grading and/or construction of buildings on slopes with natural grades between 25 and 30 percent. Grading activities on steep slopes can create a potential for slope failure if material is improperly removed from the base of a slope, if the slope gradient is too steep for the type of material, or if drainage is not properly controlled. The risk of slope failure can increase if cuts encounter contacts between colluvium or fill and bedrock, if unfavorable bedding planes are intersected by cuts, or if fractured rock materials are encountered.

Therefore, additional mitigation measures are identified, which would address these potential hazards.

GEO Impact 5	
Construction of the proposed project on undocumented fill material could result in potentially significant geologic hazards including slope instability and damage to structures and stored materials and equipment.	
Mitigation Measures	
GEO/mm-8	*Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the properties of the existing fill and the stability of the existing fill slopes, and shall include assessment of the existing fills, including suitability of the materials used, original site preparation, and degree of compaction; the suitability of the fill for supporting the proposed improvements; settlement of potential of the fill; slope stability; the impacting of placing fill upon existing fill; placement of fill over existing cut slopes; and appropriate mitigations for all of these issues. If the fill is found to be inadequate for the support of proposed improvements or unstable, mitigation measures shall include, but not be limited to, regrading, including removal of existing materials and replacement with structural fill. For fill placed on slopes, this would likely entail excavation of keyways, benches, and installation of drains. Use of geogrid reinforcing may be appropriate. Structural mitigation is another potential solution. Depending upon the characteristics of the fill, retaining structures founded in underlying competent material may be applicable to*

GEO Impact 5

specific situations. Types of appropriate retaining structures could include post and lagging walls, possibly anchored; gravity walls, mechanically stabilized earth walls, or cantilevered walls augmented with tie-back anchors. In the commercial area, drainage measures beneath and surrounding the pool shall be incorporated into its design.

GEO/mm-9 *Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the impact of grading of steep slopes, including the potential for instability of natural and proposed slopes and shall provide recommendations for appropriate grading programs, including criteria for maximum slope heights and angles. Where buildings are to be constructed on steep slopes, development of suitable foundation systems and criteria for their design shall be included in the report. Potential mitigation measures shall include, but not be limited to removal of additional material and extending grading operations beyond the slope area to temporarily or permanently reduce slope gradients, use of geogrid reinforcement, or temporary shoring. Types of foundations appropriate for building construction on steep slopes may include driven piles, drilled caissons, or conventional foundations extended to bear in competent material.*

Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, G-5, G-6, G-7, and G-8.

G-1 *Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.*

G-2 *No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:*

- *a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.*
- *b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.*

G-5 *In areas where cuts are planned, the stability of the proposed slopes shall be evaluated by the project geologist. This study shall be conducted as part of the final design, as the depths of the cuts must be known to accurately assess their impact upon slope stability. In the event that the slopes in their planned*

GEO Impact 5	
	configurations prove unstable, there are several potential mitigation measures. These potential measures include flattening of the proposed slopes to a stable configuration, overcutting the slopes and rebuilding them as stable, compacted fit, and possibly structural applications, such as retaining walls, caissons, driven piles, and installation of geogrid reinforcement.
G-6	*The project geotechnical engineer shall conduct sufficient exploration of the existing fill during final project design to render an opinion regarding the suitability of the fill materials use, the degree of compaction, the settlement characteristics, and the strength of the fill materials. The stability and settlement potential of the fill, following the proposed grading shall also be assessed. If the results of this analysis indicate the existence of unstable soil materials, slope instability, inadequate compaction or excessive settlement potential, this situation shall be mitigated by project grading.*
G-7	*The placement of fill over cut slopes is specifically addressed in the Uniform Building Code; the potential for slope failure can be readily mitigated by proper grading techniques in accordance with the Uniform Building Code.*
G-8	*Slopes which involve new fill material over existing fill will require assessment by the project geotechnical engineer or geologist. Recommendations shall be developed as to the best method of mitigation. Such measures could include excavation of the cut slope and rebuilding the entire slope as a compacted fill, possibly utilizing drains and/or geogrid reinforcement. Recommendations from this shall be incorporated into the geotechnical engineering investigation or geologic study as part of the final project design.*
Residual Impacts	
The proposed project is located in an area known to contain undocumented fill material. Further geotechnical review is required pursuant to existing regulations and identified mitigation measures. Based on review by Earth Systems Pacific, potential hazards can be mitigated through implementation of recommendations identified in the mitigation measures listed above. Therefore, potential impacts would be mitigated to less than significant.	

Expansive Soils

The expansion-contraction cycle can create a substantial risk to property, and can contribute to downslope creep of soils on slopes. The volume changes that the soils undergo in this cyclical pattern can also stress and damage foundations, slabs-on-grade, and other improvements if precautionary measures are not incorporated in design and in the construction procedure. Expansive soils can be particularly damaging to pavement and the curbs that separate it from bioswales and other infiltration LID features. This is due to the typical large variations in soils moisture content that occur in infiltration areas from season to season. Therefore, additional mitigation measures are identified, which would address these potential hazards.

GEO Impact 6	
Construction of the proposed project on expansive soils could result in damage to structures and paved features, resulting in a potentially significant impact.	
Mitigation Measures	
GEO/mm-10	*Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include assessment of the expansive properties of the soil, and provide recommendations for mitigation. Appropriate mitigation shall include, but not be limited to, such measures as deeper footings in combination with preserving or augmenting the soil moisture, and use of a layer of nonexpansive material beneath slabs. There are a number of other options available, including caissons and grade beams, post-tensioned slab foundations, conventionally*

GEO Impact 6
reinforced mat foundations, and deep nonexpansive pads. Deepening of curbs between pavement and bioswales, increasing the separation distance between pavement and bioswales, or other LID infiltration features may be recommended to reduce the potential for expansive soil damage.
Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2. *G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.* *G-2 No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:* *a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.* *b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.*
Residual Impacts
The proposed project is located in an area known to contain expansive soils. Further geotechnical review is required pursuant to existing regulations and identified mitigation measures. Based on review by Earth Systems Pacific, potential hazards can be mitigated through implementation of recommendations identified in the mitigation measures listed above. Therefore, potential impacts would be mitigated to less than significant.

Consistency with County Safety Element

Based on the analysis presented above, the proposed project will be required to incorporate existing regulations and recommended mitigation measures to address potential geologic and

soils hazards. Based on compliance with noted standards and measures, the proposed project would be consistent with the County Safety Element, and no additional impact would occur.

Preclude Extraction of Mineral Resources

Based on the location of the project, it would not preclude extraction of mineral resources; therefore, no impact would occur.

4.5.9 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of the development of Harbor Terrace, identified potentially significant but mitigable and less than significant geology and soils impacts that would occur as a result of build-out of the Master Plan. Potential impacts include groundshaking (less than significant), adverse effects due to landslides (less than significant with mitigation), soil erosion (less than significant with mitigation), structural damage due to differential settlement (less than significant with mitigation), undocumented fill and expansive soils (less than significant with mitigation), export of undocumented fill (less than significant), and interference with wave action and sand sourcing and deposition (less than significant). All mitigation measures identified in the Port Master Plan Final Program EIR will be incorporated into the proposed project, in addition to site-specific mitigation measures identified by Earth Systems Pacific (2014) and compliance with existing regulations including the UBC, County Code, and standards required for development within the GSA combining designation pursuant to the CZLUO. Similar geologic and soils hazards are present within the Avila area, and all development is subject to existing regulations and site-specific study.

Based on compliance with existing regulations and noted mitigation measures, the proposed project would not result in a cumulatively considerable adverse effect related to geology and soils.

4.6 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The following section includes a summary of climate change, and addresses how the project would contribute to GHG emissions. Emission rates were generated using standard emission factors and the CalEEMod modeling program, as applicable. CalEEMod data sheets and other emission calculations are included in the Air Quality and GHG Emissions Appendix (Appendix C). This analysis attempts to provide a reasonable worst-case scenario of potential air emissions resulting from construction and operation of the project, and recommends mitigation to reduce those impacts to a less than significant level where feasible.

4.6.1 Existing Conditions

Climate change refers to any substantial change in measures of climate (such as temperature or precipitation) lasting for an extended period (decades or longer). Climate change may result from natural factors and processes or from human activities (US EPA 2014).

GHGs trap heat (energy) in the lower part of the atmosphere, also known as the "Greenhouse Effect." As GHGs accumulate, more heat is trapped. This extra heat leads to higher air temperatures near the Earth's surface, alters weather patterns, and raises the temperature of the oceans. As defined in AB 32, the California Global Warming Solutions Act of 2006, GHGs include the following gases: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3). A brief summary of each GHG is summarized below (US EPA 2014).

- **Carbon dioxide.** CO_2 is primarily emitted through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees, and wood products. Changes in land use also contribute. Deforestation and soil degradation add CO_2 to the atmosphere, while forest regrowth takes it out of the atmosphere (also known as carbon sequestration).

- **Methane.** CH_4 is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock, agricultural practices, and the anaerobic decay of organic waste in landfills. This gas remains in the atmosphere for 12 years.

- **Nitrous oxide.** N_2O is emitted during agricultural and industrial activities, and during combustion of fossil fuels and solid waste. This gas remains in the atmosphere for 121 years.

- **Fluorinated gases.** HFCs, PFCs, SF_6, and NF_3 do not occur naturally, and are emitted from industrial processes and commercial and household uses. These gases remain in the atmosphere for a few weeks to thousands of years.

In California, the main sources of GHG emissions are from the transportation and energy sectors. According to the CARB GHG emission inventory for 2012, 36% of GHG emissions result from transportation and 21% of GHG emissions result from electricity generation. California produced 459 million metric tons of CO_2 equivalent ($MMtCO_2e$) in 2012 (CARB 2014a). Between 2000-2012, GHG emissions have decreased by 1.6% (CARB 2014b).

The US EPA's Climate Change Indicators report (US EPA 2014) presents 30 indicators of long-term trends related to the causes and effects of climate change, the significance of the changes, and the possible consequences for people, the environment, and society. These indicators are

categorized as GHGs, weather and climate, oceans, snow and ice, health and society, and ecosystem. Indicators are summarized below.

- **U.S. Greenhouse Gas Emissions.** In the U.S., GHG emissions caused by human activities increased by 5% from 1990 to 2012. Since 2005, total U.S. GHG emissions have decreased by 10%. Carbon dioxide accounts for most of the nation's emissions and most of the increase since 1990. Electricity generation is the largest source of GHG emissions in the United States, followed by transportation. Emissions per person have decreased slightly in the last few years.

- **Atmospheric Concentrations of Greenhouse Gases.** Concentrations of carbon dioxide and other GHGs in the atmosphere have increased since the beginning of the industrial era, and a majority of the increase is attributable to human activities. Historical measurements show that current levels of many GHGs are higher than any levels recorded for hundreds of thousands of years, even after accounting for natural fluctuations.

- **Climate Forcing.** Climate forcing refers to a change in the Earth's energy balance, leading to either a warming or cooling effect. Since 1990, the total warming effect from GHGs added by humans to the Earth's atmosphere increased by 34%. The warming effect associated with carbon dioxide alone increased by 27%.

- **U.S. and Global Temperature.** Average temperatures have risen across the contiguous 48 states since 1901, with an increased rate of warming over the past 30 years. Seven of the top 10 warmest years on record have occurred since 1998. Average global temperatures show a similar trend, and the top 10 warmest years on record worldwide have all occurred since 1998. Within the United States, temperatures in parts of the North, the West, and Alaska have increased the most.

- **High and Low Temperatures.** Many extreme temperature conditions are becoming more common. Since the 1970s, unusually hot summer temperatures have become more common in the United States, and heat waves have become more frequent—although the most severe heat occurred during the "Dust Bowl" in the 1930s. Record-setting daily high temperatures have become more common than record lows. The decade from 2000 to 2009 had twice as many record highs as record lows.

- **U.S. and Global Precipitation.** Total annual precipitation has increased in the United States and over land areas worldwide. Since 1901, precipitation has increased at an average rate of 0.5% per decade in the contiguous 48 states and 0.2% per decade over land areas worldwide. However, shifting weather patterns have caused certain areas, including California, to experience less precipitation than usual.

- **Heavy Precipitation.** In recent years, a higher percentage of precipitation in the United States has come in the form of intense single-day events. Nationwide, nine of the top 10 years for extreme one-day precipitation events have occurred since 1990. The occurrence of abnormally high annual precipitation totals (as defined by the National Oceanic and Atmospheric Administration) has also increased.

- **Drought.** Average drought conditions across the nation have varied since records began in 1895. The 1930s and 1950s saw the most widespread droughts, while the last 50 years have generally been wetter than average. The southwestern United States is

particularly sensitive to changes in temperature and thus vulnerable to drought, as even small decreases in water availability can threaten natural systems and society. In California, Governor Jerry Brown declared a Drought State of Emergency in January 2014, and directed state officials to take all necessary actions to prepare for water shortages. This has resulted in both mandatory and voluntary water restrictions across the state.

- **Ocean Heat.** The amount of heat stored in the ocean has increased substantially since the 1950s. Ocean heat content not only determines sea surface temperature, but also affects sea level and currents.

- **Sea Level.** When averaged over all the world's oceans, sea level has increased at a rate of roughly six-tenths of an inch per decade since 1880. The rate of increase has accelerated in recent years to more than an inch per decade. Changes in sea level relative to the land vary by region.

- **Ocean Acidity.** The ocean has become more acidic over the past few centuries because of increased levels of atmospheric carbon dioxide, which dissolves in the water. Higher acidity affects the balance of minerals in the water, which can make it more difficult for certain marine animals to build their skeletons and shells.

- **Heating and Cooling Degree Days.** As the U.S. climate has warmed in recent years, heating degree days have decreased and cooling degree days have increased overall, suggesting that Americans need to use less energy for heating and more energy for air conditioning.

- **Heat-Related Deaths.** Over the past three decades, nearly 8,000 Americans were reported to have died as a direct result of heat-related illnesses such as heat stroke. The annual death rate is higher when accounting for other deaths in which heat was reported as a contributing factor. Considerable year-to-year variability in the data and certain limitations of this indicator make it difficult to determine whether the United States has experienced long-term trends in the number of deaths classified as "heat-related."

- **Length of Growing Season.** The average length of the growing season in the contiguous 48 states has increased by nearly two weeks since the beginning of the 20th century. A particularly large and steady increase has occurred over the last 30 years. The observed changes reflect earlier spring warming as well as later arrival of fall frosts. The length of the growing season has increased more rapidly in the West than in the East.

- **Ragweed Pollen Season.** Warmer temperatures and later fall frosts allow ragweed plants to produce pollen later into the year, potentially prolonging the allergy season for millions of people. The length of ragweed pollen season has increased at 10 out of 11 locations studied in the central United States and Canada since 1995. The change becomes more pronounced from south to north.

- **Wildfires.** Since 1983, the United States has had an average of 72,000 recorded wildfires per year. Of the 10 years with the largest acreage burned, nine have occurred since 2000, with many of the largest increases occurring in western states. The proportion of burned land suffering severe damage each year has ranged from 5 to 22%.

- **Streamflow.** Changes in temperature, precipitation, snowpack, and glaciers can affect the rate of streamflow and the timing of peak flow. Over the last 73 years, minimum, maximum, and average flows have changed in many parts of the country—some higher, some lower. Nearly half of the rivers and streams measured show peak winter-spring runoff happening at least five days earlier than it did in the mid-20th century.

- **Bird Wintering Ranges.** Some birds shift their range or alter their migration habits to adapt to changes in temperature or other environmental conditions. Long-term studies have found that bird species in North America have shifted their wintering grounds northward by an average of more than 40 miles since 1966, with several species shifting by hundreds of miles. On average, bird species have also moved their wintering grounds farther from the coast, consistent with inland winter temperatures becoming less severe.

- **Leaf and Bloom Dates.** Leaf growth and flower blooms are examples of natural events whose timing can be influenced by climate change. Observations of lilacs and honeysuckles in the contiguous 48 states suggest that first leaf dates and bloom dates show a great deal of year-to-year variability. Leaf and bloom events are generally happening earlier throughout the North and West.

4.6.2 Regulatory Setting

Federal Policies and Regulations

On October 30, 2009, the US EPA published the Mandatory Reporting Rule (codified in 40 Code of Federal Regulations [CFR] Part 98), which requires mandatory reporting of GHG emissions from large sources and suppliers in the United States In general, suppliers of fossil fuels or industrial GHGs, manufacturers of vehicles and engines, facilities that inject CO2 underground, and facilities that emit 25,000 metric tons or more per year of CO_2e emissions are required to submit annual reports to the US EPA.

On December 7, 2009, the US EPA Administrator signed two findings regarding GHGs. The first finds that the current and projected concentrations of the six key well-mixed GHGs in the atmosphere (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) threaten the public health and welfare of current and future generations. The second finds that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution that threatens public health and welfare. The CAA requires every engine and motor vehicle within the chain of commerce in the United States to meet a set of emission standards and conformity requirements. Anyone wishing to sell an engine or vehicle within the United States must demonstrate compliance with the CAA and all applicable US EPA regulations. Upon adequate representation of conformity by the manufacturer and possibly confirmatory testing by US EPA, US EPA may issue a Certificate of Conformity which provides authorization for production and sales within the United States.

State Policies and Regulations

The California CAA was signed into law in September of 1988. It requires all areas of the state to achieve and maintain the California ambient air quality standards by the earliest practicable date. These standards are generally more stringent than the Federal CAA standards; thus, emission controls to comply with the State law will generally be sufficient to comply with the Federal standards as well. The California CAA requires that all APCDs adopt and enforce regulations to achieve and maintain the state ambient air quality standards for the area under its

jurisdiction. Pursuant to the requirements of the law, the SLOAPCD has adopted the CAP for San Luis Obispo County, which undergoes subsequent updates as required.

The California Global Warming Solutions Act of 2006 (AB 32, Health and Safety Code §38500 et seq.) requires the CARB to design and implement emission limits, regulations, and other measures. These will reduce, by 2020, statewide GHG emissions in a technologically feasible and cost-effective manner to 1990 levels (representing a 25% reduction). The following summarizes the process and schedule for implementing AB 32 (CARB 2014c):

- June 30, 2007: CARB publishes a list of discrete early action GHG emission reduction measures that can be implemented prior to the measures and limits to be adopted to meet the 2020 limit.
- September 7, 2007: CARB released a list of additional early action measures and discrete early actions.
- January 1, 2008: CARB determines what the statewide GHG emissions level was in 1990 and approves a statewide GHG limit that is equivalent to that level.
- January 1, 2008: CARB adopts regulations requiring the reporting and verification of statewide GHG emissions.
- January 1, 2009: CARB adopts a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs by 2020.
- January 1, 2010: CARB adopts and enforces regulations to implement the GHG emission reduction measures identified on the early action list in 2007.
- January 1, 2011: CARB adopts regulations to achieve the required reduction of GHG emissions to 1990 levels by 2020.
- January 1, 2012: GHG emission limits and emission reduction measures adopted by January 1, 2011, become enforceable.
- November 14, 2012: CARB holds its first quarterly auction of GHG emissions allowances as part of the Cap-and-Trade program.
- January 1, 2013: Cap-and-Trade program begins with a GHG emissions cap that will decline over time.
- September 17, 2013: CARB issues first carbon offset credits as part of the Cap-and-Trade program.
- May 22, 2014: CARB approves First Update to the Climate Change Scoping Plan.

SB 97, signed in August 2007, required the California Office of Planning and Research to develop, and the Natural Resources Agency to adopt, amendments to the CEQA Guidelines addressing the analysis and mitigation of GHG emissions. Those CEQA Guidelines amendments clarified several points, including the following:

- Lead agencies must analyze the GHG emissions of proposed projects, and must reach a conclusion regarding the significance of those emissions. (CEQA Guidelines §15064.4)

- When a project's GHG emissions may be significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions. (CEQA Guidelines §15126.4(c))

- Lead agencies must analyze potentially significant impacts associated with placing projects in hazardous locations, including locations potentially affected by climate change. (CEQA Guidelines §15126.2(a))

- Lead agencies may significantly streamline the analysis of GHGs on a project level by using a programmatic GHG emissions reduction plan meeting certain criteria. (CEQA Guidelines §15183.5(b))

- CEQA mandates analysis of a proposed project's potential energy use (including transportation-related energy), sources of energy supply, and ways to reduce energy demand, including through the use of efficient transportation alternatives (CEQA Guidelines, Appendix F)

As part of the administrative rulemaking process, the Natural Resources Agency developed a Final Statement of Reasons explaining the legal and factual bases, intent, and purpose of the CEQA Guidelines amendments. Other rulemaking documents can be accessed on the Natural Resources Agency's rulemaking website (http://ceres.ca.gov/ceqa/guidelines/). The amendments to the CEQA Guidelines implementing SB 97 became effective on March 18, 2010.

Local Policies and Regulations

Local efforts to quantify and reduce GHG emissions have primarily been undertaken by the SLOAPCD. Many of the programs currently implemented by SLOAPCD to reduce emissions and exposure to criteria and toxic air pollutants may also reduce GHG emissions. The following is a brief summary of these programs:

- **Rules and Regulations:** Numerous rules adopted by the County Board of Supervisors and implemented by SLOAPCD to address criteria pollutant emissions also have the side benefit of reducing GHGs. For instance, several SLOAPCD rules address conventional emissions from combustion sources such as boilers, heaters, and engines that often result in equipment modifications or replacement that improves the energy efficiency of those units and reduces fossil fuel use. Similarly, rules that regulate or prohibit open burning activities reduce CO_2 emissions from that activity. SLOAPCD Rule 426 regulates landfill emissions of methane.

- **Clean Fuels:** SLOAPCD is actively involved in and supports the efforts of C5, a local nonprofit coalition which promotes the use of cleaner alternative fuel technologies. With over 40% of the GHG emissions coming from mobile sources, these efforts are an essential tool in reducing fossil fuel use and associated CO_2 emissions.

- **Development Review:** Through the CEQA review process, SLOAPCD evaluates impacts from land use development projects and recommends measures to reduce emissions. Mitigation measures focus on reducing emissions from motor vehicles and improving energy efficiency, both of which directly reduce criteria pollutants and GHGs.

Such strategies include incorporation of energy efficiency measures (increased insulation, high efficiency appliances and lighting, passive and active solar systems, etc.) that go beyond current building standards, and including Smart Growth principles into the project design to reduce vehicle trips and increase the viability of alternative transportation.

- **Grant Programs:** Many emission reduction projects funded through the various grant programs administered by SLOAPCD result in replacement or retrofit of older, high emission engines with cleaner and more efficient engines that simultaneously reduce fuel use, thus reducing CO_2 emissions. Conversion of stationary and mobile diesel engines to natural gas or electric motors also serves to reduce CO_2 emissions.

- **Transportation Choices Program:** In partnership with San Luis Obispo Regional Rideshare, Ride-On, and SLOAPCD, the TCP is a free program offered to businesses and organizations throughout San Luis Obispo County to reduce employee and student commute trips and promote the use of alternative transportation.

- **Pollution Prevention:** The Pollution Prevention Program promotes the use of, and publicly recognizes small businesses which successfully employ, pollution prevention and emission reduction techniques as part of routine operating procedures. Many of the businesses so recognized have incorporated operational changes that reduce their emissions through efficiency improvements that also reduce fuel and product use and save energy.

- **Public Outreach:** SLOAPCD implements a number of outreach campaigns to promote a variety of clean air programs, including backyard burning reduction programs, clean car awareness, pollution prevention, energy efficiency, and transportation alternatives, all of which promote community consciousness and lifestyle choices that can help reduce our impacts on climate change."

The County has prepared an EnergyWise Plan (Climate Action Plan) – Designing Energy and Climate Solutions for the Future. This plan identifies strategies to reduce the county's GHG emissions by 15% below the baseline year of 2006 by the year 2020. This goal is consistent with AB 32. The plan includes the following:

- Scientific and regulatory framework for addressing climate change and GHGs at the local level.

- Identifies sources of GHG emissions from sources within the unincorporated county and estimates how these emissions may change over time.

- Forecasts emissions to reflect the County's desired growth projections without regulatory or technical intervention to reduce GHG emissions and provides an emissions reduction target consistent with AB 32 and the County's General Plan.

- Provides energy use, transportation, land use, water use, and solid waste strategies to reduce San Luis Obispo County's GHG emissions and quantifies the potential emissions reductions that will be achieved by implementing each strategy.

- Identifies existing and proposed strategies to reduce emissions from County operations and facilities.

- Addresses adaptation to climate change – climate adaptation is an adjustment in natural or human systems in response to actual or expected climatic change and its effects.

- Presents an implementation program to assist with monitoring and prioritization of the reduction strategies through 2020.

4.6.3 Thresholds of Significance

The significance of potential air quality impacts is based on thresholds identified within Appendix G of the CEQA Guidelines, the San Luis Obispo County Initial Study Checklist, and standards established within the SLO APCD CEQA Air Quality Handbook. The specifics of these guidelines are defined below.

CEQA Guidelines and San Luis Obispo County Initial Study Checklist

The significance of potential impacts is based on thresholds identified within Appendix G of the CEQA Guidelines and the County Initial Study Checklist, which provide the following thresholds for determining impact significance with respect to air quality and climate change. Impacts would be considered significant if the proposed project would:

a. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

SLOAPCD Greenhouse Gas Thresholds and Supporting Evidence

In March 2012, the SLOAPCD approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook (SLOAPCD 2012a, 2012b). The APCD's approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions. If a project has the potential to generate GHG emissions above the threshold level, it would be considered a substantial contribution to a cumulative impact and therefore significant. If mitigation can be applied to lessen the emissions such that the project meets its share of emission reductions needed to address the cumulative impact, the project would normally be considered less than significant.

SLOAPCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g., Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,

2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,

3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

Residential and commercial projects may use any of the three thresholds listed above. For most projects the Bright-Line Threshold of 1,150 metric tons CO_2 per year ($MTCO_2e$/yr) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 $MTCO_2e$/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the California Air Resources Board (or other regulatory agencies) and will be "regulated" either by CARB, the Federal Government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio standards and the Clean Car standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

4.6.4 Impact Assessment and Methodology

The latest version of (CalEEMod; Version 2013.2.2) was used to estimate GHG emissions. Model outputs were compared to applicable thresholds to determine level of impact severity.

4.6.5 Project Specific Impacts and Mitigation Measures

Generation of GHG Emissions

Construction and operation of the proposed project would result in GHG emissions (CO_2, CH_4, N20, HFC, CFC, F_6S) through the use of construction equipment, long-term trip generation, and energy use. Based on emission estimates calculated with CalEEMod (refer to Tables 4.2-4 and 4.2-5 in Section 4.2 Air Quality), development of the project would generate approximately 1,055.74 $MTCO_2e$/yr of during construction of the project, and 1,474.06 $MTCO_2e$ /yr of during the life of the project. Based on the SLOAPCD CEQA Handbook (2012), the total GHG emissions for construction activities was divided by the life of the project (25 years for commercial projects) and added to the annual operational phase GHG emissions. The project's amortized (25 years) construction emissions plus operational-related GHG emissions would equate to approximately 1,640.48 MT/year after implementation of standard mitigation measures included in the CalEEMod model.

Therefore, the project would exceed the APCD's adopted threshold (1,150 MT/year), and additional mitigation is required to reduce potential impacts to less than significant. Many measures identified below (GHG/mm-1) are incorporated in the proposed plans.

GHG Impact 1	
Construction and operation of the proposed project would generate GHG emissions exceeding SLOAPCD thresholds of significance, resulting in a potentially significant impact.	
Mitigation Measures	
GHG/mm-1	*Upon application for construction permits, the Harbor District or their designee shall submit construction plans incorporating LEED certifiable construction measures and additional elements to reduce GHG emissions including, but not limited to, the following:*

GHG Impact 1
a. *Provide pedestrian-friendly features to make walking more convenient, comfortable, and safe, including appropriate signage and crosswalk(s).* b. *Provide good access to/from the development for pedestrians, bicyclists, and transit users.* c. *Incorporate outdoor electrical outlets to encourage the use of electric appliances and tools.* d. *Provide shade tree planting in parking areas to reduce evaporative emissions from parked vehicles. Design shall provide 50% tree coverage within 10 years of construction using low ROG emitting, low maintenance, native, drought resistant trees.* e. *No wood burning appliances in the campground manager residence, hotel/motel units, or cabins.* f. *Incorporate traffic calming modifications to project roads that reduce vehicle speeds and encourage pedestrian and bicycle travel.* g. *Provide onsite housing for employees (campground manager).* h. *Implement on-site circulation design elements in parking areas to reduce vehicle queuing and improve the pedestrian environment.* i. *Provide employee lockers and showers (one shower and five lockers for every 25 employees is recommended).* j. *If feasible, trusses for south-facing portions of roofs shall be designed to handle dead weight loads of standard solar-heated water and photovoltaic panels. If feasible, roof design shall include sufficient south-facing roof surface, based on structures size and use, to accommodate solar panels. For south facing roof pitches, the closest standard roof pitch to the ideal average solar exposure shall be used, if feasible.* k. *Increase the building energy rating by 20% above Title 24 requirements. Measures used to reach the 20% rating cannot be double-counted.* l. *Plant drought tolerant, native shade trees along southern exposures of buildings to reduce energy used to cool buildings in the summer.* m. *Utilize green building materials (materials that are resource efficient, recycled, and sustainable) and available locally, to the maximum extent feasible.* n. *Install high efficiency heating and cooling systems.* o. *Orient buildings to be aligned north/south to reduce energy used to cool buildings in the summer, to the maximum extent feasible.* p. *Design buildings to include roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south-facing windows (passive solar design), to the maximum extent feasible.* q. *Use high efficiency water gas or solar water heaters.* r. *Utilize built-in energy efficient appliances where applicable.* s. *Utilize double-paned windows where applicable.* t. *Utilize low energy streetlights, where applicable.* u. *Utilize energy efficient interior lighting.* v. *Install door sweeps and weather stripping if more efficient doors and windows are not available.* w. *Install energy-reducing programmable thermostats, where applicable.* x. *Use roofing material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs, to the maximum extent feasible. Implementation of this measure shall avoid creation of glare visible from public roads and areas.* y. *Provide and require the use of battery powered or electric landscape maintenance equipment to the maximum extent feasible.* z. *Provide secure on-site bicycle storage, lockers, or racks.* aa. *Implement a "no idling" program for heavy-duty diesel vehicles, including signage and citations.*

GHG Impact 1
GHG/mm-2 *Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall include building efficiency improvements with construction permit applications and/or secure SLOAPCD approved off-site reductions in GHG emissions to ensure that GHG emissions to not exceed the SLOAPCD thresholds. Off-site mitigation may include, but not be limited to, the following measures, as approved by the County of San Luis Obispo Environmental Coordinator and SLOAPCD:* *a. Payment of off-site mitigation fees, as approved by the SLOAPCD and the Carl Moyer grant program;* *b. Develop or improve park-and-ride lots;* *c. Retrofit existing homes in the project area with APCD-approved natural gas combustion devices;* *d. Retrofit existing homes in the project area with energy-efficient devices;* *e. Retrofit existing businesses in the project area with energy-efficient devices;* *f. Construct satellite worksites;* *g. Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles.* *h. Replace/repower transit buses;* *i. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles);* *j. Fund an electric lawn and garden equipment exchange program;* *k. Retrofit or repower heavy-duty construction equipment, or on-road vehicles;* *l. Install bicycle racks on transit buses;* *m. Purchase Verified Diesel Emission Control Strategies (VDECS) for local school buses, transit buses or construction fleets;* *n. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.);* *o. Fund expansion of existing transit services;* *p. Fund public transit bus shelters;* *q. Subsidize vanpool programs;* *r. Subsidize transportation alternative incentive programs;* *s. Contribute to funding of new bike lanes;* *t. Install bicycle storage facilities; and,* *u. Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans.*
Residual Impacts
The proposed project consists of a campground facility with onsite commercial facilities including a restaurant and market, which would serve onsite visitors and other persons visiting Avila Beach and Port San Luis. The project includes several features that would reduce GHG emissions, including native landscaping and improved access to the beach area. Energy efficiency measures would be implemented to the maximum extent feasible to reduce emissions. Due to the climate in the area, very hot and very cold days are uncommon, and heating and cooling needs are not anticipated to be high. Incorporation of measures consistent with LEED certifiable standards including increased energy efficiency would reduce GHG emissions by approximately 14 percent (although the CalEEMod program does not incorporate all of the measures into the model, and is therefore a conservative estimate of emission reductions). In addition, proposed components classified as hotel units would be constructed as cabins or yurts, and may require less energy consumption than standard defaults for hotel uses. In the event incorporation of measures identified by the SLOAPCD listed above do not prove to reduce GHG emissions below the bright-line threshold, SLOAPCD approved off-site reductions in GHG emissions may be required. Based on implementation of these mitigation measures, the project's contribution to GHG emissions would be mitigated to the maximum extent feasible, and would reduce project specific-impacts to less than significant.

Conflict with Applicable Plan, Policy, or Regulations

Based on incorporation of mitigation measures identified above (GHG/mm-1 and GHG/mm-2), the proposed project would not conflict with the County's Energywise Plan or the SLOAPCD CAP. The proposed use is consistent with the Master Plan for Port San Luis, and anticipated development in the area.

4.6.6 Cumulative Impacts

The SLOAPCD's GHG threshold is defined in terms of CO_2e, a metric that accounts for the emissions from various GHGs based on their global warming potential. If annual emissions of GHGs exceed these threshold levels, the proposed project would result in a cumulatively considerable contribution of GHG emissions and a cumulatively significant impact to global climate change. As discussed above, based on a worst-case scenario, the project would exceed the identified threshold; however, mitigation would be incorporated in the final design of the project, which would reduce potential impacts. In the event energy efficiency measures do not reduce GHG emission below the bright-line threshold, contribution to SLOAPCD's GHG reduction program would be required to reduce cumulative impacts to less than significant.

4.7 HAZARDS AND HAZARDOUS MATERIALS

This section of the EIR addresses non-geologic and non-air quality related hazards, such as hazardous material exposure, secondary and emergency access, airport hazards, and fire hazards. Preparation of this section included review of California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC) records and databases including Envirostor (DTSC 2014a) and Cortese list resources (DTSC 2007, 2014b, 2014c), and the SWRCB GeoTracker database (SWRCB 2014). In addition, information from the Port Master Plan Final Program EIR (CMCA 2004) and Geologic/Geotechnical Hazards Study (Earth Systems Pacific 2014) are incorporated by reference. The Port Master Plan Final Program EIR is available for review at the Harbor District office and Geologic/Geotechnical Hazards Study is located in Appendix E of this EIR.

4.7.1 Existing Conditions

A hazardous material is defined by the CalEPA DTSC as a material that poses a significant present or potential hazard to human health and safety or the environment if released because of its quantity, concentration, or physical or chemical characteristics (26 CCR §25501). Worker safety and public health are potentially at risk whenever hazardous materials are used or exposed. It is often helpful to distinguish between the "hazard" associated with these materials and the "risk" they pose to human health or the environment. A hazardous material has the potential to cause damage upon accident or incidental exposure.

The term "risk" means the potential losses associated with a hazard, defined in terms of expected probability and frequency, exposure, and consequences. The International Organization of Standardization defines the term "risk" as the combination of the probability of an event and its consequences, where probability" is the extent to which an event is likely to occur, event, is the occurrence of a particular set of circumstances, and consequences are the outcome of an event (California Office of Emergency Services [OES] 2013). The likelihood of exposure to a hazardous material coupled with its inherent hazardous properties determines the degree of risk to public health or the environment. To be of high risk, exposure to a hazardous material must be both likely and have negative consequences.

Portions of the community of Avila Beach were rebuilt after an oil spill remediation effort was completed by Unocal in 2001. The Avila Beach area was historically a major terminus for crude oil on the Central Coast. Years of leaking pipelines led to contamination of beach and commercial district, including the soils under the beach managed by the Harbor District. The contamination has either been extricated or stabilized, and Unocal continues to monitor the progress of the effort.

Port San Luis facilities and the community of Avila Beach are located just east of the PG&E Diablo Canyon Nuclear Power Plant. The Plant poses hazards to the community associated with accidental release, spill, or other exposure of the public to radioactive materials. PG&E maintains an extensive public information and evacuation program to inform and organize the public in response to exposure events.

Access to the Port is currently limited to Avila Beach Drive. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County Office of Emergency Services (County of San Luis Obispo 2014), and CAL FIRE (CAL FIRE 2002).

4.7.1.1 Local Setting

Hazardous Materials

Previous use of the project site included storage of crude oil in aboveground oil storage tanks, which were removed in or around 1938. Oil storage activities on site resulted in crude oil releases. Soil assessments conducted on the Harbor Terrace in 1998 detected soils contaminated by crude oil. It was recommended at that time that the existing contaminated soils be left in place.

In order to leave these contaminated soils in place, a Tier 1 RBCA Assessment (incorporated by reference and available for review at the Harbor District offices) was completed on the project site. The Assessment identified potential contaminant sources, environmental impacts, including potentially impacted human and environmental resources, and the potential for significant transport pathways of the contaminants. Based on sources and impacts identified, conservative risk based screening levels were determined. The screening levels were calculated based on exposure scenarios and toxicological parameters as recommended by the US EPA. A total of 22 soil borings were drilled on the project site. The locations of the borings were designed to assess the footprints of the former aboveground crude oil storage tanks and the locations of other features, such as the crude oil pump house and previously identified locations of crude oil contamination.

Contaminants identified in soil borings consisted of low levels of crude oil derived hydrocarbons. No volatile organic compounds were found on-site. No free-phase hydrocarbons were identified in any of the soil borings or groundwater seeps. No hydrocarbons were identified seeping from the property into creeks or the ocean.

Risk-based screening levels for BTEX (benzene, toluene, ethylbenzene, and xylene), naphthalene, and benzo(a)pyrene in soil did not exceed the thresholds for exposure from soil ingestion, inhalation, or to sensitive habitat.

Based on results of soil analysis, the project site was classified as a Class 4 site. This classification is applied to sites that possess “no demonstrable long-term threat to human health or safety or sensitive environmental receptors.” Such a classification is considered appropriate for the project site because potable water is not impacted, sensitive species are not affected, and the toxicity of the chemicals do not appear to pose an immediate or long term threat to human and environmental health and safety. Groundwater wells are not located in the area and the potential for groundwater production from this property is low. The nearest sensitive species habitat is the San Luis Obispo Creek estuary, approximately 0.7 mile from the project site, a sufficient distance from the project area to avoid contamination.

The project site is not listed on the Cortese list, Envirostor database, or Geotracker database.

Radon is a naturally occurring, gaseous element formed by radioactive decay of radium atoms, and is associated with certain rock or soil units. When buildings are constructed above radon bearing soil or rock, the gas can seep upward and gain entrance to the structure via cracks in concrete floors or walls, through floor drains, joints, bricks, or other conduits. Accumulation of radon gas within a structure can create significant health risks. Geologic units that are associated with radon gas include Mesozoic granitic rocks, Tertiary sedimentary rocks derived from Mesozoic granitic rocks, and Tertiary marine sedimentary rocks. Although the Monterey Formation that underlies portions of the site is a Tertiary marine sedimentary rock, according to Special Report 208 by the California Geological Survey (2008), the project site is in an area of

low potential for radon. Consequently, no significant impacts to the project associated with radon are anticipated (Earth Systems Pacific 2014).

Airport Hazards

The project site is not located within an Airport Review Area, or within 2 miles of a private or public airport.

Fire Hazards

The project site is located within a high severity risk area for fire, and is within an area defined by the California Department of Forestry and Fire Protection (CAL FIRE) as a "state responsibility" area. CAL FIRE provides fire protection and emergency medical services for the community of Avila Beach, Port San Luis Harbor District and unincorporated areas including the Diablo Canyon Nuclear Power Plant, and is a key participant on the County Hazardous Materials Team. The closest responding fire station is Station #62 on Sparrow Lane, in Avila Beach. The response time from this station is 5-10 minutes. CDF/San Luis Obispo County Fire Department personnel are trained in cliff, swift water and surf rescue and the department has a Technical Rescue Team for complex rescues.

Diablo Canyon Nuclear Power Plant has an Industrial Fire Brigade for first response to an emergency at the Power Plant. Ambulance service is provided by a private ambulance company, San Luis Obispo Ambulance. The closest hospitals are located in San Luis Obispo, French and Sierra Vista.

Water distribution lines within the community of Avila Beach provide fire flows for fire suppression.

The project was referred to CAL FIRE, and fire hazard concerns included the following:

- **Special Concerns.** The project would bring additional vehicle and visitor traffic to the end of a one-way access road (Avila Beach Drive). Emergency response may be slowed by existing traffic in the area, including seasonal tourist traffic and special events. The response notes that "secondary egress must be coordinated with other development in the valley to mitigate this reduction in emergency response time and evacuation time for residents and visitors. The cumulative effects of large scale special events, increased commercial operations on a one-way access road to the community of Avila Beach will further challenge CAL FIRE/County Fire's ability to provide emergency services to visitors and residents".

- **Public Assemblage and Events.** This comment noted that permitting from the County of San Luis Obispo and fire safety review would be required for special events. The project does not propose any special events.

- **Fire Safety and Evacuation.** A written Fire Safety Plan is required to be prepared in compliance with California Fire Code Chapter 4 Emergency Planning and Preparedness. Fire evacuation plans and fire safety plans are required for review and approval by CAL FIRE.

- **Building Construction.** Materials used for construction must comply with California Fire and Building Code Chapter 7A Ignition Resistant Construction in Wildland Urban Interface areas, and must be designed to withstand a fire. Additional standards are

identified for buildings greater than two stories and greater than 20,000 square feet; no structures are proposed that would exceed these standards. If solar photovoltaic systems are proposed, they shall be installed and marked consistent with existing code (Sections 605.11.1-605.11.4). Roof access points shall be provided, including a six-foot wide clear perimeter around the roof edges. Commercial buildings shall install a Knox key box for fire department emergency access, pursuant to California Fire Code Section 506.1. Sprinklers and automatic fire extinguishing systems must be installed in new buildings, in compliance with National Fire Protection Association (NFPA) 13, and shall be approved by the CAL FIRE. Commercial cooking equipment shall include a Type 1 Hood and automatic fire extinguishing system. Electrical systems shall be installed and maintained pursuant to California Fire Code Section 605 and the California Electrical Code.

- **Address Requirements.** Clearly visible address numbers or approved identification is required. Campgrounds and trails may be required to provide directories, maps, and signs to be approved by the fire code official.

- **Site Plan.** Site plans are required to identify all potential hazards (i.e., storage of maintenance and housekeeping materials and other flammable materials), fire alarm and suppression features (i.e. extinguishers, hoses), normal, secondary, and emergency access routes, and areas of refuge.

- **Vegetation Management.** A written Wildland Fire/Vegetation Management Plan is required for approval by CAL FIRE. Fire resistant landscaping is required within 100 feet of site improvements (structures and water tanks). Intense vegetation management is required within 30 feet of structures.

- **Secondary Access.** Secondary access is required. CAL FIRE approved the proposed primary and secondary access routes (May 2014).

- **Access Roads.** Road grade shall not exceed 16% unless approved by the fire code official. Based on review by CAL FIRE, road widths ranging from 20 to 24 feet is acceptable (CAL FIRE 2014). Additional standard requirements including signage, fire lanes, all-weather surfaces, vertical clearance (13'6"), and fuel modification (10 feet on each side of the road) were identified. An approved traffic plan is required. Any gates shall be setback a minimum of 30 feet from Avila Beach Drive, must be two feet wider than the road on each side, must have a turnaround at each gate, must automatically open, and include a Knox key box.

- **Setbacks.** A minimum 30-foot setback from the property line is required.

- **Fire Suppression.** Commercial fire suppression system water storage tanks must be steel and located a minimum of 20 feet from structures, pursuant to NFPA Standards 22, 24, and 25. Water required to be held in storage for domestic and/or landscaping purposes will be in addition to or separate from that required for fire suppression, and will be determined and approved by a registered licensed Fire Protection Engineer in cooperation with CAL FIRE. Fire hydrants shall be required; plans shall be approved by CAL FIRE. A Fire Alarm System is required for the project.

- **Hazardous Materials.** A Hazardous Materials Management Plan is required in accordance with California Fire Code Section 2701.5.1/Title 19 Division 2, Chapter

4/Health and Safety Code Chapter 6.95. A written plan addressing safeguards to minimize the risk of unwanted releases, fires, or explosions is required, and pre-planning with CAL FIRE. Storage of materials shall be in compliance with California Fire Code Section 2703.9. CAL FIRE identified applicable regulations related to compressed gasses, flammable and combustible liquids, liquefied petroleum gases, combustible waste material, and storage, stockpiles, and enclosures.

- **Fire Safety During Construction.** Prior to construction, an operational water system and established access roads shall be installed pursuant to California Fire Code Section 501.4. Use of spark arresters, provision of adequate clearance around welding operations, smoking restrictions, and onsite extinguishers are required.

4.7.2 Regulatory Setting

4.7.2.1 Federal and State Regulations

The US EPA is the Federal agency responsible for enforcement and implementation of Federal laws and regulations pertaining to hazardous materials. In addition, the US EPA provides oversight and supervision for some site investigation/remediation projects. For disposal of certain hazardous wastes, the US EPA has developed land disposal restrictions and treatment standards. Legislation includes the Resources Conservation and Recovery Act of 1986 (RCRA), the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). The Federal regulations are primarily codified in CFR Title 40. These laws and regulations include specific requirements for facilities that handle, generate, use, store, treat, transport, and/or dispose of hazardous materials, as well as for investigation and cleanup of contaminated property.

California regulations are equal to or more stringent than federal regulations. US EPA has granted the State of California primary oversight responsibility to administer and enforce hazardous waste management programs. State regulations require planning and management to ensure that hazardous wastes are handled, stored, and disposed of properly to reduce risks to human health and the environment. In California, the DTSC, a branch of CalEPA, works in conjunction with or in lieu of the US EPA to enforce and implement specific hazardous materials laws and regulations. California has enacted its own legislation pertaining to the management of hazardous materials. The California legislation for which the DTSC has primary enforcement authority are the Hazardous Waste Control Act, a statute that primarily regulates the management of hazardous waste, and the Hazardous Substance Account Act, a statute that governs the cleanup of contaminated property and is modeled after CERCLA. CCR Title 22, enacted pursuant to the Hazardous Waste Control Act, establishes criteria for identifying hazardous wastes and presents hazardous waste management requirements. These regulations are reprinted in CCR Title 26, Toxics. The DTSC acts as the Lead Agency for some soil and groundwater cleanup projects. For sites where water quality is potentially endangered, the DTSC consults with the RWQCB on technical and regulatory issues.

Section 65962.5(f) of the California Government Code states that “before a lead agency accepts as complete an application for any development project which will be used by any person, the applicant shall consult the lists sent to the appropriate city or county and shall submit a signed statement to the local agency indicating whether the project and any alternatives are located on a site which is included on any of the lists compiled pursuant to this section and shall specify any list. If the site is included on a list, and the list is not specified on the statement, the lead agency shall notify the applicant pursuant to Section 65943”. The Harbor District signed and submitted an Information Disclosure Form, including a Hazardous Waste and Substance Sites

and Landfill Disclosure upon application for the Coastal Development Permit in March 2014 based on the County's available list. During preparation of the Initial Study for the project, preliminary scoping included review of the CalEPA and SWRCB website, including all available lists and data sources such as Envirostor, GeoTracker, and Cortese lists. Information regarding the project site is available in the certified Port Master Plan Final Program EIR and NOP Initial Study. The NOP was available to the public and circulated through the State Clearinghouse; responses to the NOP did not identify any potential hazardous materials sites. Under the Emergency Services Act, the state developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an important part of the plan, which is administered by the California OES. The office coordinates the responses of other agencies, including US EPA, the California Highway Patrol (CHP), RWQCBs, air quality management districts, and County disaster response offices.

The transport of hazardous materials is locally governed by Caltrans and the CHP. Federal regulations mentioned above are contained primarily in CFR Titles 29, 40, and 49; state laws have largely been consolidated into CCR Title 26.

The California PRC defines hazardous fire areas, restrictions on fire use, and minimum fire protection requirements for the state. The Code is administered by CAL FIRE, and sets forth provisions for the reduction of fire hazards and utilization of firebreaks around buildings, removal all flammable vegetation or combustible growth around buildings or electrical transmission poles and towers, and additional provisions under extra-hazardous conditions. Firebreak clearance is also required around electrical transmission poles and towers.

4.7.2.2 Local Regulations and Policies

Pursuant to State law and local ordinance, the Environmental Health Services division of the County Health Agency conducts inspections to ensure proper handling, storage, and disposal of hazardous materials and proper remediation of contaminated sites. In addition, information is collected under the Business Plan Act is collected and certified by the County Environmental Health Services for emergency response purposes.

The County OES is an emergency management agency with responsibilities that include coordination of emergency and disaster preparedness planning, response, and recovery with and between local, state, and federal agencies. To address the potential for an uncontrolled hazardous material release in San Luis Obispo County, and to ensure that adequate resources are available to respond to a significant hazardous materials release, the County OES has prepared a Hazardous Materials Emergency Response Plan (updated 2003).

The County OES has also adopted an Emergency Operations Plan (EOP) (revised 2008), an extension of the State Emergency Plan, which addresses the government's responsibility to preserve life, property, and the environment by anticipating and identifying events that would require emergency management and response. The plan includes the following potential hazards and threats: earthquakes, hazardous materials, storm damage and flooding, dam or levee failure, nuclear power plant, fire, transportation emergencies, tsunami, aircraft incidents, civil disturbance, and terrorism.

Road traffic hazards are regulated by the County Department of Public Works, through consistency review with the Road Improvement Standards. These standards include safe sight

distance at intersections, road widths, road surfacing requirements, shoulders, striping, and stormwater management.

In addition to the PRC, several local ordinances direct fire prevention activities within San Luis Obispo County. Sections 23.05.080 through 23.05.086 of the CZLUO is devoted entirely to Fire Safety and includes standards pertaining to the preparation and review of fire safety plans and application of fire safety standards. In addition, the Safety Element of the County General Plan includes goals, policies, implementation measures, and standards for pre-fire management, reduction of the threat of fires, readiness and response to fires, and loss prevention. The Plan also includes Harbor District-specific Standard Operating Procedures for tsunami and Diablo Canyon related emergencies. Harbor District staff are trained in emergency response and management; participate in training and evaluation of the County's EOP; and Facilities and Harbor Patrol are certified First Responder Operations (FRO).

San Luis Bay Coastal Area Plan

The proposed project is subject to the following standard identified in the San Luis Bay Coastal Area Plan:

Hazards

1. ***Natural Hazards.*** *New development within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. All new development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion and geologic instability. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers.*

Port Master Plan and Port Master Plan Final Program EIR

The Port Master Plan Final Program EIR identified mitigation measures to address potential hazards, which will be applicable to the project:

HAZ-1 *The use, transport, storage and disposal of hazardous materials on all Harbor District property shall be carried in accordance with the provisions of all applicable federal, State and local laws and regulations.*

HAZ-2 *During project grading in areas known to contain contaminants, monitoring of earthwork shall be performed to determine if levels of BTEX or other compounds of interest to the APCD (lead, volatile organic compounds such as gasoline and solvents, and asbestos exceed established exposure thresholds.*

HAZ-3 *Grading shall either be performed during the dry season or will be subject to specific erosion control measures (see "Mitigation Measures" in Drainage and Watershed Resources) to prevent erosion of the soil and possible transport of contaminated soils into off-site watercourses.*

HAZ-4 *Any oil-contaminated soil discovered during construction shall be disposed off-site at an appropriate facility or used as fill in parking lots or roadways. Areas of finished grade shall not have any surface exposures of oil-contaminated soils. Any activities involving remediation or the handling and disposal of hazardous materials or waste shall comply with all relevant regulations and permitting requirements of the Air Pollution Control District prior to the commencement of such activities.*

HAZ-5 *Vapor barriers shall be placed below the foundation of all new structures in order to eliminate the potential for vapors entering any buildings.*

PS-4 *The Harbor District shall ensure that all proposed developments are reviewed for compliance with fire safety standards per the California Fire Code and other standards and ordinances of the CDF/San Luis Obispo County Fire Department. Issues to be considered in the review of future development include, but are not limited to, the following:*

a. Improved emergency access to Harford Pier;

b. Improved fire protection systems on the pier, including hydrants, sprinklers and standpipes to meet current fire codes;

c. The installation of grates on the pier for automatic ventilation to stop the spread of fire;

d. Improved access to the Lightstation for fire protection;

e. Development of an all-weather secondary access road from Port San Luis to San Luis Bay Drive.

PS-8 *All water mains and fire hydrants shall provide required fire flows and shall be constructed in accordance with the specifications of the California Fire Code and CDF/San Luis Obispo County Fire Department. or other applicable standards.*

PS-9 *Where determined by the Harbor District, plans for new development shall be reviewed by the CDF/San Luis Obispo County Fire Department to insure that building materials, access, brush clearance and water storage capacity provide adequate fire protection to the proposed project.*

PS-10 *Prior to the approval of any site plans for development areas adjacent to open space, a Fuel Reduction Plan shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval. This Fuel Reduction Plan will provide for an acceptable level of risk in accordance with California Department of Forestry standards. Fuel reduction can be achieved through a gradual transition from native vegetation into irrigated landscape/building areas of the project. This fuel reduction program shall also establish parameters for the percent, age, extent, and nature of native plant removal necessary to achieve the accepted fire prevention standards required to protect human lives and property, while preserving as much natural habitat as possible.*

PS-11 *The Harbor District or its designated assignee shall be responsible for maintenance of Fuel Reduction Zones where required of new development. Maintenance agreements*

shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval.

4.7.3 Thresholds of Significance

As defined by the County, in accordance with CEQA Guidelines Appendix G, hazards and hazardous materials impacts would be considered significant if the project would:

a. Create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;

b. Create a hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment;

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school;

d. Be located on, or adjacent to, a site which is included on a list of hazardous material/waste sites compiled pursuant to Government Code 65962.5 ("Cortese List"), and result in an adverse public health condition;

e. Impair implementation or physically interfere with an adopted emergency response or evacuation plan;

f. If within the Airport Review designation, or near a private airstrip, result in a safety hazard for people residing or working in the project area;

g. Increase fire hazard risk or expose people or structures to high wildland fire hazard conditions;

h. Be with a "very high" fire hazard severity zone; or,

i. Be within an area classified as a "state responsibility" area as defined by CAL FIRE.

4.7.4 Impact Assessment and Methodology

The impact analysis focuses on potential health risks associated with the proposed project, particularly from on-site and surrounding land uses where the potential for hazardous material release could be encountered. Potential hazards and public safety issues associated with development of the project include increased risk for fire hazard, adequate secondary and emergency access, risks from road traffic, and exposure due to a known crude oil contamination site. These impacts are discussed below.

4.7.5 Project Specific Impacts and Mitigation Measures

Routine Transport, Use, or Disposal of Hazardous Materials

Transport and use of hazardous materials would be limited to legal storage of standard materials including but not limited to paints, cleaners, oils, and fuels during construction. Harbor District facilities and associated activities are generally commercial and industrial in nature; therefore, materials stored onsite will generally be limited to those typically used in these applications, including janitorial and maintenance supplies. However, materials used for

maintenance of boats, including lead-based paint, and solvents may pose a hazard. The Harbor District is required to prepare a Hazardous Materials Business Plan, and comply will all notifications to emergency responders including CAL FIRE. Based on compliance with existing regulations, this impact is considered less than significant.

Create a Hazard to the Public/Environment

Construction of the project would require the use of heavy equipment, which may leak fluids, oils, or hydrocarbons resulting in a potential hazard to the public and the environment. Compliance with the required SWPPP, CZLUO, and implementation of standard BMPs to prevent, contain, and clean-up any potential accidents, leaks, or spills during construction would address this impact.

HAZ Impact 1
During construction of the project, the use of heavy equipment may result in accidental spill or leakage of potentially hazardous materials (i.e., fuels, oil), resulting in a significant, short-term impact.
Mitigation Measures
HAZ/mm-1 *Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a RWQCB-approved SWPPP. The SWPPP and final grading and construction plans shall identify equipment and materials staging areas, and include measures to contain and remediate accidental spills and leaks. During construction, equipment, staging, and storage areas shall be inspected daily. The SWPPP shall be implemented during construction.*
Implement Port Master Plan Final Program EIR mitigation measures HAZ-1 and HAZ-3. *HAZ-1 The use, transport, storage and disposal of hazardous materials on all Harbor District property shall be carried in accordance with the provisions of all applicable federal, State and local laws and regulations.* *HAZ-3 Grading shall either be performed during the dry season or will be subject to specific erosion control measures (see "Mitigation Measures" in Drainage and Watershed Resources) to prevent erosion of the soil and possible transport of contaminated soils into off-site watercourses.*
Residual Impacts
Based on compliance with existing regulations and noted mitigation measures, potential hazards resulting from the use of equipment during construction would be mitigated to less than significant.

Based on studies performed in 1998, remediation of site contamination is not necessary prior to construction. The site has not been used to store crude oil for over 60 years; moreover, crude oil typically is lower in volatile hydrocarbons than refined oil products. Therefore, elevated levels of BTEX, naphthalene, and benzo(a)pyrene at this site were not expected or observed. In its current state, therefore, the site poses a minimal risk of exposure to the public (either on- or off-site) as well as to off-site streams or the ocean. Grading of the site may result in the need to over-excavate the site, increasing the potential for surface exposure of contaminants and volatization of hydrocarbons. Excavated soil may need to be exported and disposed of off-site. Excavation, onsite stockpiling, and off-site transport and disposal of contaminated soil is required comply with existing regulations, including dust suppression and notification of the SLOAPCD and County Environmental Health.

HAZ Impact 2
Development of the Harbor Terrace site may result in the exposure of existing contaminants in the soil, resulting in a potentially significant impact.
Mitigation Measures
Implement Port Master Plan Final Program EIR mitigation measures HAZ-2, HAZ-3, and HAZ-4. *HAZ-2 During project grading in areas known to contain contaminants, monitoring of earthwork shall be performed to determine if levels of BTEX or other compounds of interest to the APCD (lead, volatile organic compounds such as gasoline and solvents, and asbestos exceed established exposure thresholds.* *HAZ-3 Grading shall either be performed during the dry season or will be subject to specific erosion control measures (see "Mitigation Measures" in Drainage and Watershed Resources) to prevent erosion of the soil and possible transport of contaminated soils into off-site watercourses.* *HAZ-4 Any oil-contaminated soil discovered during construction shall be disposed off-site at an appropriate facility or used as fill in parking lots or roadways. Areas of finished grade shall not have any surface exposures of oil-contaminated soils. Any activities involving remediation or the handling and disposal of hazardous materials or waste shall comply with all relevant regulations and permitting requirements of the Air Pollution Control District prior to the commencement of such activities.*
Residual Impacts
Based on compliance with existing regulations and noted mitigation measures, potential hazards resulting from the disturbance and removal of contaminated soils would be less than significant.

Emit Hazardous Emissions or Handle Hazardous Materials within 0.25 Mile of a School

No schools are located within a one-mile radius of the project area. Existing hazardous materials on the project site will be remediated through methods identified in the mitigation section such that long-term risk of exposure or release will be minimized or eliminated.

Located on or Adjacent to Hazardous Materials Site on Cortese List

The project site is not located on or adjacent to any sites identified on the Cortese List, including Envirostor and Geotracker. Therefore, no impact would occur.

Impair Implementation or Interfere with Adopted Emergency Response/Evacuation Plan

In the event of an emergency, evacuation to higher ground within the project site, or evacuation off-site may be necessary. There is adequate area above the 50-foot elevation onsite in the event of coastal flooding or tsunami. In the event of a fire or other hazard that hinders evacuation via Avila Beach Drive, use of Diablo Canyon Road has been historically allowed by PG&E, as agreed to by the Harbor District and County of San Luis Obispo. The project would not impair implementation of or interfere with adopted plans.

Air Traffic

The project site is not located within an Airport Review Area or private landing strip. No features are proposed that would interfere with air traffic. Therefore, no significant impact would occur.

Fire Hazard Risk, High Fire Hazard Zone, and State Responsibility

The proposed project is located in an area of high fire risk, and is adjacent to wildlands. Based on review by CAL FIRE, the project is required to comply with all regulations in place to reduce the potential for fire ignition, structural damage, and loss of life and property. The proposed primary and secondary access routes have been approved by CAL FIRE (2014). An additional water tank and fire hydrants may be required to aid fire suppression. The most significant concern identified by CAL FIRE relates to the cumulative effect of reduced fire response time due to congested traffic on Avila Beach Drive. As noted above, fire prevention, fuel reduction, and on-site suppression standards are required, and would be implemented as part of the project. The Harbor District has the authority to remove or restrict use of fire pits in campsites in the event of high fire hazard conditions including severe drought and strong winds. Mitigation is identified to ensure all required plans are submitted to CAL FIRE for review and approval prior to construction or operation, as applicable. Emergency evacuation via Diablo Canyon Road is identified as an alternative route.

HAZ Impact 3	
Construction and operation of the proposed project within a high fire hazard zone may increase the potential for wildfire, including use of equipment, vehicles, campsite fires within fire rings, and increased human presence at the urban/wildland interface. Implementation of the proposed project would place additional structures, life and property at risk for damage or destruction from wildland fires and/or structural fires. Potential impacts would be significant.	
Mitigation Measures	
HAZ/mm-2	*Prior to issuance of grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall prepare and submit the following plans, which shall be reviewed and approved by CAL FIRE:* *a. Written Fire Safety Plan in compliance with California Fire Code Chapter 4 Emergency Planning and Preparedness;* *b. Building and construction plans incorporating fire prevention and suppression measures consistent with the complete California Fire and Building Code, California Fire and Building Code Chapter 7A Ignition Resistant Construction in Wildland Urban Interface Areas, National Fire Protection Association standards, the California Fire Code, and the California Electrical Code;* *c. Hazardous Materials Business Plan;* *d. Site access and addressing standards to the satisfaction of CAL FIRE;* *e. Operational fire water system, ~~F~~fire water storage tanks, and hydrants designed and located to the satisfaction of CAL FIRE; and,* *f. A fuel reduction/vegetation management plan to be implemented for the life of the project.*
HAZ/mm-3	*Prior to construction, an operational water system and established access roads shall be installed pursuant to California Fire Code Section 501.4. Use of spark arresters, provision of adequate clearance around welding operations, smoking restrictions, and onsite extinguishers are required.*
Implement Port Master Plan Final Program EIR mitigation measures PS-8, PS-9, PS-10, and PS-11. *PS-8 All water mains and fire hydrants shall provide required fire flows and shall be constructed in accordance with the specifications of the California Fire Code and CDF/San Luis Obispo County Fire Department, or other applicable standards.* *PS-9 Where determined by the Harbor District, plans for new development shall be reviewed by the CDF/San Luis Obispo County Fire Department to insure that building materials, access, brush clearance and water storage capacity provide adequate fire protection to the proposed project.* *PS-10 Prior to the approval of any site plans for development areas adjacent to open space, a Fuel Reduction Plan shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval. This Fuel Reduction Plan will provide for an acceptable level of risk in accordance with*	

HAZ Impact 3
California Department of Forestry standards. Fuel reduction can be achieved through a gradual transition from native vegetation into irrigated landscape/building areas of the project. This fuel reduction program shall also establish parameters for the percent, age, extent, and nature of native plant removal necessary to achieve the accepted fire prevention standards required to protect human lives and property, while preserving as much natural habitat as possible. *PS-11 The Harbor District or its designated assignee shall be responsible for maintenance of Fuel Reduction Zones where required of new development. Maintenance agreements shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval.*
Residual Impacts
Based on compliance with existing regulations and noted mitigation measures, and review and approval of plans by CAL FIRE consistent with existing regulations, potential fire hazards would be less than significant. The construction and installation of an additional fire storage tank, fire hydrants, and associated infrastructure would occur within the grading and development footprint analyzed in this EIR. Potential impacts would include visibility from public roads and use areas, creation of erosion and sedimentation and accidental release of pollutants affecting water quality (captured in the construction-phase analysis of grading and construction impacts), creation of air emissions and dust (captured in the construction-phase air emissions model), and impacts to habitat (captured in the analysis of construction-related and long-term impacts to biological resources). These onsite requirements are considered part of the project, and would be subject to mitigation identified in this EIR and the Port Master Plan Final Program EIR related to resources including, but not limited to, aesthetics, air quality, biological resources, geology and soils, hydrology and water quality.

4.7.6 Cumulative Impacts

All potential hazardous materials impacts are largely confined to the project site given implementation of mitigation measures listed above. The proposed project and all other projects in the Harbor District and Avila Beach area are required to comply with existing regulations related to hazardous materials, fire risk, and other natural hazards identified above. Based on compliance with existing regulations and mitigation measures identified above, implementation of the proposed project would not result in a cumulatively considerable impact related to hazards or hazardous waste conditions.

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4.8 HYDROLOGY AND WATER QUALITY

This section identifies potential impacts to drainage and watershed resources that would result from the proposed project. A watershed is a region, usually defined by ridgelines, which drains into a specified body of water. Watershed-related impacts are those associated with grading and drainage, erosion and water quality that may arise as a result of construction and occupancy of facilities. The Port Master Plan Final Program EIR (2004) and Hydrology Report (Sherwood Design Engineers [Sherwood] 2014) are incorporated by reference into the analysis below. The Final Program EIR is available for review at the Harbor District office and the Hydrology Report is located in Appendix F of this EIR.

4.8.1 Existing Conditions

4.8.1.1 Regional Drainage Pattern

The primary surface drainage feature affecting San Luis Bay and the Avila Beach area is San Luis Obispo Creek, which drains areas north of the City of San Luis Obispo. The San Luis Obispo Creek estuary is located about two miles west of the Harbor Terrace planning area. Historically, flow within much of San Luis Obispo Creek has been absent primarily during the late summer months (July through October) of low rainfall years. High flows within the creek occur primarily during and immediately following significant storm events. The City of San Luis Obispo constructed a Wastewater Reclamation Facility in the 1940s near the southern city boundary, and began direct discharge to the creek in the late 1960s. This 5.0 to 5.5 cubic feet per second (cfs) supplemental discharge flow has altered natural stream flow of San Luis Obispo Creek resulting in a perennial stream. Data from the County Engineering Department shows creek flow to range from 6.2 cfs in September to 124.9 cfs in March (CMCA 2014, Fugro West 1995 incorporated by reference).

Stream flow volumes associated with flooding are generally discussed in terms of recurrence interval, which defines the frequency at which a given size flow is likely to occur. Therefore, a 100-year flood is the flow volume that is statistically expected to occur on the average of once every 100 years. The 100-year flood plain, as calculated using HEC-2 cross-sectional modeling accepted by FEMA, is generally used as a threshold to assess flood hazard for planning and insurance purposes. The 100- and 500-year floodplains of lower San Luis Obispo Creek is shown in Figure 4.8-1.

The Flood Insurance Study (FIS) conducted by FEMA for San Luis Obispo County notes that runoff from all the streams in the County is very small, with appreciable flows occurring only during and immediately after precipitation. However, during large storms, streamflow increases rapidly, and floodwaters can contain high amounts of debris, causing major flood damage. The last flooding event causing major flood damage in Avila Beach occurred in the spring of 1995.

The drainage basin immediately north of the Port that contribute runoff to San Luis Bay includes hillside areas of approximately 530 acres. Existing peak flows for this drainage area is estimated to be approximately 520 cfs. Figure 4.8-2 shows watershed boundaries affecting the project site.

Both Pecho Creek and Sea Canyon Watersheds affect the Harbor District area. Sea Canyon feeds San Luis Creek. The portion of the Pecho Creek watershed that drains toward the project site consists mostly of moderately steep to steep slopes with gradients between 15% and 45%. These slopes are covered by annual grasses, brush, and oak trees. Slopes are drained primarily by sheet flow. The Diablo Canyon Road channel, a well-defined earth channel is a primary, natural channel connecting several smaller secondary channels. The downstream

portion of this primary channel is partially improved with concrete lining. Additional downstream improvements include a 500-foot long, 5-foot diameter culvert that outfalls into San Luis Bay. Because there has been a history of overtopping at this culvert, there is potential for erosion damage at Diablo Canyon Road, Avila Beach Drive, and the San Luis Bay pipe outlet.

Soil coverage for much of the area involves a shallow well-drained layer of brown clay loam with an underlying layer of grayish brown clay loam and fractured sandstone. These soils have a moderately slow permeability; as such, water holding capacity is low or very low. Surface runoff for these soils and slope conditions is rapid and there is high potential for erosion and surface slides.

4.8.1.2 Coastal Hazards

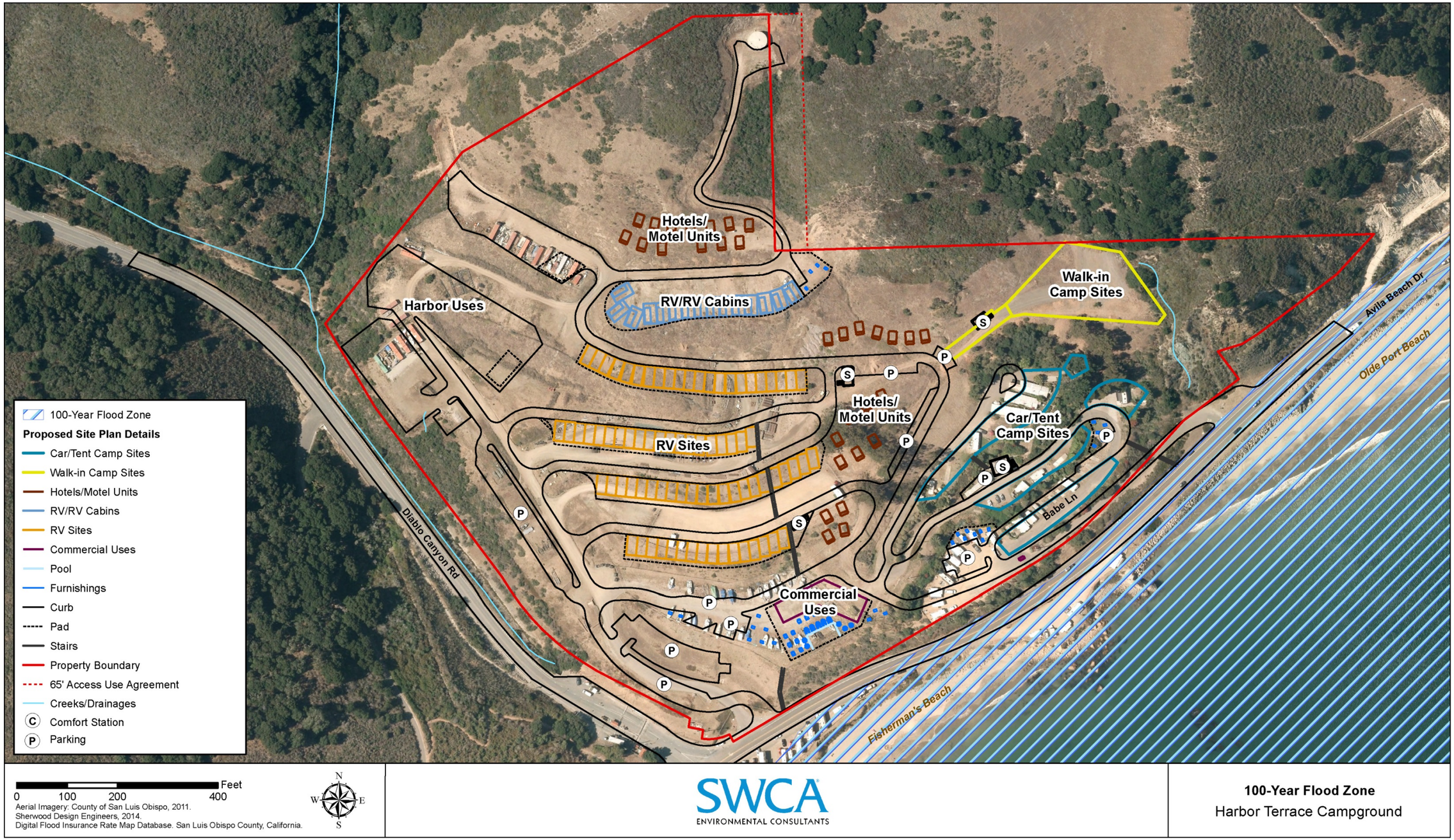
Port San Luis and the coastline surrounding San Luis Bay are protected from predominant northwesterly swells by a 2,300-foot long breakwater; however, little protection is provided for southerly swells (County of San Luis Obispo 2013). Protective riprap has been constructed adjacent to Avila Beach Drive to protect the roadway from storm waves. Historic storms have resulted in damage due to coastal flooding, and the region is classified with a “moderate risk” (County of San Luis Obispo 2013).

4.8.1.3 Stormwater Runoff

The existing site consists of a terraced hillside that is sparsely vegetated with coastal scrub and trees. The paved access road that leads up the hill branches off into multiple paved zones that are used for storage of containers and other harbor related materials. A water tank is located in the upper northern portion of the site that serves potable water access points across the site. There is also a paved road, Babe Lane, on the east portion of the site. Along Babe Lane there are mobile homes and concrete pads for RV parking.

The defining characteristic of this site is the steep slope of the hillside. The slopes of the hillside range from 10 to 66% and the existing roadway is at a 9% grade in places. The west two-thirds of the site is composed mainly of fill that has been placed over many years with smaller zones of Monterey Formation and Franciscan Mélange soils. The eastern portion of the site is in a potential landslide area, named Landslide Area 1 in the Geotechnical report. Based on findings from the Geologic and Geotechnical Hazards Study (Earth Systems Pacific 2014), the soils within the project limits are mostly fill and are not well suited for infiltration. Additionally, the areas near the 8 landslide areas could pose a hazard given heavy rains or oversaturation from infiltration. Based on these geologic conditions, infiltration across the site must be limited, and areas of concentrated flow need to be discharged such that it does not inundate the surrounding native soil. Additional information regarding geologic conditions is provided in Section 4.5 Geology and Soils.

Figure 4.8-1. 100-year Flood Zone



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The existing site drainage is broken up into five watersheds (refer to Figure 4.8-2). Watershed 1 encompasses the west side of the site from bottom to top and is 19.3 acres. Watershed 1 drains down to Avila Beach Drive and discharges through the existing outfall into San Luis Obispo Bay. Watershed 2 spans the middle of the site from top to bottom and is 10.6 acres. This watershed drains down to Avila Beach Drive and into the swale on the north side of the road where it flows east. Watershed 3 is located in the southeast corner of the site and is 3.9 acres. This watershed drains to Avila Beach Drive and meets up with the flow from Watershed 2. Watersheds 2 and 3 continue in the swale until discharging into a catch basin after Babe Lane. Watersheds 4 and 5 do not influence any portions of the site containing either existing or proposed development, and so have not been included in this report. Between Watersheds 1, 2, and 3 there are 2.4 acres of impervious area. All watersheds, except Watershed 1, discharge into a roadside swale. All discharges eventually outfall to the bay. The peak discharges and flows for the 2, 10, 25, and 100-year storms are shown in Table 4.8-1 below.

Table 4.8-1. Existing Site Peak Discharges

Watershed/ Outlet	2-Yr Discharge 2-Yr, 24-hr = 3.3-in		10-Yr Discharge		25-Yr Discharge		100-Yr Discharge	
	Volume (af*)	Peak Flow (cfs)	Volume (af)	Peak Flow (cfs)	Volume (af)	Peak Flow (cfs)	Volume (af)	Peak Flow (cfs)
1	2.4	11.3	4.1	22.3	5.6	29.1	7.1	39.2
2	1.3	6.2	2.2	12.3	3.1	16.1	3.9	21.6
3	0.5	3.5	0.9	6.6	1.2	8.4	1.5	11.1
Total	**4.2**	**21**	**7.2**	**41.2**	**9.9**	**53.6**	**12.5**	**71.9**

Note: All rainfall data from San Luis Obispo D graphs, rainfalls for lower drainage areas, and includes a full 24-hour storm event. The method used for total volume and flow calculations is SCS TR-20.

*af = acre feet

Source: Sherwood 2014

4.8.1.4 Surface Water Quality

Surface water quality has been monitored in San Luis Obispo Creek by the City of San Luis Obispo at several locations. The creek has been monitored for water temperature, dissolved oxygen (DO), pH, turbidity, biochemical oxygen demand (BOD), and other constituents. San Luis Obispo Creek is on the 2010 Clean Water Act Section 303(d) list of impaired waters for pathogens. Urban stormwater runoff and agricultural runoff are identified as the primary source of pathogens, including fecal coliform (RWQCB 2013b).

Improved drainage systems within the project area include the downstream portion of the Diablo Canyon Road channel. This channel is partially improved with a concrete lining. Additional downstream improvements include a 500-foot long, 5-foot diameter culvert that outfalls into San Luis Bay.

Erosion is a natural process that occurs over time by either wind or water moving over soils. The natural erosion process is an important factor in building up fertile valley soils and beach sand along the coastline. However, soil erosion can become a problem when human activities accelerate the rate at which soils are being displaced. Non-point sources of erosion, such as impervious surfaces, unsound farming practices, over-grazing, construction activities, and road construction (particularly unpaved roads) can all accelerate the rate at which soils are removed from hillsides. Point sources such as industrial wastewater discharges, mining activities, wastewater treatment plants, commercial and residential land uses, and agricultural operations can affect erosion rates through increased stormwater velocity, disturbance of natural drainage patterns, and water discharges. Soil erosion can leave silt-choked streams, gullied hillsides, and damaged farmland.

Nonpoint sources of erosion and sedimentation can also degrade water quality by contributing excessive levels of organic nutrients and inorganic chemicals. These introduced materials can muddy water, and rob light and oxygen from plants and animals.

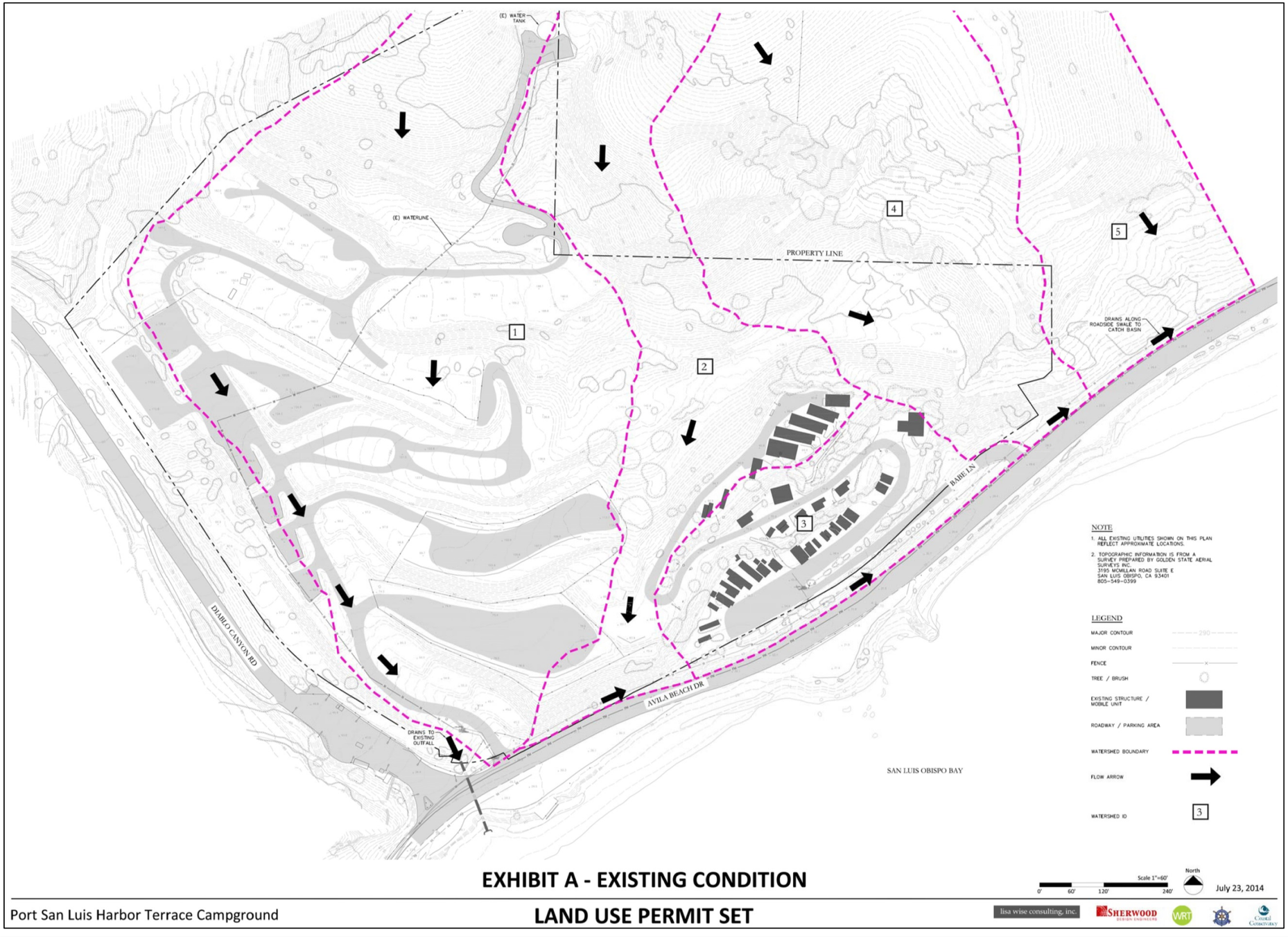
4.8.1.5 Flood Hazard

Based on review of FEMA data, the project site is not located within a flood zone. A Special Flood Hazard Area subject to 1% annual flood (100-year flood zone) is located adjacent to the project site, at elevation 24, which covers Avila Beach Drive. Recent flooding within the Port area occurred in early 2014, and resulted in flooding within the Port parking area west of the project site, and on Avila Beach Drive.

4.8.1.6 Sea Level Rise

The County of San Luis Obispo Hazard Mitigation Plan (County of San Luis Obispo 2013) identifies 3.3 to 4.6 feet of sea level rise by the year 2100. Draft Sea Level Rise Policy Guidance prepared by the CCC (CCC 2013) identifies sea level rise of 1.38 to 5.48 feet by the year 2100. For the purposes of this analysis, the highest level of potential sea level rise is identified. Sea level rise will cause flooding and inundation of coastal areas, including beaches, coastal bluffs, development, and roadways. Additional effects include increased coastal erosion, changes in sediment supply and movement, and salt water intrusion in groundwater basins and aquifers. These effects may have a significant impact on the coastal economy and could put important coastal resources and coastal development at risk, including ports, marine terminals, commercial fishing infrastructure, public access, recreation, wetlands and other coastal habitats, water quality, biological productivity in coastal waters, coastal agriculture, and archeological and paleontological resources.

Figure 4.8-2. Existing Watersheds



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4.8.2 Regulatory Setting

4.8.2.1 Federal Policies and Regulations

Federal Policies and Regulations

The Clean Water Act controls the discharge of toxic material into surface water bodies. Under this act, states are required to identify water segments impaired by pollutants and develop control strategy/management plans to reduce pollution and meet certain water quality standards.

Regulatory protection for water resources throughout the United States is under the jurisdiction of the USACE. Section 404 of the Clean Water Act prohibits the discharge of dredged or fill material into "waters of the U.S." without formal consent from the USACE. Waters of the U.S. include marine waters, tidal areas, stream channels, and associated wetlands. Wetlands include freshwater marshes, vernal pools, freshwater seeps, and riparian areas. Under §404, activities in waters of the U.S. may be subject to either an individual permit or a general permit, or may be exempt from regulatory requirements. Some activities have been given blanket authorization under the provisions of a general permit through the Nationwide Permit system. Individual Permits require the applicant to prepare and submit an alternatives analysis of the project.

Section 401 of the Clean Water Act and its provisions ensure that federally permitted activities comply with the federal Clean Water Act and state water quality laws. Section 401 is implemented through a review process conducted by the RWQCB, and is usually triggered by the §404 permitting process. Specifically, the RWQCB certifies via §401 that the proposed project complies with applicable effluent limitations, water quality standards, and other conditions of California law. If the RWQCB denies certification, the lead federal agency must deny the federal permit application.

State Policies and Regulations

The establishment and enforcement of water quality standards for the discharge into and maintenance of water throughout California is managed by the SWRCB and its RWQCBs. The SWRCB enforces the federal Clean Water Act on behalf of the US EPA. Most of the quantitative objectives are based on the CCR, Title 22 – State Drinking Water Standards. Other considerations include the Porter-Cologne Water Quality Control Act and the RWQCB's Non-degradation Policy. San Luis Obispo County lies entirely within Region 3, the Central Coast RWQCB. The RWQCB is the primary State agency ensuring that the quality of potable water supplies is protected from harmful effects by man.

The California Department of Health Services (DHS) is responsible for overseeing the quality of water once it is in storage and distribution systems. DHS oversees the self-monitoring and reporting program implemented by all water purveyors, performs inspections, and assists with financing water system improvements for the purpose of providing safer and more reliable service.

Section 10910 of the California Water Code requires the County to identify the agency or entity responsible for providing water service to the area and to request that the agency determine whether the project was included within the current Urban Water Management Plan maintained by that water agency.

Section 13260(a) of the California Water Code requires that any person discharging waste or proposing to discharge waste within any region, other than to a community sewer system, that

could affect the quality of the waters of the State, file a Waste Discharge Report (WDR). All WDRs must implement the applicable water quality control plan (Basin Plan) for the Region affected by the discharge. Therefore, WDRs require the project to comply with all applicable Basin Plan provisions, including any prohibitions and water quality objectives, governing the discharge. The siting, design, construction, operation, maintenance, and monitoring of all small domestic systems must comply with all of the applicable provisions of the RWQCB's Basin Plan. The project shall not discharge waste in excess of the maximum design and disposal capacity of the small domestic system. The discharger must comply with any more stringent standards in the Basin Plan. In the event of a conflict between the provisions of RWQCB Order No. 97-10-DWQ and the Basin Plan, the more stringent provision prevails.

The Port is operating under a number of NPDES permits issued by the RWQCB in accordance with the Federal Water Quality Control Act. Potentially significant sources of water pollution are regulated to insure water quality standards in streams and other surface watercourses are maintained.

The Porter-Cologne Water Quality Control Act provides the authority and method for the State of California to implement its water management program. The act establishes waste discharge requirements for both point and non-point source discharges affecting surface water and groundwater.

CDFW is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. California law requires any person, agency, or public utility proposing a project that may impact a river, stream, or lake to notify the CDFW before beginning the project. If the CDFW determines that the project may adversely affect existing fish and wildlife resources, a Lake or Streambed Alteration Agreement is required. This Agreement lists the CDFW conditions of approval for the proposed project, and serves as an agreement between applicants and the CDFW.

4.8.2.2 Local Policies and Regulations

Chapter 23.05 of the County's CZLUO contains site development standards for the county, including drainage, grading, erosion, and sedimentation control. Furthermore, mitigation consistent with ordinance requirements will be recommended to ensure implementation. Sections that are applicable to drainage, grading, erosion, and sedimentation are outlined below.

Section 22.05.020 states that the County's standards for grading and excavation are intended to minimize hazards to life and property, protect against erosion and the sedimentation of water courses, and to protect the safety, use, and stability of public rights of way and drainage channels. Grading must follow the standards provided in the Uniform Building Code and the following standards:

- Areas of cut and fill are to be limited to the minimal amount necessary.
- Grading for a building site is prohibited on slopes of 30% or greater (unless a Variance is granted).
- Contours are to be blended with the natural terrain.
- Grading may not alter watercourses except as permitted through the CDFW and various watercourse protection methods shall be followed.

- Areas where natural vegetation has been removed must be replanted by various approved methods.

- Grading shall not occur within 100 feet of any Environmentally Sensitive Habitat except where a setback adjustment has been granted and specific findings can be met.

Section 23.05.040 of the CZLUO states that standards for the control of drainage and drainage facilities are designed to minimize harmful effects of stormwater runoff and resulting inundation and erosion on proposed projects, and to protect neighboring and downstream properties from drainage problems resulting from new development. Erosion and sedimentation control to protect damaging effects on-site and on adjoining properties is discussed in §23.05.036 of the CZLUO. A sedimentation and erosion control plan would be required, and shall include temporary and final measures including:

- Slope surface stabilization including temporary mulching or other stabilization measures to protect exposed areas of high erosion potential during construction and interceptors and diversions at the top of slopes to redirect runoff.

- Erosion and sedimentation control devices such as absorbing structures or devices to reduce the velocity of runoff.

- Final erosion control measures including mechanical or vegetative measures.

The County has developed a Post Construction Requirements Handbook (dated March 2014) with the required standards for post-construction storm water management in new construction and redevelopment. Due to the location of the site in the county, construction must meet performance requirements 1 and 2. The requirements are described under Impacts and Mitigation Measures below, including an assessment how the project would meet these standards.

Interim LID Guidelines is a project sponsored by municipalities in San Luis Obispo County and the Central Coast RWQCB to help reduce onsite stormwater runoff. The guidelines and regulations act as a transition into new rules that will be developed as a part of a joint effort to develop new hydromodification control criteria. The new rules, titled Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region (RWQCB Central Coast Region 2013a), were adopted on July 12, 2013.

In addition to the environmental benefits, LID may provide aesthetic benefits and, in some cases, an economic benefit as well. The interim guidelines categorize projects into three performance requirement tiers based on the square footage of increased impervious surfaces created by the project. Projects with a potential to result in polluted stormwater discharge (e.g., automotive Repair shops, gasoline stations, residential hillside development, restaurants, 5,000-square-foot parking lots), and residential tentative subdivisions with a potential for five or more units are designated as Tier 3 projects, and are required to incorporate at least two LID measures that retain or reduce runoff and meet any additional agency requirements. The RWQCB Requirements designate three Performance Requirement Tiers and Requirement Number 3 (Runoff Retention) applies to detached single-family homes resulting in 15,000 square feet or greater net impervious area in specified Watershed Management Zones (including the proposed project site). LID measures are required in addition to a Stormwater Control Plan.

San Luis Bay Coastal Area Plan

San Luis Bay Coastal Area Plan standards applicable to the project include:

Aquatic and Terrestrial Habitats

Goal: Responsibly managed and protected resources in and surrounding San Luis Obispo Bay (State-granted Tidelands).

*3. **Runoff Controls.** Require implementation of effective runoff control strategies and pollution prevention activities by incorporating the most current best management practices for all new development.*

Hazards

1. Natural Hazards. New development within areas subject to natural hazards from geologic or flood conditions (including beach erosion) shall be located and designed to minimize risks to human life and property. All new development shall assure stability and structural integrity, and neither create nor contribute significantly to erosion and geologic instability. Along the shoreline new development (with the exception of coastal-dependent uses or public recreation facilities) shall be designed so that shoreline protective devices (such as seawalls, cliff retaining walls, revetments, breakwaters, groins) that would substantially alter landforms or natural shoreline processes, will not be needed for the life of the structure. Construction of permanent structures on the beach shall be prohibited except for facilities necessary for public health and safety such as lifeguard towers.

Harbor Terrace

c. To protect and enhance sensitive biological resources and habitat areas, including water quality, on and adjacent to the Harbor Terrace site, the following measures shall include, but are not limited to:

7. Grading for approved development shall be designed and implemented to minimize sedimentation impacts on adjacent surface water bodies including coastal streams and San Luis Bay. Construction activities such as grading and clearing shall be scheduled to avoid the rainy season.

8. Minimize impervious surfaces and install post development BMP's to capture, infiltrate, and/or treat storm water runoff. The objective of drainage improvements shall be to avoid any increase in the quantity and intensity of storm water runoff exiting the site. Post construction BMP's shall be designed with adequate capacity to accommodate, at a minimum, the 85th percentile 24-hour runoff event.

9. If drainage facilities are proposed to flow into the stream/drainage channel adjacent to Diablo Canyon Road, the stream channel shall be restored to provide both flow capacity and natural habitat.

10. Filtering all drainage from parking facilities by using vegetated swales or oil/water separators to limit oil/grease pollution and the intensity of flow commonly associated with parking lots.

11. Use all BMP's possible to limit water quality impacts and eliminate to the greatest degree feasible the need for additional culverts and ocean/beach disposal points.

Port Master Plan and Port Master Plan Final Program EIR

The Port Master Plan Final Program EIR included the following mitigation measures, which are applicable to the proposed project:

D-1 *Measures to be considered for the mitigation of potential drainage, erosion, seepage and water quality impacts associated with new development include, but are not limited to:*

- *The incorporation of on-site runoff collection systems which includes energy dissipation, berms, temporary settling basins, and/or a silt/hydrocarbon separator for the collection and removal of hazardous materials and sediments.*
- *The incorporation of on-site drainage systems to collect runoff from all impervious onsite services, including parking spaces, roads and buildings.*
- *The incorporation of offsite retention basins with appropriate water quality controls.*
- *Surface runoff should be collected by curbs, gutters and drainage swales and conveyed to an appropriate point of disposal. Discharges of greater than five feet per second should be released through an energy dissipator or outlet.*
- *The incorporation of sub-surface drains to intercept seepage and convey it to an acceptable point of disposal.*
- *Watering any construction sites at least twice per day during construction, or more frequently if determined necessary by the Harbor District.*
- *Re-vegetating portions of sites exclusive of paved areas as soon as reasonable following grading.*
- *Incorporating rain gutters and downspouts for buildings with adequate splash guard protection.*
- *Grading surfaces adjacent to buildings so that runoff is conveyed away from foundations and onto paved surfaces or underground collection pipes.*

D-2 *Prior to the commencement of new construction activities, a General Construction Activity Storm Water Permit from the Regional Water Quality Control Board (RWQCB) shall be obtained. As part of this permit, a storm water pollution prevention plan shall be prepared specifying Best Management Practices (BMPs) for erosion control and stormwater pollutant discharge control during any construction activities. For all project components, grading and drainage plans shall incorporate BMPs for erosion control and*

stormwater pollutant discharge control. This may also serve to reduce non-project-related sediment loads further downstream.

D-3 *All newly constructed impervious surfaces, including parking spaces, streets and roads, and storage lots, shall drain to an underground storm drainage system or improved channel. Surface runoff will be collected by curbs, gutters and drainage swales to storm drain pipe inlets. Runoff will be kept underground until it is released to a graded or improved natural channel. Discharges greater than five feet per second will be released through an energy dissipator structure at the drainage system outlet.*

D-4 *New roadside shoulders beyond the edge of pavement shall only be used for minor road embankment runoff and emergency overflows from underground pipe systems. Additional drainage swales, inlets and channels will be provided on grading plans in order to handle sheet flows that would otherwise be directed across roads.*

D-5 *The following grading procedures shall be included in order to minimize the potential for drainage and erosion problems on slope banks:*

- *Locate terrace drain ditches at the top of fill slopes greater than a gradient of 4 horizontal to 1 vertical. Allow only surface runoff which is incidental over the face of a fill slope.*
- *Include terrace drains and velocity dissipators on existing and proposed slopes greater than 35 feet in height.*
- *Install wicks, subdrains or other improvements, as necessary, to insure that groundwater seepage does not occur on man-made slopes.*

D-6 *All areas disturbed by grading activities shall be seeded with native or naturalized grasses to reduce dust emissions and erosion.*

D-7 *New storm drain inlets and pipe systems shall be added along the edge of the bluff to prevent flows from being released onto unprotected slopes.*

D-8 *A site-specific erosion control and temporary revegetation plan shall be developed for all new grading. This plan shall include erosion control devices to be installed prior to the beginning of the rainy season (October 15).*

D-9 *Prior to grading operations, application for a construction Storm Water Discharge General Permit shall be submitted to the Regional Water Quality Control Board. This permit request will be accompanied by an indication of construction site erosion control practices, soil tracking control methods and practices, and moisture control of surfaces for dust control.*

D-10 *An erosion and sedimentation control plan as required by the National Pollution Discharge Elimination System permit shall be prepared for all new construction. This permit request will comply with all the drainage protection measures and procedures of the on-site Storm Water Pollution Prevention Plan (SWPPP).*

D-11 *A Revegetation Plan shall be prepared for all newly graded areas. The goal of this plan is to (1) ensure that sediment is not eroded and transported off-site; and (2) upon*

completion of construction, to re-establish vegetation compatible with surrounding native plantings

D-12 *Additional rock dissipator protection shall be provided at new culvert outlets along Avila Beach Drive and at the existing 5 foot diameter culvert for the Diablo Canyon Road channel.*

D-13 *Additional rock protection along the shoreline (Avila Beach Drive) will be added to provide protection of the new and existing slopes during high surf conditions.*

D-14 *Prior to approval of new grading plans or grading permits, the applicant shall show the following note on grading and drainage plans:*

No construction work will be permitted in any flowing channel and no graded material or debris will be placed within existing storm drain channels. All work within seasonally dry streambeds shall be in accordance with permits issued by the County of San Luis Obispo and the Regional Water Quality Control Board.

4.8.3 Thresholds of Significance

Consistent with CEQA Guidelines Appendix G, the County states that a significant water resource impact would occur if the project would:

a. Violate any water quality standards;

b. Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.);

c. Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.);

d. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff;

e. Change rates of soil absorption, or amount or direction of surface runoff;

f. Change the drainage patterns where substantial on or off-site sedimentation/erosion or flooding may occur;

g. Involve activities within the 100-year flood zone;

h. Change the quantity or movement of available surface or ground water;

i. Adversely affect community water service provider; or,

j. Expose people to a risk of loss, injury, or death involving flooding (e.g., dam failure, etc.), or inundation by seiche, tsunami or mudflow.

4.8.4 Impact Assessment and Methodology

An impact to water quality would occur if the proposed project results in the discharge of pollutants into ground or surface waters. Impacts to the movement of water may occur if the project would affect stormwater runoff, including existing drainage infrastructure, resulting in

flooding, erosion, and sedimentation. Potential impacts are assessed based on site topography, the proposed layout and elevations of potential project components, the erodibility of soils, existing drainage patterns, and the regulatory framework applicable to the project. The proposed project design and preliminary grading and drainage plans incorporate applicable hydrological standards, and consider other site conditions and geologic hazards.

4.8.5 Project Specific Impacts and Mitigation Measures

The proposed project includes a main commercial building at the base of the site, 32 hotel/motel units spread across four zones of the site, and comfort stations providing restroom and sink access, along with dog washing stations. Additionally, there are five paved RV parking areas located on terraces going up the hillside of the site and a harbor storage area in the northwest corner of the site. There are also vehicle parking lots at the base of the site and along roadways providing access to the various areas. In total these impervious areas comprise 9.5 acres of the 32 acre site. The remainder of the site is pervious area, of which some of the east portion of the site will be used for walk-in and car camping. Car camping will occur on Babe Lane. Hotel/motel units are located throughout the site and will be placed to accommodate minimal grading. The harbor storage requires an expansive paved area to accommodate equipment and boat access. The areas between the terraces will be graded to accommodate the steepness of the site and the northern portion of the site will remain undisturbed.

The proposed site is broken up into 20 sub-watersheds (refer to Figure 4.8-2). These sub-watersheds, with the exception of Watershed D, are between 0.5 and 3.0 acres and have similar methods of stormwater collection, treatment, and discharge. Watershed D includes area outside the property boundary up to the ridgeline and is approximately 15 acres with approximately 2 acres of impervious area. The runoff from the pervious area of Watershed D drains directly into the piped network, while the runoff from the impervious area is treated through swales and into raingardens within the watershed, before being discharged into the pipe network. The typical treatment methodology used on this site has been to direct the stormwater in a roadside bio-swale and to route the runoff to a lined rain garden for treatment and discharge to the stormwater pipe network and outfall. This method of stormwater routing is being implemented to limit infiltration on site during storm events, where the soil can become saturated, and allows the site to conform to the San Luis Bay Coastal Area Plan which prohibits detention basins and other devices that can cause oversaturation of the underlying soils.

Due to the steepness of the proposed grades, the swales have slopes up to 12%. In order to mitigate flow velocity, and erosion of the bio-swales, check dams shall be built every 20 to 30 linear feet, depending on the slope. Additionally, in order to create level treatment areas, retaining walls, approximately six feet or lower have been provided at many of the raingardens.

Using this methodology, combined with the existing and proposed site conditions, runoff coefficients and Time of Concentration (Tc) were developed for each sub-catchment area. The impervious area across the site has increased, which reduces infiltration. Thus the quantity of water leaving the site has increased, however the flow velocity has been maintained, increasing the time of concentration as the water travels through the site, and improving the quality by routing the flows through a treatment train. In the Geologic/Geo-Technical Hazards Study (Earth Systems Pacific 2014) it is recommended not to increase infiltration of water near the landslide areas. Although the water remains on site for a longer period of time in the proposed conditions, there is less infiltration overall and no low points for inadvertent water collection and soil saturation.

The main discharge point of the site is the piped outfall that discharges into the bay through existing outlets. The project proposes no new drainage outlets. Water will also be discharged off the site via a bio-swale that parallels Avila Beach Drive from where the water will sheet across Avila Beach Drive. This will receive flow from all new development, which includes all of the sub-catchments, except N and R. Sub-catchments N and R, and will discharge into the roadside swale. The peak discharges and flow rates for the 2-, 10-, 25-, and 100-year storms are shown in Table 4.8-3 below. This table also shows a comparison of pre to post-development discharge volumes and flow rates for the site as a whole.

Table 4.8-2. Proposed Project Peak Discharges

Outlet	2-Yr Discharge 2-Yr, 24-hr = 3.3-in		10-Yr Discharge		25-Yr Discharge		100-Yr Discharge	
	Volume (af)	Peak Flow (cfs)	Volume (af)	Peak Flow (cfs)	Volume (af)	Peak Flow (cfs)	Volume (af)	Peak Flow (cfs)
Piped Outfall	4.9	19.08	8.0	38.7	10.8	48.7	13.4	56.9
Roadside Swale	0.3	1.7	0.4	3.15	0.6	3.94	0.7	5.18
Total Proposed	***5.2***	***20.78***	***8.4***	***41.85***	***11.4***	***52.64***	***14.1***	***62.08***
Total Existing	**4.2**	**21**	**7.2**	**41.2**	**9.9**	**53.6**	**12.5**	**71.9**
Change in Runoff	*+ 1.0*	*- 0.22*	*+ 1.2*	*+ 0.65*	*+ 1.5*	*- 0.96*	*+ 1.6*	*- 9.82*

Note: All rainfall data from San Luis Obispo D graphs, rainfalls for lower drainage areas, and includes a full 24-hour storm event. The method used for total volume and flow calculations is SCS TR-20.

Source: Sherwood 2014

The project has designed its storm water treatment to incorporate Low Impact Development measures around the site in order to meet minimum requirements—Performance Requirement (PR) 1. The project ~~will~~ requires a technical feasibility exemption from PR2. Page 3-15 of the new regulations stipulates, “No liners or other barriers interfering with infiltration, except for situations where lateral infiltration is not technically feasible”. The project proposes to line rain gardens with clay in order to comply with landslide and slope stability recommendations identified in the Geologic/Geotechnical Hazards Report (Earth Systems Pacific 2014). The developer shall work with the Port San Luis Harbor District to consider achieving additional performance requirements, PR3 (Runoff Retention) and PR4 (Peak Management), to the maximum extent practical. As noted previously, there are geological and geotechnical safety constraints on this site that directly conflict with the hydrological goals and the county’s preferred methods for meeting the Performance Requirements. Runoff retention typically requires rain water capture and infiltration or re-use for toilet flushing or irrigation use. Due to the prohibition of infiltration on site, a below ground cistern or similar storage device would need to be used to hold water for re-use. For consecutive storm events, which would overload a

cistern, discharge from the site via the piped network would be required. In order to meet the requirements of PR4 the post-construction runoff volume must not be greater than the pre-construction volume for the 10-year storm. Currently that volume is calculated to be 1.1 acre-feet, so that volume would need to retained either at grade or below grade and released slowly, into the stormwater pipe network, over a 4 hour period. This could also be achieved with a large enough cistern. Any below ground structures used for water storage would need to be constructed within the limits set by the geotechnical report for earthquake safety.

The County Public Works Department reviewed the Port San Luis Harbor Terrace Stormwater Technical Feasibility Exemption Request and Stormwater Control Plan, and determined that the preliminary Stormwater Control Plan appears acceptable, and the technical exemption for Performance Standard 2 was approved (Tim Tomlinson 2014).

Violate Water Quality Standards

The analysis of consistency with water quality standards is based on the Performance Requirements identified in the Post Construction Requirements Handbook (County of San Luis Obispo 2014).

Performance Requirement 1 – Low Impact Development

The intent of PR1 is to mimic predevelopment hydrology to the extent feasible using LID principles. The overall design strategies that PR1 recommends using are to limit disturbance of creeks and natural drainage features; to minimize compaction of highly permeable soils; to limit clearing and grading of native vegetation; and to minimize impervious surfaces by concentrating improvements on the least sensitive portions of the site. The site design measures listed in PR1, of which at least one must be used, are listed below:

- Roof runoff directed into cisterns or rain barrels.
- Roof runoff directed into vegetated areas.
- Runoff from sidewalks, walkways, or patios directed onto vegetated areas.
- Runoff from driveways and/or uncovered parking lots onto vegetated areas.
- Construct bike lanes, driveways, uncovered parking lots, or other paved areas with a permeable surface.

Regarding the Design Strategies, there are no creeks or significant natural drainage features on the site, and any small existing swales and minor ditches disturbed by construction will be fully restored and stabilized. Extensive regrading will be required to implement the proposed plan on the steep site, and the resulting cut and fill slopes will have to be compacted as directed by the project's geotechnical engineer. All areas that do not require disturbance, though, will be protected from unnecessary compaction. Similarly, the site's existing sparse vegetation cover will be retained wherever possible, but it is expected this will primarily be outside the limits of construction. The creation of new impervious surfaces will be limited to the extent feasible, but the proposed camping and vehicle storage uses of the site will require hard surfaced parking areas and all weather roadways. These uses are similar to the site's existing condition, although there will be an increase in total impervious cover. It is noted that permeable pavements were considered for the site, but were ruled out in accordance with the Geologic - Geotechnical Hazards Study (Earth Systems Pacific 2014). Another portion of PR1 is the control of storm water. The site has been designed to fully comply with this requirement by sloping all impervious surfaces towards vegetated treatment areas in the form of swales and rain gardens, prior to being discharged from the site via a stormwater pipe system. Additionally the roof runoff

of the large buildings on site should be directed to nearby rain gardens to meet the design requirements of Performance Requirement 1.

Performance Requirement 2 – Water Quality Treatment

The purpose of this requirement is to reduce pollutant loads and concentrations in site generated stormwater runoff using physical, biological, and chemical removal processes. Regulated projects, including the proposed project, have three options, listed in preference order, to treat runoff.

- LID treatment systems involve harvesting and use, infiltration, or evapotranspiration storm water control measures to collectively retain storm water runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event.

- Biofiltration treatment systems remove pollutants through the use of natural systems, such as swales or filter strips. Must demonstrate that the swale can treat site runoff of 0.2 inches per hour over a 24-hour period or 2 times the 85th percentile storm without causing scour, erosion, or channeling.

- Non-Retention based treatment systems – "end of pipe" treatment approaches must treat the volume generated by the 85th percentile 24-hour storm event. This is the least preferred option and there must be good reasoning to go this route.

The storm water quality portion of the site design is directed by PR2, which has the purpose of reducing pollutant loads and concentrations in storm water generated on site. As noted above, a technical exemption from this standard ~~will be required~~was approved by County Public Works in order to mitigate for potential landslide and slope stability hazards by lining rain gardens with clay to prevent over-saturation of underlying soils. The intent of this requirement would be met in the design by implementing a combination of LID treatment systems, in the form of bio-swales and rain gardens. The bio-retention swales function as water transport, filtering, and settling devices. They perform these three functions by first collecting flow from the impervious areas across the site. Then, by having a combination of soil and rock media to filter out contaminants. And lastly, by staggering flow at checkdams to increase transport time and allow settling to occur. The raingardens are the main source of stormwater treatment on the site. They receive flows from the swales and provide a combination of filtering and flow staggering. Once runoff enters a raingarden, it will be filtered through an 18" deep vegetative soil layer that filters out and traps contaminants. The runoff will then be collected by subdrains within an underlying layer of crushed rock, for discharge to the project's storm drain system. This discharge is required because the site's steep slopes may be destabilized by concentrated infiltration of runoff underneath the project's many proposed rain gardens. Since the raingardens are built with an impermeable base, during larger storms that the underdrain is not sized for, the raingarden will fill and discharge into an overflow pipe that is connected to the piped stormwater system.

To meet the treatment requirements set by PR2 the bio-retention filtration system needs to be capable of treating site runoff given a 0.2 inches per hour rainfall intensity loading rate and assumes an infiltration rate of 5 inches per hour, thus requiring a treatment area equal to 4% of the impervious area in each watershed area. In order to implement these systems the impervious areas of the site are sloped so that runoff is directed to the bio-retention swales and transported to the rain gardens. This two phased system will remove a large percentage of the contaminants. As seen in Table 4.8-4 below, which breaks down treatment calculations per

watershed, the area of rain garden treatment that will be provided meets the minimum 4% requirement.

Table 4.8-3. Rain Garden Sizing Summary

Watershed	Impervious Area (square feet)	Treatment Area Required (square feet)	Treatment Area Provided (square feet)
A1	22,900	916	440
A2			580
B	49,072	1,963	2,058
C1	27,800	1,112	480
C2			860
D	86,700	3,468	3,747
E	23,100	924	2,190
F	69,396	2,776	2,897
G	27,200	1,088	1,423
H	17,200	688	751
I	22,400	896	2,883
J	0	0	0
K	9,400	376	2,298
L	27,800	1,112	1,174
M	7,100	284	1,530
N	21,800	872	960
O	0	0	0
P	0	0	0
Q	0	0	0
R	0	0	0
Total Area	**411,868**	**16,475**	**24,271**

Source: Sherwood 2014

Performance Requirement 3 – Runoff Retention

The purpose of this requirement is to retain the beneficial uses of a project's receiving waters. To meet this requirement a volume of water determined by a formula set in the San Luis Obispo Post Construction Requirement Handbook must be retained on site. Although the project is

exempt from this requirement, criteria to conform and limiting site constraints were addressed in the hydrology report (Sherwood 2014).

Performance Requirement 4 – Peak Management

The purpose of this requirement is to retain the beneficial uses of a project's receiving waters. The requirement is to manage peak flow storm water runoff. The project designer will need to demonstrate that post-development peak flows discharged from the site do not exceed pre-project peak flows for the 2- through 10-year storm events in the storm water control plan. Though the project is exempt from this requirement, methods to meet the retention quantities are addressed in the hydrology report (Sherwood 2014).

Based on the proposed design of the project, which incorporates existing standards and regulations identified by the County and RWQCB, including preparation and implementation of construction and operational erosion and sedimentation control, SWPPP preparation and implementation, and management and filtration of stormwater, potential impacts would be less than significant.

Discharge into Surface Waters or Alter Water Quality

Based on the extensive amount of grading and excavation required during construction of the project, there is a potential for significant erosion and sedimentation to occur, resulting in a potentially significant impact. Compliance with existing County and RWQCB regulations, including preparation of a SWPPP, will be required.

In the long-term, as described above, the proposed project incorporates the use of LID strategies including sloping all impervious surfaces and runoff from structure roofs towards vegetated swales and rain gardens prior to being discharged from the site via a stormwater pipe system. The bio-retention swales function as water transport, filtering, and settling devices. During larger storms, the raingarden will fill and discharge into an overflow pipe that is connected to the piped stormwater system.

Therefore, potential impacts to surface waters and water quality would be less than significant.

Change the Quality of Groundwater

Construction and implementation of the project would not result in adverse effects to groundwater. Water supply for the proposed project would be provided by CSA 12.

Create or Contribute Runoff Water Exceeding Capacity of Drainage Systems

Based on the hydrological analysis conducted for the project (Sherwood 2014), which is described in detail above and included in Appendix F of this EIR, the proposed project would not create or contribute runoff water exceeding the capacity of existing drainage systems.

Change Rate/Amount of Soil Absorption or Surface Runoff

Based on the hydrological analysis conducted for the project (Sherwood 2014), which is described in detail above and included in Appendix F of this EIR, and incorporation of design measures identified in the study consistent with County standards, the proposed project would not change the rate or amount of surface runoff. Soil absorption would be reduced; however, stormwater runoff currently discharges into the ocean and does not contribute to groundwater resources for the area. In addition, percolation of stormwater is identified as a potential hazard

due to underlying geologic conditions, and measures are proposed to reduce the potential for a hazard. Therefore, the project would not result in a significant impact.

Result in Substantial Sedimentation, Erosion, or Flooding

As noted above, during construction the project has the potential to result in substantial sedimentation and erosion. Compliance with existing regulations imposed by the County and RWQCB are required. The proposed project would not contribute to localized or regional flooding, due to its location on the coastline. In the event of a 100-year storm or greater, stormwater would flow from the project site into the Pacific Ocean, following filtration through the proposed onsite drainage system.

Involve Activities in the 100-year Flood Zone

Based on review of FEMA flood insurance rate maps, the project site is not located within a 100-year flood zone; however, a Special Flood Hazard Area subject to 1% annual flood (100-year flood zone) is located adjacent to the project site, at elevation 24, which covers Avila Beach Drive. During a major storm event, coastal flooding may extend to the base of the project site on the roadway, and may inhibit access. In these instances, temporary evacuation of the project site may be implemented by the Harbor District. Therefore, potential impacts would be less than significant.

Change Quantity/Movement of Surface or Groundwater

The proposed project would obtain water from the Lopez Lake Reservoir, via CSA 12. Based on estimated water demand (refer to EIR Section 4.8), the proposed demand is within the existing agreement between the Harbor District and CSA 12, and would not change the quantity or movement of groundwater. The proposed project does not include any modifications to existing drainages on or near the project site, and would not affect flow within these drainages.

Adversely Affect Community Water Service Provider

The proposed project would obtain water from CSA 12, which has adequate water supply to serve the project. The Harbor District has an existing agreement with CSA 12 for water use, which would include the proposed project. The project would not affect nearby Avila Beach CSA.

Risk Exposure to Flooding or Inundation

As noted above, the 100-year flood zone extends across Avila Beach Drive. Based on estimates of sea level rise, and assuming 5.48 feet of sea level rise by the year 2100, coastal flooding in the future may reach the 30-foot elevation (base sea level) during a storm event. Increased wave action and storm surge may increase this level. Affected areas of the project site may include the access roads and lower parking areas. Exacerbated coastal erosion may compromise the commercial structure, swimming pool, and lower campsites. In the future, modifications to the site may be required to adapt to climate change and sea level rise, and may include removal of structures or features. Based on the lower elevations of the Port and community of Avila Beach, the effects would occur along the Avila coastline, and regional adaptation measures would be required for the region. In order to plan for and further mitigate potential future effects resulting from sea level rise, the following mitigation is recommended:

HYD/mm-1 Prior to occupancy of the proposed project, the Harbor District or their designee shall develop a Sea Level Rise Adaptation Plan including, but not limited to, the

Harbor District's (or their designee's) ongoing documentation of high tide elevation levels and coastal storms, the future removal of structures and features as a result of sea level rise and associated coastal hazards including erosion and slope stability, and indicators that the lower facility amenities may be compromised by sea level rise (i.e., wave action overtops and floods Avila Beach Drive and erodes the road cut adjacent to the project site). The initial plan, and subsequent revisions based on actual conditions, shall be submitted to the County of San Luis Obispo Environmental Coordinator for review and approval.

The site may also be affected by a tsunami event, which would also be exacerbated by sea level rise. In the short-term, the upper elevations of the project site would be protected from elevated sea level during a tsunami event, and would provide a safe haven. Emergency evacuation would occur via Avila Beach Drive or Diablo Canyon Road, depending on the advance notice and implementation of County and Harbor District evacuation orders. Based on compliance with existing emergency response plans, potential impacts would be less than significant.

4.8.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of the development of Harbor Terrace, identified potentially significant but mitigable impacts that would occur as a result of build-out of the Master Plan. Potential impacts include increased impervious surfaces, erosion potential, and stormwater runoff (less than significant with mitigation), discharge of hazardous materials into the ocean (less than significant with mitigation), increased potential for erosion during construction (less than significant with mitigation), and potential for release of hazardous materials into San Luis Bay (less than significant with mitigation). Projects located outside of the Harbor District that may affect hydrological resources in the region include the Avila Tank Farm remediation, general plan amendment, and development project. Analysis of the Avila Tank Farm project is anticipated to include an evaluation of water supply and hydrological effects, and compliance with existing regulations would be required. Discretionary projects in the Avila Urban Area and San Luis Bay Estates are required to comply with local and state stormwater regulations and the County Code.

Analysis of the proposed project included a site-specific hydrology study, and incorporation of measures and standards identified in County policy documents to address stormwater runoff rates and quality. Based on the design of the project, and compliance with existing regulations, the project would not result in a cumulatively considerable impact to water resources.

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4.9 NOISE

The effects of noise are considered in two ways: 1) how a proposed project may increase existing noise levels and affect surrounding land uses, and 2) how a proposed land use may be affected by noise from existing and surrounding land uses. This section of the EIR addresses: the existing noise environment of the project area; federal, state, and local noise guidelines and policies; potential impacts resulting from implementing the proposed project; and potential noise impacts that would be encountered throughout the area. Preparation of this section of the EIR is based on the Port Master Plan Final Program EIR (CMCA 2004) and the technical analysis is incorporated by reference.

4.9.1 Existing Conditions

Noise is generally defined as unwanted sound. Noise meters are instruments that detect small changes in atmospheric pressure. These meters cannot distinguish between noise that is wanted (e.g., birds singing, waves on a beach, etc.) and noise that is not (e.g., traffic or railroad noise). Thus, measurements of noise are more accurately described as measurements of sound pressure.

Noise sources and sound intensities can vary significantly over an urban area. Motor vehicles are usually the primary noise sources in California cities. Variables that affect traffic noise include traffic volumes, proximity to the noise source, time of day, speed, and pavement condition. Topography also plays a significant role in the perception of traffic-related noise emissions. Road segments that are cut below or significantly elevated above the grade at which noise is measured (or heard) will generally produce a quieter noise environment.

Sites that have abundant vegetation and an undulating profile (soft sites) will absorb sound pressure waves more fully than an area that is predominately asphalt or concrete (hard site). Under normal conditions on hard sites, noise will attenuate (drop-off) at an approximate rate of 3.0 dBA (A-weighted decibel [dB]) per doubling of distance (DD) for a line source (i.e., traffic sources) and about 6.0 dBA/DD for a point (stationary) source. An excess ground attenuation value of 1.5 dBA/DD over standard conditions would be assumed for undeveloped areas.

The only way to ascertain the noise level at a given site is to actually measure it. Qualified persons, using laboratory-certified sound meters, conduct noise studies. Often noise studies gather measurements for several days, and this data is used to calculate the Day/Night Sound Level (Ldn) and/or the Community Noise Exposure Level (CNEL). These two metric penalize nighttime noise to reflect normal sleep patterns. Having noise exposure information allows better site planning and architectural treatments (e.g., quiet windows) as needed.

4.9.1.1 Local Setting

The primary source of noise in the project area is generated by transportation sources on Avila Beach Drive. Additional noise is generated by human activity on and adjacent to beach areas and the harbor, including voices, use of radios and stereos, and boating. Ocean surf, wind, and marine mammal and bird activity contribute natural noise levels in the area, as well. Existing noise levels in the project area due to transportation and stationary sources have been compiled as contours in the San Luis Obispo General Plan Noise Element (County of San Luis Obispo, 1992). Noise levels from traffic are detailed in the Noise Element with noise contours generated from the Federal Highway Administration (FHWA) traffic model and existing data on traffic volumes and types. Noise levels due to traffic are shown in Table 4.9-1 for Avila Beach Drive.

Table 4.9-1. Noise Levels Due to Traffic

Location	Existing dBA			Future dBA		
	70	65	60	70	65	60
Avila Beach Drive (distance to noise level)	48 feet	103 feet	222 feet	70 feet	151 feet	325 feet

Source: San Luis Obispo County Noise Element 1992

Based on the Port Master Plan Final Program EIR (CMCA 2004), ambient noise levels at the project site was approximately 49.8 dBA, with a minimum noise level of 32.4 dB and maximum noise level of 67.3 dB. For the purposes of this analysis, the future dBA estimates identified in Table 4.9-1 are applied to ensure a conservative assessment of potential noise impacts.

Land uses that are listed in the San Luis Obispo County General Plan Noise Element are considered when measuring the effects of noise. “Sensitive receptors” include residences, recreational areas, transient lodging (hotels, motels, etc.), hospitals, nursing homes, convalescent hospitals, schools, libraries, houses of worship, and public assembly places. The only sensitive receptor proximate to the project site is the beach area located approximately 80 to 100 feet south of the southern property line, across Avila Beach Drive.

4.9.2 Regulatory Setting

Noise is regulated at the federal, state, and local levels through regulations, policies, and/or local ordinances. Local policies are commonly adaptations of federal and state guidelines based on prevailing local conditions or special requirements.

4.9.2.1 Federal Policies and Regulations

Congressional: The Federal Noise Control Act of 1972

This law states that controlling noise protects the health and welfare of the Nation’s population. It recognizes that transportation vehicles, machinery, and appliances are noise sources, and responsibility for controlling these noise sources rests with state and local governments. Moreover, the federal government will coordinate and adopt standards for inter-state commerce projects (e.g., airports).

Federal Highway Administration: 23 CFR 772

Federal code provides uniform procedures to evaluate highway noise and implement abatement measures. Interpretation of what constitutes ‘substantial noise’ is left to individual states.

4.9.2.2 State Regulations

California Government Code

The State General Plan Guidelines require that local governments identify major noise sources and areas containing noise-sensitive land uses. Noise must be quantified by preparing generalized noise exposure contours for current and projected conditions. Contours may be prepared in terms of either the CNEL or Ldn. The state’s version of the compatibility standards identified in the Guidelines for the Preparation and Content of the Noise Element of the General

Plan, Appendix C of the State of California General Plan Guidelines (OPR 2003), indicates that "detailed studies" may be required for outdoor activity areas when levels exceed 50 dB. The Guidelines indicate that mitigations may be appropriate under such conditions and accordingly, this analysis will recommend steps that can be taken to lessen impact. The State's compatibility guidelines for exposure to transportation noise exposure suggest that noise becomes a problem for outdoor activity areas when levels are in excess of 50 decibels (Ldn/hourly average sound level [Leq]).

4.9.2.3 Local Regulations and Policies

The Noise Element of the County General Plan provides a policy framework for addressing potential and existing noise impacts during the planning process. Its purpose is to minimize future and existing noise conflicts. Among the most significant policies found in the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses resulting from transportation sources. Thresholds for sensitive receptors are shown in Table 4.9-2 below, in Section 4.9.3 Thresholds of Significance.

<u>Port Master Plan and Port Master Plan Final Program EIR</u>

The project is subject to the following mitigation measures identified in the Port Master Plan Final Program EIR:

N-1 *All construction equipment shall be in proper operating condition and fitted with factory standard silencing features.*

i. A haul route plan shall be prepared for review and approval by the Harbor District.

ii. Whenever practical, the noisiest construction operations shall be scheduled to occur together in the construction program to avoid continuous periods of noise generation. Scheduling of noisier construction activities shall also take advantage of summer sessions and other times when classes are not in session.

iii. Project construction activities that generate noise in excess of 60 dB at the project site boundary shall be limited to the hours of 7 a.m. to 6 p.m.

N-2 *All large construction equipment will be equipped with "critical" grade noise mufflers. Noise level reductions associated with the use of "critical" rather than "stock" grade mufflers can be as high as 5 dBA. Engines will also be tuned to insure lowest possible noise levels.*

N-3 *Detailed noise analyses shall be prepared when grading plans are developed to fully determine the need and extent of temporary and/or permanent noise barriers. Final noise barrier heights shall be determined with final grading plans indicating lot locations, trailer setbacks, and precise pad elevations are developed. The barriers may consist of a berm, wall, or a combination berm and wall. Walls should not contain holes or gaps, and should be constructed of slumpstone or other masonry material.*

N-4 *Equipment lay-down areas, staging areas or those areas that are reserved for testing and repairing of construction equipment shall be located as far away from sensitive receptors.*

4.9.3 Thresholds of Significance

In accordance with Appendix G of the CEQA Guidelines, the County thresholds state that noise impacts would be considered significant if the proposed project would:

a. Expose people to noise levels that exceed the County Noise Element thresholds;

b. Generate increases in the ambient noise levels for adjoining areas;

c. Cause a temporary or periodic increase in ambient noise in the project vicinity;

d. Expose people to severe noise or vibration;

e. Expose people residing or working in the project area to severe noise levels as a result of an airport or private airstrip.

Transportation Noise Sources

Policy 3.3.2 of the Noise Element states that "new development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected future levels of noise from transportation noise sources which exceed 60 dB Ldn or CNEL for outdoor activity areas and 45 Ldn or CNEL for interior spaces unless the project includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to or below the levels for the given land use" (refer to Table 4.9-2).

Table 4.9-2. Land Use Compatibility for New Development Near Transportation Sources

Land Use	Exterior Noise Exposure Threshold Ldn or CNEL, dB					
	55	60	65	70	75	80
Residential (except temporary dwellings and residential accessory uses), Pub Assembly and Entertainment (except meeting halls)						
Bed and Breakfast Facilities, Hotels and Motels						
Schools - Preschool to Secondary, College and University, Specialized Education and Training; Libraries and Museums, Hospitals, Nursing and Personal Care, Meeting Halls, Churches						
Outdoor Sports and Recreation						
Offices						

Acceptable, no mitigation required

Conditionally acceptable, mitigation required

Unacceptable, mitigation may not be feasible

Source: County of San Luis Obispo Noise Element 1992

Policy 3.3.3 of the Noise Element states that "noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in [Table 4.9-3] within the outdoor activity areas and interior spaces of existing noise sensitive land uses."

Table 4.9-3. Transportation Source Noise Exposure Guidelines

Receiving Land Use	Transportation Source: Maximum Allowable Noise Level		
	Outdoor Activity Ldn	Indoor Activity Ldn	Indoor Activity Max hour Leq
Residential (except temporary dwellings and residential accessory uses); bed and breakfast facilities, hotels and motels; hospitals, nursing and personal care	60	45	--
Public assembly and entertainment (except meeting halls)	--	--	35
Offices	60	--	45
Churches, meeting halls	--	--	45
Schools-preschool to secondary, college and university, specialized education and training libraries and museums	--	--	45
Outdoor sports and recreation	70	--	--

Source: County of San Luis Obispo Noise Element 1992

Stationary Noise Sources

Policy 3.3.4 of the Noise Element states that "new development of noise-sensitive land uses shall not be permitted where the noise level due to existing stationary noise sources would exceed the noise level standards included in the Noise Element unless effective noise mitigation measures have been incorporated into the design of the development to reduce noise exposure to or below the levels specified." The hourly daytime stationary noise standard for sensitive receptors is 50 dB, and the maximum is 70 dB. The hourly nighttime stationary noise standard for sensitive receptors is 45 dBA, and the maximum is 60 dBA (refer to Table 4.9-4).

Table 4.9-4. Maximum Allowable Noise Exposure Stationary Noise Sources[1]

Level	Daytime (7 a.m. – 10 p.m.)	Nighttime (10 p.m. – 7 a.m.)
Hourly Average Sound Level, dBA[2]	50	45
Maximum Level, dBA[2]	70	60
Maximum Level, Impulsive Noise, dBA[3]	65	60

[1] As determined at the property line of the of the receiving land use.
[2] Sound level measurements shall be made with slow meter response.
[3] Sound level measurements shall be made with fast meter response.

Source: County of San Luis Obispo Noise Element 1992

Policy 3.3.5 of the Noise Element states that new proposed stationary noise sources or existing stationary noise sources that undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise source. Policy 3.3.5 can be found in its entirety on page 3-3 of the County Noise Element, applicable standards from Policy 3.3.5 are provided below as follows:

> *b) Noise levels shall be reduced to or below the noise level standards in [Table 4.9-4] where the stationary noise source will expose an existing noise-sensitive land use (which is listed in the Land Use Element as an allowable use within its existing land use category) to noise levels that exceed the standards in [Table 4.9-4].*
>
> *c) Noise levels shall be reduced to or below the noise level standards in [Table 4.9-4] where the stationary noise source will expose vacant land in the Agriculture, Rural Lands, Residential Rural, Residential Suburban, Residential Single Family, Residential Multi-Family, Recreation, Office and Professional, and Commercial Retail land use categories to noise levels that exceed the standards in [Table 4.9-4] (note: This policy may be waived when the Director of Planning and Building determines that such vacant land is not likely to be developed with a noise sensitive land-use).*

Exceptions to the noise standards are provided in Land Use Ordinance 23.06.042. They include, among others, noise sources associated activities conducted in public parks, public playgrounds and public/private school grounds, construction between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends; traffic on public roadways; and the use of any mechanical equipment related to emergency activities including safety signals, warning devices, and emergency pressure relief valves.

Under most circumstances, instances of perceptible or annoying vibration are limited to locations near railroad rights-of-way or specific types of industrial activity (forges, large punch presses, pile drivers, etc.). San Luis Obispo Land Use Ordinance 23.06.060 establishes vibration standards. It states that any land use conducted in or within 0.5 mile of an urban or village reserve line is to be operated to not produce detrimental earth-borne vibrations perceptible at the lot line for a residential, office and professional, recreational, or commercial use, or the boundary of the industrial category for an industrial source.

Exceptions to the standard include construction between 7:00 a.m. and 9:00 p.m. and noise generated from moving sources such as trucks or railroads.

In addition to the criteria described above, the significance of long-term noise (24-hour) can be assessed by comparing existing noise levels with those predicted to result with implementation of a project. In assessing community noise (Ldn or CNEL), long-term increases in noise levels of greater than 3 dBA are identified as perceptible, while changes of less than 1 dBA are generally not discernible to local residents or sensitive land uses. For purposes of this analysis, an increase greater than 3 dBA is considered a significant impact.

4.9.4 Impact Assessment and Methodology

The noise analysis considers existing sources of noise in the area, the project's effect on sensitive receptors in the area, and the effects of noise on the project. The analysis also

includes an assessment of surrounding land uses and their sensitivity to noise exposure. The compatibility of the proposed project with surrounding sensitive noise receptors was analyzed.

General guidelines for determining community noise impacts typically include:

- A 3-dB change is barely perceptible, and is the minimum most people will notice in most environments.
- A 5-dB change is a readily perceptible increase or decrease in sound level.
- A 10-dB increase in sound level is perceived as an approximate doubling of the loudness of the sound and represents a substantial change in loudness.

4.9.5 Project Specific Impacts and Mitigation Measures

Expose People to Noise Levels that Exceed County Thresholds

There are two issues of noise exposure: 1) transportation noise generated by Avila Beach Drive affecting the proposed project; 2) transportation-related noise generated by the project, and 3) proposed on-site activities that generate noise, including grading and construction activities and noise generated by project uses potentially affecting sensitive receptors in the immediate area.

Transportation Noise

The acceptable threshold of exposure to transportation noise source is 60 Ldn for hotels and motels and 70 Ldn for outdoor sports and recreation (County of San Luis Obispo 1992). The Noise Element states that:

> *The existing or projected future noise exposure at the exterior of buildings which will contain noise-sensitive uses or within proposed outdoor activity areas (other than outdoor sports and recreation uses) does not exceed 65 dB LDN (or CNEL) prior to mitigation. For outdoor sports and recreation uses, the existing or projected future noise exposure may not exceed 75 dB LDN (or CNEL) prior to mitigation note applies to flat elevation.*

Based on review of the Noise Element (applying future dBA) no project features would be located in areas exceeding 70 dB.

Lower level car/tent sites, the pool area, and the commercial building would be located approximately 90 feet from the centerline of Avila Beach Drive, and would potentially be exposed to noise levels ranging from approximately 70 to 65 dB based on Noise Element generalized noise contour mapping. The Noise Element notes that “since the noise contour calculations did not take into consideration shielding caused by local buildings or topographical features the distances reported…should be considered worst-case estimates of noise exposure”. Mid-level RV sites, car/tent sites, and walk-in campsites would be located approximately 300 feet from the centerline of Avila Beach Drive, and would potentially be exposed to noise levels between 65 to 60 dB based on Noise Element noise contour mapping. Hotel/motel units would be located approximately 270 feet from the centerline of Avila Beach Drive, and would be located within the 65 to 60 dB noise contour.

The Noise Element does not include a specific category for RV and campsite facilities; however, if these uses are grouped under “hotel and motel uses”, exposure to transportation-related noise

between 60-70 dB is considered conditionally acceptable and mitigation would be required. Typical mitigation for outdoor noise attenuation consists of the construction of a noise barrier, such as an engineered noise wall or earthen berm that blocks the line-of-sight to the roadway. The existing topography of the site provides two natural noise barriers between the lower level campsites and Avila Beach Drive; an approximately 15-foot road cut/embankment between Avila Beach Drive and Babe Lane, and an approximately 5 to 18-foot road cut/embankment between Babe Lane and the proposed lower-level campsites. The road cut between Avila Beach Drive and the commercial uses is approximately 38 feet in height. The Noise Element provides guidance for transportation-related noise. It states that if future noise exposure is between 60 and 65 LDN and the roadway is either a) below grade in a cut/embankment or b) elevated more than 15 feet above and within 200 feet of proposed noise-sensitive use, including the outdoor activity area, no mitigation is required because the topography can attenuate noise by up to 5 dB. In addition, standard building construction measures attenuate noise by approximately 15 dB (interior noise). Pursuant to the FHWA Highway Noise Barrier Design Handbook, an earthen berm barrier will typically provide an additional 1.5 dB of noise attenuation for each additional three feet of barrier height above the line-of-sight blockage between the noise source and the receiver.

Therefore, based on existing topography and maintenance of the existing road cut/embankment between Avila Beach Drive and the proposed commercial uses, RV campsites, and hotel/motel sites, no outdoor or indoor mitigation is required. Regarding the car/tent sites, the natural topography (to remain) would attenuate traffic-generated noise on Avila Beach Drive by approximately 10 dB, resulting in a maximum noise exposure between 60 to 55 dB, which is within the acceptable range, and no mitigation is required.

Based on the transportation study conducted for the proposed project (CCTC 2014), implementation of the project would add 126 PM peak hour trips to Avila Beach Drive, and would result in a 6.7% increase in traffic. Generally, a 100% increase in traffic volume would result in a 3 dB increase in the sound level. Therefore, traffic generated by the project would not result in a significant increase in noise levels.

Sources of noise generated by the project may include the use of generators, which can generate noise levels ranging from approximately 50 to 76 dBA approximately ten feet from the source (American Honda Motor Co., Inc. 2014). At a distance of 320 feet from the source (the minimum distance between the RV sites and Avila Beach Drive), the noise would attenuate to approximately 21 to 47 dB. It is reasonable to assume that more than one generator may be in use at one time, which would increase the noise level by approximately six dB approximately ten feet from the combined sources (56 to 82 dB) and approximately four dB 300 feet from the sources (24 to 50 dB). These levels are within the acceptable range for outdoor sports and recreation (50 db). In addition, noise generated on Avila Beach Drive, crashing waves, human activity on the beach, and boat motors would typically exceed this noise level. Due to the generally noise-sensitive environment, a restriction on generator use is recommended.

Use of portable generators by the Harbor District would be limited to the Harbor Use area, which is approximately 1,000 feet from Avila Beach Drive. Generator use would be infrequent, and would generally be limited to emergency situations. Due to infrequent use and distance from public use areas, potential noise impacts associated with this use would be less than significant.

N Impact 1	
Operation of the project may include personal use of portable generators, primarily associated with recreational vehicle (RV) use, which would generate noise levels potentially affected other visitors within the campground facility, and sensitive receptors within the beach area to the south, resulting in a potential noise nuisance.	
Mitigation Measures	
N/mm-1	*The use of personal generators shall be prohibited within all recreational vehicle (RV), hotel, cabin, and car/tent campsites.*
Residual Impacts	
All RV sites would have electric hook-ups; therefore, allowance of personal generator use is not necessary. Implementation of restrictions on generator use would avoid potential noise nuisances and annoyances, as experienced within public use areas near the project site. Occasional use of generators within the Harbor Use area may be necessary; however, the use would be infrequent and there is an adequate buffer between the Harbor Use area and public use areas along Avila Beach Drive. Noise may be heard; however, it would not exceed identified thresholds. Based on implementation of noted restrictions, potential impacts would be less than significant.	

Permanent, Temporary, Periodic Increases in Ambient Noise

As noted above, the project would generate additional traffic, and would generate stationary noise during the use of portable generators associated with RVs. This would result in permanent periodic increases in the ambient noise level in the area. Based on the distance from the nearest sensitive receptor (over 300 feet) and limitations on generator use (refer to mitigation measure N/mm-1), the long-term effects would not be significant.

In the short-term, grading and construction activities would require the use of large equipment, which would generate significant levels of noise at the source. As measured 50 feet from the source, equipment can generate between 74 to 100 dB of noise (FHWA 2011). Multiple pieces of equipment are expected to be in operation during major grading activities. Construction activities would temporarily increase the overall ambient noise levels within and surrounding the construction site. Onsite excavation and construction operations would likely require the use of rock drills, track-type tractors, motor graders, wheeled loaders, haul trucks, scrapers, cranes, a backhoe loader, and excavators. Construction noise levels would fluctuate depending upon the construction phase, equipment type and duration, and the location of onsite operations in relation to existing structures.

Total estimated construction-related noise from all sources is summarized in Table 4.9-4 below for various reference distances from the source. An attenuation rate of 6 dBA is assumed for each doubling of distance from the source. The estimates represent a composite of total noise generated by a typical range of construction activities, accounting for deliveries, construction worker vehicle trips and other construction-related vehicles that travel to and from the site. Table 4.9-4 suggests that sensitive receptors within 3,200 feet of the source will be subjected to temporary and intermittent noise that exceeds the County standard of 60 dBA for outdoor activity areas.

Table 4.9-5. Estimated Noise Levels from Construction

Construction Phase	Noise Levels Leq (dBA) without Noise Attenuation Controls				
	200 feet	400 feet	800 feet	1,600 feet	3,200 feet
Site Preparation	79	73	67	61	55
Foundation	89	83	77	71	65
Structure and Finish	82	76	70	64	58

Source: Port Master Plan Final Program EIR (2004)

Construction of the project would result in a temporary source of noise due to the use of loud heavy equipment, machines, appliances, and hand tools. Compliance with the County Noise Ordinance is required, and would limit construction to daytime hours. Mitigation identified in the Port Master Plan Final Program EIR would be implemented during the construction phase to reduce adverse noise impacts.

N Impact 2

Noise associated with construction activities may adversely impact nearby noise-sensitive uses, resulting in a potentially significant impact.

Mitigation Measures

Implement Port Master Plan Final Program EIR mitigation measures N-1, N-2, ~~and~~ N-3, and N-4.

N-1 All construction equipment shall be in proper operating condition and fitted with factory standard silencing features.

- *i. A haul route plan shall be prepared for review and approval by the Harbor District.*
- *ii. Whenever practical, the noisiest construction operations shall be scheduled to occur together in the construction program to avoid continuous periods of noise generation. Scheduling of noisier construction activities shall also take advantage of summer sessions and other times when classes are not in session.*
- *iii. Project construction activities that generate noise in excess of 60 dB at the project site boundary shall be limited to the hours of 7 a.m. to 6 p.m.*

N-2 All large construction equipment will be equipped with "critical" grade noise mufflers. Noise level reductions associated with the use of "critical" rather than "stock" grade mufflers can be as high as 5 dBA. Engines will also be tuned to insure lowest possible noise levels.

N-3 Detailed noise analyses shall be prepared when grading plans are developed to fully determine the need and extent of temporary and/or permanent noise barriers. Final noise barrier heights shall be determined with final grading plans indicating lot locations, trailer setbacks, and precise pad elevations are developed. The barriers may consist of a berm, wall, or a combination berm and wall. Walls should not contain holes or gaps, and should be constructed of slumpstone or other masonry material.

N-4 Equipment lay-down areas, staging areas or those areas that are reserved for testing and repairing of construction equipment shall be located as far away from sensitive receptors.

Residual Impacts

Due to the location of the project, complete avoidance of construction-related noise is not feasible; however, implementation of noise reduction measures during construction would reduce the potential for land use conflicts and potential noise exposure, and potential impacts would be mitigated to less than significant.

Severe Noise or Vibration

Construction of the project would include use of large construction equipment. Construction would occur pursuant to the LUO, would be limited in duration, and would not generate severe noise levels or vibration. Based on compliance with the County Noise Ordinance, which limits construction activities to daytime hours, and implementation of Port Master Plan Final Program EIR mitigation measures identified above (refer to N Impact 2) potential impacts would be less than significant.

Severe Noise or Vibration – Airport or Airstrip

The project site is not located in proximity to a public or private airport or airstrip, and visitors and employees would not be exposed to significant levels of aircraft-generated noise. No impact would occur.

4.9.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of the development of Harbor Terrace, identified potentially significant but mitigable and less than significant noise impacts that would occur as a result of build-out of the Master Plan. Potential impacts include generation of construction-related noise (less than significant with mitigation) and creation of additional traffic-related noise (less than significant). Projects located outside of the Harbor District would contribute noise to the ambient noise level, including increased construction, traffic, and operational noise including amplified sound. All projects and activities within the County are subject to the Noise Element policies and Noise Ordinance regulations.

Based on the analysis of the proposed project, and incorporation of previously-identified construction-related mitigation measures, the project would not contribute to a significant increase in noise levels in the area, and cumulative impacts would be less than significant.

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4.10 PUBLIC SERVICES, UTILITIES, AND SERVICE SYSTEMS

This section of the EIR identifies the current status of affected public facilities, utilities, and service systems, and determines the proposed project effect on these public resources. Please refer to Section 4.8, Hydrology and Water Quality, for a more detailed discussion of discussion of area water resources, and Section 4.7, Hazards and Hazardous Materials, for a discussion of emergency-related hazards.

4.10.1 Existing Conditions

4.10.1.1 Fire Protection

The CAL FIRE/San Luis Obispo County Fire Department and Avila Beach Community Services District (CSD) (Station 62) provide fire protection and emergency medical services for the community of Avila Beach, Port San Luis Harbor District and unincorporated areas including the Diablo Canyon Nuclear Power Plant. Station 62 responds an ICS Type-1 Engine and a regional Breathing Support. A Personal Water Craft is assigned to Station 62 for water rescues. Engine 62 is staffed with two permanent CAL FIRE employees, one Fire Apparatus Engineer and a Fire Captain. They are supported by 25-member Paid Call Firefighters (PCFs) who are dispatched via radio pager. Depending on the type of call and its location PCFs will either respond to the incident or will report to the fire station (CAL FIRE 2014). Existing fire stations are shown on Figure 4.10-1.

Diablo Canyon Nuclear Power Plant has an Industrial Fire Brigade for first response to an emergency at the Power Plant. Ambulance service is provided by a private ambulance company, San Luis Obispo Ambulance. The closest hospitals are located in San Luis Obispo—French Hospital and Sierra Vista Regional Medical Center. The Harbor District has two vessels with fire suppression capabilities.

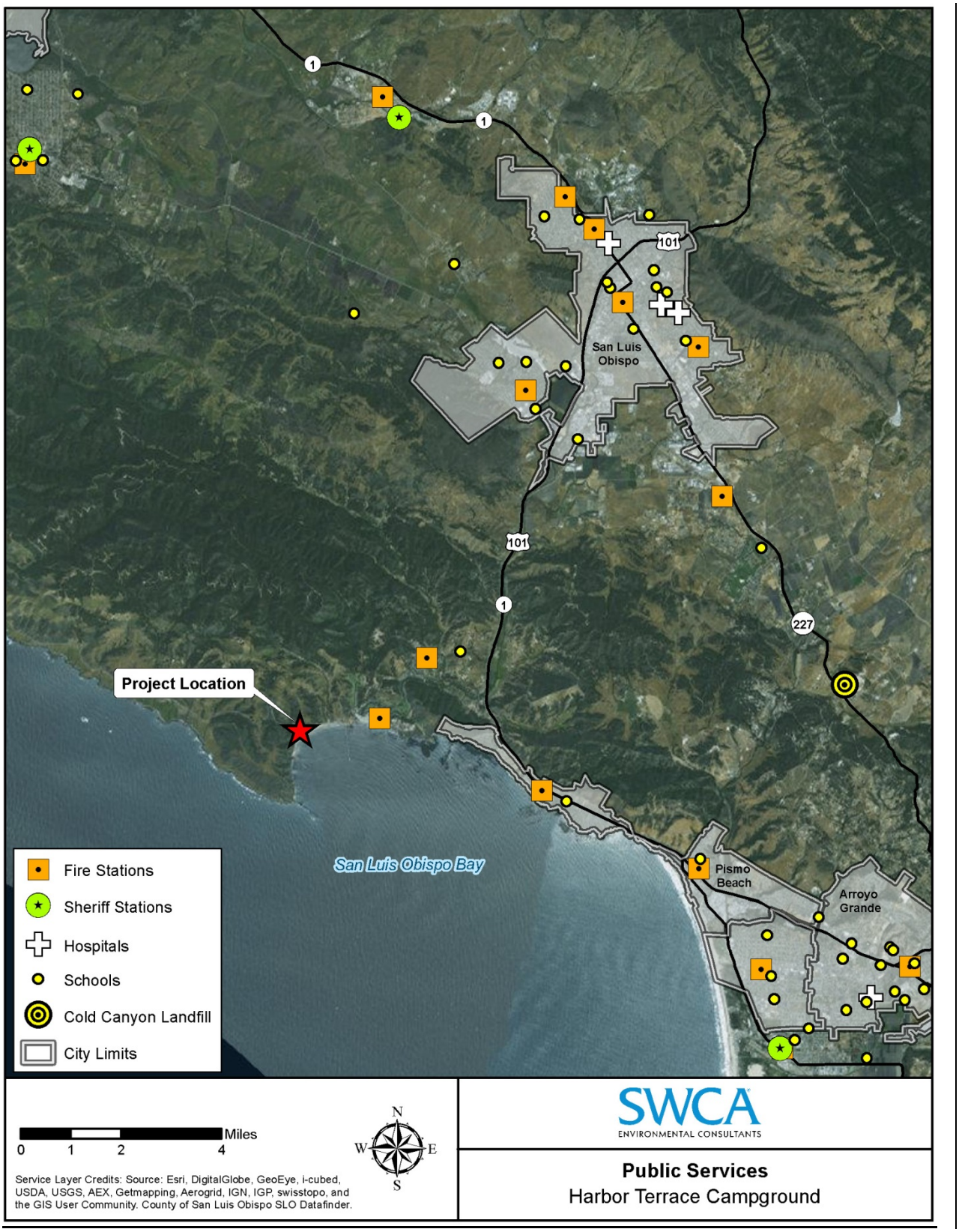
Water distribution lines within the community of Avila Beach provide fire flows for fire suppression.

4.10.1.2 Police Protection

Police protection services for the project area are primarily provided by the San Luis Obispo County Sheriff's Department. Existing Sheriff Stations are shown on Figure 4.10-1. The Coast Station, located in Los Osos, is staffed by one commander, two sergeants, four senior deputies, 22 deputy sheriffs, and two legal clerks. The Coast Station provides law enforcement for all unincorporated areas from the Monterey County Line south to Avila Beach, rural San Luis Obispo County, the cities of Morro Bay and San Luis Obispo, Cuesta College, and California Polytechnic State University, San Luis Obispo. Backup is provided by the South Station, located in Oceano. The South Station is staffed with one commander, two sergeants, five senior deputies, 20 sheriff deputies, and two station clerks. The CHP responds to traffic-related calls.

Emergency response times to the service area of the Los Osos Sheriff's Substation depends on a variety of factors which influence emergency and non-emergency calls. The location of the call and its priority (i.e., emergency status) determine the length of time for a law enforcement response. It is the Sheriff's Department objective to have a patrol car in the vicinity of the Avila Beach area most of the time. If a patrol car is in the vicinity, an emergency response time of 3 to 5 minutes can be expected. The Sheriff's Department notes an average response times ranging from 12 to 49 minutes upon dispatch from the Los Osos station or north coast areas. ~~If a patrol car must be dispatched from a more distant location, increased response times of approximately 15 minutes (from Los Osos) to 30 minutes (from the north coast area) could be anticipated~~.

Figure 4.10-1. Public Services Map



The Harbor District employs a six-person law enforcement agency, the Port San Luis Harbor Patrol (currently funded for five people). This department consists of a Chief Harbor Patrol Officer and five Harbor Patrol Officers, under the general management of the Harbor Manager. The officers are sworn, armed, peace officers whose primary responsibility is boater safety and education, and off shore search and rescue. Responsibilities also include enforcement of all District ordinances, on water and land, as well as local, state and federal regulations as necessary. The Department also works closely with Cal Fire and U.S. Coast Guard as necessary or required, and may respond to a request for back up to a Sheriff's Department response, if available.

The CHP services San Luis Obispo's highways, with stations located in San Luis Obispo and Templeton. The CHP is primarily responsible for traffic-related calls along highways and streets in the unincorporated portions of the county. They are available to respond in emergency situations, but typically do not investigate, take action, or respond to domestic calls or crimes in progress in residential, commercial, or industrial areas. CHP may respond to a request for back up to a Sheriff's Department response, if available; however, they do not normally provide police protection services. Their primary role is traffic enforcement.

4.10.1.3 Water Supply

Water service is provided to the Harbor District through County Service Area Number 12 (CSA 12), which acquires and distributes water supplies allocated from the Lopez Lake Reservoir. CSA 12 is allocated 241 acre-feet per year (afy) from the reservoir; of this, the Harbor District possesses an allotment of 100 afy (County of San Luis Obispo Flood Control and Water Conservation District 2012). The existing demand for CSA 12 is 68 afy, including the Harbor District, Avila Beach CSD, Avila Valley Mutual Water Company (MWC), and San Miguelito MWC. Water supplies for CSA 12 include 7 afy from the State Water Project, which is allocated to the San Luis Coastal Unified School District.

The Harbor District currently uses approximately 35% of its water allocation (approximately 35 afy). Water intensive uses in the area include restaurants, fish processing, boat washing, restrooms, and similar uses.

Water distribution to the Port is provided by an eight-inch water main located along Avila Beach Drive. At the intersection with Diablo Canyon Road, a 4-inch water line runs to the existing 90,000-gallon water tank on the project site. A second 4-inch water line returns water from the storage tank to the water main on Avila Beach Drive.

4.10.1.4 Wastewater

The Avila Beach CSD provides sewer service to the developed portions of Avila Beach and Port San Luis. The Avila Beach CSD wastewater treatment plant has a capacity of 200,000 gallons per day (gpd) (equating to 6,200,000 gallons per month [gpm]) and discharges treated effluent into San Luis Bay via an ocean outfall (Wallace Group 2013). Existing and future wastewater flow was assessed in the Avila Beach CSD Wastewater Collection System Master Plan (Wallace Group 2010). Existing flows are summarized in Table 4.10-1 below.

Table 4.10-1. Wastewater Treatment Plant Flow Summary

	2006	2007	2008	2009	Average
Billed Water	19,246,040	21,886,788	23,474,900	28,531,712	23,284,860
Total wastewater (gal)	14,332,966	14,490,545	17,407,747	19,753,952	16,496,303
Average flow (gpd)	39,268	39,700	47,692	54,120	45,195
Port San Luis ww flow (gal)	2,348,040	2,244,000	2,075,360	2,36,286	2,253,422
Avg. Port San Luis flow (gpd)	6,433	6,148	5,686	6,428	6,174
CSD wastewater	11,984,926	12,246,545	15,332,387	17,407,666	14,242,881
Average CSD flow (gpd)	32,835	33,552	42,007	47,692	39,022
Percent water to wastewater	62%	56%	65%	61%	61%
Percent Port San Luis ww	16.4%	15.5%	11.9%	11.9%	14%

Source: Wallace Group 2010

Average daily plant flow in 2013 ranged from 1,383,869 gpm in January to 2,330,325 gpm in July (Fluid Resource Management 2014). Flow in July 2014 was 2,346,282 gpm. Port San Luis contributed 245,600 gpm in July 2013 and 295,500 gpm in July 2014. The Harbor District contracts with the Avila Beach CSD for sewage disposal. The District has contracted for 70,000 gpd (equitable to 2,100,000 gpm for a 30-day month) of the treatment plant's capacity.

Wastewater from the Port is collected by two 4-inch sewer lines running along Avila Beach Drive to the Avila Beach Wastewater Treatment Plant. Wastewater is force-fed to a Sewer Lift (pump) Station #181 located adjacent to Avila Beach Drive, across from the Olde Port Beach which transports sewage to the Avila Beach Wastewater Treatment Plant and provides pre-treatment of sewage through a deep-well aeration system. This pretreatment system is intended to reduce sulfide levels prior to effluent being introduced into the regional wastewater transmission and treatment system.

4.10.1.5 Solid Waste

Municipal solid waste in the Avila Beach area is collected by a private company, South County Sanitary Services, and hauled to the Cold Canyon Landfill. Waste Connections, Inc. is the owner of Cold Canyon Landfill, Coastal Rolloff Service, and South County Sanitary Service. Waste Connections is a regional, integrated, non-hazardous solid waste services company that provides collection, transfer, disposal, and recycling services to commercial, industrial, and residential customers.

Solid waste is transferred and processed at the Santa Maria Transfer Station and/or disposed of at the Cold Canyon Landfill north of Arroyo Grande. The Santa Maria Transfer Station is located 0.5 mile west of US 101, at 325 Cuyama Lane (Highway 166) in Nipomo, and has sufficient capacity to meet the increased need resulting from the project. Estimated area landfill capacities are shown in Table 4.11-2, below. The County is currently in the process of expanding the Cold Canyon Landfill site (an EIR was certified in December 2012). While the landfill is approaching

its maximum capacity (within approximately 25% of maximum capacity), both the landfill as it exists and any expanded facility would be able to adequately meet the increase in solid waste that would be generated by new development at the project site.

Table 4.10-2. San Luis Obispo County Solid Waste Disposal Facilities

Name of Facility	Total Estimated Permitted Capacity	Remaining Estimated Capacity	Percent Capacity Remaining
Cold Canyon Landfill	10,900,000 cubic yards	1,830,000 cubic yards	16.78%
Santa Maria Transfer Station	500 tons/day	440-410 tons/day	82-88%

Source: CalRecycle 2014

There are no hazardous waste treatment facilities in the area; hazardous waste is transported to the Los Angeles or San Francisco Bay areas. The McKittrick Waste Treatment Site in Kern County accepts petroleum-contaminated waste. Petroleum-contaminated soils have been noted on the project site (see Section 4.6 Hazards and Hazardous Materials).

4.10.1.6 Schools

The project site is located within the San Luis Coastal School District. The Bellevue Santa Fe Charter School is located in Avila Valley. Based on the County of San Luis Obispo 2010-2012 Resource Summary Report (County of San Luis Obispo 2013), the Bellevue Charter School and San Luis Coastal Unified School District are at Recommended Level of Severity (RLOS) II, indicating enrollment will reach capacity within 5 years (refer to Table 4.10-3 below).

Table 4.10-3. School Capacity, Enrollment, and Recommended Level of Severity*

District	School	Capacity	Enrollment	Enrollment Capacity	RLOS
San Luis Coastal Unified School District**	Elementary	4,133	3,409	82.48%	None
	Middle School	1,550	1,071	69.10%	None
	High School	2,670	2,493	93.37%	II
Bellevue-Santa Fe Charter School***	K-6	146	146	100%	III

* Level of Severity for schools (enrollment versus capacity) is defined as follows:
  - Level of Severity II: when enrollment projections will reach school capacity within five years.
  - Level of Severity III: When enrollment equals or exceeds school capacity.

** Data from 2009

*** School Year 2011-2012

Source: County of San Luis Obispo 2013

4.10.1.7 Energy Services

Energy and telecommunication utilities are provided by private companies. Southern California Gas Company provides natural gas, Pacific Gas and Electric Company provides electricity, and Pacific Bell provides telephone service. Capacity and limiting factors for the energy utilities were identified in the Port Master Plan Final Program EIR (CMCA 2004). Southern California Gas Company provides the Avila area with natural gas via a four inch line that runs along Avila Beach Drive. Capacity is constrained by the size of this line. If current capacity were to be significantly exceeded on a regular basis, a new line would need to be installed. Pacific Gas and Electric Company supplies electricity to the Avila and Port San Luis areas from their San Luis Obispo substation located off Orcutt Road. As shown in Table 4.10-1, the Count of San Luis Obispo consumed approximately 1,647.83 million kilowatt hour (kWh) of electricity in 2011 and 1,677.29 million kWh of electricity in 2012.

Table 4.10-4. San Luis Obispo County Electricity Consumption

Land Use	Electricity Consumption (Millions of kWh)	
	2011	2012
Non-Residential	996.49	1,021.58
Residential	651.35	655.71
Total	**1,647.83**	**1,677.29**

Source: California Energy Consumption Data Management System 2014a

Individual services or “drops” connect the distribution system to the industrial, commercial, agricultural, and residential customers. Table 4.10-5 below shows electricity consumption within the PG&E Planning Area in 2011 and 2012. The greatest consumer of electricity was commercial buildings and residential uses.

Table 4.10-5. PG&E Planning Area Electricity Consumption (Millions of kWh)

Land Use	Electricity Consumption (Millions of kWh)	
	2011	2012
Agriculture and Water Pump	5,929.67	7,788.92
Commercial Building	37,039.30	38,024.60
Commercial Other	6,283.17	6,505.79
Industry	16,987.27	17,297.14
Mining and Construction	4,004.73	3,969.15
Residential	35,085.65	34,767.16
Streetlight	499.07	517.50
Total	**105,828.86**	**108,871.20**

Source: California Energy Consumption Data Management System 2014b

4.10.2 Regulatory Setting

4.10.2.1 Federal and State

FEMA is an independent agency of the federal government, established in 1979 via executive order. FEMA's mission is as follows: "to reduce loss of life and property and protect our nation's critical infrastructure from all types of hazards through a risk-based, emergency management program of preparedness, response and recovery." FEMA provides direction and assistance to state and local governments, but does not regulate approaches to emergency planning or response.

California Government Code §8607(a) authorized establishment of the Standardized Emergency Management System (SEMS). Title 19, Division 2, Chapter 1 of the CCR (§§2400-2540) defines SEMS, including its purpose, scope, structure, and applicability. SEMS is intended to standardize response to emergencies involving multiple jurisdictions or multiple agencies. Local government must use SEMS in order to be eligible for state funding of response-related personnel costs occurring in response to an emergency incident.

The California Integrated Waste Management Act of 1989 (Chapter 1095, 1989) required each City and County to divert and recycle 50% of its solid waste by the year 2000 (PRC §41780) and maintain the achieved reduction after 2000 (amended Act).

CCR Title 23, Chapter 15 establishes requirements and specifications for waste handling, and CCR Title 14, Division 7 provides the State's standards for the management of facilities that handle or dispose of solid waste. CCR Title 14, Division 7 is administered by the California Integrated Waste Management Board and the designated Local Enforcement Agency. CCR Title 14, Division 7, Chapter 9, Article 9 §§18800-18813 were adopted to implement PRC §41821.5, which requires each solid waste handler, transfer station operator, disposal facility operator, and County to gather information on which jurisdiction the solid waste originated from, their amounts disposed, and amounts of waste exported.

The California Public Utilities Commission (CPUC) regulates privately owned electric, telecommunications, natural gas, water, railroad, rail transit, and passenger transportation companies in California. The CPUC is responsible for assuring California utility customers have safe, reliable utility service at reasonable rates, protecting utility customers from fraud, and promoting the health of California's economy. In pursuing these goals, the CPUC establishes service standards and safety rules, and authorizes utility rate changes. The CPUC monitors the safety of utility and transportation operations and overseas markets to inhibit anti-competitive activity. In its efforts to protect consumers, the CPUC prosecutes unlawful utility marketing and billing activities, governs business relationships between utilities and their affiliates, and resolves complaints by customers against utilities. Additional responsibilities include implementation of energy efficiency programs, low-income rates, telecommunications services for disabled customers, and CEQA enforcement for utility construction. The CPUC works with other State and Federal agencies in promoting water quality, environmental protection, and safety.

4.10.2.2 Local

The County of San Luis Obispo Public Facilities Fees Ordinance, Title 18 of the County Code, allows the County to collect fees for new development projects within the County to mitigate impacts caused by such projects. The County uses the fees to finance the new development's fair share of public facilities, including parks, libraries, and fire and sheriff stations.

The County of San Luis Obispo Public Facilities Financing Plan for Unincorporated Area Facilities documents the number and cost of new capital facilities required to serve development in unincorporated areas through 2025. One potential source of funding is public facilities fees paid by new developments to fund their fair share of necessary facilities. The Public Facilities Financing Plan identifies the maximum justified level of those fees. The fees finance public capital facilities (including land purchases, construction of buildings, and the purchase of major equipment) and ensure that new development projects contribute their fair share for these facilities. The fees cannot fund employee salaries.

San Luis Obispo County adopted both the California Fire Code and the California Building Code (with amendments) into local ordinance. These local ordinances include but are not necessarily limited to: water requirements; minimum access road requirements; construction requirements; hazard abatement; and turnaround requirements.

County of San Luis Obispo General Plan Safety Element

The San Luis Obispo County Safety Element contains the following goals and policies relevant to public services in relation to the proposed project:

Goal S-1: Attain a high level of emergency preparedness.

Policy S-1 Response:

Support the response programs that provide emergency and other services to the public when a disaster occurs. The focus of response activities is saving lives and preventing injury, and reducing immediate property damage.

Policy S-2 Emergency Preparedness:

Continue to improve preparedness programs that educate and organize people to respond appropriately to disasters. They include education and awareness programs for individuals, families, institutions, businesses, government agencies and other organizations.

Policy S-3 Coordination:

Improve coordination among City, County and State programs, and among others working to reduce the risks of disasters. This should also include improved coordination with the news media. This will result in more effective preparedness, response and recovery from disasters.

Policy S-4 Information Systems and Research:

Expand and keep current the database of safety related information. Knowledge about disasters and the area we live in is growing. New information must be made available to the public and decision makers. Regularly update the GIS data as new information becomes available.

Policy S-5 Risk Assessment:

Continue investigations that reduce or eliminate long term risks. Risk assessment activities, effectively carried out, can improve the efficiency and reduce the cost of response and recovery from disasters.

Goal S-4: Reduce the threat to life, structures and the environment caused by fire.

Policy S-14 Facilities, Equipment and Personnel:

Ensure that adequate facilities, equipment and personnel are available to meet the demands of fire fighting in San Luis Obispo County based on the level of service set forth in the fie agency's master plan.

Policy S-15 Readiness and Response:

The CDF/County Fire Department will maintain and improve its ability to respond and suppress fires throughout the County.

Policy S-16 Loss Prevention:

Improve structures and other values at risk to reduce the impact of fire. Regulations should be developed to improve the defensible area surrounding habitation.

Goal S-6: Reduce the potential for harm to individuals and damage to the environment from aircraft hazards, radiation hazards, hazardous materials, electromagnetic fields, radon, and hazardous trees.

Policy S-26 Hazardous Materials:

Reduce the potential for exposure to humans and the environment by hazardous substances.

County of San Luis Obispo General Plan Conservation and Open Space Element

The Energy chapter of the General Plan's Conservation and Open Space Element contains the following goals and policies relevant to public services in relation to the proposed project:

Goal E 5: Recycling, waste diversion, and reuse programs will achieve as close to zero waste as possible.

Policy E 5.1 Source reduction and waste diversion:

Encourage source reduction and diversion of solid waste generated to as near zero waste as possible, in order to reduce energy consumption.

San Luis Obispo County Municipal Code Title 8, Chapter 8.12, Solid Waste Management, regulates wastes handled within the county. This document complies with the California Integrated Waste Management Act of 1989. Title 8, Chapter 8.66, Discharge of Contaminants into Ocean Waters of the County, and Chapter 8.68, Stormwater Pollution Prevention and Discharge Control, regulate methods to protect the environment from discharge-related contamination.

San Luis Obispo County Integrated Waste Management Authority Ordinance No. 2008-3 establishes requirements for recycling materials generated from residential facilities, commercial facilities, and special events. These requirements should increase diversion of recyclable materials from landfill disposal, reduce greenhouse gas emissions by recycling more materials,

and avoid the potential financial and other consequences of failing to meet and maintain AB 939 requirements.

San Luis Bay Coastal Area Plan

San Luis Bay Coastal Area Plan standards applicable to the project site include:

2. ***Service Capacity.*** *Ensure proposed development of projects and related improvements are within the circulation and utility capacity available to the Harbor area or will be provided through a planned program of improvements. The following existing capacity limits are recognized for water and wastewater services, Avila Beach Drive road capacity, and parking:*

    a. ***Water.*** *Usage shall not exceed the existing 100 acre-feet per year (AFY) available to the Harbor District from its Lopez entitlement. The District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other Harbor uses. A 5-acre-foot per year reserve is desired. Water requirements for fire protection shall comply with the adopted fire code for the County of San Luis Obispo.*

    b. ***Wastewater.*** *Wastewater generation shall not exceed available capacity owned by the Harbor District in the Avila Beach Community Services District wastewater treatment plant and/or other such facility as may be constructed to expand wastewater treatment capacity. The District shall not sell or otherwise dispose of this entitlement to any users except lessees, concessionaires, or other Harbor uses.*

    c. ***Parking.*** *Maintain adequate parking to accommodate Harbor users and visitors. New development shall provide parking consistent with the County Coastal Zone Land Use Ordinances and the Avila Specific Plan.*

4. ***Environmental Performance.*** *Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving.*

9. ***Service Restriction.*** *Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead connections.*

Port Master Plan and Port Master Plan Final Program EIR

Mitigation Measures identified in the Port Master Plan Final Program EIR that apply to the proposed project include:

PS-1 *New development shall not be allowed until adequate public services and facilities to serve such development are provided. Where existing facilities are inadequate, new development may only be approved when the following conditions are met:*

a. *It can demonstrated that all necessary public facilities will be installed or adequately financed (through fees or other means); and*

b. *The facilities improvements are consistent with applicable facility plans approved by the Harbor District, the County and/or such other agencies in which provides services to the Port.*

PS-2 *Future development shall be required to pay all applicable Public Facilities Fees to the County of San Luis Obispo to offset potential impacts to, among other County services, police and fire protection services.*

PS-3 *Where determined by the Harbor District, plans for new development shall be submitted for review by the San Luis Obispo County Sheriffs Department to assess the adequacy in which a project's design addresses the following issues: emergency access, internal circulation and provision of "defensible space." The recommendations of the Sheriff Department shall be considered by the Harbor District in deciding to approve such new development.*

PS-4 *The Harbor District shall ensure that all proposed developments are reviewed for compliance with fire safety standards per the California Fire Code and other standards and ordinances of the CDF/San Luis Obispo County Fire Department. Issues to be considered in the review of future development include, but are not limited to, the following:*

a. *Improved emergency access to Harford Pier;*

b. *Improved fire protection systems on the pier, including hydrants, sprinklers and standpipes to meet current fire codes;*

c. *The installation of grates on the pier for automatic ventilation to stop the spread of fire;*

d. *Improved access to the Lightstation for fire protection;*

e. *Development of an all-weather secondary access road from Port San Luis to San Luis Bay Drive;*

PS-5 *The Harbor District shall promote the efficient use of water and reduced water demand by:*

a. *Requiring water-conserving design and equipment in new construction;*

b. *Encouraging water-conserving landscaping and other conservation measures;*

c. *Encouraging the retrofitting of existing fixtures with water-conserving fixtures;*

PS-6 *The Harbor District shall promote maximum use of solid waste source reduction, recycling, composting and environmentally-safe transformation of wastes.*

PS-7 *The Harbor District shall require that all new development complies with applicable provisions of the San Luis Obispo County Integrated Waste Management Plan.*

PS-8 *All water mains and fire hydrants shall provide required fire flows and shall be constructed in accordance with the specifications of the California Fire Code and CDF/San Luis Obispo County Fire Department. or other applicable standards.*

PS-9 *Where determined by the Harbor District, plans for new development shall be reviewed by the CDF/San Luis Obispo County Fire Department to insure that building materials, access, brush clearance and water storage capacity provide adequate fire protection to the proposed project.*

PS-10 *Prior to the approval of any site plans for development areas adjacent to open space, a Fuel Reduction Plan shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval. This Fuel Reduction Plan will provide for an acceptable level of risk in accordance with California Department of Forestry standards. Fuel reduction can be achieved through a gradual transition from native vegetation into irrigated landscape/building areas of the project. This fuel reduction program shall also establish parameters for the percent, age, extent, and nature of native plant removal necessary to achieve the accepted fire prevention standards required to protect human lives and property, while preserving as much natural habitat as possible.*

PS-11 *The Harbor District or its designated assignee shall be responsible for maintenance of Fuel Reduction Zones where required of new development. Maintenance agreements shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval.*

PS-12 *All water lines shall be designed and installed in accordance with requirements of the County of San Luis Obispo and County Service Area Number 12.*

PS-13 *New development on the Harbor Terrace site shall comply with County of San Luis Obispo and County Service Area Number 12 requirements concerning the installation and use of reclaimed water systems for landscape irrigation.*

PS-14 *New development shall incorporate native plant species and ornamental species which are drought-tolerant and/or have low irrigation requirements.*

PS-15 *If available, reclaimed water shall be utilized to irrigate major landscaped and planted areas. The on-site water distribution system shall be designed and constructed in a manner to provide separate reclaimed water lines. Such a system shall comply with all County of San Luis Obispo and Regional Water Quality Control Board Requirements for the installation and operation of reclaimed water systems.*

PS-16 *All wastewater collection lines shall be designed and installed in accordance with requirements of the County of San Luis Obispo and the Avila Beach County Water District.*

PS-17 *No new development shall be approved without first providing assurance that adequate capacity exists in Sewage Lift Station #181 located adjacent to Avila Beach Drive. Where necessary, plans for redesign or upsizing of this facility shall be submitted to the County of San Luis Obispo and the Avila Beach Community Services District prior to issuance of building permits.*

PS-18 *Development plans shall delineate the number, location, and general design of solid waste enclosures and storage areas for recycled material.*

PS-19 *Maintenance of all developed park, open space and recreation facilities on the Harbor Terrace site shall be the responsibility of either the Port San Luis Harbor District or its designee and/or another suitable entity or a combination of the above.*

PS-20 *Where applicable all recreational facilities (bluff top parks, etc.) shall be landscaped and, where necessary, irrigated.*

PS-21 *New development shall provide parking in accordance with standards established by the Port San Luis Harbor District, the County of San Luis Obispo and the California Coastal Act.*

PS-22 *New development shall provide signage to assist the public in locating and recognizing beach access points. The number and design of such signage must conform to standards established by the California Coastal Commission and shall be approved by the Port San Luis Harbor District and the County of San Luis Obispo.*

4.10.3 Thresholds of Significance

As defined in the County Initial Study Checklist and County Energy Element, in accordance with CEQA Guidelines Appendix G, public services and utilities impacts would be considered significant if the project would have an effect upon, or result in the need for new or altered public services in any of the following areas:

a. Fire protection

b. Police protection (e.g., Sheriff, CHP)

c. Schools

d. Roads

e. Solid Wastes

f. Other public facilities

Based on the Port Master Plan Final Program EIR, the following quantified significance thresholds were identified, and apply to the proposed project:

- Project-induced population growth that creates the need for additional police and fire protection personnel to maintain the current level of service.

- An increase of 5% or more of the expected average annual waste stream for a given municipal waste facility is significant; 1% or more is adverse.

- Water usage that exceeds the 100 afy available to the Harbor District from its Lopez entitlement;

- Water usage that results in inadequate water pressures for fire suppression.

- Wastewater generation that exceeds available capacity owned by the Harbor District in the Avila Beach County Water District (CSD) wastewater treatment plant and/or such other facility as may be constructed.

- Project-related damage to County or locally maintained roadways that requires an increase in unscheduled repair activities to maintain road conditions.

- Project-related damage to publicly owned or maintained structures and facilities that requires an increase in unscheduled repair activities to maintain conditions.

- Accidents or incidents related to the proposed project or alternatives that result in demand for fire, police, emergency response, hospital, education, public utility, or other public health, safety, or public welfare services that exceed capacity.

- Construction and operation of the proposed project or alternatives that could permanently displace, alter, or disrupt the existing public and private utility lines and services.

- Emergency access to utility lines that is precluded during or after project construction activities.

- Energy requirements of the proposed project or alternatives during construction or operation that would (1) exceed capacity of utility services or disrupt plans for providing service; (2) place a substantial burden on existing resources; or (3) involve inefficient and unnecessary consumption of energy and uses of nonrenewable resources. Project-related demand that is 5% or more of remaining capacity is significant; demand that is 1% or more of remaining capacity is adverse.

4.10.4 Impact Assessment and Methodology

The impacts of the project were evaluated based on an assessment of the impacts that increased public access and the construction of additional facilities at the project site would have on the existing public services, utilities, energy, and associated infrastructure.

4.10.5 Project Specific Impacts and Mitigation Measures

Fire Protection

This project, along with others in the area, will increase demand and have an effect on fire protection and related services. The proposed project, and resulting increased usage, have the potential for creating an increase in demand on area fire services. Potential fire hazards are addressed in EIR Section 4.7. Based on consultation with CAL FIRE throughout the project review process, the site layout and access routes comply with identified standards, and final development plans will accommodate all other standard requirements identified in the County Building Code and Fire Code. Compliance is verified through standard County review procedures required prior to new development at the site, including but not limited to preparation of Fire Safety Plans, Hazardous Materials Plans, vegetative management (fuel reduction zones), onsite water storage for fire suppression, verification of fire safety and sprinkler requirements in new structures; compliance with County Department of Public Works standards related to adequate parking, access, and clearance. All building plans will be approved by CAL FIRE.

The addition of new facilities would place a small additional service demand on the CAL FIRE station that serves the area, but new development at the site is not expected to significantly impact area fire response times or service levels based on the location of the project. Implementation of the project would not require the construction of new fire protection facilities, the construction of which would adversely impact the environment.

Under Title 18 of the Public Facilities Ordinance, future development will be required to pay a one-time Public Facilities Fee to the County of San Luis Obispo, a portion of which goes toward the funding of fire protection efforts. In addition to the payment of Public Facilities Fees, the CDF/San Luis Obispo County Fire Department will review project plans, water system plans and building plans to insure adequate fire protection is provided.

Police Protection

There is presently a need to expand police services in the County, and this need will increase as the population grows. New development and use of the project site would place additional service demands on existing South County Sheriff services. The addition of new recreational facilities would place a small additional service demand on the police protection service providers, but would not require the construction of additional facilities. Therefore, impacts on County police services are considered less than significant.

With any increase in public use of visitor-serving, commercial and recreational facilities, it can be expected that criminal activity such as burglaries, thefts, assaults, vandalism, disorderly conduct, etc. will incrementally increase. Additional financing for equipment and personnel will be required to meet the increased law enforcement demands. Since the Sheriff's Department is currently experiencing a personnel shortfall and budgetary constraints, additional development at the Port would represent an addition to the regional demand on the currently limited resources of the County Sheriff's Department, and may increase demand on the District's Harbor Patrol in support of the Sheriff's Department.

Under Title 18 of the Public Facilities Fees Ordinance, development at the Port will be required to pay a one-time Public Facilities Fee to the County of San Luis Obispo. A portion of this fee goes toward the funding of the Sheriff's patrol efforts. Security from the Port San Luis Harbor Patrol will also oversee the operations of the Harbor District facilities (i.e., trailer boat and fisherman's gear storage).

Schools

While short-term construction activities will provide job growth in the area, this project does not propose permanent residential development (aside from a caretaker's residence) and is not expected to result in a population increase. The proposed project is not expected to result in significant impacts on local schools, because it would serve visitors to the area and the existing and projected population. Therefore, impacts to schools would be less than significant.

Roads

This project, along with others in the area, will result in increased trips on area roads and will have a cumulative effect on roads in the project vicinity. Road deterioration would be increased due to the presence of additional vehicle trips to the project site. However, standard development fees are in place to account for this impact. The proposed development is within the general assumptions of allowed use for the site that was used to estimate the fees in place. Therefore, impacts to roads would be minimized through utilization of existing development fees and would be less than significant.

Solid Wastes

The project would result in an additional demand for trash pickup and recycling, with expected peak demand in the summer months. As noted above, affected facilities have sufficient capacity

to adequately meet the small increase in solid waste that would be generated by new development at the site. Thus, this impact is considered less than significant.

Other Public Facilities

Wastewater

Implementation of the proposed project would result in an increase in wastewater generation. Based on available capacity at the wastewater treatment plant, as shown in Table 4.10-7 below, existing facilities would be able to accommodate the proposed project, and potential impacts would be less than significant.

Table 4.10-6. Projected Wastewater Generation

Amenity	Unit	Wastewater Generation Factor (gpd)	Wastewater Generation (gpd)
RV sites/RV cabin	95 sites	30 gpd per site	2,850
Tent campsites	56	30 gpd per site	1,680
Yurts//hotel/motel	31	30 gpd per site	930
Harbor District office	3,000 sf	202 gpd per 1,000 sf	606
Caretaker's residence	1	30 gpd	30
Commercial/eating/drinking	16,000 sf	242 gpd per 1,000 sf	3,872
Total Wastewater Generation			9,968
Existing Wastewater Generation (Port San Luis)			5,315
Sum of Wastewater Demand			15,283
Wastewater Capacity Allocation			70,000
Future Wastewater Demand at Buildout			23,556

Source: Port Master Plan Final Program EIR 2004

Water Services

Table 4.10-8 provides an estimate of water demand from the proposed project, and demonstrates that implementation of the proposed project would not generate demand exceeding identified water allocation from CSA 12.

Table 4.10-7. Projected Water Demand

Amenity	Unit	Water Use Factor	Water Use (afy)
Common areas / landscaping (long term)	1 acre	2.1 af per acre	2.1
RV sites/RV cabin	95 sites	0.11 afy per space	10.45
Tent campsites	56	0.11 af per space	6.16
Yurts//hotel/motel	31	0.11 af per unit	3.41

Table 4.10-7. Projected Water Demand

Amenity	Unit	Water Use Factor	Water Use (afy)
Harbor District office	3,000 sf	0.3 af per 1,000 sf	0.9
Caretaker's residence	1 unit	0.08 afy	0.08
Commercial/eating/drinking	16,000 sf	0.5 af per 1,000 sf	8.0
Swimming pool	1 unit	0.84 afy	0.84
Total Water Demand			31.94
Existing Water Demand (Port San Luis)			35.0
Sum of Water Demand			66.94
Water Allocation			100
Projected Surplus After Project			33.06

Source: Port Master Plan Final Program EIR 2004

Public Energy Utilities

The impacts to public energy utilities at the project site as a result of the proposed actions ~~proposed in the Master Plan~~ will be minimal. The project includes the use of solar panels to reduce the need for energy, and proposes educational opportunities related to energy-efficiency and sustainability measures. New facilities within the site would require the addition of new electric lines, underground conduits, transformers, and any appurtenances necessary for operation. Sources of energy consumption including interior and exterior lighting, interior heating and cooling, use of maintenance equipment, transfer of water supply, and operation of appliances. New gas service laterals would need to be constructed to provide service to proposed facilities such as the visitor's center. The proposed project would not require a substantial amount of energy to construct and operate, and would be served by existing utility companies. Therefore, this impact is considered less than significant.

4.10.6 Cumulative Impacts

The cumulative impact scenario includes build-out under the Port Master Plan. The Port Master Plan Final Program EIR, which included an assessment of cumulative effects on public services, including quantified estimates of water and wastewater demand. Updated numbers for the proposed project are incorporated into Tables 4.10-8, 4.10-9 and 4.10-10 below.

Table 4.10-8. Projected Cumulative Wastewater Generation Port San Luis Master Plan

Planning Area	Wastewater Generation (gpd)
Harford Pier	909
Harford Landing	582
Harbor Terrace	9,968
Avila Pier Terminus	858.5
Avila Beach Parking Lot	606

Table 4.10-8. Projected Cumulative Wastewater Generation Port San Luis Master Plan

Planning Area	Wastewater Generation (gpd)
Existing Generation by Port San Luis	5,315
Sum of Future Wastewater Generation	18,238.5
Wastewater Capacity Allocation	70,000
Projected Surplus at Buildout	51,761.5

Source: Port Master Plan Final Program EIR 2004

Table 4.10-9. Projected Cumulative Wastewater Generation

Planning Area	Wastewater Generation (gpd)
Current Wastewater Flows	47,692
Avila Specific Plan Buildout	26,378
Port Master Plan Buildout	23,556
Cumulative Total	97,626
Capacity of Wastewater Treatment Plant	200,000
Excess Capacity	102,374

Source: Port Master Plan Final Program EIR 2004, Wallace Group 2010

Table 4.10-10. Projected Future Water Demand Port San Luis Buildout

Planning Area	Water Use (afy)
Harford Pier	1.35
Harford Landing	0.91
Harbor Terrace	31.94
Avila Pier Terminus	1.28
Avila Beach Parking Lot	0.90
Sub-total Water Demand	36.38
Existing Water Demand	35.0
Water Allocation	100
Projected Surplus After Project	28.62

Source: Port Master Plan Final Program EIR 2004

Potential impacts to public services and utilities identified in the Port Master Plan Final Program EIR included risk of wildfire (less than significant with mitigation), increased demand for police protection (less than significant with mitigation), increased demand for water supply (less than

significant), increased generation of wastewater (less than significant), and increased generation of solid waste (less than significant). Mitigation measures were identified, in addition to required payment of public facility and development fees, which address full buildout of the Port Master Plan. The need for additional facilities or infrastructure was not identified in the document.

The development of additional projects in the Avila area would place additional demands on public services. Similar to the proposed project, these uses would be subject to public facility and development fees, and review by affected agencies. Standard measures would be incorporated into projects to reduce risk for fire hazards and additional demand on emergency responders, including management of special events in the area. Based on review of available capacity at local landfills, capacity is available to serve the proposed project, and future projects in the area. Based on the analysis of the project's demand for public services and utilities, the project would not have a cumulatively considerable adverse effect.

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4.11 TRANSPORTATION AND TRAFFIC

A Transportation Impact Study (CCTC 2014) was prepared to evaluate the potential transportation impacts of the proposed project. The study was completed consistent with the requirements of the San Luis Bay Coastal Area Plan and the County Public Works Department. The results of the study are incorporated into the analysis below, and is provided in EIR Appendix G.

4.11.1 Existing Conditions

4.11.1.1 Roadway Network

Avila Beach and Port San Luis are accessed from US 101, San Luis Bay Drive, and Avila Beach Drive. Access to the Port is currently limited to Avila Beach Drive. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County Office of Emergency Services (County of San Luis Obispo 2014), and CAL FIRE (CAL FIRE 2002). Avila Beach is accessed via First Street, and the project site is accessed via Babe Lane. A description of the roadway network is provided below.

- US 101 is a north-south facility connecting Los Angeles to San Francisco. In the vicinity of the project it is a four-lane freeway with full access interchanges at Avila Beach Drive and San Luis Bay Drive. There is an auxiliary lane serving southbound traffic roughly between the San Luis Bay Drive and Spyglass Drive interchanges.

- Avila Beach Drive is an east-west arterial connecting US 101 with Port San Luis. Along the project frontage it consists of two lanes and is posted with a speed limit of 40 miles per hour (mph). Parking is allowed on portions of Avila Beach Drive.

- San Luis Bay Drive is an arterial roadway connecting US 101 to Avila Beach Drive, generally used for local trips and trips to and from the north on US 101.

- First Street is a collector roadway serving the downtown area of Avila Beach. The signalized intersection of First Street and Avila Beach Drive serves high volumes of pedestrians and cyclists and provides a controlled crossing location with dedicated pedestrian and bicycle phases.

- Babe Lane is a local road serving the project site. It is stop controlled where it intersects with Avila Beach Drive.

4.11.1.2 Pedestrian and Bicycle Facilities

Pedestrian facilities include sidewalks, crosswalks, multi-use paths, and pedestrian signals at signalized intersections. The First Street/Avila Beach Drive intersection provides pedestrian crosswalks and a pedestrian scramble phase. Bicycle facilities consist of multi-use paths separate from the roadway (Class I), on-street striped bike lanes (Class II), and signed bike routes (Class III). The Bob Jones City-to-the-Sea Trail is mostly a Class I multi-use path within Avila Beach. Avila Beach Drive is a Class III route east of San Luis Bay Drive, and is identified as a recreational route west of San Luis Bay Drive. San Luis Bay Drive is a Class III bike route.

4.11.1.3 Transit Services

The Avila Beach Trolley provides free fixed route service between Pismo Beach and Avila Beach on Friday evenings, and Saturdays, and Sundays during the spring, summer, and fall.

There is an existing Trolley stop within the Harford Pier parking lot. Weekend service is provided hourly between 10:00 a.m. and 6:00 p.m. during the summer, and between 10:00 a.m. and 4:00 p.m. in the spring and fall. The Trolley connects to the South County Transit network which serves the Five Cities area with four routes, and completes the full route each hour. The capacity of the Trolley is 29 persons. The San Luis Obispo Regional Transit Authority (RTA) provides regional fixed-route and dial-a-ride services to San Luis Obispo County. Route 10 serves the South County, with a stop in Pismo Beach. Transit bus capacity ranges from 32 to 38 passengers.

4.11.1.4 Avila Valley Circulation Study and Traffic Model

The Avila Valley Circulation Study laid the groundwork for a program to test the performance of the street system in the study area (County of San Luis Obispo 2009). By establishing a level of service standard more closely tied to the seasonality of the traffic demand, the County was able to focus on the normal demand. In February 1994, the County Board of Supervisors established a monitoring program for Avila area roads based on the average non-summer weekday peak-hour traffic volume. This monitoring program includes annual traffic counts during the month of May. These annual traffic counts are used to calculate the current level of service.

The current transportation model is a TP+ software model. The model links land use plans and densities to future traffic projections. Peak hour percentages used to convert the daily weekday segment and intersection volumes to peak hour volumes were calculated based on 2006 daily segment count data. That volume was then converted to a summer peak hour volume for the road segments and the key intersections. The weekday/weekend volumes were established using data collected by the County, which showed the relative difference in traffic volumes at several key locations. From these volumes factors were developed to adjust the daily traffic to reflect the typical summer weekend or holiday traffic volumes.

The maintenance of acceptable levels of service (LOS) for the Avila Valley and Avila Beach area streets is important for balancing future development with the reasonable level and scale of roadway improvements in the community. The County uses a LOS “C” as their acceptable standard for traffic impact studies. The County policy was established in 1995 through the adoption of an ordinance (County Ordinance 2702). The ordinance calls for the level of service to be based on the average weekday two-way volume for Avila Beach Drive and San Luis Bay Drive between the hours of 3:00 p.m. and 6:00 p.m. during the second week in May.

Previous studies attempted to acknowledge the wide range of traffic volumes experienced in the area during the summer months. This prompted the establishment of a level of service of “D” for the summertime weekends (County of San Luis Obispo 2009).

Table 4.11-1. Intersection Level of Service Thresholds

Signalized Intersections[1]		Stop Sign Controlled Intersections[2]	
Control Delay (sec/veh*)	**Level of Service**	**Control Delay (sec/veh*)**	**Level of Service**
≤ 10	A	≤ 10	A
> 10 - 20	B	> 10 - 15	B
> 20 - 35	C	> 15 – 25	C

Table 4.11-1. Intersection Level of Service Thresholds

Signalized Intersections[1]		Stop Sign Controlled Intersections[2]	
> 35 – 55	D	> 25 – 35	D
> 55 – 80	E	> 35 - 50	E
> 80	F	> 50	F

[1] Source: Exhibit 18-4 of the 2010 Highway Capacity Manual (HCM)
[2] Source: Exhibits 19-1 and 20-2 of the 2010 HCM
*sec/veh = seconds per vehicle

4.11.1.5 Seasonal Traffic

County policy acknowledges that there will be significantly higher peak hour traffic volumes on Avila Beach Drive during summer weekends than at other times of the year. In recognition of this condition, level of service calculations for Avila Beach Drive are based on non-summer weekday traffic volumes. Increases in seasonal traffic are addressed in the Avila Valley Circulation Study Update (County of San Luis Obispo 2013, 2009). The Avila area is a very attractive destination for recreational users due to the number of outdoor facilities and activities available in the area. The beach and port facilities, in particular, generate their peak use during the summer season on weekends. Traffic to/from these sites during non-summer months is typically less than the summer traffic, usually on the order of 21% less during a weekday and 20% less during a weekend. The non-summer weekday traffic volumes are consistently lower than summer weekday volumes. The distribution of traffic over a 24-hour period is a constraining factor on the transportation circulation system. The larger the peak condition for any time period, the greater the demand placed on roadway capacity. While the above comparisons are solely made for the major roadways, seasonal variations may differ slightly for internal roadways.

~~Typically, non-summer and summer/holiday traffic will vary during a typical week with Tuesday being the busiest weekday and Saturday being the busiest weekend day. This trait consistently occurs at several locations for both summer and non-summer conditions. While the percentage increase in summer weekend traffic over summer weekday traffic is significant at the major access routes to the beach area, the largest changes occur on streets in the town.~~ Based on the 2006 traffic count Avila Beach Drive, between San Luis Bay Drive and San Luis Street, carried the largest two-way traffic volumes in the area, ranging from 8,800 vehicles per day during non-summer weekdays to over 16,400 vehicles per day on holiday/summer weekends (County of San Luis Obispo 2009). Traffic volumes for weekend/summer/holidays continue to grow. The Port Master Plan Final Program EIR applied a factor of 1.18 to account for summer weekend beach traffic.

The County has collected traffic volume data for a number of years. A permanent count station was established on Avila Beach Drive just west of San Luis Bay Drive which is counted annually in May. Traffic counts generally tally the number of vehicles on a per hour, per day, and per week basis. Based on counts conducted on June 17, 2010, average daily traffic on Avila Beach Drive west of San Luis Bay Drive was 13,495 trips, including 1,233 AM peak trips and 1,562 PM peak trips.

Typically, traffic varies during the week with Thursday and Friday being the busiest weekdays and Saturdays being the busiest weekend day. This trait consistently occurs at several locations

for both summer and non-summer conditions. While the percentage increase in summer weekend traffic over summer weekday traffic is significant at the major access routes to the beach area, the largest changes occur on streets in the town.

In addition to seasonal traffic, special events occurring with Avila Beach currently, and would continue to, contribute to congestion in the area.

4.11.1.6 Existing Traffic Conditions

Traffic counts for weekday PM peak hour conditions were collected at the study locations in May 2014 as set forth in the San Luis Bay Coastal Area Plan. Traffic counts on US 101 were obtained from SLOCOG's Highway 101 Mobility Study data. The intersection turning volumes at Avila Beach Drive/Babe Lane were derived from a nearby roadway segment count. The traffic count sheets are included in Appendix A of the traffic study (refer to Appendix G of this EIR).

Table 4.11-2 presents the LOS for the study intersections. Detailed calculation sheets and existing traffic volumes included in Appendix B of the transportation study (refer to Appendix G of the EIR).

Table 4.11-2. Existing PM Peak Hour Level of Service

Intersection	Delay (sec/veh*)[1]	Level of Service
Avila Beach Drive/Babe Lane	0.4 (12.3)	A (B)
Avila Beach Drive/First Street	6.7	A
Segment	**Two-way Volume**	**Level of Service**
Avila Beach Drive w/o San Luis Bay Drive	1,328	B
Segment	**Density (pc/mi/ln**)**	**Level of Service**
US 101 n/o San Luis Bay Drive Northbound	13.6	B
US 101 n/o San Luis Bay Drive Southbound	**37.5**	**E**
US 101 s/o San Luis Bay Drive Northbound	15.3	B
US 101 s/o San Luis Bay Drive Southbound	**41.8**	**E**

[1] HCM average control delay in seconds per vehicle. Delay for side street stop controlled intersection reported as average delay followed by worst approach delay in parenthesis.

*sec/veh = seconds per vehicle

**pc/mi/ln = passenger cars per mile per lane

Note: Unacceptable operations shown in **bold**

All of the study locations within Avila Beach operate at LOS B or better during the weekday PM peak hour. Both study segments of southbound Highway 101 operates at LOS E during the weekday PM peak hour, which is below Caltrans' desired LOS C service level. Table 4.13-3 summarizes the 95th percentile queues for the study intersections.

Table 4.11-3. Existing PM Peak Hour 95th Percentile Queues[1]

Intersection	Movement	Storage Length (feet)	Existing Queue Length (feet)
Avila Beach Drive/Babe Lane	Southbound shared lane	> 300	3
Avila Beach Drive/First Street	Eastbound through	> 300	220
Avila Beach Drive/First Street	Northbound right	60	47

[1]Queue length that would not be exceeded 95% of the time. Queues are reported only for critical movements.

The longest field observed queues occurred on the eastbound approach to the Avila Beach Drive/First Street intersection, which coincides with commuters departing from Diablo Canyon. The queue did not extend to the bridge during field observations and cleared in one signal cycle. The queues shown in Table 4.11-3 are consistent with field observations.

4.11.1.7 Port San Luis Parking

Parking use at the Port is largely dependent on the weather. During the warm summer months, weekend parking demand is at its highest with recreational fishermen, tourists, beach visitors and patrons of the local restaurants. The available parking at the Port begins to fill early in the morning with vehicles carrying customers of the sport fishing boats, commercial fishing crews and recreational fishermen with their vehicles and boat trailers. By mid-morning, tourists begin to arrive. By mid-afternoon, the fishermen have returned to the port and the parking lot is usually entirely full. A moderate percentage of fishermen patronize the restaurants and shops at the pier before loading up their boats and leaving. However, the afternoon is also the peak time for beach and pier use and a portion of these beach visitors use the port parking lot as well. Thus, even though the early arrivals at the port are beginning to leave by mid-afternoon, these spaces are almost immediately occupied by these visitors. In the evenings, the beach users and most tourists are gone, leaving ample parking for the dinner business at the local restaurants. This scenario is replayed on any given weekend from May through October, depending on the weather. During the winter months and on weekends with cold or foggy weather, parking provided at the port is more than adequate.

In addition to port visitors, parking is occupied by employees of tenant businesses. In the summer, when port visitorship is highest, the fish processing plant located on the pier is usually operating at full capacity with about 25 employees. Fish processing can occur around the clock and on weekends whenever a load of fish is delivered. In addition, the restaurants employ about 20 people during the day shift. Lastly, the three recreation fishing boats can hold as many as 180 fishermen, plus crew members. Together, the employees and boat fishing patrons can occupy as much as two-thirds of the available weekend parking spaces.

Based on the Parking Management Plan for the Port San Luis Harbor District (2013), there are 287 parking stalls located within the Port San Luis parking lot and 355 parking spaces located on Avila Beach Drive between the San Luis Creek Bridge and Port San Luis Harbor. Parking demand surveys were conducted on Saturday, September 1 (Labor Day weekend), Saturday October 13, 2012 (non-summer weekend), and Tuesday, October 16, 2012 (non-summer weekday). The Harbor and Pier sub-area represent a unique parking demand profile because of the extended hours of use (pre-dawn for the fishing industry and late night for patrons of the restaurants). Also, this area sees a unique mix of vehicles, cars, trucks, trailers and delivery vehicles. Based on the analysis, the parking demand exceeded the 85% utilization threshold

between the hours of 11:00 AM and 3:00 PM, and there was low turnover associated with visitors to the Pier and Harbor during the day.

The study showed that parking on Avila Beach Drive between the San Luis Creek Bridge and Port San Luis Harbor generally had available excess space during peak demand. Utilization rates for the 355 parking stalls along the road reached a high of 60%; 140 stalls, mostly in the western section of the roadway, were unused.

4.11.1.8 Unsafe Conditions

Currently, visitors to the beach area across from the project site can park within the Port San Luis parking lot or on either side of Avila Beach Drive. The road is also shared by bicyclists. There are not signals or stop controls on this section of Avila Beach Drive, and pedestrians are required to cross the road to access the beach, resulting in potentially unsafe conditions.

4.11.1.9 Air Traffic

The project site is not located within 2 miles of an airstrip or airport. The San Luis Obispo County Regional Airport is located approximately seven miles northeast of the project site, and the Oceano County Airport is located approximately nine miles to the southeast.

4.11.2 Regulatory Setting

Transportation system requirements for the unincorporated areas of the county are subject to the policies and plans of the County and Caltrans. The County outlines policies and standards regarding use of public roads in the San Luis Bay Coastal Area Plan and Avila Circulation Study (as updated). The County is responsible for the review and approval of proposed projects and traffic study reports. All new developments requiring ministerial and discretionary review are required to meet the parking space and access improvement standards specified by the County. Additional access requirements are required by CAL FIRE.

Caltrans has jurisdiction over all state-maintained facilities, including US 101. Caltrans strives to maintain operations at the LOS C/D threshold on all of its facilities but acknowledges that numerous roadway segments under its control in urban areas will operate at LOS D or worse. Any modifications to facilities within Caltrans right-of-way must be approved by the state.

The San Luis Bay Coastal Area Plan states the following regarding level of service on Avila Beach Drive and San Luis Bay Drive:

> *Reserve a portion of the Avila Beach Drive road capacity to serve coastal dependent uses and do not subject Avila Beach Drive to traffic levels exceeding Level of Service (LOS) "C" overall. The LOS for Avila Beach Drive and San Luis Bay Drive shall be based on the average hourly weekday two-way 3:00 p.m. to 6:00 p.m. traffic counts to be conducted during the second week in May of each year. Fire access lane requirements will comply with the adopted fire code for the County of San Luis Obispo. Further, significant disruptions to the environmentally-sensitive habitat of San Luis Obispo Creek and its associated riparian habitat areas shall be avoided. Unavoidable impacts shall provide equivalent offset mitigation and enhancement measures.*

The 2010 Regional Transportation Plan/Sustainable Communities Strategy incorporates some of the requirements of the Sustainable Communities and Climate Protection Act (SB 375,

enacted in 2008), which requires each of the 18 Metropolitan Planning Organizations in California to develop a Sustainable Communities Strategy as a fourth element of the Regional Transportation Plan (to go along with the existing Policy, Action, and Financial elements). SLOCOG was not required to develop an SCS as part of the 2010 RTP update, and therefore did not include all the requirements of SB 375. As such, the planning document has been termed a Preliminary Sustainable Communities Strategy. The 2014 Regional Transportation Plan/Sustainable Communities Strategy is currently underway.

The RTP examines transportation issues, opportunities and needs of the San Luis Obispo region. It also identifies the goals, policies and objectives to guide planning and implementation of improvements for all transportation modes (public transit, highways, streets and roads, bikeways, rail, harbor, aviation and pedestrian). The primary purpose of this plan is to guide the development of a coordinated and balanced transportation system that meets the basic transportation needs of all social groups, businesses and industries in the region. A secondary purpose is to satisfy federal and state requirements for a regional transportation plan and an ongoing regional planning process.

County Bikeways Plan

The Bikeways Plan identifies bicycle circulation routes as well as bike path design and improvement standards.

San Luis Bay Coastal Area Plan

San Luis Bay Coastal Area Plan standards applicable to the project include:

> 5. ***Pedestrian Access.*** *New visitor serving developments on Harbor Terrace shall incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities.*

Port Master Plan and Port Master Plan Final Program EIR

The Port Master Plan Final Program EIR included the following assessment and measures related to transportation and traffic, which are applicable to the project:

The updated Avila Circulation Study suggests that build-out of the Port in accordance with the Final Master Plan and other reasonably foreseeable development will not result in an unacceptable level of service on area roadways and intersections. The study recommends a number of improvements over time to maintain this level of service and future development will be required to participate in the fair share funding of these improvements. A number of additional measures can be implemented to help reduce peak traffic and parking impacts experienced in the Avila/Port area, as described below.

Transportation System Management. Over the past 20 years, transportation systems management (TSM) programs have been established in many areas to help reduce traffic and parking congestion while avoiding the need for high capital cost improvements. Most TSM programs are oriented toward commute travel, with policies and promotional activities implemented at major employment sites, downtown areas, or on regional highways with large volumes of commute trips. TSM programs can involve a wide variety of policy actions, promotional activities, and physical improvements.

Transportation Systems Management options:

- Public transit service improvements
- Ride-sharing incentives
- Bicycle/transit facilities
- Parking management (as an alternative to constructing new parking facilities)
- Travel demand management (e.g., flexible work hours to reduce peak period travel)
- Spot roadway improvements to remove localized bottlenecks (e.g., channelization or signalization at intersections)

The Avila area, as primarily a recreational and relatively low-density residential area, is not well suited to many of the standard TSM activities implemented elsewhere. Its one major employer, the Diablo Canyon Nuclear Power Plant, is large enough to warrant an on-site TSM program. Its residential based commute travel is relatively low and directionally counter to the peak flow of traffic into or out of the area. The focus of TSM strategies would therefore need to address recreational travel to and from the beach. Since this is of limited duration during summer weekends and holidays, TSM measures should be considered to reduce auto trips into the town and associated parking congestion. The following strategies have been evaluated:

- Public transit service improvements
- Intercept parking with shuttle transit service
- Bicycle facilities
- Public Transit Improvements

Because the study area is a relatively isolated location and has a limited resident population base, it is not likely that public transit could play a major role in reducing traffic levels during typical weekdays. However, during summer weekends or holidays improving transit service will in the future play a key role in reducing peak traffic to and from the beach areas in Avila. It is recommended that, as parking becomes more difficult in the town area a regional transit strategy be implemented. Operation of a direct route on weekends during the summer season, with service from the Five Cities area directly into Avila Beach and then on to downtown San Luis Obispo will be warranted.

This service should be operated between 10:00 a.m. and 6:00 p.m. for approximately 32 weekend days per summer. In addition to the summer schedule, this service should be considered for any special event where the demand for parking is projected to exceed the supply of stalls in town.

Intercept Parking and Shuttle Service. Long range, the concept of providing intercept parking facilities near State Route 101 with a shuttle bus into the beach areas is warranted for several reasons. As noted previously, the growth in demand for use of beach facilities is projected to be greater than the anticipated parking supply.

Parking in Avila Beach is already at or near capacity during summer weekends and holidays. Once the available parking is taken, any excess demand can only be served by off-site parking. Avila Beach has only two entry points along US 101 and all visitors must use these for access. This makes it relatively easy to sign and route drivers to intercept parking facilities. This is especially true for out-of-town visitors. Remote parking would be substantially easier and less costly to develop than parking in the town of Avila and the Harbor areas.

In the long term, there is an opportunity to also establish these intercept parking facilities as park and-ride lots for weekday commuters into San Luis Obispo. Generally, they are most likely to attract riders when parking and traffic congestion is severe, and the shuttle service itself is convenient and low in cost. As noted above, some of the necessary conditions will exist in the future in the Avila area. Assuming the shuttle only operates on summer weekends and that existing SLORTA, SLO Transit or other available buses are used for the service, costs of the shuttle operation would be relatively small.

It is estimated that with development of the planned land uses in the town of Avila Beach, parking demand will exceed the supply by about 200 stalls. Two locations are suggested for development of the needed parking stalls. Use of the existing parking area at the PG&E visitor center on Ontario Road would greatly minimize the capital cost associated with parking lot development. This 75 stall lot could be used to provide an intercept facility for traffic arriving from the north. A lease agreement for use of the lot during the summer and holidays would have to be completed between the County and P. G. & E. The second location is near the Avila Beach Drive interchange. A 100-125 stall lot would need to be constructed at this location to intercept traffic from the south.

A shuttle bus would be used to transport riders from the intercept lots to the town, beaches and Harbor. The shuttle bus would also operate from 10:00 a.m. and 6:00 p.m. Changeable message signs would be constructed at each of the interchanges to inform travelers of alternative parking options whenever the parking lots in town were nearing capacity. This shuttle system should also be used for any special event where the demand for parking is projected to exceed the supply of stalls in town. As part of the development of the park-and-ride lots message signs would be installed at the freeway off ramps to inform motorists that the parking in town was full and that the travelers should use the intercept lots. These message signs could also be used during special events at the Harbor or in Town to inform visitors of parking availability.

The Port Master Plan and Port Master Plan Final Program EIR also identify alternative parking options for consideration, including augmentation of parking within the core of the town.

The goal of these options was to add the 200 stalls necessary to eliminate the shortfall as close to town as possible. The difficulty with this strategy is that the traffic accessing the community would continue to use the critical segment of Avila Beach Drive between San Luis Bay Drive and San Luis Street. The option to expand the Harbor lot would also use very valuable land and could be quite expensive. The Chevron lot option would necessitate additional road improvements and operation of a shuttle bus.

Bicycle Provisions. Bicycling should be encouraged as an alternative means of access. The provision of bike lanes on Avila Beach Drive and San Luis Bay Drive should be included as an element of any roadway widening. The completion of the bicycle path from San Luis Bay Drive to San Miguel Street along San Luis Creek will greatly enhance bicycling as an alternative mode of travel within the study area.

While it is not anticipated that a significant shift in traffic demand will be shifted to bicycles, this alternative mode can play a role in increasing the accessibility to and from the study area. Furthermore, the completion of the bike path will encourage the relocation of bicyclists from the congested segment of Avila Beach Drive between San Luis Bay Drive and San Luis Street. One option would be to have visitors travel to the area via automobile and park in one of the intercept

parking lots. Then using bicycles and the bike trail travel into the beach area. This would also assist in relieving some traffic demand on Avila Beach Drive and San Luis Bay Drive.

Parking Management Plan for the Port San Luis Harbor District

The Parking Management Plan for the Port San Luis Harbor District (C2 Consult 2013) includes short and long-term strategy recommendations to manage typical peak season parking demands. One of these suggestions includes the development of a parking structure within Avila Beach; preparation of a feasibility study is recommended prior to further consideration of this option. Additional long-term options identified in the Parking Management Plan, which are incorporated into the proposed project, include provision of development and boat trailer parking on the project site (Harbor Terrace). In addition, the proposed project would re-locate existing RV camping spaces on Avila Beach Drive onto the project site, which would ~~free up~~ provide public access opportunities including visitor parking along the roadway.

Alternative parking options also exist for consideration. These include augmentation of parking within the core of the town, purchase of property for additional parking, the creation of satellite parking lots, installation of parking meters, use of the Towne Trolley, improved enforcement of parking, and use of private parking areas for overflow parking during the peak season and special events.

4.11.3 Thresholds of Significance

The significance of potential transportation and circulation impacts are based on thresholds identified by the County, in accordance with Appendix G of the CEQA Guidelines. Transportation impacts are considered significant if the proposed project would:

a. Increase vehicle trips to local or areawide circulation system;

b. Reduce existing “Levels of Service” on public roadways (refer to LOS standards below);

c. Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles);

d. Fail to provide for adequate emergency access;

e. Conflict with an established measure of effectiveness for the performance of the circulation system considering all modes of transportation (e.g., LOS, mass transit, etc.);

f. Conflict with an applicable congestion management program;

g. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities; or,

h. Result in a change in air traffic patterns that may result in substantial safety risks.

4.11.3.1 “Level of Service” Thresholds

The County has established the LOS C threshold for acceptable operations on rural facilities maintained by the County. Caltrans strives to maintain a target level of service at the transition between LOS C/D on state-operated facilities.

Transportation impacts at signalized intersections are considered significant when:

- The addition of project traffic causes the intersection's level of service to degrade from LOS C or better to LOS D, E, or F.
- Project traffic is added to an intersection currently operating at LOS D, E, or F.

Transportation impacts at unsignalized intersections are considered significant when:

- The addition of project traffic to an unsignalized intersection degrades the level of service to an unacceptable level and satisfies the peak-hour signal warrant from the California Manual on Uniform Traffic Control Devices.
- The project's access to a major street causes a potentially unsafe situation or requires a new traffic signal.

Evaluation of arterial roadway segments reflects planning-level conditions along a street, whereas analysis of the intersections reflects detailed conditions of the arterial. Typically, poor operating conditions on an arterial are due to constraints at the intersections, and can be mitigated at the intersection. Therefore, if an arterial roadway segment analysis shows poor operating conditions, but individual intersections operate within acceptable standards, the mitigation measures defer to the intersection.

For US 101 ramps, US 101 mainline segments, or any County roadway segment already operating at LOS D, E, or F without the project, the addition of any project traffic to that location is considered a significant impact.

Roadway segment thresholds are summarized in Table 4.11-4. The study roadway segment on Avila Beach Drive was evaluated using generalized daily volume thresholds based on the LCP, and the mainline segments of Highway 101 were evaluated using a vehicle density calculation consistent with the 2010 Highway Capacity Manual (HCM) (CCTC 2014, incorporated by reference).

Table 4.11-4. Segment Level of Service Thresholds

Freeway Segments[1]		**Avila Beach Drive (Two Lane Undivided Arterial)[2]**	
Density (pc/mi/ln)	**Level of Service**	**Peak Hour Two-Way Volume**	**Level of Service**
≤ 11	A	≤ 1,180	A
> 11 – 18	B	*> 1,180 – 1,380*	*B*
> 18 – 26	C	> 1,380 – 1,580	*C*
> 26 – 35	D	> 1,580 – 1,780	*D*
> 35 – 45	E	> 1,780 – 2,000	*E*
> 45 (demand exceeds capacity)	F	> 2,000	F

[1] Source: Exhibit 11-5 of the 2010 HCM

[2] Source: Avila Valley Circulation Study, which derived capacities by blending 1992 and 1997 HCM approaches

4.11.3.2 Alternative Transportation

An impact to pedestrians and bicyclists would be considered significant if implementation of the proposed project would conflict with existing or planned bicycle facilities or would generate pedestrian and bicycle demand without providing adequate and appropriate facilities for safe non-motorized mobility. Impacts to transit would be considered significant if the proposed project would conflict with existing or planned transit facilities or will generate potential transit trips and would not provide adequate facilities for pedestrians and bicyclists to access transit routes and stops.

4.11.4 Impact Assessment and Methodology

Impacts were assessed by comparing roadway operations with the addition of project-generated traffic to those under existing conditions and applying the appropriate criteria from thresholds of significance described above. Potential impacts to bicycle, pedestrian, and transit facilities and services were also identified by comparing project conditions to existing conditions.

The analysis approach was developed based on the County of San Luis Obispo and Caltrans standards. In addition, the analysis approach was reviewed by the County Public Works Department prior to initiation of the study, including review and approval of proposed study intersections, roadway segments, required analysis time period, and cumulative forecasting approach (Lisa Wise Consulting 2014). In addition, the project study was coordinated with the County's Avila Circulation Study Update and May 2014 traffic counts.

Seasonal traffic and short-term increases in traffic during special events would continue to contribute to congestion in the area. Both the Avila Valley Circulation Study and the Port San Luis Master Plan and Final Program EIR recognize these existing conditions. The traffic analysis conducted for the proposed project, which is incorporated by reference, was prepared based on confirmation of the appropriate methodology for traffic analysis within the Avila area, and was prepared consistent with the San Luis Bay Area Plan and Avila Valley Circulation Study.

The County's Traffic Impact Study policies provide guidelines for identifying transportation impacts. The study intersections are located within the Avila Beach Urban Reserve Line, where LOS D is acceptable but LOS E is not. The San Luis Bay Coastal Area Plan (LCP Section B2) provides further guidance that Avila Beach Drive shall not be subject to traffic levels exceeding LOS C during the PM peak hour based on counts conducted on a weekday in May.

Caltrans controls US 101 and relies on LOS to identify impacts. Caltrans strives to maintain operations at the LOS C/D threshold on state-operated facilities, where LOS C is acceptable but LOS D is not. If an existing State Highway facility is operating at LOS D, E, or F the existing service level should be maintained.

The level of service thresholds for intersections based on the 2010 HCM are presented in Table 4.11-1 (presented earlier in the section). The study intersections were analyzed with the Synchro 8 software package applying the 2010 HCM methods. Roadway segment thresholds are summarized in Table 4.11-2 (presented earlier in this section). The study roadway segment on Avila Beach Drive was evaluated using generalized daily volume thresholds based on the LCP, and the mainline segments of US 101 were evaluated using a vehicle density calculation consistent with the 2010 HCM.

4.11.5 Project Specific Impacts and Mitigation Measures

Increase Vehicle Trips to Local or Areawide Circulation System

Existing Plus Project conditions reflect existing traffic levels plus the estimated traffic generated by the proposed project. The amount of project traffic affecting the study intersections is estimated in three steps: trip generation, trip distribution, and trip assignment. Trip generation refers to the total number of new trips generated by the site. Trip distribution identifies the general origins and destination of these trips, and trip assignment specifies the routes taken to reach these origins and destinations. The project's trip generation estimates, summarized in Table 4.11-5, were developed using rates in the Institute of Transportation Engineers' Trip Generation Manual.

Table 4.11-5. Project Trip Generation

Use	Size/Unit	Daily	PM Peak Hour		
			In	Out	Total
Meeting/Conference/Office/Reception	15,800 sf	174	4	20	24
Restaurant	3,000 sf	381	18	12	30
	Pass-by trips	*-164*	*-8*	*-5*	*-13*
Market	2,000 sf	690	34	35	69
	Pass-by trips	*-421*	*-21*	*-21*	*-42*
Park/Open Space	1 acre	2	1	1	2
RV Sites (95), Tent Sites (56)[1]	96 units	260	17	9	26
Cabins	31 units	253	10	9	19
Harbor Expansion Area	10,000 sf	*30*	*1*	*9*	*10*
Campground Manager's Residence	1 unit	*10*	*1*	*0*	*1*
Total Driveway Trips		**1,800**	**86**	**95**	**181**
Pass-by Trips		*-585*	*-29*	*-26*	*-55*
Net New Trips		***1,215***	***57***	***69***	***126***

[1]Net new RV sites reflects removal of 55 RV spaces from Avila Beach Drive and existing on Harbor Terrace as part of the project
[2]Pass-by trip reductions based on average of surveyed data in ITE Manual (43% for restaurant, 61% for market)
Note: Campground and market daily trips estimated at 10 times PM peak hour
Source: ITE Trip Generation Manual, 9th Edition 2012; CCTC 2014 (incorporated by reference)

The project trips are categorized as new trips and pass-by trips. Pass-by trips are made by drivers already passing by the site who stop at the project before continuing to their original destination. Pass-by trips increase the number of trips at the project driveways, but do not change the volume approaching and departing the project on Avila Beach Drive. New trips are from drivers whose primary destination is located on the project site. These new trips increase traffic along Avila Beach Drive and the project driveways. Pass-by trip reductions were applied to the restaurant and convenience market components of the project, since typically a large portion of traffic from these uses are trips already on the adjacent roadway network.

This is a conservative estimate of the project's most intense traffic generating uses, and typical operations are expected to generate fewer trips. The Campground/Recreational Vehicle Park (ITE Land Use #416) survey data includes trips generated by a variety of on-site facilities, including recreational facilities such as swimming pools, convenience stores, and laundry facilities. The estimate in Table 4.11-5 adds trips for the convenience market to the campground sites, potentially overstating the number of trips generated. Furthermore, the trip generation assumes 100% occupancy of the campground sites and cabins. Typical weekday occupancy would be lower. Finally, project trips were assigned exclusively to the Babe Lane entry to show a worst case operational scenario. The second access driveway would serve a portion of the project traffic, spreading the traffic flow.

The project trip generation estimate shows 1,215 new daily trips and 126 new PM peak hour trips. The directions of approach and departure for project trips were estimated based on existing trip patterns and the locations of complementary land uses. Project trips were assigned to individual intersections based on the trip distribution percentages, and were then added to the existing traffic volumes for Existing Plus Project Conditions. The proposed project would add trips to the existing road network; however, the additional trips would not result in a reduced level of service below identified thresholds, as discussed below. Therefore, potential impacts would be less than significant.

Construction of the proposed project would result in the use of local roadways for the transport of equipment and materials to the project site. Due to the short-term nature of the construction period, the effects would be *less than significant* (Class III), and would therefore not require off-site road improvements. Prior to issuance of grading and construction permits, a Construction Traffic Mitigation Plan would be prepared, and would be implemented during the grading and construction phases. The following measure would be incorporated into the project:

TR/mm-1 *Prior to construction, the Harbor District or their designee shall prepare a Construction Traffic Mitigation Plan for review and approval by County Public Works. The Plan shall be implemented during construction, and shall include, but not be limited to, the following elements:*

a. Description of construction activities, including equipment lists and project schedule, including estimated start and end dates and working hours;

b. Name of on-site construction manager;

c. Identification of the work area, truck route(s), and staging areas in relation to cross streets, including all distances and dimensions;

d. Traffic control plan, including: all temporary traffic control devices including signs and delineators; use of construction staff to manage or direct traffic; measures to reduce truck and equipment queuing on County streets; and safety measures for vehicles, pedestrians, bicyclists, and construction workers;

e. Avoidance of peak traffic hours based on consultation with the County Public Works Department.

Reduce Existing "Levels of Service" on Public Roadways

Table 4.11-6 summarizes the automobile operating conditions under Existing and Existing Plus Project conditions.

Table 4.11-6. Existing and Existing Plus Project Peak Hour Level of Service

Intersection	Existing PM		Existing Plus Project PM	
	Delay (sec/veh)[1]	**LOS**	**Delay (sec/veh)[1]**	**LOS**
Avila Beach Drive/Babe Lane	0.4 (12.3)	A (B)	2.4 (17.3)	A (C)
Avila Beach Drive/First Street	6.7	A	7.6	A
Segment	**Existing PM**		**Existing Plus Project PM**	
	Two-way Volume	**LOS**	**Two-way Volume**	**LOS**
Avila Beach Drive w/o San Luis Bay Drive	1,326[2]	B	1,429	C
Segment	**Existing PM**		**Existing Plus Project PM**	
	Density (pc/mi/ln)	**LOS**	**Density (pc/mi/ln)**	**LOS**
US 101 n/o San Luis Bay Drive Northbound	13.6	B	13.8	B
US 101 n/o San Luis Bay Drive Southbound	**37.5**	**E**	**37.7**	**E**
US 101 s/o San Luis Bay Drive Northbound	15.3	B	15.5	B
US 101 s/o San Luis Bay Drive Southbound	**41.8**	**E**	**42.1**	**E**

[1] HCM average control delay in seconds per vehicle. Delay for side street stop controlled intersection reported as average delay followed by worst approach delay in parenthesis.

[2] Based on traffic counts taken in May 2014, as required by the San Luis Bay Area Plan and Avila Valley Circulation Study, and confirmation from the County Public Works Department

Note: Unacceptable operations shown in **bold**

All of the study locations within Avila Beach operate acceptably at LOS C or better with the addition of project traffic. Vehicle queues at all study locations were acceptable. The southbound segments of US 101 would continue to operate unacceptably, but the service level would not change and the project would increase the vehicle density on the highway by less than 1%. Therefore, potential impacts would be less than significant.

Create Unsafe Conditions

Pedestrian deficiencies would occur if the project fails to provide safe and accessible pedestrian connections between the project and nearby destinations. The project proposes two pedestrian crosswalks across Avila Beach Drive, one adjacent to each project entrance. These crosswalks would also serve visitors parking on the project site, and would connect the project site to the multi-use path planned along the ocean side of Avila Beach Drive as well as the nearby beaches. Pedestrian volumes crossing Avila Beach Drive should be monitored to determine the need, if any, of enhanced crossing treatments such as in-pavement flashers. Detailed site designs should be reviewed once they are available to ensure that pedestrian facilities are continuous and connect to likely destinations to the maximum extent possible.

On-site circulation deficiencies would occur if project designs fail to meet appropriate standards, fail to provide adequate truck access, or would result in hazardous or unsafe conditions. Primary project access will be provided via Babe Lane, where there would be a short term parking facility and payment kiosks. Secondary project access will be provided via a second entry located approximately 150 feet east of Diablo Canyon Road. Both project access points currently exist. While additional spacing would be desirable between the second entry and Diablo Canyon Road, site topography and the need for secondary emergency access preclude other alternatives.

No turn lanes are provided on Avila Beach Drive at the project access points. The need for left turn lanes was evaluated based on the approach recommended in National Cooperative Highway Research Program (NCHRP) Report 745, Left-Turn Accommodations at Unsignalized Intersections (CCTC 2014, incorporated by reference). This document provides recommended thresholds for determining if a left turn lane is warranted. The warrants are an important element of the decision making process, but must be considered with other factors such as design consistency within a corridor.

The project would generate relatively few left turns into the project site, since most campground users would come from the east. However, some traffic would arrive from the Harford Landing area to the west. The project trip estimates show 13 inbound left turns during the peak hour, which would be split between the two driveways. The existing volume on Avila Beach Drive is 365 vehicles per hour per lane. Based on NCHRP Report 745, a left-turn lane would be warranted with a minimum volume of roughly eight left turns. Monitoring of traffic levels at the project driveways during operation of the project, and further consultation with the County Department of Public Works would be implemented to make a determination of the need for left turn lanes based on field observed conditions after project occupancy. For the purposes of this analysis, secondary impacts associated with construction of a left-turn lane would include short-term disruption of traffic flow necessitating traffic control measures, additional ground disturbance, and potential impacts to water quality and sensitive habitats including sediment and pollutant discharge during construction. Mitigation measures identified in this EIR regarding these potential impacts would apply.

Two types of sight distance are relevant for the project entries and crosswalks: intersection sight distance and stopping sight distance. Intersection sight distance allows a driver on a minor road to depart from the intersection and enter or cross the main road without causing undue delay to the major road traffic. Intersection sight distance requires a clear sight triangle free of visual obstructions. The intent of the intersection sight distance criteria is to allow the intersection to operate smoothly, with minimal effect on major street traffic flow. Values below the recommended minimum would require major street traffic to slow or stop as minor street

vehicles enter the traffic stream. The values for intersection sight distance are longer than the stopping sight distance, discussed below.

Stopping sight distance is the sum of two values: 1) the distance traveled by the vehicle from the instant the driver sees an object until the brakes are applied plus 2) the distance needed to stop the vehicle. This is the minimum length of clear roadway that must be visible for a motorist to stop for a pedestrian, vehicle, or object in the road. The Highway Design Manual (HDM) (CCTC 2014, incorporated by reference) allows for the use of stopping sight distance in lieu of intersection sight distance at locations where restrictive conditions (such as excessive costs or immitigable environmental impacts) exist. The minimum stopping sight distance for a 40 mph design speed is 300 feet per the HDM.

At a minimum, the project should maintain a clear sight triangle providing at least 300 feet of stopping sight distance for the project driveways and crosswalks. This will require parking restrictions along portions of both sides of Avila Beach Drive near the project entrances and may require vegetation removal/maintenance. The provision of 440 feet of intersection sight distance is desirable, and would minimize the disruption of flow on Avila Beach Drive caused by vehicles exiting the project.

TR Impact 1	
Additional trips resulting from the proposed project may result in the need for a left-turn lane at either Babe Lane or the secondary access road. Secondary impacts may include additional ground disturbance, and potential impacts to air quality, water quality, and sensitive habitats including emission generation and sediment and pollutant discharge during construction. Mitigation measures identified in this EIR regarding these potential impacts would apply.	
Mitigation Measures	
TR/mm-2~~1~~	*Prior to operation of the proposed project, the Harbor District or their designee shall prepare a Traffic Monitoring Plan for the review and approval of the County Public Works Department. The Monitoring Plan shall identify appropriate methodologies and timeframes for conducting onsite turning movement counts, determination of capacity and trip generation resulting from the proposed project, and identification of a threshold for implementation of a left turn lane if feasible.*
TR/mm-3~~2~~	*In the event a left-turn lane is required to be constructed, the Harbor District or their designee shall submit grading and construction plans for review and approval by County Public Works. The plan shall include the following measures and elements:* *a. A Transportation Management Plan including measures to divert vehicle, bicyclist, and pedestrian traffic safely around the project area;* *b. Biological Resources Monitoring Plan including the presence of a qualified biological monitor during grading and construction activities and worker training;* *c. Cultural Resources Monitoring Plan including the presence of an archaeological monitor during initial ground disturbance and worker training;* *d. Erosion and Sedimentation Control Plan and SWPPP consistent with County Coastal Zone Land Use Ordinance and RWQCB standards and regulations.*
Residual Impacts	
At this time, the construction of a left-turn lane has not been identified as a requirement of the project due to projected low number of left-turn movements. In the event a turn-lane is warranted based on monitoring, and as determined based on coordination between the County Public Works Department and the Harbor District during operation of the project, mitigation shall be implemented as described above to address potential secondary impacts. Noted mitigation is identified in addition to construction-related mitigation identified in this EIR. Based on compliance with mitigation measures identified above and contained within this EIR, and associated with resources potentially affected by construction of the turn-lane, potential impacts would be less than significant.	

TR Impact 2	
Existing vegetation near proposed primary and secondary access approaches may hinder safe viewing distances on Avila Beach Drive, resulting in a potentially significant impact.	
Mitigation Measures	
TR/mm-4~~3~~	*For the life of the project, a clear sight triangle of at least 300 feet of stopping sight distance, and 440 feet of intersection sight distance shall be maintained at each access approach to Avila Beach Drive. This shall be achieved through long-term management of vegetation and limitations on parking on Avila Beach Drive.*
Residual Impacts	
Vegetation removal associated with the proposed access roads would be limited to ruderal/disturbed areas and coastal scrub within the road right-of-way. The additional vegetative impacts would not be significant, and would be incorporated into proposed landscaping and site restoration plans associated with the overall project. The reduction of parking on Avila Beach Drive would not be significant based on overall available parking on Avila Beach Drive, and proposed project's removal of RV camping on Avila Beach Drive, which would free up roadside parking for non-RV vehicles.	

Emergency Access

The proposed project includes primary and secondary access routes, which have been reviewed and approved by CAL FIRE (Port San Luis Harbor District 2014). Regional access to the Port is currently limited to Avila Beach Drive. As noted in EIR Section 4.7 (Hazards and Hazardous Materials), CAL FIRE has identified concerns related to seasonal congestion, and delayed response times and emergency egress. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County of San Luis Obispo, and CAL FIRE. The proposed project would add to visitor traffic in the area, but would not result in a project-specific adverse impact related to emergency access.

Conflict with Performance of Circulation System

Analysis of the project's effect on LOS is presented above, and potential impacts were identified as less than significant.

In addition to impacts to LOS, the project would result in the need for additional parking to serve the project. Consistent with the Port San Luis Master Plan (CMCA 2004), the project includes approximately 48,000 square feet of paved (asphalt), delineated, parking ~~stalls~~ and associated circulation onsite. In addition, the project would relocate existing RV campsites from Avila Beach Drive onto the project site, which would free-up parking along the roadway.

Conflict with Applicable Congestion Management Program

Analysis of the project's effect on LOS is presented above, and potential impacts were identified as less than significant.

Conflict with Adopted Alternative Transportation Policies, Plans, or Programs

Bicycle deficiencies would occur if the project disrupts existing or planned bicycle facilities or is otherwise incongruent with the County's Bikeways Plan. An extension of the Bob Jones Trail is currently under consideration by the County General Services Agency (County Parks). This plan would provide a mixed-use path extending from the current trailhead near the Avila Beach Golf

Resort to Harford Pier, and would include: a Class I bikepath with a mix of pedestrians, possible Class II bike lanes, on-street parking, and travel lanes in each direction. Funding has been provided by Pacific Gas and Electric for preliminary engineering, environmental review, and permitting phases, and additional funds have been allocated from the Unocal (Chevron) mitigation program for construction. Additional funding would be necessary to complete the project. The project would not conflict with this or any other planned bicycle facility.

Transit deficiencies would occur if the project disrupts existing or planned transit facilities or services or conflicts with County plans, guidelines, policies, or standards. The nearest transit stop to the project is served the seasonal Avila Trolley, which stops in front of Fat Cats restaurant approximately 0.25 mile southwest of the project. The Port Master Plan calls for a new trolley stop at one of the proposed project crosswalks. The project would not result in any transit deficiencies.

Change in Air Traffic Patterns

The project site is separated from the nearest airport by approximately 7 miles (San Luis Obispo Regional Airport) and is, therefore, not expected to affect air traffic patterns or result in air traffic-related safety risks. The project does not include any features that would interfere with recreational air traffic along the coastline. Therefore, potential impacts would be less than significant.

4.11.6 Cumulative Impacts

Cumulative conditions represent build-out of the Avila Beach area. While several capacity expansions are planned in the area, particularly in the vicinity of the US 101 interchanges, no changes are planned to the study locations. Therefore the roadway geometrics have not been changed from existing conditions. The project would be required to contribute traffic impact fees which would apply towards future improvements in the area.

The Avila Traffic Model was developed to forecast future travel patterns in the Avila Beach area. The model incorporates future land uses to produce future year traffic forecasts. The most recent version of the model was calibrated and validated to year 2006 data, and the future year scenario was developed to represent build-out conditions in the area, nominally year 2020.

The model was applied to develop Cumulative forecasts using the difference method, where the model's projected growth of future year volumes over base year volumes was added to the recently collected traffic counts. Project traffic was added to Cumulative conditions volumes to yield Cumulative Plus Project conditions, and Table 4.11-7 summarizes Cumulative traffic conditions with and without the project.

Table 4.11-7. Cumulative and Cumulative Plus Project Peak Hour LOS

Intersection	Cumulative PM		Cumulative Plus Project PM	
	Delay (sec/veh)[1]	LOS	Delay (sec/veh)[1]	LOS
Avila Beach Drive/Babe Lane	0.4 (13.1)	A (B)	2.4 (19.2)	A (C)
Avila Beach Drive/First Street	7.9	A	7.9	A
Segment	**Cumulative PM**		**Cumulative Plus Project PM**	
	Two-way Volume	LOS	Two-way Volume	LOS
Avila Beach Drive w/o San Luis Bay Drive	1,425	C	1,526	C
Segment	**Cumulative PM**		**Cumulative Plus Project PM**	
	Density (pc/mi/ln)	LOS	Density (pc/mi/ln)	LOS
US 101 n/o San Luis Bay Drive Northbound	16.5	B	16.7	B
US 101 n/o San Luis Bay Drive Southbound	**40.8**	**E**	**41.1**	**E**
US 101 s/o San Luis Bay Drive Northbound	18.1	C	18.3	C
US 101 s/o San Luis Bay Drive Southbound	**45.1**	**F**	**45.4**	**F**

[1] HCM average control delay in seconds per vehicle. Delay for side street stop controlled intersection reported as average delay followed by worst approach delay in parenthesis.

Note: Unacceptable operations shown in **bold**

The study locations within Avila Beach would operate acceptably at LOS C or better. No queuing issues are expected. The southbound segments of US 101 would operate at LOS E and F both with and without the project. The addition of project traffic would not change the service level on US 101, and would increase the density of mainline flow by less than 1%. Therefore, potential impacts would be less than significant.

The Port Master Plan Final Program EIR (2004) identified a significant cumulative impact to Highway 101 both north and south of the interchange with Avila Beach Drive. The Harbor District adopted overriding considerations for this cumulative impact at the time the Final Program EIR was certified, which applied to cumulative development associated with buildout of the Master Plan.

4.12 ISSUES WITH LESS THAN SIGNIFICANT IMPACTS

The Initial Study and further environmental review through the EIR process evaluated the proposed project and determined that there were insignificant impacts to agricultural resources, population and housing, and recreation. These issues are described in the following sections.

4.12.1 Agricultural Resources

4.12.1.1 Existing Conditions

The project site is within the Public Facilities and Agriculture land use categories. The Agriculture land use category is limited to the northeast corner of the project site; existing uses in this portion are limited to Harbor District storage, a water tank, and tank access road. Surrounding areas are currently undeveloped. Based on the County Conservation and Open Space Element (County of San Luis Obispo 2010), no Important Agricultural Soils are present on the project site (refer to Figure 4.12-1). Based on review of the Important Farmland Map (California Department of Conservation 2013), a majority of the project site is designated Urban and Built-up Land. The northern, western, eastern, and southern edges of the project site are designed Grazing Land (refer to Figure 4.12-2).

4.12.1.2 Regulatory Setting

As defined by the DOC, the California Land Conservation Act of 1965 (Williamson Act) enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. As an incentive, landowners receive lower property tax assessments based on agricultural or open space land uses, as opposed to the real estate value of the land. Local governments receive a subsidy for forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

The Agriculture Element of the San Luis Obispo County General Plan (County of San Luis Obispo 2010) provides a background on agricultural resources within the County. Through the goals, policies, implementation programs, and measures provided within the document, the County's intent is to "Identify those areas of the county with productive farms, ranches and soils, and establish goals, policies and implementation measures that will enable their long-term stability and productivity."

The San Luis Obispo County Right-to-Farm Ordinance (County Code Chapter 5, 16) states that the use of real property for agricultural operations including agricultural processing is a high-priority and favored use. The ordinance states that: "it is the declared policy of this County to enhance and encourage agricultural operations, including agricultural processing within the County…[and] to provide to the residents of this County proper notification of the County's recognition and support through this ordinance of those persons' and/or entities' right to farm." The ordinance also states that: "where non-agricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements to the detriment of agricultural uses and the viability of the County's agricultural industry as a whole." The right-to-farm ordinance advises purchasers of residential and other property types adjacent to existing agricultural operations of the inherent potential nuisances associated with the purchase of such property. Concerns may include the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations.

Figure 4.12-1. Important Soils Map

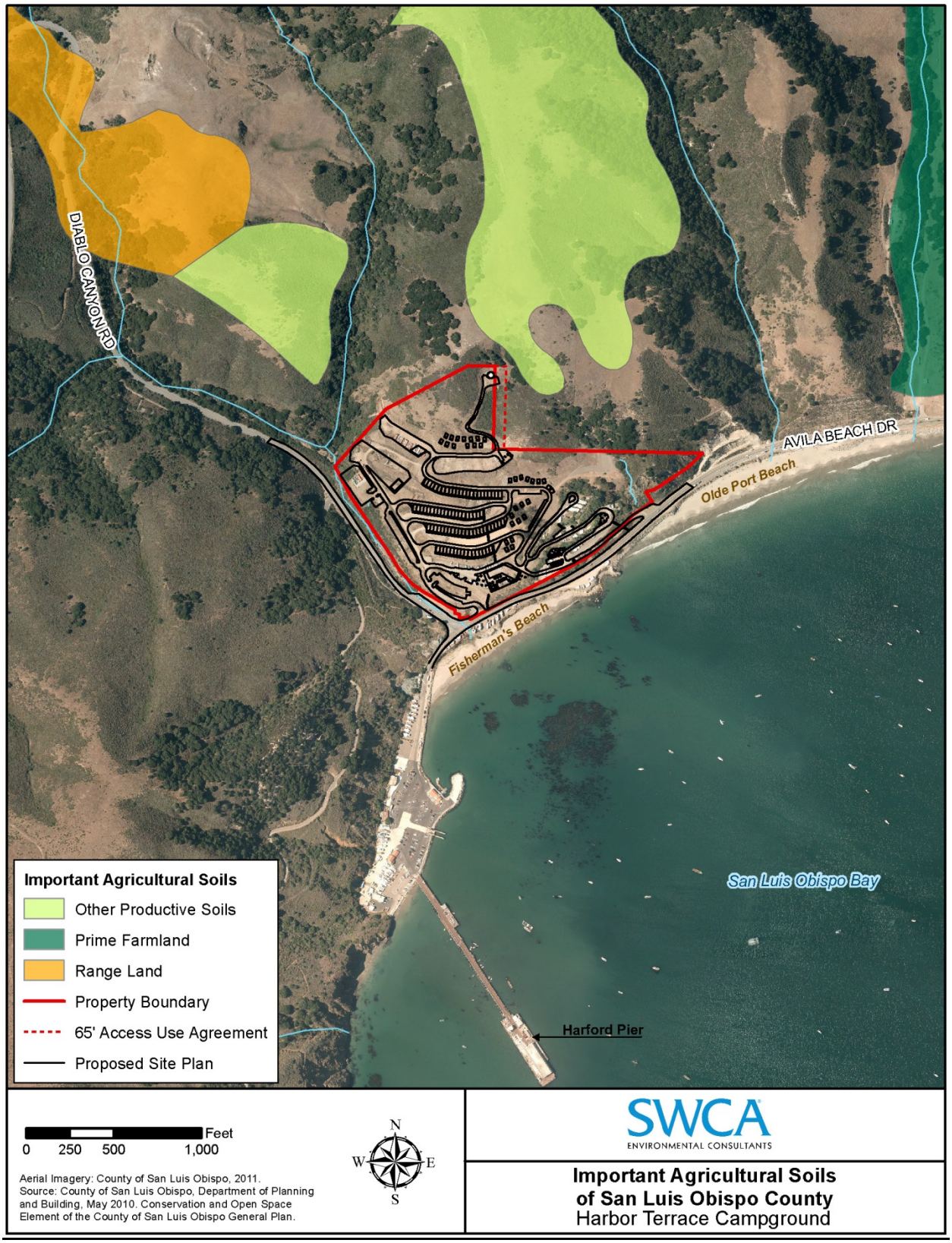
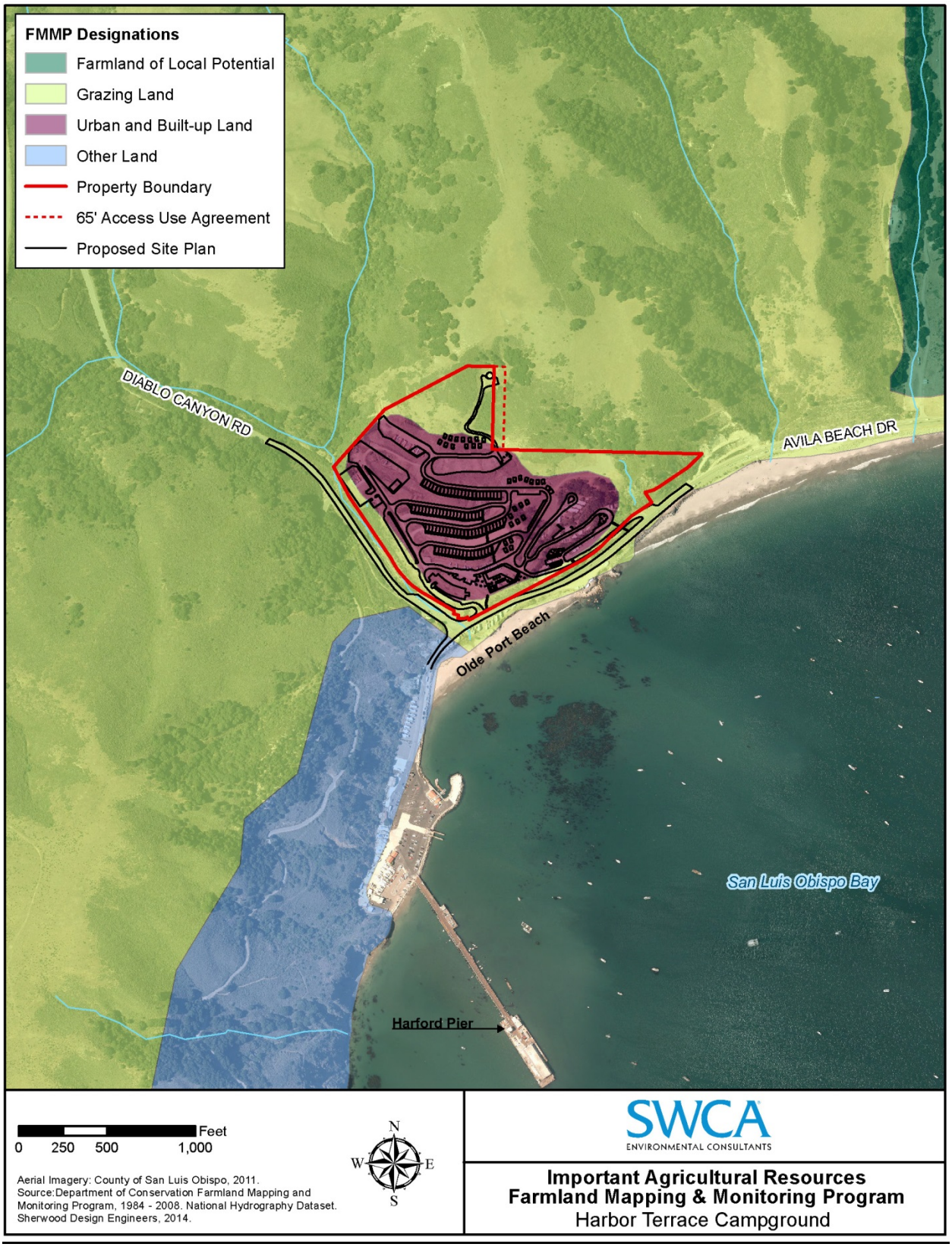


Figure 4.12-2. Important Farmland Map



4.12.1.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to agricultural resources would occur if the project would:

a. Convert prime agricultural land to non-agricultural use;

b. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use;

c. Impair agricultural use of other property or result in conversion to other uses; or,

d. Conflict with existing zoning or Williamson Act program.

4.12.1.4 Impact Assessment and Methodology

Impacts to agricultural resources were assessed by utilizing data and maps published by the U.S. Department of Agriculture, Natural Resources Conservation Service, California Department of Conservation, and County Agriculture Department, including soil information, farmland mapping, and historical and current agricultural uses at the project site. The project was analyzed for the potential conversion of Farmland, loss of productive agricultural soils, incompatible land uses, and inconsistencies with regulations and policies intended to preserve agricultural resources.

4.12.1.5 Project Specific Impacts and Mitigation Measures

Convert Prime Agricultural Land / Prime Farmland

Based on the location of the project, implementation of the project would not result in the conversion of prime agricultural land or prime farmland; no impact would occur.

Impairment of Agricultural Uses or Result in Conversion

Construction and implementation of the project would not impair agricultural uses in the region or result in the conversion of agricultural land to non-agricultural use. Although a portion of the site is designated Grazing Land, no grazing uses occur within the project site. Use of the site would be consistent with the Public Facilities land use category, and if grazing were to occur on the adjacent property, the use would not be inconsistent with proposed camping facilities. Therefore, potential impacts would be less than significant.

Conflict with Existing Zoning or Williamson Act Program

The proposed uses are consistent with the land use category of applicable parcels, and would not result in any land use conflicts. Based on the location and nature of proposed uses, these agricultural resource impacts are considered less than significant.

4.12.1.6 Cumulative Impacts

Based on the analysis above, the proposed project would not have an adverse effect on agricultural resources, and would not contribute to the conversion of farmland or loss of productive and important agricultural soils in the County. Therefore, no significant cumulative impacts would occur.

4.12.2 Population and Housing

4.12.2.1 Existing Conditions

The proposed project is located within the boundaries of San Luis Obispo County, within the Avila Urban Reserve Line. The population of Avila Beach and Avila Valley increased from 833 in 2000 to 1,624 in 2012. Predictions estimate population growth to 2,020 by the year 2035 (County of San Luis Obispo 2013).

4.12.2.2 Regulatory Setting

The California State Planning and Zoning Law requires that every city and county general plan must contain the following components or "elements:" Land Use, Conservation, Noise, Circulation, Open Space, Safety, and Housing. The County most recently adopted an updated Housing Element in August 2009 to cover the planning period from 2009 through 2014. The primary purpose of the Land Use Element is to facilitate the provision of needed housing in the primary purpose of the Housing Element is to facilitate the provision of needed housing in the context of the Land Use Element and the County General Plan and related ordinances. Its secondary purpose is to meet the requirements of state law and achieve certification by the California Department of Housing and Community Development, which allows the County to qualify for certain funding programs offered by the state. Housing is the only element subject to approval by the state and the only element that must be updated on a specific timeline, generally every 5 years.

4.12.2.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to population and housing would occur if the project would:

a. Induce substantial population growth in an area, either or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure);

b. Displace existing housing or people, requiring construction of replacement housing elsewhere; or,

c. Create the need for substantial new housing in the area.

4.12.2.4 Impact Assessment and Methodology

This evaluation of population and housing impacts associated with the proposed project was based on current population projections and statistics and review of the County General Plan. The focus of the population and housing analysis is potential impacts resulting from implementation of the project.

4.12.2.5 Project Specific Impacts and Mitigation Measures

<u>Induce Substantial Growth</u>

The proposed project does not include permanent residential units (aside from a campground manager's residence), and does not include expansion on infrastructure such as roads or services that would induce growth in the area. Based on the nature of the proposed project, the project would not induce substantial growth in the area and no impact would occur.

Displace Existing Housing

The proposed project would not result in the displacement of existing housing. No impact would occur.

Create the Need for Substantial New Housing

The project would bring local and regional visitors to the area through use of the campground facilities. However, the project is not expected to result in any permanent population growth in the area. The project would not result in any major extension of infrastructure. Therefore, the project will not result in a need for a significant amount of new housing, and no impact would occur.

4.12.2.6 Cumulative Impacts

In order to address cumulative impacts to inclusionary housing in the County, development projects are subject to the County's Inclusionary Housing Ordinance. Based on the Harbor District's consultation with the County (Ted Bench 2008), public facilities are exempt from the Inclusionary Housing Ordinance. Exempted uses include future Harbor District offices, public meeting facilities, and equipment storage and maintenance areas. Employee housing units can be used to satisfy the ordinance requirements, including the manager's residence or a designated campsite for the full-time camp host of the RV and tent camping area(s). A legal agreement between the County and the Harbor District would identify the manager's residence and/or camp host's camp site, and require that the campsite be permanently reserved solely for the primary residential unit of a full-time on-site employee (i.e., the camp host and his/her residence or RV unit).

Proposed uses that are profit-making are not exempt from the Inclusionary Housing Ordinance. These uses include: commercial floor space (building floor area); RV camp office space (not including open RV spaces); and, commercial storage buildings (excluding unenclosed/open air boat storage spaces). Each separate phase of development must meet its affordable housing requirement. If the retail/dining facilities are developed in a separate phase than the RV camp, then the retail/dining facilities will need to meet the ordinance separately (Ted Bench 2008).

The project would not create significant impacts on existing housing or population levels. The proposed uses are consistent with the County General Plan and land use designation. Therefore, no cumulatively significant impact would occur.

4.12.3 Recreation

4.12.3.1 Existing Conditions

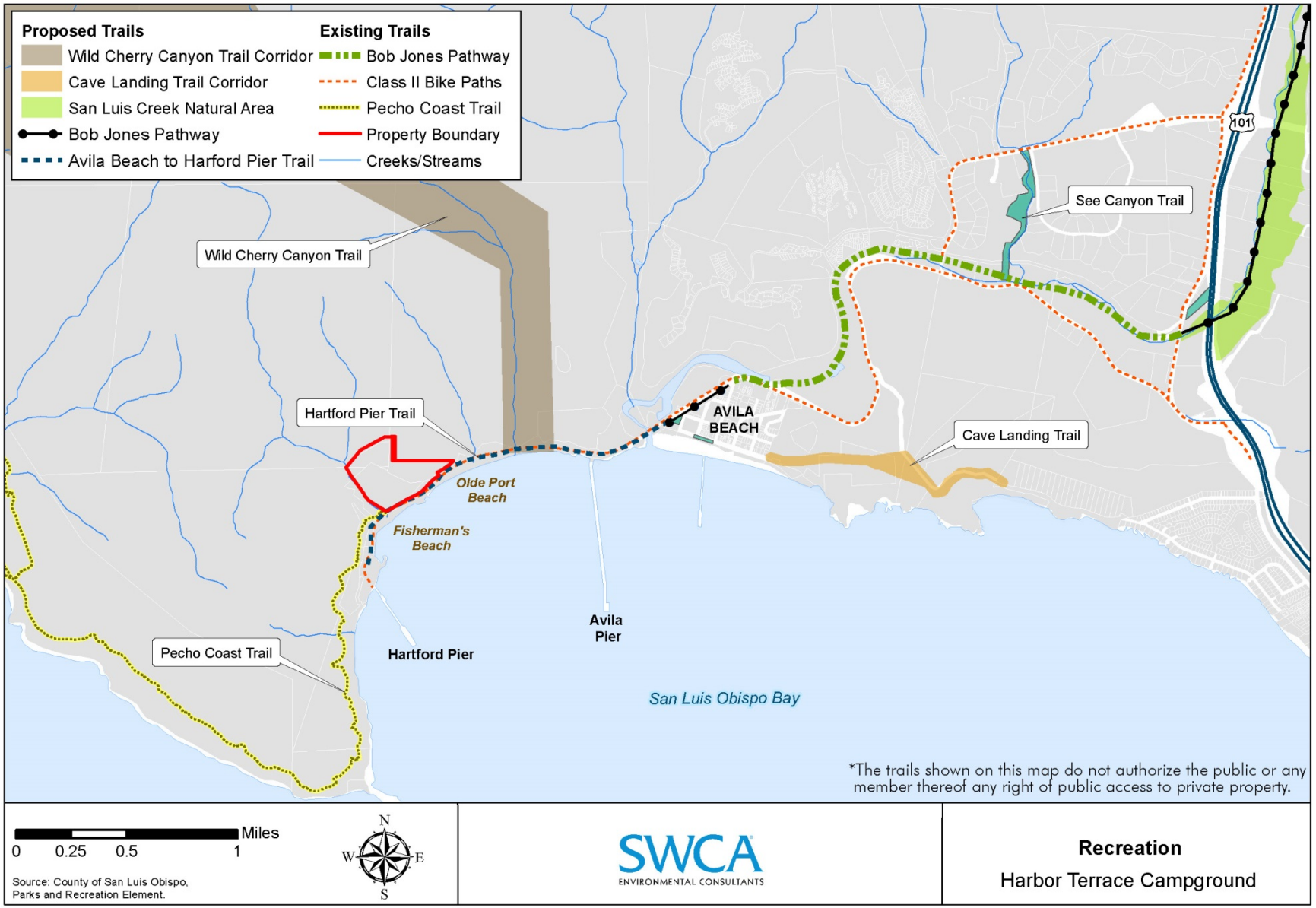
Avila Beach area is one of the primary recreation/tourist areas in San Luis Obispo County as well as providing one of the County's most popular beaches, partially due to its protected location and scenic features. The beach is accessible from Front Street which forms its northern edge. Permanent structures on the beach include a small Port office, restrooms, storage at the base of the pier, the San Luis Yacht Club building, a small restroom/shower building as well as playground equipment, and lifeguard stations. Beach activities include sunbathing, sight-seeing, jogging, volleyball, picnicking and bonfires. Off-shore activities include swimming, jet skiing, recreational boating, ocean kayaking, surfing and diving. Recreational equipment and additional recreational opportunities are provided by retail stores and restaurants along Front Street and at Avila Pier.

In 1990, a survey was conducted by the Harbor District on April 13 and 14 (Friday and Saturday of Easter Week) to determine use levels of Avila Beach during holiday weekends. Data were collected from 245 respondents between 10:30 a.m. and 3:30 p.m. over the two-day period. The survey collected data on where visitors live, time of arrival and departure, and various questions regarding transportation and parking. The survey found that the majority of visitors to Avila Beach were from within San Luis Obispo County (50.2%). The average length of a visitor's stay was approximately four hours. Approximately 96% of survey respondents arrived at Avila Beach via car or truck. The average number of passengers per vehicle was 3.35 persons. Although free parking for visitors to Avila Beach and local businesses is provided along Front Street (a total of 194 spaces between Avila Beach Drive and San Rafael Street), approximately 46% of the respondents stated that they had trouble finding a parking space in Avila Beach.

The coastal bluff along Avila Beach Drive south of the project site provides a recreational and passive open space function for travelers using this roadway and recreational visitors to the area. Two dirt turnout/parking areas are located on the south (ocean-facing) side of Avila Beach Drive near its intersection with Diablo Canyon Road. These areas are utilized for overnight parking for recreational vehicles. RV camping will cease and these areas will be made available for day use upon completion of the project. Restaurants, a boat launching area, sport fishing, tours, and other recreation opportunities are available to the public near Harford Pier. Limited improvements (restrooms, stairway and roadway access to the beach) and seasonal fire pits have been made at the sandy beach area known as Olde Port Beach. The stretch of coast west of Port San Luis is rugged and currently inaccessible to the public. The Pecho Coast Trail and a single lane road currently lead to the Port San Luis Lighthouse. The Port currently provides parking for passenger vehicles and vehicle/boat trailer parking adjacent to Harford Pier. A recent count of parking spaces indicates there are 241 spaces, of which approximately 50 are striped for vehicles with boat trailers. Additional spaces are currently provided for RVs and campers on Avila Beach Drive, south of the project site. During summer weekends parking at the Port is almost totally utilized and the turnover of parking spaces is low. During the warm summer months, weekend parking demand is at its highest due to recreational fishermen, tourists, beach visitors and patrons of the local restaurants. During the winter months with cold or foggy weather, parking provided at the Port is generally adequate.

In addition to Port San Luis and Avila recreational opportunities, the Bob Jones Bikepath will eventually extend from the City of San Luis Obispo to Avila Beach. The current improved path in the area extends from Ontario Road to the Avila Beach Golf Resort (trailhead on Avila Beach Drive). The Wild Cherry Canyon trail corridor is located east of the project site and may be developed in the future. The Cave Landing Trail Corridor, located between Pirates Cove and Shell Beach/Pismo Beach is located east of Avila Beach. Future expansion of the Coastal Trail (the Avila Beach to Harford Pier Trail), including a bike path on Avila Beach Drive extending to Port San Luis, is proposed in the future. Existing and proposed trails, paths, trail corridors are shown on Figure 4.12-3. The proposed project is not located in any area that would hinder existing or future use of identified trails and paths.

Figure 4.12-3. Recreational Resources Map



4.12.3.2 Regulatory Setting

The Parks and Recreation Element of the County General Plan identifies the goals, objectives, policies, and programs related to the provision of parks, trails, beach access, golf courses, and natural areas countywide. The Parks and Recreation Element was updated and adopted on December 19, 2006. The purpose of the Parks and Recreation Element is to: 1) provide policy guidance regarding the provision of park and recreation services, 2) document the County's existing park and recreation resources, including those resources that are outside of the County's management, and 3) facilitate the evaluation of park and recreation needs during the land use decision process. The Parks and Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

The National Recreation and Parks Association standards are used for determining recreational needs. The standards are designed to help planners adequately estimate the amount of recreational acreage that is needed for the population in a given area. The standards are expressed in terms of acres of parkland per 1,000 residents, and include approximately 1 to 2 acres of neighborhood parks, 5 to 8 acres of community parks, and 5 to 10 acres of regional parks for every 1,000 people.

In addition, many jurisdictions, including federal, state, county, and municipal governments, are involved in planning, developing, and operating public trails within San Luis Obispo County. Federal and state governments have adopted legislation to protect existing trails and to provide new trails and related facilities. The National Trails System Act of 1968 plans a nationwide system of interstate riding and hiking trails. At the state level, the Department of Parks and Recreation has prepared the California Recreational Trails System Plan. At the local level, the County has developed the County Trails Plan to ensure coordination with state and federal plans.

The California Coastal Act (CCA) includes policies related to recreation and public access to the coastline, including provision of lateral and vertical access and protection of water-oriented activities. The CCA states that "maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse" (§30210). The County's LCP incorporates these polices in the Coastal Policies document (County of San Luis Obispo 2007) and the CZLUO.

San Luis Bay Coastal Area Plan

The San Luis Bay Coastal Area Plan includes the following Goals regarding access and recreation, which were identified in the Port Master Plan:

> ***Goal: Adequate access for all Harbor users and visitors.***
>
> 1. ***Access to Vessels and Water.*** *Maintain and enhance access to the water, boats, and boating facilities. Maintain the overall launching capability of the Harbor at levels in consideration of demand and safety, the availability of parking, economic circumstances, and dredging needs.*

2. ***Shoreline Access.*** *Maintain public access to the beaches, oceans, and Port properties, and enhance where feasible consistent with public safety and coastal resource protection.*

3. ***Development Contributions to Enhanced Access.*** *New development shall provide public access improvements and enhancements including related improvements such as interpretive exhibits, benches, and picnic tables.*

Port Master Plan and Port Master Plan Final Program EIR

Mitigation measures identified in the Port Master Plan Final Program EIR (CMCA 2004) applicable to the proposed project include:

PS-19 *Maintenance of all developed park, open space and recreation facilities on the Harbor Terrace site shall be the responsibility of either the Port San Luis Harbor District or its designee and/or another suitable entity or a combination of the above.*

PS-20 *Where applicable all recreational facilities (bluff top parks, etc.) shall be landscaped and, where necessary, irrigated.*

PS-21 *New development shall provide parking in accordance with standards established by the Port San Luis Harbor District, the County of San Luis Obispo and the California Coastal Act.*

PS-22 *New development shall provide signage to assist the public in locating and recognizing beach access points. The number and design of such signage must conform to standards established by the California Coastal Commission and shall be approved by the Port San Luis Harbor District and the County of San Luis Obispo.*

4.12.3.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Pursuant to the County's CEQA Initial Study Checklist, a substantial impact to recreational resources would occur if the project would:

a. Increase the use or demand for parks or other recreation opportunities; or,

b. Affect the access to trails, parks or other recreation opportunities.

4.12.3.4 Impact Assessment and Methodology

The impacts of the proposed project were evaluated based on an assessment of the proposed elements identified in the proposed project, and its effect on recreational resources in the area.

4.12.3.5 Project Specific Impacts and Mitigation Measures

Increase Demand for Parks and Recreational Opportunities

The project would result in beneficial recreational impacts by protecting and enhancing a campsite, which would provide improved recreational and coastal access opportunities for the public, including additional storage for marine-dependent~~related~~ activities, consistent with the California Coastal Act and County LCP. Therefore, potential impacts to recreational resources would be beneficial.

Affect Access to Trails, Parks, or Other Recreational Opportunities

Implementation of the project would improve access to coastal recreational opportunities. The project would not impede future development of trails and recreational facilities in the area, such as the Pecho Coast Trail and trails within Wild Cherry Canyon. The Harbor District would continue to coordinate with the County regarding the development of additional trails, trailheads, multi-use and bicycle paths, and coastal access improvements in the area. Therefore, potential impacts to recreational resources would be beneficial.

4.12.3.6 Cumulative Impacts

The proposed project would result in a beneficial cumulative effect for recreational resources in the area by providing additional facilities, marine-related storage, and access to coastal resources.

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CHAPTER 5
ALTERNATIVES ANALYSIS

5.1 INTRODUCTION

CEQA Guidelines §15126.6(a), requires an EIR to "describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." This chapter discusses a range of alternatives to the proposed project, including alternative locations, alternative designs, and a No Project Alternative. The CEQA Guidelines provide direction for the discussion of alternatives to the proposed project. This section requires:

- Description of "...a range of reasonable alternatives to the project, or to the location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." [§15126.6(a)]

- A setting forth of alternatives that "...shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project." [§15126.6(f)]

- Discussion of the "No Project" alternative, and "If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." [§15126.6(e)(2)]

- Discussion and analysis of alternative locations "…that would avoid or substantially lessen any of the significant effects of the project…"; only these need to be considered for inclusion in the EIR. [§15126.6(f)(2)(A)]

Given the CEQA mandates listed above, this section: (1) describes the range of reasonable alternatives to the project; (2) examines and evaluates resource issue areas where significant adverse environmental effects have been identified and compares the impacts of the alternatives to those of the proposed project; and (3) identifies the Environmentally Superior Alternative.

5.2 ALTERNATIVES SELECTION

In defining the feasibility of alternatives, the CEQA Guidelines state: "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site." Through the scoping process, if an alternative was found to be infeasible, as defined above, then it was dropped from further consideration. In addition, CEQA states that alternatives should "…attain most of the basic objectives of the project..."

5.2.1 Project Objectives

The basic objectives of the proposed project that were used in the screening of project alternatives are taken from Chapter 2 and include the following:

- Develop a plan consistent with County San Luis Bay Area Plan standards, the County's CP, and the Coastal Act;
- Provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, including low and moderate cost overnight accommodations (campsites as stipulated in the LCP), so that the land is financially and physically supportive of Harbor District operations and functions;
- Provide a range and mix of uses that enhances the public's enjoyment of the Port and serves the needs of harbor users, including retail uses that are complementary to the harbor;
- Reserve area on Harbor Terrace to accommodate current and future Harbor District and other user needs including gear and trailer boat storage, and other harbor uses.
- Include overnight accommodations and commercial uses; make-up of overnight accommodations shall comply with LCP requirements that stipulate campsites shall be provided in specified ratios as related to unit count of RV and hotel/motel accommodations.
- Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving.
- In new visitor serving developments on Harbor Terrace, incorporate measures to provide safe pedestrian access on- and off-site and coordinate access to the beach and other Port facilities.
- Allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture-supporting uses and mariculture-supporting uses.
- Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restriction does not preclude trailhead or beach and bluff access connections.

5.2.2 San Luis Bay Coastal Area Plan

The project objectives listed above are similar to the goals and standards specific to Harbor Terrace identified in the San Luis Bay Coastal Area Plan. These standards are incorporated into the County's LCP; therefore, feasible alternatives must be consistent with identified policies. The project area was subject to review by the Harbor District, County, and CCC through preparation of the Port Master Plan and Final Program EIR, and subsequent adopted General

Plan and LCP amendments to incorporate the policies and standards into the San Luis Bay Coastal Area Plan. Therefore, no modifications or amendments to the County General Plan and LCP are proposed, and only alternatives that are consistent with the County General Plan and LCP are considered for further review. Applicable San Luis Bay Coastal Area Plan standards include the following:

> ***Goal: Harbor Terrace encompasses a mix of uses that enhances the public's enjoyment of the Port, serves the needs of harbor users, and may augment Port income.***
>
> 1. ***Development Intent.*** *Development of the Harbor Terrace Planning Sub-Area shall provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations.*
> 2. ***Harbor Users.*** *Reserve area on Harbor Terrace to accommodate current and future Harbor District and other user needs including gear storage, trailer boat storage, and other harbor uses.*
> 3. ***Visitor Uses.*** *Provide visitor-serving retail uses that are complementary to the harbor so that this area may enhance the public's enjoyment in ways that financially and physically support the Harbor District's public functions. Include overnight accommodations and commercial uses according to market demand and feasibility. Overnight accommodations shall include affordable visitor serving facilities.*
> 4. ***Environmental Performance.*** *Encourage new development to integrate site and building design techniques that are environmentally sensitive and energy conserving.*
> 5. ***Pedestrian Access.*** *New visitor serving developments on Harbor Terrace shall incorporate measures to provide safe pedestrian access onsite and coordinate access to the beach and other Port facilities.*
> 6. ***Limitation on Use.*** *Allow trailer boat and gear storage, eating and drinking establishments, food and beverage retail sales (e.g., market or commissary), yachting and rowing clubs, paths, trails, scenic overlooks and sightseeing facilities, public parking, picnicking, accessory storage, hotels and motels (camping, bungalows, tent cabins, inns, casitas, bed and breakfast), recreational vehicle parks, meeting facilities, group camping, passive recreation, communication facilities, specialized programs, outdoor retail sales, Harbor Operations (including offices, storage and maintenance yard), public safety facilities, temporary events, interpretive displays and exhibits, shuttle station, aquaculture and mariculture.*
> 7. ***Trailer Park.*** *The existing trailer park shall be closed, consolidated, or relocated consistent with the California Harbors and Navigation Code §6086 and Government Code §65863 prior to, or concurrent with, any approved development of the site. The mobile home park shall be consolidated, closed, or relocated, in a manner that maximizes the area available for coastal dependent and coastal related land uses prior to or concurrent with any approved development of the site.*

8. ***Parcel Acquisition.*** *The Harbor District shall pursue acquisition of necessary property adjacent to Harbor Terrace to implement the Port Master Plan Improvements.*

9. ***Service Restriction.*** *Prohibit extension of roads, infrastructure, services, or other development connections through the Harbor Terrace property to other non-Harbor District properties. This restrictions does not preclude trailhead connections.*

10. ***Harbor Terrace Planning Criteria:*** *Development plans for Harbor Terrace shall be evaluated according to the following criteria:*

    a. ***Priority of Uses:*** *Proposed uses of the Harbor Terrace site shall include sufficient area for the highest priority coastal-dependent and coastal-related uses. To ensure that future development of the Harbor Terrace provides adequate facilities necessary to serve the highest priority uses and does not reduce opportunities for lower cost visitor serving uses and coastal access and recreation, future development shall provide the following:*

        1. ***Minimum Required Uses:*** *A minimum of 70 trailer boat storage spaces, 20 marine gear storage spaces, 48,000 square feet of general public parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient.*

        2. ***Prescribed Use Ratios:*** *A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every one and a half (1.5) unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three (3) RV campsites.*

        3. ***Project Phasing Limitations:*** *Permits necessary to construct the minimum number of lower-cost campsites (car or walk-in/bike-in tent campsites) must be approved prior to or concurrently with any permit approval for hotel/motel and/or commercial retail development on the Harbor Terrace, and the lower-cost campsites must be available for use within one year of the opening of the hotel/motel and/or commercial retail development.*

        4. ***Purpose of Commercial Uses:*** *All commercial uses must serve coastal dependent uses, coastal-related uses and/or provide visitor-serving uses.*

        5. ***Intent of Accommodations:*** *With the exception of an on-site campground host or campground facilities manager, all overnight accommodations to be developed on the Harbor Terrace shall be exclusively available to the general public*

for transient occupancy. The establishment or conversion of overnight accommodations to a private or members only use (e.g. timeshares or condominiums), or the implementation of any program to allow extended and exclusive use or occupancy of the facilities by an individual or limited group or segment of the public is prohibited.

6. ***Special Events:*** *Specialized programs and temporary events are subject to land use approval consistent with the LCP. Outdoor events conducted on the site shall be planned and staged so that noise generated by the event, attendees, and traffic is minimized. Temporary events shall not interfere with harbor operations and boating and fishing activities.*

In addition to these standards, any project or alternative brought forward for review by the County of San Luis Obispo would be evaluated pursuant to Harbor Terrace building and site design standards, and standards in place to mitigate impacts to aesthetic resources, biological resources, cultural resources, and potential hazards.

5.2.3 Significant Impacts Resulting from the Proposed Project

Based on the analysis presented in Chapter 4 of this EIR, implementation of the proposed project would result in the following potentially significant impacts:

1. **Aesthetic Resources.** Potential impacts to visual resources include silhouetting (commercial building), engineered appearance of terraces, potential visual clutter within the RV sites, changes in visual character, and the creation of new sources of lighting, affecting the dark night sky.

2. **Air Quality.** During construction of the project, generated emissions would potentially exceed SLOAPCD thresholds for ROG+NO_x and DPM, and grading and construction activities would generate fugitive dust. Naturally occurring asbestos and materials containing asbestos may be encountered, and would require special handling. Operation of the project would generate emissions potentially exceeding ROG+NO_x, PM_{10}, and DPM emissions.

3. **Biological Resources.** Impacts to special-status terrestrial species and avian species (including nesting birds) may occur during construction. The project would temporarily and permanently affect native habitats including coastal scrub and introduced valley needlegrass grassland.

4. **Cultural Resources.** Grading and construction activities may affect previously undiscovered subsurface cultural resources.

5. **Geology and Soils.** Implementation of the project would require mass grading of the project site to remediate underlying geologic hazards including landslides, expansion, slope instability, and susceptibility to fault activity including groundshaking, rupture, and liquefaction. The potential for erosion and down-gradient sedimentation is high during construction. Long-term management of drainage is required to prevent over-saturation of the soil.

6. **Greenhouse Gas Emissions and Climate Change.** The project would generate GHG emissions and would contribute to climate change. Standard energy efficiency measures would be required.

7. **Hazards and Hazardous Materials.** Implementation of the project would require the proper handling, storage, transport, and disposal of contaminated soil. During construction, the use of equipment may result in an accidental spill or leak affecting sensitive resources and the public. The project is located within a high fire risk area.

8. **Transportation and Circulation.** The creation of additional trips and turning movements on Avila Beach Drive may warrant a left turn lane at one of the project entrances, which may result in secondary impacts to sensitive habitats and resources. Creation and maintenance of clear sight lines is required to avoid a potentially unsafe condition; this would include vegetation management and removal of parking areas near the intersection.

5.3 ALTERNATIVES ANALYSIS

Criteria used to develop potential alternatives included the potential of the project to avoid impacts to sensitive resources and the human environment, whether or not it could generally meet the project objectives, and costs. Specific consideration was given to potential alternatives that appeared to avoid or minimize impacts to natural resources and the human environment, and are consistent with the San Luis Coastal Area Plan.

5.4 ALTERNATIVES IMPACTS ANALYSIS

5.4.1 No Project Alternative

Under the No Project Alterative, the project would not be developed. Selection of this alternative would not preclude future development proposals, consistent with the San Luis Bay Coastal Area Plan.

5.4.1.1 Aesthetics

Under the No Project Alternative, no physical improvements would occur. The site may continue to be used for storage and parking, and there would no requirement for visual mitigation including landscaping or screening.

5.4.1.2 Air Quality, GHG, and Climate Change

The No Project Alternative would not include any construction activities or long-term trip generation and, therefore, would not result in any adverse effects to air quality and GHG/climate change. This alternative would not result in GHG emissions or require the use of energy as nothing would be constructed.

5.4.1.3 Biological Resources

Biological resources would not be directly impacted by the No Project Alternative. The site would remain in its current state. The potential for sediment or pollutant discharge from existing uses would not be subject to mitigation including stormwater management, pollution control, or long-term slope stability measures.

5.4.1.4 Cultural Resources

No grading or development would occur; therefore, there would be no potential for discovery of unknown subsurface resources.

5.4.1.5 Geology and Soils

Under the No Project Alternative, mass grading, landslide remediation, and site development would not occur. The presence of existing landslides and a potentially active fault would remain a hazard for property stored onsite. No erosion control or stormwater management measures would be implemented.

5.4.1.6 Hazards and Hazardous Materials

The potential for additional fire risk would not occur under this alternative, because no campsites, commercial facilities, and supportive uses would be developed. The contaminated soil underlying the site would remain in place.

5.4.1.7 Hydrology and Water Quality

Under the No Project Alternative, the project site would continue to generate unfiltered stormwater, which would percolate into the underlying soils (potentially increasing risk of landslide and slope instability), and would discharge offsite.

5.4.1.8 Noise

The potential for additional noise generation related to construction, additional traffic trips, and use of portable generators would not occur. Existing RVs on Avila Beach Drive may continue to generate noise as a result of generator use, potentially affecting adjacent beach areas.

5.4.1.9 Public Services and Utilities

Under the No Project Alternative, the project site would not generate demand for water supply, wastewater treatment capacity, or energy usage. This would result in an additional 31.94 afy of surplus water (compared to the 100 afy allocation limit), and 9,968 gpd of surplus wastewater capacity (compared to the 70,000 gpd of capacity allocated for Port San Luis). However, neither surplus water nor surplus wastewater capacity may be available for non-district uses. Continued use of the site for storage may require emergency response including fire and police protection. Additionally, the removal of RV camping on Avila Beach Drive, as required in the San Luis Bay Area Plan, would negatively affect the Harbor District's ability to provide services, including public safety, for visitors due to the reduction in funding currently collected from these uses.

5.4.1.10 Transportation and Circulation

The No Project Alternative would not result in short- or long-term trip generation beyond existing conditions.

5.4.1.11 Consistency with Project Objectives

The No Project Alternative would not be consistent with project objectives, because it would not meet the primary goals of the project, which are to provide a range and mix of coastal related and visitor serving uses that enhance the public's enjoyment of the Port, serves the needs of harbor users, such that the land is financially and physically supportive of Harbor District operations and functions. Adoption of the No Project Alternative would constitute denial of the project.

5.4.2 Reduced Project Alternative

Under the Reduced Project Alternative, the number of hotel/motel units would be reduced to 20, and all units would be located in areas designated as ruderal/disturbed habitat. This modification is proposed to address potential impacts to biological resources, including avoidance of coastal scrub and valley needlegrass grassland habitats in the northern portion of the project site. Harbor use areas, including five marine gear storage spaces and four harbor use storage spaces would be relocated to the east of the proposed storage areas, to avoid impacts to coastal scrub. This alternative also includes a 20% reduction in RV spaces (resulting in 64 spaces total), which would reduce visual clutter, provide greater flexibility to site RV pads in less visual areas (set back from the terrace edges), and allow for more integration of landscaping features. 15 RV/RV cabins are included in this alternative. Implementation of this alternative would result in fewer medium to lower-cost options for overnight visitor accommodations in the Avila Beach/Port San Luis area. In addition, the provision of 64 RV spaces would result in an overall net loss of approximately 16 RV spaces in the Port San Luis Area (i.e. within the Port San Luis Master Plan Area), which may potentially conflict with Coastal Policies intended to increase public accessibility to the coastline and provide low-cost accommodations for visitors.

5.4.2.1 Aesthetics

Implementation of the Reduced Project Alternative would further reduce potential visual impacts by reducing the number of structures and RV spaces on the project site. Eleven hotel/motel units located on the upper terrace would be removed, which would reduce potential visual clutter. RV pads would be redesigned to set spaces back farther from terrace edges, and additional space would be provided for interspersed landscaping and trees between pads. Mitigation identified in EIR Section 4.1 Aesthetic Resources would be required.

5.4.2.2 Air Quality, GHG, and Climate Change

Under this alternative, similar construction-related air quality and GHG/climate change impacts would occur. Operation impacts would be reduced due to a 35% reduction in trips generated by hotel/motel uses and 20% trip reduction for RV uses (as compared to the proposed project). GHG emissions would be reduced to 1,481.17 CO_2e; however, this would still exceed the bright-line threshold and mitigation would be required, similar to the proposed project. Based on the amount of grading required to prepare the site for development consistent with the UBC and recommendations identified through geologic and geologic hazards review (refer to EIR Section 4.5 Geology and Soils), similar air quality impacts and GHG/climate change and mitigation measures would be required (refer to EIR Section 4.2 Air Quality).

5.4.2.3 Biological Resources

Under this alternative, structural development and storage area pads would be limited to areas considered ruderal/disturbed. Reducing the development of hotel/motel units and relocation of storage areas would avoid permanent impacts to 0.30 acre of coastal scrub and 0.08 acre of valley needlegrass grassland. Removal of eleven hotel/motel units would also reduce the extent of fuel modification and vegetation management within scrub and grassland habitats. Mitigation, including 2:1 replacement of habitat temporarily affected by grading and construction activities is recommended.

5.4.2.4 Public Services and Utilities

Under the Reduced Project Alternative, the project site would result in a lower demand for water supply and wastewater capacity. Water demand would be reduced by approximately 2.97 afy

and demand for wastewater capacity would be reduced by approximately 810 gpd; however, neither surplus water nor surplus wastewater capacity may be available for non-district uses. Energy demand would also decrease by 35% for the hotel units and 20% for the RV sites, compared to the proposed project. The demand for other services, including landfill capacity and police and fire protection would be similar to the proposed project.

5.4.2.5 Transportation and Circulation

The reduction in hotel/motel units and RV spaces would result in a reduction in traffic trips generated by the project. 20 hotel/motel units would generate approximately 164 daily trips, and 64 RV spaces would generate 173 daily trips. This alternative assumes that existing RV spaces on Avila Beach Drive would be accommodated onsite. Total trip generation would be reduced by approximately 133 trips, which equates to an approximately 11% reduction. This reduction would factor into further considerations regarding a left-turn lane at one of the project entrances; however, continued monitoring and coordination between County Public Works and the Harbor District is recommended.

5.4.2.6 Other Issue Areas

Implementation of this alternative would result in similar impacts to cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise.

5.4.2.7 Consistency with Project Objectives

The Reduced Project Alternative is generally consistent with project objectives. The reduction of higher-income generating uses including hotel/motel units and RV sites may affect the overall financial feasibility of the project, and may not support the objective that the project financially supports the Harbor District's public functions.

5.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the alternatives section of an EIR to describe a reasonable range of alternatives to the project that avoid or substantially lessen any of the significant effects identified in the EIR analysis while still attaining most of the basic project objectives. The alternative that most effectively reduces impacts while meeting project objectives should be considered the "environmentally superior alternative." In the event that the No Project Alternative is considered the environmentally superior alternative, the EIR should identify an environmentally superior alternative among the other alternatives.

In this EIR, the No Project Alternative would result in the fewest environmental impacts; however, this alternative does not provide for the remediation of potential geologic hazards and improved management of stormwater runoff. The No Project Alternative does not meet the primary objectives of the project.

As proposed, and with incorporation of recommended mitigation measures, the proposed project would not result in any significant, unavoidable environmental effects, and would meet project objectives. The proposed Reduced Project Alternative includes reductions in project development and avoidance of biological habitats to the maximum extent feasible. This alternative would further reduce impacts to aesthetic resources, air quality, greenhouse gas emissions, transportation and traffic, and public services and utilities. Mitigation identified in the EIR would be required to address all potentially significant impacts, and to mitigate potential effects to less than significant levels, including impacts that would be reduced by implementation of the Reduced Project Alternative.

The Reduced Project Alternative may be found inconsistent with the following project objective: "provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, including low and moderate cost overnight accommodations (campsites as stipulated in the LCP), so that the land is financially and physically supportive of Harbor District operations and functions". In addition, development intent for Harbor Terrace is described in the San Luis Bay Coastal Area Plan (pages 8-20) as, "The Harbor Terrace project will provide a range and mix of uses, with emphasis on coastal related and visitor serving uses, so that the land is financially and physically supportive of Harbor District operations." The Reduced Project Alternative may not be found "financially and physically supportive of Harbor District operations and functions" and would not likely generate income for the Harbor District for the following reasons, which will be considered by the Harbor Commission and the County of San Luis Obispo (through review of the proposed CDP application):

- **Change in Net Income:** Annual net income (revenue net of operational expenses) derived from overnight accommodation uses (RV, RV-Cabin, Hotel/Motel, and Camping) is projected to total $2,621,464 under the proposed project. Due to a decrease in RV spaces from 80 to 64 and a decrease in hotel/motel units from 31 to 20, annual net income derived from overnight accommodation uses under the Reduced Project Alternative is projected to total $2,110,931. The Reduced Project Alternative therefore presents a loss of approximately $510,532 annual net income as compared to the proposed project.

- **Change in Construction Cost:** Due to site configuration, location requirements of Harbor Uses prescribed in the San Luis Bay Coastal Area Plan[1], and balancing of AES-Impact 1 mitigation measures[2], construction costs of the Reduced Project Alternative related to shifting of the Harbor Use areas out of coastal scrub habitat are not reduced as compared to the proposed project. It is possible the construction costs would increase as a result of added retaining walls required to accommodate the shift in Harbor Uses, but for the purpose of this analysis, it is conservatively assumed that no construction cost increase would occur. The decrease from 31 to 20 hotel/motel units would decrease construction costs by approximately $295,000.

- **Change in Investment Return:** The loss of $510,532 annual net income associated with the Reduced Project Alternative that is offset by a corresponding $295,000 decrease in construction cost decreases the total project investment return by approximately 42%, from a 13.3% internal rate of return to a 7.8% return. The anticipated 7.8% return would render the project infeasible by normal standards of an investment risk-return profile.

[1] Location of the Harbor Uses on the site is somewhat restricted by the San Luis Bay Coastal Area Plan (pg. 8-22 – 8-25): A minimum of 70 trailer boat storage spaces, 20 marine-gear storage spaces, 48,000 square feet of general parking (which includes public parking for a possible Harbor Office meeting room), and 10,000 square feet of expansion area that will be reserved to accommodate coastal-dependent and coastal-related uses. These uses shall be located in the western and southwestern portions of the site in order to maximize proximity to the coast and other associated harbor facilities, unless another location is equally sufficient.

[2] Mitigation Measure V-1 from the Port Master Plan states, "Grading shall be designed to conserve natural topographic features and appearances by means of land sculpting to blend graded slopes and benches with natural topography." Mitigation Measure V-2 from the Port Master Plan states, "Construction equipment and staging areas for the development of the Harbor Terrace and Avila parking lot sites shall be stored and located in the least visually prominent location on site, and/or screened from public view." The Northwest portion of the site is generally considered the least visually prominent location on site, as it is largely hidden from public viewpoints identified in the visual analysis of Chapter 4-1 of this EIR (due to the folding ridge pattern adjacent to Diablo Canyon Road).

Based strictly on an analysis of the relative environmental impacts, the Reduced Project Alternative, with adoption and incorporation of recommended mitigation measures, is considered the Environmentally Superior Alternative. The County of San Luis Obispo will consider the whole of the record when considering the proposed Coastal Development Permit application, including but not limited to, public comment and testimony by the Harbor District, agencies, and the public. The County may select the project as proposed, an Alternative, or a specified combination of particular elements identified in the project and the Reduced Project Alternative, as the approved project. In all scenarios, the Mitigation and Monitoring Program would be applied to the approved project.

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CHAPTER 6
OTHER CEQA CONSIDERATIONS

6.1 GROWTH INDUCING IMPACTS

CEQA Guidelines §15126.2(d) that EIRs provide a discussion of the growth-inducing impacts of the proposed project. Growth-inducing impacts could be caused by projects that foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth-inducing impacts can also be caused by removing obstacles to population growth such as an expansion of a wastewater treatment plant. Growth-inducing impacts can result from population increases that require the construction of new community services facilities.

In general terms, a project may induce spatial, economic, or population growth in a geographic area if it meets any of these four criteria:

- Removal of an impediment to growth (e.g., establishment of an essential public service or the provisions of new access to an area);
- Economic expansion or growth (e.g., changes in revenue base, employment expansion);
- Establishment of a precedent-setting action (e.g., an innovation, a change in zoning or general plan amendment approval); or
- Development or encroachment in an isolated area or one adjacent to open space (being different from an "infill" type of project).

Should a project meet any one of the above listed criteria, it can be considered growth inducing. The impacts of the proposed project are evaluated below with regard to these four growth-inducing criteria.

6.1.1 Removal of an Impediment to Growth

Development of the proposed project would not require the establishment of an essential public service and it would not provide new access to a previously inaccessible area. The proposed access easement would only allow for a small section of a proposed internal access road to be construction consistent with CAL FIRE standards, and would not introduce a new access road to other properties in the vicinity. Water and wastewater services would be provided under existing agreements, and demand would be within pre-determined allocation limits. As a result, the project would not cause significant growth inducement. Given the nature of the project, which would provide additional recreational, coastal-dependent, and coastal-related facilities with a stay limit of no more than 30 days, the proposed project would not be considered growth-inducing.

6.1.2 Economic Growth

Economic growth is evaluated to the extent that it would relate directly or indirectly to a physical impact on the environment. Economic growth could occur in the area during construction of the project. Employment due to construction would be limited to mostly short-term temporary labor, and it is expected that most of the construction workers would come from the local contractor

pool within 60 miles of the project site. Therefore, no significant growth in hotel services would be expected to occur.

In the long-term, the project would generate income for the Port San Luis Harbor District, which would facilitate existing and future public improvements as identified in the Port Master Plan and Port Master Plan Final Program EIR. Therefore, the project would not generate economic growth that has not already been considered in long-range plans for the area, and no resulting physical impacts would occur that have not been addressed in the Final Program EIR.

6.1.3 Precedent-Setting Action

The proposed project is included in the Port Master Plan and San Luis Bay Coastal Area Plan, and does not include any precedent-setting actions.

6.1.4 Development of Open Space

Implementation of the project would result in development or encroachment in an isolated area. The project site is designated Public Facilities, is within the Avila Urban Services Line, and is addressed on long-range plans for the area.

6.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines states that use of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their removal, indirect removal, or use thereafter unlikely. This section of the EIR evaluates whether the project would result in the irretrievable commitment of resources, or would cause irreversible changes in the environment.

The proposed project would result in some habitat conversion to structural uses, including coastal scrub and grassland. Construction of the proposed project would result in an aesthetic change, which may be noticeable to the public; however, design standards are recommended to encourage visual compatibility and reduce adverse effects on visual character. Mitigation is recommended to address and reduce these impacts to less than significant

6.2.1 Energy Conservation

In order to assure that energy implications are considered in project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy (see PRC §21100(b)(3)). According to Appendix F of the CEQA Guidelines, the goal of conserving energy implies the wise and efficient use of energy including: (1) decreasing overall per capita energy consumption; (2) decreasing reliance on natural gas and oil; and (3) increasing reliance on renewable energy sources.

The proposed project would result in increased demand for energy, including transport of water and wastewater, use of fuels for construction vehicles and operational trips to and from the project, and electricity and natural gas use. A number of measures have been included in the project that would conserve energy (refer to EIR Section 4.6 Greenhouse Gas Emissions and Climate Change). These include, but are not limited to the following:

- Site design incorporating trees and vegetation;
- Use of energy efficient windows, doors, appliances, and heating/cooling units;

- Use of local and sustainable building materials; and,
- Use of low energy exterior lighting.

In addition, the County's COSE incorporates new material to address conservation issues, including energy resources. As an adopted Element of the County's General Plan, under State law the County's decision makers must consider the project's consistency with the COSE.

Applicable goals and policies of the COSE and other applicable plans, ordinances, regulations, and standards are addressed in Appendix G and of this EIR. Compliance with all applicable building codes, County policies, and mitigation measures identified in this EIR, would ensure that energy use by the project is minimized.

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CHAPTER 7
MITIGATION MONITORING AND REPORTING PROGRAM

7.1 STATUTORY REQUIREMENT

When a Lead Agency makes findings on significant environmental effects identified in an Environmental Impact Report (EIR), the agency must also adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment" (Public Resources Code §21081.6(a) and California Environmental Quality Act (CEQA) Guidelines §15091(d) and §15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the Lead or Responsible Agency.

7.2 ADMINISTRATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

The Harbor District is the Lead Agency responsible for the adoption of the MMRP. As the project applicant, the Harbor District is also responsible for implementation of the MMRP, in coordination with the County and other government agencies. According to CEQA Guidelines §15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the Lead Agency remains responsible for ensuring that the implementation of the measure occurs in accordance with the program.

7.3 MITIGATION MEASURES AND MONITORING PROGRAM

Table 7-1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in the Environmental Impact Analysis chapter of this EIR (refer to Chapter 4).

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
Aesthetic Resources				
AES/mm-1	Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall design and site the commercial buildings(s) and new water tank (if required) so that no part is above the natural ridgeline in the background. This may be accomplished by measures including but not limited to setting the structure further back from the leading edge of the graded top-of-slope, reducing building height, and/or stepping the upper portions of the building back from the lower façade. Prior to Harbor District approval of construction and architectural plans for proposed structures, a sight-line study shall be prepared showing the buildings will not silhouette above the primary natural ridgeline as seen from Avila Beach Drive. The sight-line study shall be submitted to the County with the construction permit application.	Submittal of required plans and study.	Upon application for construction permits; final inspection of structure	Harbor District (or their designee), County of San Luis Obispo
AES/mm-2	Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall submit final landscape plans incorporating substantial screening of all engineered graded surfaces. The plant palette shall incorporate plants of varied-size that will produce a natural pattern of vegetative growth. a. Plants shall be arranged in natural appearing patterns using a combination of ground covers, different sized shrubs, and different sized trees. Plant types shall be native or native appearing. b. Trees and large shrubs shall be planted such that within 10 years after project construction, no more than 20% of the parked RVs and other vehicles (at full-use capacity) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Screening vegetation shall be strategically planted on the slopes in front of the parking areas, as well as on the flatter areas among the spaces. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for	Submittal of required plans; long-term maintenance of landscaping	Upon application for construction permits; maintenance of landscaping for the life of the project	Harbor District (or their designee), County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	visitors to the project site. c. Plant trees and large shrubs such that within 10 years after project construction, no more than 30% of the commercial and other buildings and structures including the water tank (if required) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to the project site.			
AES/mm-3	Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall submit plans showing proposed recreational vehicle (RV) parking spaces set back as far back from the edge of the graded terrace as feasible, while avoiding the creation of additional cut slopes and retaining walls.	Submittal of required plans	Upon application for construction permits	Harbor District (or their designee), County of San Luis Obispo
AES/mm-4	Upon application for construction permits from the County of San Luis Obispo, the Harbor District or designee shall prepare and submit plans incorporating the following: a. All buildings and structures shall appear visually subordinate to the setting, blend with the hillside, and designed to reduce noticeability from off-site locations. b. Buildings shall reflect the historic character of the working harbor and shall be an architectural style distinct from the redeveloped buildings seen along Front Street in Avila Beach. Blocky, monotonous, and pre-fabricated architectural style and design shall not be applied. c. Buildings shall be pedestrian in scale, mass, layout, and appearance, (i.e., designed for visibility and use by pedestrians proximate to the building rather than visibility from Avila Beach Drive, such as finer distinctive architectural features, integration of art, massing and layout designed for function rather than to promote visibility, and smaller, lower positioned signage and lighting). Exterior colors, materials, and finishes shall	Submittal of required plans	Upon application for construction permits; final inspection of structures	Harbor District (or their designee), County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	visually blend with or complement the natural surroundings. d. All site amenities including signage, light poles, street furniture, and other features shall be unobtrusive, blend with the setting, and support an architectural theme. e. All commercial buildings shall not exceed 25 feet in height, and shall be located on the lower, previously graded portions of the project site, consistent with San Luis Bay Coastal Area Plan Standards. ~~e.~~ f. The design of above-ground retaining walls shall incorporate features of the natural setting, including colors and articulation (i.e., simulated stone) to blend the appearance of the visible portion of the retaining wall into the surrounding landscape.			
AES/mm-5	Upon application for a construction permit from the County of San Luis Obispo, the Harbor District (or their designee) shall submit a comprehensive lighting plan to the Department of Planning and Building for review and approval showing the following: a. The Lighting Plan shall be based on a photometric study prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA), using guidance and best practices endorsed by the International Dark Sky Association. b. The Harbor District (or their designee) shall provide the specific technical data and performance criteria required by the applicable safety policy used as the basis for the lighting plan. c. As part of the Lighting Plan, illumination levels shall be the minimum required by the specifically defined public safety policy and ordinances. d. As part of the Lighting Plan, all lighting sources shall be directed downward and shielded from view from public roads, beaches, the pier, parking lots, and other off-site public areas.	Submittal of required plans	Upon application for construction permits; final inspection of lighting plan	Harbor District (or their designee), County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	e. As part of the Lighting Plan, lights shall be designed and constructed to reduce illumination of the adjacent slopes and hillsides where applicable. f. As part of the Lighting Plan, lighting shall include low-height bollard-type fixtures and be equipped with motion sensors to the greatest extent allowed by safety and security codes.			
Air Quality				
AQ/mm-1	Prior to issuance of grading permits from the County of San Luis Obispo, and throughout project construction, as applicable, the Harbor District or their designee shall implement the following construction emission reduction measures: a. Properly maintain all construction equipment in proper tune according to manufacturer's specifications; b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road); c. Use CARB Tier 3 certified diesel construction equipment or cleaner off-road heavy-duty diesel engines, and comply with state Off-Road Regulations; d. Use CARB 2007 or cleaner certified on-road heavy-duty diesel trucks and comply with state On-Road Regulations. e. If construction or trucking companies that are awarded the bid or are subcontractors for the project do not have equipment to meet the above two measures, the impacts from the dirtier equipment shall be addressed through SLOAPCD approved off-site or other mitigation measures; f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and job sites to remind drivers and operators of the 5-minute idling limit. g. Diesel idling within 1,000 feet of sensitive receptors is	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; on-site monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies. Sensitive receptors are defined in the SLOAPCD Handbook as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units; h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of SLOAPCD, including monitoring or low-particulate engine technologies; i. Equipment shall be electrified when feasible; j. Substitute gasoline-powered or diesel hybrids in place of diesel-powered equipment, where feasible; and k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.			
AQ/mm-2	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall ensure SLOAPCD regulations that prohibit developmental burning of vegetative material within San Luis Obispo County are followed.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-3	Prior to issuance of grading permits, the Harbor District or their designee shall ensure that portable equipment and engines 50 horsepower or greater, used during grading and construction activities have a California portable equipment registration (issued by the CARB) or an SLOAPCD permit. Proof of registration must be provided to the SLOAPCD prior to the start	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; obtain required	Prior to issuance of grading permits; prior to initiation of grading and construction; and for the duration of grading and	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	of grading or construction or a permit secured from the SLOAPCD prior to the start of grading or construction. The following list is a guide to equipment and operations that may have permitting requirements, but it is not exclusive: a. Power screens, conveyors, diesel engines, and/or crushers; b. Portable generators and equipment with 50-horsepower or greater engines; c. Internal combustion engines; d. Unconfined abrasive blasting operations; e. Concrete batch plants; f. Rock and pavement crushing; g. Tub grinders; and h. Trommel screens.	permit(s) from San Luis Obispo Air Pollution Control District	construction activities	
AQ/mm-4	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall obtain the required SLOAPCD permits for the removal or remediation of hydrocarbon contaminated soil. In addition, the following measures shall be implemented unless otherwise directed by the SLOAPCD upon a finding that alternative measures will result in equal or greater reduction in emission of air contaminants: a. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal; b. Contaminated soil shall be covered with at least 6 inches of packed uncontaminated soil or other TPH – non-permeable barrier such as plastic tarp, or other methods as approved by the SLOAPCD. No headspace shall be allowed where vapors could accumulate; c. Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted; d. The air quality impacts from the excavation and haul	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	trips associated with removing the contaminated soil must be evaluated, with emissions estimates provided to the SLOAPCD and mitigated with low emission trucks, low emission construction equipment, and/or offsets if needed, if total emissions exceed the SLOAPCD's construction phase thresholds. An estimate of these emissions is included in this EIR; e. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance, or violation of SLOAPCD regulations would result; f. Clean soil must be segregated from contaminated soil; and g. The permit shall specify applicable criteria established by SLOAPCD. The notification and permitting determination requirements shall be directed to the SLOAPCD Engineering Division.			
AQ/mm-5	Prior to issuance of grading permits from the County of San Luis Obispo, or during construction, if emissions of ROG+NOx with the above mitigations still exceed the thresholds, the Harbor District or their designee shall secure SLOAPCD-approved off-site reductions in ROG+NOx emissions to ensure that ROG+NOx emissions do not exceed the SLOAPCD quarterly thresholds. Coordination with the SLOAPCD should begin at least 6 months prior to issuance of grading permits for the project to allow time for refining calculations and for the SLOAPCD to review and approve the CAMP and off-site mitigation approach. Emissions calculations and results of the subsequent air quality analysis shall be provided to the County Environmental Coordinator for review and approval, in addition to the SLOAPCD.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; submittal of CAMP at least 6 months prior to grading permit issuance	At least 6 months prior to issuance of grading permits	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-6	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall ensure that all grading and construction equipment greater than 100 bhp be equipped with CARB Level 3 diesel particulate filters (DPF), or equivalent, to achieve an 85% reduction in diesel particulate emissions. If CARB verified Level 3 DPFs cannot be	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	secured for all of the equipment greater than 100 hp then the Harbor District (or their designee) will work to offset the added DPM with measures including but not limited to schedule modifications, implementation of no idling requirement, and expanded implementation of AQ/mm-1 measures i, j, and k (e.g., use of alternative fueled generators).	construction manager (or designee)		
AQ/mm-7	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall produce a schedule detailing the phasing of activities and ensuring that the emissions of diesel particulates in any quarter falls below the applicable SLOAPCD thresholds. As an alternative approach, if scheduling is not feasible, the Harbor District (or their designee) shall provide SLOAPCD-approved off-site reductions in DPM emissions to ensure that DPM emissions do not exceed the SLOAPCD thresholds.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; submittal of construction schedule; provision of off-site reductions (if required); monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-8	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall provide satisfactory evidence that a SLOAPCD-approved Construction Activity Monitoring Plan (CAMP) has been prepared that addresses fugitive dust emissions. The Plan shall include requirements in the SLOAPCD CEQA Handbook. Fugitive dust mitigation measures in the plan shall include a combination of the following, as approved by the SLOAPCD: a. Reduce the amount of the disturbed area where possible. b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. c. All dirt stockpile areas should be sprayed daily as	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; submittal of a CAMP; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	needed, covered, or a SLOAPCD-approved alternative method will be used. (90% reduction). d. 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. e. Exposed ground areas that will 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, unless other dust and erosion control measures are specified in the agency-approved Dust Control Plan. f. 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. g. 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. h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site. i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114. j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. k. 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 l. Apply water every 3 hours to disturbed areas within the construction site (61% reduction in particulate			

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	emissions). m. Application of soil binders to dirt roads shall be applied to achieve at least an 80% reduction in fugitive dust emissions. All soil binders used shall be 'environmentally friendly' and shall be either lignosulfonate- or calcium lignosulfonate-based approved by the SLOAPCD. All dust control methods, including soil binders, shall be demonstrated in the fugitive dust control plan to ensure compliance with SLOAPCD Rule 401. ~~n. All roadway, driveway, and sidewalk paving 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.~~ ~~o.~~ n. The contractor or builder shall designate a person to monitor the fugitive dust emissions and oversee mitigation measure implementation as per SLOAPCD approval to minimize dust complaints, reduce visible emissions to less than 20% opacity, and to prevent transport of dust off-site. The designated monitor shall carry out these duties on regular workdays, as well as holidays and weekends when work may not be in progress. The name and telephone number of the designated monitor shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.			
AQ/mm-9	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit an APCD-approved CAMP, which shall include, but not be limited to the following elements: a. A Dust Control Management Plan that encompasses all, but is not limited to, measures identified in AQ/mm-8 and AQ/mm-13 (if required); b. Tabulation of on- and off-road construction equipment information (e.g., make, model, type, engine tier, DPM Level 3 filter age, horse-power, and miles or hours of	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; submittal of a CAMP and Dust Control Management Plan; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	operation); c. Construction truck trips scheduled during non-peak hours to reduce peak-hour emissions; d. Limited construction work-day period, if necessary; and e. Phase construction activities, if appropriate.			
AQ/mm-10	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for both on- and off-road equipment during the project grading and construction phase near sensitive receptors: a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies; b. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies; c. Use alternative fueled equipment whenever possible; and d. Signs identifying the no idling requirements must be posted and enforced at the construction site.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-11	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for on-road vehicles during the grading and construction phases of the project: a. Section 2485 of CCR Title 13 limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater 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	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	drivers of these vehicles: - Shall not idle the vehicle's primary diesel engine for more than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and, - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation. b. Signs shall be posted in the designated queuing areas and job sites to remind on-road equipment operators of the 5-minute idling limit.			
AQ/mm-12	Prior to issuance of applicable grading permit, the Harbor District (or their designee) shall implement the following idle restricting measures for off-road vehicles during the construction phase of the project: a. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf. b. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-13	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geologic evaluation under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. NOA has been identified as a toxic air contaminant by the CARB. If NOA is not present, an exemption request must be filed with the District. If NOA is found at the site, the Harbor	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; submittal of a geologic evaluation; submittal of an Exemption request or	Prior to issuance of grading permits; for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	District (or their designee) must 1) comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the SLOAPCD; 2) require that any crushing operations do not result in any dust that is visible crossing the property line, does not discharge into the air any visible emissions other than uncombined water vapor, for a period aggregating more than 3 minutes in any 1 hour which are 50% as dark or darker in shade as that designated as number one on the Ringlemann Chart or exceed at 10% opacity; and 3) conduct a geological evaluation prior to any grading. Technical Appendix 4.4 of the SLOAPCD CEQA Handbook includes a map of zones throughout the County where NOA has been found. More information on NOA is available at http://www.slocleanair.org/business/asbestos.php.	preparation and implementation of an Asbestos Dust Mitigation Plan and Asbestos Health and Safety Program (if required); monitoring by construction manager (or designee)		
AQ/mm-14	Prior to issuance of demolition permits (if required) and during grading and construction, the Harbor District or their designee shall comply with asbestos containing material (ACM) requirements. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of ACM. ACM could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes and pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation or a building(s) is proposed to be removed or renovated, various regulatory requirements may apply, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40 Code of Federal Regulations [CFR] 61, Subpart M - asbestos National Emission Standards for Hazardous Air Pollutants [NESHAP]). These requirements include but are not limited to: (1) notification to the SLOAPCD; (2) an asbestos survey conducted by a Certified Asbestos Inspector; and (3) applicable removal and disposal requirements of identified ACM. More information on asbestos is available at http://www.slocleanair.org/business/asbestos.php.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; submittal of notification and asbestos survey to the San Luis Obispo County Air Pollution Control District; monitoring by construction manager (or designee)	Prior to issuance of demolition permits (if required); for the duration of grading and construction activities	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
AQ/mm-15	Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall implement the following mitigation measures to reduce area source emissions, where applicable: a. Increase walls and attic insulation by 20% above what is required by the 2008 Title 24 requirements. b. Shade tree planting along southern exposures of buildings to reduce summer cooling needs. c. Shade tree planting in parking lots to reduce evaporative emissions from parked vehicles. d. Use built-in energy efficient appliances, were applicable. e. Orient buildings toward streets with convenient pedestrian and transit access. f. Use double-paned windows. g. Use sodium low-energy parking lot and streetlights. (e.g., sodium) h. Use energy efficient interior lighting. i. Incorporate energy efficient skylights (if any) into roof plan (i.e., should meet the US EPA/Department of Energy (DOE) Energy Star® rating). j. Install High efficiency or gas space heating. k. Install door sweeps and weather stripping if more efficient doors and windows are not available. l. Apply low volatile organic compound (VOC) paint (interior and exterior) (71 grams/liter or less). m. Institute recycling and composting services (as feasible). n. Incorporate a water efficient irrigation system. ~~n.~~o. Locate proposed fire pits at least 100 feet apart, at least 700 feet from any on-site manager residence where feasible, and as far as feasible from proposed hotel/motel units.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of construction permits; final inspection of structures and landscaping	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
AQ/mm-16	Prior to issuance of construction permits, the Harbor District or their designee shall submit plans showing the following measures, which shall be implemented prior to occupancy to reduce vehicle emissions. a. Locate electrical vehicle charging station(s) in the parking lots at a ratio required by County or as recommended by SLOAPCD. - Provide long-and short-term bicycle parking onsite or within the Harford Pier parking area for employees; one bicycle parking space for every 10 employees is considered appropriate. - Provide shower stalls and locker facilities to encourage employees to bike to work. - Provide facilities for eating and convenience including refrigeration and other vending for employees onsite or within the Harford Pier parking area. - Internal circulation shall to the greatest extent possible be with all-electric vehicles. - Options shall be provided to guests for electric vehicle transport to adjacent District facilities.	Submittal of construction plans, which include identified mitigation measures as plan notes; monitoring by construction manager (or designee)	Prior to issuance of construction permits; final inspection of structures	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-17	Prior to operation, the Harbor District or their designee shall obtain all required permits for equipment, including but not limited to the portable generators and equipment with engines that are 50 hp or greater.	Obtain required permits from San Luis Obispo Air Pollution Control District	Prior to operation	Harbor District (or their designee), San Luis Obispo Air Pollution Control District
AQ/mm-18	During operation of the proposed project, the Harbor District or their designee shall comply with SLOAPCD Operational Phase Idling Limitations. Public health risk benefits can be realized by idle limitations for diesel engines. To help reduce the emissions impact of diesel vehicles that will access the facility or off-road equipment, the following idling control techniques shall be implemented:	Comply with California Diesel Idling Regulations during operation	For the life of the project	Harbor District (or their designee), San Luis Obispo Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	California Diesel Idling Regulations a. On-road diesel vehicles shall comply with §2485 of CCR Title 13. 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: - 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, - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation. b. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB's In-Use off-Road Diesel regulation, Rule 402. c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit. d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf. e. In addition to the State required diesel idling requirements, the project shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors, including onsite visitors: - Staging and queuing areas shall not be located within 1,000 feet of sensitive			

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	receptors; - Diesel idling within 1,000 feet of sensitive receptors shall not be permitted; - Use of alternative fueled equipment is recommended; and - Signs that specify the no idling areas must be posted and enforced at the site.			
Biological Resources				
BIO/mm-1	Prior to initiation of grading activities, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of special-status species. A qualified biological monitor shall be present during any clearing and grading activities within 100 feet of onsite drainages and oak woodland. The work areas shall be clearly marked to ensure that no work occurs outside of the approved limits of disturbance (i.e., lathe and flagging, t-posts and yellow ropes, and temporary signage). The qualified biologist will receive project-specific approvals from resource agencies prior to handling any special-status wildlife species. Speed limits shall be restricted to 15 mph and work shall be limited to daylight hours.	Retain biological monitor; conduct pre-construction surveys; conduct biological monitoring within 100 feet of drainages and oak woodland; delineate and protect sensitive habitat	Prior to initiation of grading activities	Harbor District (or their designee), biological monitor, County of San Luis Obispo
BIO/mm-2	Upon application for construction permits from the County of San Luis Obispo, the following measures shall be included on applicable plans in order to avoid erosion and sedimentation impacts to the creeks and water quality: a. Grading and construction resulting in ground disturbance should be limited to the typical dry season (April 15 to October 15). b. If work must occur during the rainy season, the Harbor District (or their designee) shall install adequate erosion and sedimentation controls to prevent any sediment-laden run-off from entering creeks, drainages, and the Pacific Ocean. c. Upon completion of construction, disturbed areas will be stabilized or vegetated as detailed in the project's	Submittal of grading and construction plans, which include identified mitigation measures as plan notes	Upon application for construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), biological monitor, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	re-vegetation plan.			
BIO/mm-3	If feasible, all work shall be avoided during the nesting bird season (approximately February 1 through August 15), including ground and tree-nesting birds. If any construction activities are scheduled to occur during the nesting season, pre-construction bird surveys shall be conducted by a qualified biologist. The surveys shall be conducted no more than 1 week prior to the scheduled onset of construction activities. If nesting bird species are observed within 250 feet of the construction area during the surveys, the biologist shall determine the appropriate exclusion zone for the specific species. A buffer of 250 feet shall be maintained around any nesting raptors. The nesting bird exclusion zones shall be completely avoided until the qualified biologist determines that the young have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning. If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; retain biological monitor; conduct pre-construction surveys (if required) and monitoring	Upon application for construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), biological monitor, County of San Luis Obispo
BIO/mm-4	All existing oak trees shall remain on-site. All oak trees (greater than 4 inches in diameter) that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill	Submittal of grading and construction plans, which incorporated identified measures; retain biological monitor; conduct monitoring	Upon application for construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), biological monitor, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.			
BIO/mm-5	All oak trees identified to remain shall not be removed, unless otherwise regulated by the County CZLUO §23.05.062 (Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees: a. year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); b. grading (includes cutting and filling of material); c. compaction (e.g., regular use of vehicles); d. placement of impermeable surfaces (e.g., pavement); or, e. disturbance of soil that impacts roots (e.g., tilling).	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; conduct biological monitoring during construction	Upon application for construction permits; prior to and for the duration of grading and construction activities; for the life of the project	Harbor District (or their designee), biological monitor, County of San Luis Obispo
BIO/mm-6	The trimming of oaks can be detrimental and shall be minimized as follows: a. Removal of larger lower branches should be minimized to: i. avoid making tree top heavy and more susceptible to "blow-overs;" ii. reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation; iii. retain the wildlife that is found only in the lower branches; iv. retain shade to keep summer temperatures cooler (retains higher soil moisture, greater	Submittal of grading and construction plans, which include identified mitigation measures as plan notes; conduct biological monitoring during construction; apply arborist's techniques during construction and operation	Upon application for construction permits; prior to and for the duration of grading and construction activities; for the life of the project	Harbor District (or their designee), biological monitor, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	passive solar potential, provides better conditions for oak seedling volunteers); and, v. retain the natural shape of the tree. b. The amount of trimming (roots or canopy) done in any one season should be limited as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). c. Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the Harbor District (or their designee) shall either use a skilled arborist or apply accepted arborist's techniques when removing limbs. d. Unless a hazardous or unsafe situation exists, trimming of deciduous species shall be done only during the winter. e. Smaller oak trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.			
BIO/mm-7	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a final landscape plan incorporating the following elements and standards: a. 2:1 replacement of valley needlegrass grassland within the property boundaries. b. 2:1 replacement of coastal scrub within the property boundaries. c. The landscape plan shall be implemented prior to occupancy and operation of the campground. Initial establishment of native vegetation, including valley needlegrass grassland and coastal scrub species shall be verified by a qualified biologist. A letter documenting compliance shall be submitted to the	Submittal of final landscape plans incorporating required elements and notes; retain biological monitor; conduct biological monitoring	Upon application for grading permits; prior to final inspection of landscaping	Harbor District (or their designee), biological monitor, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	County of San Luis Obispo prior to final inspection. d. Long-term establishment of valley needlegrass grassland and coastal scrub species shall be monitored by a qualified biologist for a period no less than three years. Annual monitoring reports shall be submitted to the County of San Luis Obispo, including one final monitoring report at the end of the three-year monitoring period. The reports shall document initial and consecutive acreage of species establishment, and any actions taken to remediate loss of restored vegetation.			
BIO/mm-8	Prior to occupancy and operation of the proposed project, the Harbor District or their designee shall develop informative and educational materials to be provided to visitors. Materials may be available in hard copy or electronic form. Information included in the materials shall include, but not be limited to: a. Description of special-status, marine mammal, and avian species present within San Luis Bay and the surrounding terrestrial areas. b. Notification to avoid the creation of spur trails and subsequent disturbance of wildlife and habitats within undeveloped areas of the project site. c. Notification to store and dispose of trash and recyclables in appropriately designated containers and areas. d. Prohibition of fueling of generators outside of designated RV pads. e. Map identifying designated onsite trails and access routes. f. Prohibition of pets outside of paved areas, marked trails, and campsites. g. Requirement for all pets to be on leash or contained (with owners also onsite) in tents, RVs, and units.	Submittal of draft materials prior to final inspection by the County; documents may be updated without subsequent County approval, but shall be maintained for the life of the project.	Prior to final inspection by the County of San Luis Obispo; for the life of the project	Harbor District (or their designee), biological monitor, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
Cultural Resources				
CUL/mm-1	Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all initial earth-disturbing activities. The Monitoring Plan shall include at a minimum: a. list of personnel involved in the monitoring activities; b. inclusion of involvement of the Native American community, as appropriate; c. description of how the monitoring shall occur; d. description of 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 (e.g., what is considered "significant" archaeological resources?); g. description of procedures for halting work on the site and notification procedures; h. provisions defining education of the construction crew; i. protocol for treating unanticipated finds; and, j. description of monitoring reporting procedures.	Submit Monitoring Plan; retain archaeological monitor; conduct monitoring in compliance with approved Plan	Prior to issuance of grading permits; prior to and for the duration of grading and construction	Harbor District (or their designee), archeological monitor, County of San Luis Obispo
CULT/mm-2	Prior to initial ground disturbance, a County of San Luis Obispo-approved archaeologist shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the Harbor District (or their designee) shall provide all field supervisors with maps showing those areas sensitive for	Retain archaeological monitor; conduct cultural resources field training	Prior to initial ground disturbance and for the duration of grading and construction as new crew members arrive to the site	Harbor District (or their designee), archeological monitor, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	potential buried resources.			
CULT/mm-3	During all initial ground disturbing construction activities, the Harbor District or their designee shall retain a qualified archaeologist (approved by the County Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved Monitoring Plan. If any significant archaeological resources not previously identified in the Monitoring Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The Harbor District (or their designee) shall implement the mitigation as required by the County Environmental Coordinator.	Retain archaeological monitor; conduct monitoring and submit monitoring reports in compliance with approved Monitoring Plan	Prior to issuance of grading permits; prior to and for the duration of initial ground disturbing construction activities	Harbor District (or their designee), archeological monitor, County of San Luis Obispo
CULT/mm-4	Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.	Submit monitoring reports in compliance with approved Monitoring Plan	Upon completion of monitoring/mitigation activities	Harbor District (or their designee), archeological monitor, County of San Luis Obispo
CUL/mm-5	Prior to occupancy, the Harbor District or their designee shall submit samples of cultural resource interpretive materials to the County Environmental Coordinator. The Harbor District or their designee shall coordinate with local Native American representatives during the initial development of the materials, and subsequent updating of materials for the life of the project. Materials shall not specifically identify the locations of archaeologically sensitive sites. Interpretive materials may include, but not be limited to, pamphlets, posters, kiosks or boards, exhibits, online posting of information, and presentations. Interpretive materials shall include, but not be limited to: prehistory, modern history, and living history of the Chumash in the Avila/Port San Luis Area and region, and citation or reference to laws governing the protection of cultural resources.	Submit interpretive material	Prior to occupancy	Harbor District (or their designee), County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
CUL/mm-6~~5~~	A qualified paleontologist shall monitor initial excavation activities. Upon completion of all monitoring/mitigation activities, and prior to final inspection, the consulting paleontologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.	Retain paleontological monitor; conduct monitoring and submit monitoring report	Prior to and for the duration of initial excavation activities	Harbor District (or their designee), paleontological monitor, County of San Luis Obispo
Geology and Soils				
GEO/mm-1	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a comprehensive geologic investigation. At a minimum, the investigation shall include all areas where development would be located within or below a landslide. The investigation shall conform to §§1803 of the 2013 edition of the CBC and the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013), or editions that are applicable at the time of investigation. The investigation shall be conducted by a Certified Engineering Geologist. At a minimum, it shall address the type, extent, depth, configuration, and activity level of the landslide, and shall include an analysis of slope stability. Upon application for grading and construction permits from the County of San Luis Obispo, a final grading plan shall be submitted that incorporates measures to mitigate potential landslide hazards based on review by the consulting Certified Engineering Geologist. A range of mitigation measures addressing treatment of the site to ensure slope stability, including regrading, structural mitigation, mitigation for roads and utilities, and monitoring are presented below. These measures include, but are not limited to, the following: a. Regrading. The entire landslide mass can be regraded from the toe to the upper limit, or the grading program could involve only those areas including and above proposed improvements. If an entire landslide mass were to be regarded, removal of the slide materials and replacement as a structural fill, including	Submittal of comprehensive geologic investigation; retain consulting Certified Engineering Geologist to review and monitor the project; submittal of grading and construction plans incorporating identified mitigation measures; conduct grading and construction in compliance with approved plans	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	excavation of proper keyways, benches, and installation of subdrains would likely be necessary. Use of geogrid reinforcing may be appropriate for some areas. Geogrid reinforcing involves the placement of alternating layers of geogrid and soil, and can be effective in increasing soil strength and stability. Another option that may be appropriate for specific project areas would be partial stabilization. This solution may include the construction of buttress fills below improvement areas that would be sufficient to resist movement of the upper portion of the slide mass. With partial stabilization, it should be noted that any improvements situated below the buttress still would still be at risk from landslide movement. This potential risk shall be addressed in the geologic investigation by the Certified Engineering Geologist. b. Structural mitigation. Structural mitigation may be a potential option, depending upon the characteristics of the landslide in the area where the improvements are located. For habitable buildings, such solutions may include deep foundations (e.g., driven piles or caissons designed with sufficient lateral resistance to overcome the sliding force exerted by the landslide). Foundation augmentation such as tie-back anchors attached to the caissons or piles, or batter piles, may be appropriate. Another potential solution would be to construct walls that would be anchored through the slide and founded in underlying stable material. c. Mitigation for Roads and Utilities. Potential mitigations to protect roads and utilities may include such measures as retaining walls, possibly anchored with tie-backs or reinforced with soil nails or geogrid, depending upon the depth and characteristics of the landslide in those areas. Flexible and/or articulating connections may provide some mitigation for utilities, depending upon the nature and severity of the landslide movement. For water lines, sacrificial water lines with automatic shut-off valves may be			

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	appropriate. If the geologic investigation confirms that the landslide is slow-moving, ongoing repair and replacement of damaged roads and utilities may be feasible. Another option may include constructing utilities above grade in utility raceways.			
GEO/mm-2	For the life of the project monitoring of landslide movement shall be monitored by a Certified Engineering Geologist. As landslide movement tends to be associated with inclement weather, seasonal monitoring of the landslides for indications of incipient movement shall be implemented in addition to other selected mitigation measures. If monitoring indicates potential movement, or during periods of particularly intense or prolonged inclement weather, temporary restrictions on use and occupancy of the campground may implemented upon the recommendation of the consulting Certified Engineering Geologist.	Retain Certified Engineering Geologist to monitor landslide movement for the life of the project and to submit monitoring reports to the Harbor District	For the life of the project	Harbor District (or their designee), consulting Certified Engineering Geologist
GEO/mm-3	Upon application for grading and construction permits, the Harbor District or their designee shall submit a fault investigation for any potentially habitable structure. The building areas of habitable structures shall be investigated by excavating an exploratory trench(es) perpendicular to the fault trace, and extending beyond the building footprint at least the minimum setback distance for the anticipated building type. The fault investigation shall be overseen by a Certified Engineering Geologist and shall conform to the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013) or the applicable edition at the time of investigation. If any habitable structures are found to overlie the fault or are within the minimum setback distance to the fault, the structure shall be relocated within the existing boundary of the areas identified for development, or designed to accommodate potential fault movement (pending approval by the County of San Luis Obispo). Potential design solutions may include, but are not limited to, mat foundations or overexcavated and geogrid-reinforced building pads designed with sufficient strength to overcome the maximum shearing forced exerted by seismic movement. Utility lines shall be fitted	Submit fault investigation; submit grading and construction plans incorporating required mitigation measures and demonstrating compliance with County and California Building Code Regulations; conduct grading and construction in compliance with approved plans	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	with articulating connections and/or automatic shut-off valves.			
GEO/mm-4	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit construction plans and a geotechnical engineering report in compliance with the CBC, which includes measures to reduce risk from seismic events. Structures shall be designed in accordance with the seismic parameters presented in a project-specific geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards. The geotechnical engineering report shall be prepared by a qualified geotechnical engineer. The potential for seismically induced settlement shall be addressed in the geotechnical engineering report, which shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an evaluation of the properties of the fill and native soils, address the potential for seismic settlement, and provide specific recommendations for mitigation if appropriate. Available alternatives to reduce the effects of soil settlement may include, but not be limited to, deep ground improvement methods, surcharging the site to further consolidate the underlying soils, use of deep foundations such as driven piles combined with structural support of floor slabs, use of lightweight fills, and limiting the thickness of fills. Structures shall be designed in accordance with the recommendations and seismic parameters presented in the geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards, including seismic settlement.	Submit grading and construction plans incorporating required mitigation measures and demonstrating compliance with California Building Code Regulations; conduct grading and construction in compliance with approved plans	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo
GEO/mm-5	Upon application for grading and construction permits, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall address potential for liquefaction, lateral spreading, and associated slope failure, and shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project	Submit geotechnical engineering report; submit grading and construction plans incorporating required mitigation measures and demonstrating	Upon application for grading and construction permits; prior to and for the duration of grading and construction	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	design/construction. If significant potentials for liquefaction or lateral spreading are found to exist, recommendations for mitigation shall be developed and presented in the geotechnical engineering report. If it is determined that liquefaction or lateral spreading may affect certain parts of the site, there are numerous mitigation measures that can be implemented, including but not limited to the following recommendations. Depending upon the location, depth, and extent of liquefaction or lateral spreading-prone areas and the types of improvements planned for these areas, potential mitigations could include earthwork (grading) programs, specialized foundations (such as mat or deep foundations), ground modification, and designing pipes and pipe connections for high strength and ductility. Potential measures to mitigate slope instability induced by lateral spreading include deep ground improvement methods, reinforcing of slopes, reducing slope inclinations, or establishing adequate setbacks between structures and slopes.	compliance with California Building Code Regulations; conduct grading and construction in compliance with approved plans	activities	
GEO/mm-6	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit erosion and sedimentation control plans addressing both short-term erosion hazards during construction, and long-term erosion hazards for the life of the project. The plan shall include, but not be limited to, the following measures: control of surface runoff; V-ditches, berms, brow ditches, or other drainage diversion features; mid-slope benches; vegetation; straw bales; erosion matting; vegetative cover, control of rodent activity, or other methods. Drainage shall discharge in a non-erosive manner away from improvements and, where slopes are present, away from the tops and toes of the slopes.	Submit grading and construction plans incorporating required mitigation measures; conduct grading and construction in compliance with approved plans	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo
GEO/mm-7	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a project specific geotechnical engineering report, prepared by a qualified geotechnical engineer and conforming to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an assessment of	Submit geotechnical engineering report; submit grading and construction plans incorporating required mitigation measures and demonstrating	Upon application for grading and construction permits; prior to and for the duration of grading and construction	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	the potential impacts of BMPs, including infiltration SCMs, and provide recommendations for mitigation. The impacts of infiltration SCMs upon slope stability, settlement of fill soils, drainage, and the shrink/swell cycle of expansive soils, shall be analyzed and included in the report. Infiltration SCMs shall not be placed in or above fill, near descending cut slopes, or at the toe of any slope. Infiltration SCMs shall be set back from foundations and surface improvements, or barriers such as deepened curbs, cutoff walls or impermeable membranes shall be placed between infiltration SCMs and foundations and/or improvements. Infiltration tests shall be conducted to assess the infiltration potential for use in the design of infiltration SCMs. To address potentially adverse impacts associated with BMPs, a maintenance program for all BMPs shall be prepared and implemented. The program shall include periodic inspection of BMPs, cleaning and removal of accumulated silt, sand, and debris from BMPs, maintenance of vegetation in BMPs, and periodic rehabilitation of infiltration BMPs for the life of the project.	compliance with California Building Code Regulations; conduct grading and construction in compliance with approved plans	activities	
GEO/mm-8	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the properties of the existing fill and the stability of the existing fill slopes, and shall include assessment of the existing fills, including suitability of the materials used, original site preparation, and degree of compaction; the suitability of the fill for supporting the proposed improvements; settlement of potential of the fill; slope stability; the impacting of placing fill upon existing fill; placement of fill over existing cut slopes; and appropriate mitigations for all of these issues. If the fill is found to be inadequate for the support of proposed improvements or unstable, mitigation measures shall include, but not be limited to, regrading, including removal of existing materials and replacement with structural fill. For fill placed on slopes, this would likely entail excavation of keyways,	Submit geotechnical engineering report; submit grading and construction plans incorporating required mitigation measures and demonstrating compliance with California Building Code Regulations; conduct grading and construction in compliance with approved plans	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	benches, and installation of drains. Use of geogrid reinforcing may be appropriate. Structural mitigation is another potential solution. Depending upon the characteristics of the fill, retaining structures founded in underlying competent material may be applicable to specific situations. Types of appropriate retaining structures could include post and lagging walls, possibly anchored; gravity walls, mechanically stabilized earth walls, or cantilevered walls augmented with tie-back anchors. In the commercial area, drainage measures beneath and surrounding the pool shall be incorporated into its design.			
GEO/mm-9	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the impact of grading of steep slopes, including the potential for instability of natural and proposed slopes and shall provide recommendations for appropriate grading programs, including criteria for maximum slope heights and angles. Where buildings are to be constructed on steep slopes, development of suitable foundation systems and criteria for their design shall be included in the report. Potential mitigation measures shall include, but not be limited to removal of additional material and extending grading operations beyond the slope area to temporarily or permanently reduce slope gradients, use of geogrid reinforcement, or temporary shoring. Types of foundations appropriate for building construction on steep slopes may include driven piles, drilled caissons, or conventional foundations extended to bear in competent material.	Submit geotechnical engineering report; submit grading and construction plans incorporating required mitigation measures and demonstrating compliance with California Building Code Regulations; conduct grading and construction in compliance with approved plans	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), consulting Certified Engineering Geologist, County of San Luis Obispo
GEO/mm-10	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC,	Submit geotechnical engineering report; submit grading and construction plans incorporating required	Upon application for grading and construction permits; prior to and for the duration of grading	Harbor District (or their designee), consulting Certified Engineering Geologist, County of

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	or the applicable edition at the time of project design/construction. The report shall include assessment of the expansive properties of the soil, and provide recommendations for mitigation. Appropriate mitigation shall include, but not be limited to, such measures as deeper footings in combination with preserving or augmenting the soil moisture, and use of a layer of nonexpansive material beneath slabs. There are a number of other options available, including caissons and grade beams, post-tensioned slab foundations, conventionally reinforced mat foundations, and deep nonexpansive pads. Deepening of curbs between pavement and bioswales, increasing the separation distance between pavement and bioswales, or other LID infiltration features may be recommended to reduce the potential for expansive soil damage.	mitigation measures and demonstrating compliance with California Building Code Regulations; conduct grading and construction in compliance with approved plans	and construction activities	San Luis Obispo
Greenhouse Gas Emissions and Climate Change				
GHG/mm-1	Upon application for construction permits, the Harbor District or their designee shall submit construction plans incorporating LEED certifiable construction measures and additional elements to reduce GHG emissions including, but not limited to, the following: a. Provide pedestrian-friendly features to make walking more convenient, comfortable, and safe, including appropriate signage and crosswalk(s). b. Provide good access to/from the development for pedestrians, bicyclists, and transit users. c. Incorporate outdoor electrical outlets to encourage the use of electric appliances and tools. d. Provide shade tree planting in parking areas to reduce evaporative emissions from parked vehicles. Design shall provide 50% tree coverage within 10 years of construction using low ROG emitting, low maintenance, native, drought resistant trees. e. No wood burning appliances in the campground manager residence, hotel/motel units, or cabins.	Submit grading, construction, and landscaping plans incorporating identified measures	Upon application for construction permits; final inspection of structures, access elements, and landscaping	Harbor District (or their designee), County of San Luis Obispo, San Luis Obispo County Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	f. Incorporate traffic calming modifications to project roads that reduce vehicle speeds and encourage pedestrian and bicycle travel. g. Provide onsite housing for employees (campground manager). h. Implement on-site circulation design elements in parking areas to reduce vehicle queuing and improve the pedestrian environment. i. Provide employee lockers and showers (one shower and five lockers for every 25 employees is recommended). j. If feasible, trusses for south-facing portions of roofs shall be designed to handle dead weight loads of standard solar-heated water and photovoltaic panels. If feasible, roof design shall include sufficient south-facing roof surface, based on structures size and use, to accommodate solar panels. For south facing roof pitches, the closest standard roof pitch to the ideal average solar exposure shall be used, if feasible. k. Increase the building energy rating by 20% above Title 24 requirements. Measures used to reach the 20% rating cannot be double-counted. l. Plant drought tolerant, native shade trees along southern exposures of buildings to reduce energy used to cool buildings in the summer. m. Utilize green building materials (materials that are resource efficient, recycled, and sustainable) and available locally, to the maximum extent feasible. n. Install high efficiency heating and cooling systems. o. Orient buildings to be aligned north/south to reduce energy used to cool buildings in the summer, to the maximum extent feasible. p. Design buildings to include roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south-facing windows (passive solar design), to the maximum			

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	extent feasible. q. Use high efficiency water gas or solar water heaters. r. Utilize built-in energy efficient appliances where applicable. s. Utilize double-paned windows where applicable. t. Utilize low energy streetlights, where applicable. u. Utilize energy efficient interior lighting. v. Install door sweeps and weather stripping if more efficient doors and windows are not available. w. Install energy-reducing programmable thermostats, where applicable. x. Use roofing material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs, to the maximum extent feasible. Implementation of this measure shall avoid creation of glare visible from public roads and areas. y. Provide and require the use of battery powered or electric landscape maintenance equipment to the maximum extent feasible. z. Provide secure on-site bicycle storage, lockers, or racks. aa. Implement a “no idling” program for heavy-duty diesel vehicles, including signage and citations.			
GHG/mm-2	Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall include building efficiency improvements with construction permit applications and/or secure SLOAPCD approved off-site reductions in GHG emissions to ensure that GHG emissions to not exceed the SLOAPCD thresholds. Off-site mitigation may include, but not be limited to, the following measures, as approved by the County of San Luis Obispo Environmental Coordinator and SLOAPCD: a. Payment of off-site mitigation fees, as approved by the SLOAPCD and the Carl Moyer grant program; b. Develop or improve park-and-ride lots;	Submit grading, construction, and landscaping plans incorporating identified measures; secure SLOAPCD approved off-site reductions in GHG emissions (if required)	Prior to issuance of construction permits; final inspection of structures, access elements, and landscaping	Harbor District (or their designee), County of San Luis Obispo, San Luis Obispo County Air Pollution Control District

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	c. Retrofit existing homes in the project area with APCD-approved natural gas combustion devices; d. Retrofit existing homes in the project area with energy-efficient devices; e. Retrofit existing businesses in the project area with energy-efficient devices; f. Construct satellite worksites; g. Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles. h. Replace/repower transit buses; i. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles); j. Fund an electric lawn and garden equipment exchange program; k. Retrofit or repower heavy-duty construction equipment, or on-road vehicles; l. Install bicycle racks on transit buses; m. Purchase Verified Diesel Emission Control Strategies (VDECS) for local school buses, transit buses or construction fleets; n. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.); o. Fund expansion of existing transit services; p. Fund public transit bus shelters; q. Subsidize vanpool programs; r. Subsidize transportation alternative incentive programs; s. Contribute to funding of new bike lanes; t. Install bicycle storage facilities; and, ~~b.~~u. Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans.			

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
Hazards and Hazardous Materials				
HAZ/mm-1	Upon application for grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall submit a RWQCB-approved SWPPP. The SWPPP and final grading and construction plans shall identify equipment and materials staging areas, and include measures to contain and remediate accidental spills and leaks. During construction, equipment, staging, and storage areas shall be inspected daily. The SWPPP shall be implemented during construction.	Preparation and submittal of a Stormwater Pollution Prevention Plan (SWPPP); implement approved SWPPP	Upon application for grading and construction permits; prior to and for the duration of grading and construction activities	Harbor District (or their designee), Regional Water Quality Control Board, County of San Luis Obispo
HAZ/mm-2	Prior to issuance of grading and construction permits from the County of San Luis Obispo, the Harbor District or their designee shall prepare and submit the following plans, which shall be reviewed and approved by CAL FIRE: a. Written Fire Safety Plan in compliance with California Fire Code Chapter 4 Emergency Planning and Preparedness; b. Building and construction plans incorporating fire prevention and suppression measures consistent with the complete California Fire and Building Code, California Fire and Building Code Chapter 7A Ignition Resistant Construction in Wildland Urban Interface Areas, National Fire Protection Association standards, the California Fire Code, and the California Electrical Code; c. Hazardous Materials Business Plan; d. Site access and addressing standards to the satisfaction of CAL FIRE; e. Operational fire water system, ~~F~~fire water storage tanks, and hydrants designed and located to the satisfaction of CAL FIRE; and, f. A fuel reduction/vegetation management plan to be implemented for the life of the project.	Preparation and submittal of a Fire Safety Plan, Fuel Reduction/Vegetation Management Plan, and Hazardous Materials Business Plan; submittal of construction plans incorporating required measures; implement approved measures	Prior to issuance of grading and construction permits; prior to final inspection of structures, access improvements, fire safety plan improvements, and landscaping; maintenance for the life of the project	Harbor District (or their designee), CAL FIRE, County of San Luis Obispo

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
HAZ/mm-3	Prior to construction, an operational water system and established access roads shall be installed pursuant to California Fire Code Section 501.4. Use of spark arresters, provision of adequate clearance around welding operations, smoking restrictions, and onsite extinguishers are required.	Submittal of grading and construction plans incorporating required elements; installation and/or identification of operational water system and access roads prior to construction.	Prior to construction; for the duration of the grading and construction activities	Harbor District (or their designee), CAL FIRE, County of San Luis Obispo
Hydrology and Water Quality				
HYD/mm-1	Prior to occupancy of the proposed project, the Harbor District or their designee shall develop a Sea Level Rise Adaptation Plan including, but not limited to, the Harbor District's (or their designee's) ongoing documentation of high tide elevation levels and coastal storms, the future removal of structures and features as a result of sea level rise and associated coastal hazards including erosion and slope stability, and indicators that the lower facility amenities may be compromised by sea level rise (i.e., wave action overtops and floods Avila Beach Drive and erodes the road cut adjacent to the project site). The initial plan, and subsequent revisions based on actual conditions, shall be submitted to the County of San Luis Obispo Environmental Coordinator for review and approval.	Develop and submit plan.	Prior to occupancy	Harbor District (or their designee), County of San Luis Obispo
Noise				
N/mm-1	The use of personal generators shall be prohibited within all recreational vehicle (RV), hotel, cabin, and car/tent campsites.	Inclusion of measure on facility lease, monitoring by campground manager	For the life of the project	Harbor District (or their designee)

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
Transportation and Traffic				
TR/mm-1	**TR/mm-1** Prior to construction, the Harbor District or their designee shall prepare a Construction Traffic Mitigation Plan for review and approval by County Public Works. The Plan shall be implemented during construction, and shall include, but not be limited to, the following elements: a. Description of construction activities, including equipment lists and project schedule, including estimated start and end dates and working hours; b. Name of on-site construction manager; c. Identification of the work area, truck route(s), and staging areas in relation to cross streets, including all distances and dimensions; d. Traffic control plan, including: all temporary traffic control devices including signs and delineators; use of construction staff to manage or direct traffic; measures to reduce truck and equipment queuing on County streets; and safety measures for vehicles, pedestrians, bicyclists, and construction workers; e. Avoidance of peak traffic hours based on consultation with the County Public Works Department.	Prepare and submit plan	Prior to construction	Harbor District (or their designee), County of San Luis Obispo
TR/mm-2~~1~~	Prior to operation of the proposed project, the Harbor District or their designee shall prepare a Traffic Monitoring Plan for the review and approval of the County Public Works Department. The Monitoring Plan shall identify appropriate methodologies and timeframes for conducting onsite turning movement counts, determination of capacity and trip generation resulting from the proposed project, and identification of a threshold for implementation of a left turn lane if feasible.	Preparation and submittal of Traffic Monitoring Plan; conduct monitoring pursuant to approved plan	Prior to and during operation of the project, per the approved plan	Harbor District (or their designee), consulting traffic engineer, County of San Luis Obispo
TR/mm-3~~2~~	In the event a left-turn lane is required to be constructed, the Harbor District or their designee shall submit grading and construction plans for review and approval by County Public Works. The plan shall include the following measures and elements:	If required, submit grading and construction plans for left-turn lane; implement approved	During operation of the project, per the approved plan; prior to issuance of grading and construction	Harbor District (or their designee), consulting traffic engineer, resource monitors, County of San Luis

Table 7-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Requirements of Measure	Compliance Method	Verification Timing	Responsible Party
	a. A Transportation Management Plan including measures to divert vehicle, bicyclist, and pedestrian traffic safely around the project area; b. Biological Resources Monitoring Plan including the presence of a qualified biological monitor during grading and construction activities and worker training; c. Cultural Resources Monitoring Plan including the presence of an archaeological monitor during initial ground disturbance and worker training; d. Erosion and Sedimentation Control Plan and SWPPP consistent with County Coastal Zone Land Use Ordinance and RWQCB standards and regulations.	plan; submit resource monitoring plans and retain resource monitors; comply with applicable resource mitigation measures	permits for the road improvements	Obispo
TR/mm-4~~3~~	For the life of the project, a clear sight triangle of at least 300 feet of stopping sight distance, and 440 feet of intersection sight distance shall be maintained at each access approach to Avila Beach Drive. This shall be achieved through long-term management of vegetation and limitations on parking on Avila Beach Drive.	Submit plans to County Public Works for work within County road right-of-way; maintain vegetation	Prior to implementation of improvements; for the life of the project	Harbor District (or their designee), County of San Luis Obispo

Table 7-2. Port Master Plan Final EIR Summary of Impacts and Mitigation Measures (previously adopted)

Class I Impacts

Air Quality

Impact A-2 Construction activities associated with uses accommodated by the Final Master Plan could generate emissions that may adversely impact local and regional air quality. This impact is considered significant after mitigation (Class I).

Mitigation Measures

AQ-1 The Harbor District shall, to the extent feasible, separate sensitive land uses from significant sources of air pollution.
AQ-2 The Harbor District shall submit environmental documents to the San Luis Obispo County Air Pollution Control District for review and comment in accordance with the California Environmental Quality Act prior to consideration for approval.
AQ-3 The Harbor District shall promote and encourage the use of alternate modes of transportation by incorporating public transit, bicycle, and pedestrian modes in new development.
AQ-4 The following measures shall be applied to reduce impacts related to PM_{10} and NO_x emissions from project construction to the extent feasible.

a. Equipment Emission Control Measures. To the extent feasible, newer construction equipment (manufactured after 1990) shall be used that produces fewer emissions, especially for the highest emitting piece of diesel-fired heavy equipment. In any case, all equipment shall be properly tuned and maintained. Additional measures that would reduce construction-related emissions include, but are not limited to:

- Retarding fuel injection timing two degrees from the manufacturer's recommendation.
- Using high pressure fuel injectors.
- The use of reformulated diesel fuel .
- The use of Caterpillar pre-chamber, diesel-fired engines (or equivalent low NO_x engine design) in heavy equipment used to construct the project to further reduce NO_x emissions.

b. Dust Control Measures. Dust generated by construction activities shall be kept to a minimum by full implementation of the following measures:

- During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used when necessary to prevent dust from leaving the site and to create a crust after each day's activities cease;
- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the morning and after work is completed for the day and whenever wind exceeds 15 miles per hour;
- Stockpiled earth material shall be sprayed as needed to minimize dust generation.
- During construction, the amount of disturbed area shall be minimized.
- Onsite vehicle speeds should be reduced to 15 mph or less;
- Exposed ground areas that left exposed after project completion should be sown with a fast-germinating native grass seed and watered until vegetation is established;
- After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to minimize dust generation until the area is paved or otherwise developed so that dust generation will be minimized;
- Grading and scraping operations shall be suspended when necessary to minimize dust generation;
- All roadways, driveways, and sidewalks associated with construction activities should be paved as soon as possible. In addition, building and other pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

Residual Impacts

Unavoidable and adverse.

Traffic and Circulation

Impact T-2 Cumulative vehicle trips generated by buildout of the Port in accordance with the Final Master Plan in addition to trips associated with regional development, will adversely affect the level of service of Highway 101. This impact is considered significant and unavoidable (Class I).

Implement the recommendations of the 2003 Avila Circulation Study.

Residual Impacts

Unavoidable and adverse.

Class II Impacts

Geology and Geologic Hazards

Impacts GEO-2: In a major earthquake on the Los Osos or San Andreas faults, ground accelerations of 0.15g to 0.7g may occur, which would cause significant ground shaking within the Master Plan area resulting in damage to structures and a potential safety hazard to occupants of such structures. This impact is considered significant unless mitigated (Class II).

Impact GEO-3: Portions of the project area may be subject to landslides and/or slope failure. This impact is considered significant unless mitigated (Class II).

Impact GEO-5: Construction and operation of the various facilities proposed in the Port Master Plan has the potential to result in erosion of soils. This impact is considered significant unless mitigated (Class II).

Impact GEO-6 The planning area contains areas of undocumented fill, which may be unstable. This impact is considered significant unless mitigated (Class II).

Impact GEO-7 Field investigations of the Harbor Terrace planning area have revealed the potential for differential settlement which could damage foundations and/or the structural integrity of buildings. This impact is considered significant unless mitigated (Class II).

Impact GEO-8: Portions of the project area underlain by undocumented fill may exhibit expansive soils. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.

G-2 No development shall occur until 1) a geologic investigation has been prepared conforming to Section 3309.6 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations, and standard geologic practice. The contents of these investigations are described below:

a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and!or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.

b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced ~. in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.

G-3 There are five major landslides which have been identified on the Harbor Terrace site. These landslides are depicted as Landslides #1 through #5 in Figure 5.1-2. Specific recommendations related to each landslide are provided below as well as within the Geologic Hazards Study incorporated by reference into this FEIR and available for review at the Harbor District Offices.

a. Landslide 1, located in the eastern region of the site, shall be thoroughly assessed by the project geologist. In addition to analyzing the inherent stability of the landslide, the impact of making cuts in the body of the landslide must also be considered, as well as the impact of the 40-foot fill planned in the southeast region of the landslide. This study shall be conducted as part of the final project design, when final grades have been set and are available in a grading plan, yet while modifications are still possible to accommodate site conditions. This study shall be conducted as a feasibility study to determine the maj or characteristics of the slide and the extent of required mitigation. Specific measures that could be implemented, depending upon the characteristics of the landslide and the relationship of the landslide debris to the proposed building locations, include excavation of appropriate portions of the landslide and replacement with compacted fill. This type of grading solution would entail benching, the installation of drains, and possibly the use of geogrid reinforcing. Fill slopes shall not exceed a 2:1 horizontal to vertical ratio. Other alternatives could include stabilization systems utilizing tie-backs or caissons or project redesign to relocate structures out of the slide area.
b. Landslide 2, located in the northwest region of the site, shall be studied by the project geologist to determine its depth, activity level, and extent. This study shall be conducted as part of the final project design, as the relationship of the grading to the location and depth of the landslide will determine the appropriate mitigation(s). Possible mitigation measures for this landslide could include excavation of the landslide and replacement as a compacted fill, possibly with drains and geogrid reinforcement; increasing the height of the retaining wall to allow it to also function as a debris wall; or using another stabilizing system such as a tie-back system above the retaining wall in caissons.
c. Landslide 3, located below the existing water tank, shall be analyzed to determine its depth and geometry and the effect of the proposed cut upon slope stability. This study shall be conducted as part of the final project design, as a fairly accurate depth of cut must be known to properly assess its impact upon slope stability. As major cuts are planned in this area, mitigation could be achieved by modifying the grading plan to remove all of the landslide debris. Other possible mitigations could include replacement with compacted fill, possibly with drains and geogrid reinforcement, use of a retaining wall, tie-backs, or caissons.
d. The location of Landslide 4 has been obscured by past grading, and by the subsequent placement of a buttress fill. This landslide area shall be investigated as part of final project design with respect to the materials used and its state of compaction. Mitigation, if any, will be determined by the outcome of such an investigation. Possible mitigations include removal of the slide debris and replacement as a compacted fill, placement of additional buttress fill, or use of structural solutions such as retaining walls, tie-backs, or caissons. This assessment shall be conducted by the project geologist as part of final project design.
e. In addition to the four major landslides described above, there are numerous smaller landslides and slumps located throughout the property. Landslide 5 will not be impacted by project development other than the possibility of decreasing the need for frequent maintenance due to the placement of fill and the subsequent increased distance between the landslide and the affected roadway. In areas where cuts are made, the project geologist shall determine whether all of the slide debris has been removed in each area. This determination should be made during project grading. If it is determined that slide debris remains in any areas, assessments regarding stability and any necessary mitigation measures shall be made at that time.

G-4 In areas where cuts are planned, the stability of the proposed slopes shall be evaluated by the project geologist. This study shall be conducted as part of the final design, as the depths of the cuts must be known to accurately assess their impact upon slope stability. In the event that the slopes in their planned configurations prove unstable, there are several potential mitigation measures. These potential measures include flattening of the proposed slopes to a stable configuration, overcutting the slopes and rebuilding them as stable, compacted fit, and possibly structural applications, such as retaining walls, caissons, driven piles, and installation of geogrid reinforcement.

G-5 The project geotechnical engineer shall conduct sufficient exploration of the existing fill during final project design to render an opinion regarding the suitability of the fill materials use, the degree of compaction, the settlement characteristics, and the strength of the fill materials. The stability and settlement potential of the fill, following the proposed grading shall also be assessed. If the results of.this analysis indicate the existence of unstable soil materials, slope instability, inadequate compaction or excessive settlement potential, this situation shall be mitigated by project grading.

G-6 The placement of fill over cut slopes is specifically addressed in the Uniform Building Code; the potential for slope failure can be readily mitigated by proper grading techniques in accordance with the Uniform Building Code.

G-7 Slopes which involve new fill material over existing fill will require assessment by the project geotechnical engineer or geologist. Recommendations shall be developed as to the best method of mitigation. Such measures could include excavation of the cut slope and rebuilding the entire slope as a compacted fill, possibly utilizing drains andlor geogrid reinforcement. Recommendations from this shall be incorporated into the geotechnical engineering investigation or geologic study as part of the final project design.

G-8 Detailed grading plans shall be prepared and submitted for all project phases which identify existing and proposed drainage channels and proposed final site configuration. Grading plans shall be in conformance with the County Coastal Zone Land Use Ordinance.

G-9 It is recommended that on-site areas of sheared rock be evaluated by the project geologist and a determination made as to whether the sheared rock is fault-related. If the sheared rock zone is fault-related, the potential ramifications of the fault shall be studied and addressed by. the project geologist. Potential mitigation measures to avoid seismic-related displacement include: setting back from the fault, structural augmentation of the foundation where the fault is straddled or removing the bedrock and replacing it with compacted fill as the foundation support material.

G-10 The entire length of bluff along San Luis Bay shall be assessed through a Stability Evaluation Report to determine the rate of bluff retreat and the characteristics of wave run-up. The need for setbacks or bluff protection shall be addressed by the project geologist in this assessment. The adequacy of the existing rip-rap structures shall also be assessed and a determination made as to whether augmentation is necessary to protect the proposed improvements. With respect to the fill planned to support the widened access road (Phase II), mitigation measures for erosion will include construction of a retaining structure at the toe of the fill, facing the fill with rip-rap, constructing the lower portion of the fill out of rip-rap, or other equivalent design solution.

G-11 To mitigate the potential for excessive settlement of the proposed road fill, bay sediments shall be removed as necessary in order to place fill on the underlying competent rock. The depth to the rock, recommendations for overexcavation, and the precise design solution (i.e. retaining structure, use of rip-rap, etc.) shall be made by the geotechnical engineer as part of the final geotechnical engineering investigation.

G-12 The further erosion of Avila Beach Drive at the entrance to Diablo Canyon shall be mitigated by the installation of engineered rip-rap or equivalent protective measures.

Residual Impacts

Less than significant

Drainage and watershed Resources

Impact W-1 Construction of the various facilities identified in the Draft Port Master Plan will increase the amount of impervious surfaces at the project site, thereby increasing the volume and velocity of runoff, and the potential for erosion on and off the site. The increased runoff could increase the potential for sedimentation in the Pacific Ocean. This impact is considered significant unless mitigated (Class II).

Impact W-2 Heavy metals and other hazardous materials washed from the surface of parking lots and roadways could enter the ocean during a rainstorm. This impact is considered significant unless mitigated (Class II).

Impact W-3 Activities associated with construction (including excavation and grading) of facilities associated with the Draft Port Master Plan would increase the potential for erosion. This impact is considered significant unless mitigated (Class II).

Impact W-4 Construction activities could result in the release of oil, engine fuel and other toxic substances into nearby San Luis Bay, adversely affecting water quality. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

D-1 Measures to be considered for the mitigation of potential drainage, erosion, seepage and water quality impacts associated with new development include, but are not limited to:

- The incorporation of on-site runoff collection systems which includes energy dissipation, berms, temporary settling basins, and/or a silt/hydrocarbon separator for the collection and removal of hazardous materials and sediments.
- The incorporation of on-site drainage systems to collect runoff from all impervious onsite services, including parking spaces, roads and buildings.
- The incorporation of offsite retention basins with appropriate water quality controls.
- Surface runoff should be collected by curbs, gutters and drainage swales and conveyed to an appropriate point of disposal. Discharges of greater than five feet per second should be released through an energy dissipator or outlet.
- The incorporation of sub-surface drains to intercept seepage and convey it to an acceptable point of disposal.
- Watering any construction sites at least twice per day during construction, or more frequently if determined necessary by the Harbor District.
- Re-vegetating portions of sites exclusive of paved areas as soon as reasonable following grading.
- Incorporating rain gutters and downspouts for buildings with adequate splash guard protection.
- Grading surfaces adjacent to buildings so that runoff is conveyed away from foundations and onto paved surfaces or underground collection pipes.

D-2 Prior to the commencement of new construction activities, a General Construction Activity Storm Water Permit from the Regional Water Quality Control Board (RWQCB) shall be obtained. As part of this permit, a storm water pollution prevention plan shall be prepared specifying Best Management Practices (BMPs) for erosion control and stormwater pollutant discharge control during any construction activities. For all project components, grading and drainage plans shall incorporate BMPs for erosion control and stormwater pollutant discharge control. This may also serve to reduce non-project-related sediment loads further downstream.

D-3 All newly constructed impervious surfaces, including parking spaces, streets and roads, and storage lots, shall drain to an underground storm drainage system or improved channel. Surface runoff will be collected by curbs, gutters and drainage swales to storm drain pipe inlets. Runoff will be kept underground until it is released to a graded or improved natural channel. Discharges greater than five feet per second will be released through an energy dissipator structure at the drainage system outlet.

D-4 New roadside shoulders beyond the edge of pavement shall only be used for minor road embankment runoff and emergency overflows from underground pipe systems Additional drainage swales, inlets and channels will be provided on grading plans in order to handle sheet flows that would otherwise be directed across roads.

D-5 The following grading procedures shall be included in order to minimize the potential for drainage and erosion problems on slope banks:

- Locate terrace drain ditches at the top of fill slopes greater than a gradient of 4 horizontal to 1 vertical. Allow only surface runoff which is incidental over the face of a fill slope.
- Include terrace drains and velocity dissipators on existing and proposed slopes greater than 35 feet in height.
- Install wicks, subdrains or other improvements, as necessary, to insure that groundwater seepage does not occur on man-made slopes.

D-6 All areas disturbed by grading activities shall be seeded with native or naturalized grasses to reduce dust emissions and erosion.

D-7 New storm drain inlets and pipe systems shall be added along the edge of the bluff to prevent flows from being released onto unprotected slopes.

D-8 A site-specific erosion control and temporary revegetation plan shall be developed for all new grading. This plan shall include erosion control devices to be installed prior to the beginning of the rainy season (October 15).

D-9 Prior to grading operations, application for a construction Storm Water Discharge General Permit shall be submitted to the Regional Water Quality Control Board. This permit request will be accompanied by an indication of construction site erosion control practices, soil tracking control methods and practices, and moisture control of surfaces for dust control.

D-10 An erosion and sedimentation control plan as required by the National Pollution Discharge Elimination System permit shall be prepared for all new construction. This permit request will comply with all the drainage protection measures and procedures of the on-site Storm Water Pollution Prevention Plan (SWPPP).

D-11 A Revegetation Plan shall be prepared for all newly graded areas. The goal of this plan is to (1) ensure that sediment is not eroded and transported off-site; and (2) upon completion of construction, to re-establish vegetation compatible with surrounding native plantings.

D-12 Additional rock dissipator protection shall be provided at new culvert outlets along Avila Beach Drive and at the existing 5 foot diameter culvert for the Diablo Canyon Road channel.

D-13 Additional rock protection along the shoreline (Avila Beach Drive) will be added to provide protection of the new and existing slopes during high surf conditions.

D-14 Prior to approval of new grading plans or grading permits, the applicant shall show the following note on grading and drainage plans:
No construction work will be permitted in any flowing channel and no graded material or debris will be placed within existing storm drain channels. All work within seasonally dry streambeds shall be in accordance with permits issued by the County of San Luis Obispo and the Regional Water Quality Control Board.

Residual Impacts

Less than significant.

Cultural Resources

Impact C-1: Development of facilities in accordance with the Draft Port Master Plan could unearth or disturb previously undiscovered resources of cultural or historic significance. This impact is considered significant unless mitigated (Class II).

Impact C-2: Development of facilities on Harford Pier could alter the historic character of the Pier. This impact is considered significant unless mitigated (Class II).

Impact C-3: Development of facilities near the Port San Luis Lighthouse could alter the historic character of the lighthouse and its setting. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

C-1 In the event archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative should monitor any mitigation work associated with prehistoric cultural material.

C-2 If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance 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 has 24 hours to notify the Native American Heritage Commission (NAHC).

Residual Impacts
Less than significant.

Noise

Impact N-1 Noise associated with construction activities on District properties may adversely impact nearby noise-sensitive uses. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

N-1 All construction equipment shall be in proper operating condition and fitted with factory standard silencing features.

i. A haul route plan shall be prepared for review and approval by the Harbor District.

ii. Whenever practical, the noisiest construction operations shall be scheduled to occur together in the construction program to avoid continuous periods of noise generation. Scheduling of noisier construction activities shall also take advantage of summer sessions and other times when classes are not in session.

iii. Project construction activities that generate noise in excess of 60 dB at the project site boundary shall be limited to the hours of 7 a.m. to 6 p.m.

N-2 All large construction equipment will be equipped with "critical" grade noise mufflers. Noise level reductions associated with the use of "critical" rather than "stock" grade mufflers can be as high as 5 dBA. Engines will also be tuned to insure lowest possible noise levels.

N-3 Detailed noise analyses shall be prepared when grading plans are developed to fully determine the need and extent of temporary and/or permanent noise barriers. Final noise barrier heights shall be determined with final grading plans indicating lot locations, trailer setbacks, and precise pad elevations are developed. The barriers may consist of a berm, wall, or a combination berm and wall. Walls should not contain holes or gaps, and should be constructed of slumpstone or other masonry material.

N-4 Equipment lay-down areas, staging areas or those areas that are reserved for testing and repairing of construction equipment shall be located as far away from sensitive receptors..

Residual Impacts

Less than significant.

Services

Impact PS-1 Facilities associated with buildout of the Draft Port Master Plan would place additional structures, life and property at risk for damage or destruction from wildland fires and/or structural fires. In particular, development of the Harbor Terrace planning area will pose a risk to wildland fire. This impact is considered significant unless mitigated (Class II).

Impact PS-2 Buildout of the Port Master Plan will increase the demand for police protection. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

PS-1 New development shall not be allowed until adequate public services and facilities to serve such development are provided. Where existing facilities are inadequate, new development may only be approved when the following conditions are met:

a. It can demonstrated that all necessary public facilities will be installed or adequately financed (through fees or other means); and
b. The facilities improvements are consistent with applicable facility plans approved by the Harbor District, the County and/or such other agencies in which provides services to the Port.

PS-2 Future development shall be required to pay all applicable Public Facilities Fees to the County of San Luis Obispo to offset potential impacts to, among other County services, police and fire protection services.

PS-3 Where determined by the Harbor District, plans for new development shall be submitted for review by the San Luis Obispo County Sheriffs Department to assess the adequacy in which a project's design addresses the following issues:: emergency access, internal circulation and provision of "defensible space". The recommendations of the Sheriffs Department shall be considered by the Harbor District in deciding to approve such new development.

PS-4 The Harbor District shall ensure that all proposed developments are reviewed for compliance with fire safety standards per the California Fire Code and other standards and ordinances of the CDF/San Luis Obispo County Fire Department. Issues to be considered in the review of future development include, but are not limited to, the following:

a. Improved emergency access to Harford Pier;
b. Improved fire protection systems on the pier, including hydrants, sprinklers and standpipes to meet current fire codes;
c. The installation of grates on the pier for automatic ventilation to stop the spread of fire;
d. Improved access to the Lightstation for fire protection;
e. Development of an all-weather secondary access road from Port San Luis to San Luis Bay Drive;

PS-5 The Harbor District shall promote the efficient use of water and reduced water demand by:
a. Requiring water-conserving design and equipment in new construction;
b. Encouraging water-conserving landscaping and other conservation measures;
c. Encouraging the retrofitting of existing fixtures with water-conserving fixtures;

PS-6 The Harbor District shall promote maximum use of solid waste source reduction, recycling, composting and environmentally-safe transformation of wastes.

PS-7 The Harbor District shall require that all new development complies with applicable provisions of the San Luis Obispo County Integrated Waste Management Plan.

PS-8 All water mains and fire hydrants shall provide required fire flows and shall be constructed in accordance with the specifications of the County of San Luis Obispo. the California Department of Forestry or other applicable standards.

PS-9 Where determined by the Harbor District, plans for new development shall be reviewed by the County of San Luis Obispo to insure that building materials, access, brush clearance and water storage capacity provide adequate fire protection to the proposed project.

PS-10 Prior to the approval of any site plans for development areas adjacent to open space, a Fuel Reduction Plan shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval. This Fuel Reduction Plan will provide for an acceptable level of risk in accordance with California Department of Forestry standards. Fuel reduction can be achieved through a gradual transition from native vegetation into irrigated landscape/building areas of the project. This fuel reduction program shall also establish parameters for the percent, age, extent, and nature of native plant removal necessary to achieve the accepted fire prevention standards required to protect human lives and property, while preserving as much natural habitat as possible.

PS-11 The Harbor District or its designated assignee shall be responsible for maintenance of Fuel Reduction Zones where required of new development. Maintenance agreements shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval.

PS-12 All water lines shall be designed and installed in accordance with requirements of the County of San Luis Obispo and County Service Area Number 12.

PS-13 New development on the Harbor Terrace site shall comply with County of San Luis Obispo and County Service Area Number 12 requirements concerning the installation and use of reclaimed water systems for landscape irrigation.

PS-14 New development shall incorporate native plant species and ornamental species which are drought-tolerant and/or have low irrigation requirements.

PS-15 If available, reclaimed water shall be utilized to irrigate major landscaped and planted areas. The on-site water distribution system shall be designed and constructed in a manner to provide separate reclaimed water lines. Such a system shall comply with all County of San Luis Obispo and Regional Water Quality Control Board Requirements for the installation and operation if reclaimed water systems.

PS-16 All wastewater collection lines shall be designed and installed in accordance with requirements of the County of San Luis Obispo and the Avila Beach County Water District.

PS-17 No new development shall be approved without first providing assurance that adequate capacity exists in Sewage Lift Station #181 located adjacent to Avlla Beach Drive. Where necessary, plans for redesign or upsizing of this facility shall be submitted to the County of San Luis Obispo and the Avila Beach Community Services District prior to issuance of building permits.

PS-18 Development plans shall delineate the number, location, and general design of solid waste enclosures and storage areas for recycled material.

PS-19 Maintenance of all developed park, open space and recreation facilities on the Harbor Terrace site shall be the responsibility of either the Port San Luis Harbor District or its designee and/or another suitable entity or a combination of the above.Where applicable all recreational facilities (bluff top parks, etc.) shall be landscaped and, where necessary, irrigated.

PS-20 New development shall provide parking in accordance with standards established by the Port San Luis Harbor District, the County of San Luis Obispo and the California Coastal Act.

Residual Impacts
Less than significant.

Biological Resources

Impact B-2: Implementation of the Final Master Plan would not adversely affect riparian habitat, but may impact needlegrass grassland, coastal tidal areas, and other sensitive natural communities. This impact is considered significant unless mitigated (Class II).

Impact B-3: Development of Harbor District facilities will increase the area of impervious surfaces, increasing stormwater run-off into San Luis Bay, which could indirectly affect sensitive species habitat. This impact is considered significant unless mitigated (Class II).

Impact B-4 Development of the Harbor Terrace site may disrupt wildlife movement along the slope above the site. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

B-1. Oak trees removed or damaged by project activities shall be replaced by planting oak trees in areas adjacent to existing oak woodlands outside project grading limits. These oak trees should be grown from locally collected acorns. San Luis Obispo County recommends a 4:1 replacement of oak trees removed or damaged by development activities. Existing oak trees shall be beneficially incorporated where possible in the project landscaping along with other native species.

B-2. Grading and construction in and adjacent to sensitive native habitat areas shall be minimized. Project grading activities shall generally avoid steep slopes and bluff areas.

B-3. Construction limits shall be clearly defined and enforced. Oak tree protective measures shall be incorporated by installing construction fencing outside of the drip line of oak trees and preventing any construction or grading activities from damaging existing oak trees.

B-4. Projects abutting open, natural areas, will incorporate a buffer zone incorporating fire clearance requirements, and transition zones between introduced and native landscaping. Maintenance of this buffer zone would include prevention of non-native vegetation in the project area from spreading into the native habitats surrounding the site.

B-5. Initial land-clearing and grading activities shall be scheduled to avoid spring and early summer months in areas where oak woodland or dense coastal scrub border the site. If clearing must occur during this time period, preconstruction surveys shall be conducted to identify nesting birds in coastal scrub and oak woodland habitats within 500 feet of any project grading or related activities (parking, equipment storage, construction office, etc.). If active nests of Cooper's hawk, northern harrier, white-tailed kite, or Bell's sage sparrow are found, construction or related activities shall be postponed within 500 feet of the nest until the young have fledged or the nest becomes inactive.

B-6. Botanical surveys shall be conducted to determine the presence and distribution of special-status plant species on the Harbor Terrace site prior to project approval. Botanical surveys shall be conducted by a qualified botanist during known flowering periods of plant species listed in Table 5.6-1 and focus on vegetated areas that would be disturbed by the project. If special-status species would be adversely affected by the project, mitigation measures shall include:

a. Relocating project components to avoid impacts;
b. Preservation of the majority of the population on the project site through a permanent conservation easement; and
c. Transplanting individual plants (perennials) or seeds (annuals) from impact areas to restoration areas.

Measure a. should be implemented if the plant is threatened or endangered or if a small percentage of the sensitive population on the project site would be affected. Otherwise, measures b. or c. may be implemented.

B-7. Native landscaping shall be designed and installed to discourage pedestrian access from the Harbor Terrace site into adjacent native habitats. In addition, if pets are allowed, designated pet areas shall be incorporated into the design of new development so pets are not allowed into nearby habitat areas or buffer zones that support native wildlife.

Residual Impacts

Less than significant.

Traffic and Circulation

Impact T-1 Vehicle trips generated by buildout of the Port in accordance with the Final Master Plan could adversely affect the operation of surrounding streets and intersections. This impact is considered significant unless mitigated (Class II).

Implement the recommendations of the Avila Circulation Study.

Residual Impacts

Less than significant.

Air Quality

Impact A-1 Motor vehicle and other long-term emissions associated buildout of the Port facilities in accordance with the Final Master Plan would contribute to the lack of attainment of the State ozone and PM_{10} standards. This impact is considered significant unless mitigated (Class II).

Impact A-2 Dust generated by construction activities may be considered a nuisance adjacent to the project site. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

AQ-5 The Harbor District shall, to the extent feasible, separate sensitive land uses from significant sources of air pollution.

AQ-6 The Harbor District shall submit environmental documents to the San Luis Obispo County Air Pollution Control District for review and comment in accordance with the California Environmental Quality Act prior to consideration for approval.

AQ-7 The Harbor District shall promote and encourage the use of alternate modes of transportation by incorporating public transit, bicycle, and pedestrian modes in new development.

AQ-8 The following measures shall be applied to reduce impacts related to PM_{10} and NO_x emissions from project construction to the extent feasible.

a. Equipment Emission Control Measures. To the extent feasible, newer construction equipment (manufactured after 1990) shall be used that produces fewer emissions, especially for the highest emitting piece of diesel-fired heavy equipment. In any case, all equipment shall be properly tuned and maintained. Additional measures that would reduce construction-related emissions include, but are not limited to:

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize to the extent feasible, the use of diesel construction equipment meeting the ARBs 1996 or newer certification standard for off-road heavy duty diesel engines.
- Should project emissions exceed the APCD's CEQA significance threshold for quarterly emissions, construction equipment shall be retrofitted with the appropriate number of catalyzed diesel particulate filters (CDPF) or diesel oxidation catalysts (DOC). This determination must be conducted in consultation with the APCD.

b. Dust Control Measures. Dust generated by construction activities shall be kept to a minimum by full implementation of the following measures:

- During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used when necessary to prevent dust from leaving the site and to create a crust after each day's activities cease;
- During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the morning and after work is completed for the day and whenever wind exceeds 15 miles per hour;
- Stockpiled earth material shall be sprayed as needed to minimize dust generation.
- During construction, the amount of disturbed area shall be minimized.
- Onsite vehicle speeds should be reduced to 15 mph or less;
- Exposed ground areas that left exposed after project completion should be sown with a fast-germinating native grass seed and watered until vegetation is established;
- After clearing, grading, earth moving, or excavation is completed, the entire area of disturbed soil shall be treated immediately by watering or revegetating or spreading soil binders to minimize dust generation until the area is paved or otherwise developed so that dust generation will be minimized;
- Grading and scraping operations shall be suspended when necessary to minimize dust generation;

- All roadways, driveways, and sidewalks associated with construction activities should be paved as soon as possible. In addition, building and other pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Permanent dust control measures identified in the approved project re-vegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- Install wheel washers or rumble pads where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

Residual Impacts

Less than significant.

Visual Resources

Impact V-1 Development of the various projects under the Master Plan will alter the visual character and/or quality of the project area. This impact is considered significant unless mitigated (Class II).

Impact V-3 Development of the various projects under the Master Plan may result in additional sources of light and glare. These new sources will be visible from adjoining areas and may be visible from areas beyond the Port. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

V-1. Grading shall be designed to conserve natural topographic features and appearances by means of land sculpturing to blend graded slopes and benches with natural topography.

V-2. Construction equipment and staging areas for the development of the Harbor Terrace and Avila parking lot sites shall be stored and located in the least visually prominent location on site, and/or screened from public view.

V-3. Lighting shall be hooded and designed to shine downward. To the extent practical, parking lot lighting shall be confined to the project site and shall be designed and oriented to ensure safety within the parking lots, access and pedestrian walks. Lighting will be installed with the minimum foot-candles necessary to ensure safety.

Residual Impacts

Less than significant.

Hazardous Materials

Impact HAZ-2: Development of the Harbor Terrace site may result in the exposure of existing contaminants in the soil. This impact is considered significant unless mitigated (Class II).

Impact HAZ-3 Serpentine soils are reportedly present on the Harbor Terrace site and may occur elsewhere throughout the project area. Construction on sites containing serpentine soils poses the risk of release of naturally occurring asbestos. This impact is considered significant unless mitigated (Class II).

Impact HAZ-4 Demolition of structures in the project area may result in hazards associated with lead-based paint and asbestos containing materials. Demolition of these structures poses risk of release of these hazardous materials into the environment. This impact is considered significant unless mitigated (Class II).

Impact HAZ-5 Fluorescent light ballasts and removal of any electrical transformers in the project area may pose hazards to the public associated with the release of PCBs. This impact is considered significant unless mitigated (Class II).

Mitigation Measures

HAZ-1 The use, transport, storage and disposal of hazardous materials on all Harbor District property shall be carried in accordance with the provisions of all applicable federal, State and local laws and regulations.

HAZ-2 During project grading in areas known to contain contaminants, monitoring of earthwork shall be performed to determine if levels of BTEX or other compounds of interest to the APCD (lead, volatile organic compounds such as gasoline and solvents, and asbestos exceed established exposure thresholds.

HAZ-3 Grading shall either be performed during the dry season or will be subject to specific erosion control measures (see "Mitigation Measures" in Drainage and Watershed Resources) to prevent erosion of the soil and possible transport of contaminated soils into off-site watercourses.

HAZ-4 Any oil-contaminated soil discovered during construction shall be disposed off-site at an appropriate facility or used as fill in parking lots or roadways. Areas of finished grade shall not have any surface exposures of oil-contaminated soils. Any activities involving remediation or the handling and disposal of hazardous materials or waste shall comply with all relevant regulations and permitting requirements of the Air Pollution Control District prior to the commencement of such activities.

HAZ-5 Vapor barriers shall be placed below the foundation of all new structures in order to eliminate the potential for vapors entering any buildings.

HAZ-6 Where new construction may occur on soils expected to contain asbestos, an Asbestos Health and Safety Program for project construction activities shall be developed and submitted to the San Luis Obispo APCD for review and approval prior to the commencement of project grading. This program shall include the following elements:

1. Preparation of a sampling and survey work plan. Elements of this work plan should include, but are not limited to: geologic mapping of the site, sampling strategy, and lab analysis methodology.

2. Conduct sampling and survey activities and perform the required lab analysis. Results of these activities shall be submitted to the District for review 30 days prior to start of construction.

3. If ACM is determined to be present, an Asbestos Health and Safety Program for construction activities in serpentinite to comply with State and Federal law will be required. Work plan elements should include, but are not limited to:

   - construction and project strategy to *prevent* emissions to ambient air
   - notice to APCD of project start date ten working days in advance;
   - protection methods used to prevent worker exposure; and
   - a California certified asbestos environmental monitor or registered geologist with asbestos certification to be present on-site during construction activities to identify potential unmapped or subsurface serpentinite and to initiate APCD contractor/worker emergency procedures, if required.

   The Asbestos Health and Safety Program must reduce potential impacts associated with naturally-occurring asbestos to a less than significant level.

4. If ACM is determined to be present, no ACM is to be used as surface layer material on any part of the project (road beds, house pads, landscaped areas,

5. If ACM is determined to be present, notification to employees and patrons that ACM is present shall be required.

6. If ACM is not found in the serpentine deposits on-site, the following items are required:

- the preparation of an emergency work plan to address potential unmapped or subsurface serpentinite.
- a certified asbestos environmental monitor or registered geologist with asbestos certification shall be present during construction activities to initiate emergency work plan if necessary, and
- APCD shall be notified of project start date.

HAZ-7 A demolition asbestos survey will be conducted prior to any modifications or demolition of the on-site buildings or storage yards, in accordance with federal NESHAP regulations. The asbestos survey will be conducted by a California-licensed asbestos consultant. If asbestos-containing materials (ACM) are found in the on-site buildings or storage yards, the ACM must be abated prior to the commencement of demolition activities. Abatement activities will be conducted by a California-licensed asbestos abatement contractor. ACM wastes will be disposed at a properly licensed disposal facility.

HAZ-8 A lead-based paint survey will be conducted prior to commencement of demolition activities. The survey will be conducted by a California-licensed lead consultant. If lead-based paint is identified on the building materials, the paint may be required to be abated prior to demolition if found to be in poor condition. Waste materials containing lead-based paint will be properly characterized for disposal to determine if the material exceeds state or federal hazardous waste thresholds.

HAZ-9 On-site electrical transformers will be inspected prior to commencement of demolition activities to determine whether they may contain PCBs. Any unlabeled transformer shall be assumed to contain PCBs unless proven otherwise through testing or information from the manufacturer. PCB-containing transformers will be disposed as federal hazardous wastes.

HAZ-10 Fluorescent light ballasts will be inspected prior to commencement of demolition activities to determine if the ballasts could contain PCBs. Unlabeled ballasts shall be considered PCB containing unless proven otherwise through testing or information from the manufacturer. PCB-containing ballast will be disposed as federal hazardous wastes.

Residual Impacts

Less than significant.

Class III Impacts

Geology and Geologic Resources

Impact GEO-1 Although seismic events could result in groundshaking in virtually every planning area, the potential for ground rupture in the Master Plan area is considered low. This impact is considered adverse but not significant (Class III).

Impact GEO-9 Overexcavation of undocumented fill may result in the need to export soils and materials out of the Avila Beach area. This impact is considered adverse but not significant (Class III).

Impact GEO-10 Interference with wave action and current patterns of sand sourcing and deposition is not anticipated under this plan. This impact is considered adverse but not significant (Class III).

Services

Impact PS-3 A portion of the increased development accommodated by the Final Master Plan will increase the demand for water. This impact is considered adverse but not significant (Class III).

Impact PS-4 Buildout of the various facilities accommodated by the Port Master plan will generate additional wastewater that would be collected and treated by the Avila Beach wastewater treatment plant. Increased wastewater generation could adversely impact the wastewater collection system serving the Port, and could secondarily impact the capacity of the wastewater treatment plant. This impact is considered adverse but not significant (Class III).

Impact PS-6 Buildout of the Port in accordance with the Final Master Plan will generate additional solid waste which will adversely impact landfill capacity. This impact is considered adverse but not significant (Class III).

Biological Resources

Impact B-1: Construction of facilities may result in the loss of habitat for special-status plant and animal species or the loss of individuals. This impact is considered adverse but not significant (Class III).

Impact B-5 Construction activities and occupancy of facilities would extend existing human-related disturbance (human presence, wildlife predation by pets, noise, dust, lighting) further into open space areas. This impact is considered adverse but not significant (Class III).

Noise

Impact N-2 Noise associated with vehicle trips to and from the Port and associated facilities will increase. This impact is considered adverse but not significant (Class III).

Traffic and Circulation

Impact T-3 Additional trips associated with buildout of the Port in accordance with the Final Master Plan could conflict with emergency evacuation plans associated with Diablo Canyon Nuclear Power Plant. This impact is considered adverse but not significant (Class III).

Impact T-4 Development of a 3,000 square foot commercial lease space on the Avila parking lot would remove no more than 17 parking spaces while increasing the demand for parking. In addition, development of a new 4,250 square foot lease space on the Avila Pier terminus will increase the demand for parking. This impact is considered adverse but not significant (Class III).

Impact T-5 Development of uses accommodated by the Final Master Plan will increase the demand for parking at Port facilities. This impact is considered adverse but not significant (Class III).

Visual Resources

Impact V-2 Grading and construction activities and the storage of construction materials may be visible from public vantage points. This impact is considered adverse but not significant (Class III).

Hazardous Materials

Impact HAZ-1: Construction and operation of Port facilities and improvements may involve the routine use, storage or transport of limited amounts of hazardous materials which may pose a risk to the environment. This impact is considered adverse but not significant (Class III).

CHAPTER 8
REFERENCES AND REPORT PREPARATION

8.1 REFERENCES

County of San Luis Obispo. 1992. *County of San Luis Obispo General Plan, Noise Element*. Adopted May 5, 1992 –Resolution 92-227.

———. 1999. *County of San Luis Obispo General Plan, Safety Element*. Adopted December 14, 1999 – Resolution 99-559.

———. 2007. *Local Coastal Program Policy Document, A Portion of the San Luis Obispo County Land Use Element of the General Plan: Coastal Plan Policies*. Adopted March 1, 1988 – Resolution 88-115. Program Certified by the California Coastal Commission February 25, 1998. Revised April 2007.

———. 2009. *The Land Use and Circulation Elements of the San Luis Obispo County General Plan: San Luis Bay Area Plan Coastal.* Adopted March 1, 1988 – Resolution 88-115. Certified by the California Coastal Commission February 25, 1988. Revised August 2009.

———. 2010. *County of San Luis Obispo General Plan, Conservation and Open Space Element*. Adopted May 11, 2010 – Resolution 2010-151.

———. 2011a. *The Land Use and Circulation Elements of the San Luis Obispo County General Plan: Framework for Planning Coastal Zone*. Adopted March 1, 1988. Program Certified by the California Coastal Commission February 25, 1988. Revised November 2011.

———. 2011b. *Coastal Zone Land Use Ordinance, Title 23 of the San Luis Obispo County Code*. Adopted March 1, 1988 – Ordinance 2344. Certified by the California Coastal Commission October 7, 1986. Revised November 2011.

———. 2011c. *County of San Luis Obispo General Plan, EnergyWise Plan, Designing Energy and Climate Solutions for the Future*. Adopted November 22, 2011 – Resolution 2011-381.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Lisa Wise Consulting, Sherwood Design Engineers, and WRT. 2014. Project Plan Set. March 2014. Updated August 2014.

Regional Water Quality Control Board, Central Coast Region (RWQCB). 2011. *Water Quality Control Plan for the Central Coast Basin*. Sacramento, CA: Regional Water Quality Control Board, Central Coast Region, State Water Resources Control Board, California Environmental Protection Agency. June 2011.

RRM Design Group. 2004. *Port San Luis Harbor District Port Master Plan – Final Draft*. May 2004, Revised per 2007 LCP Update.

San Luis Obispo County Air Pollution Control District (SLOAPCD). 2001. *2001 Clean Air Plan San Luis Obispo County*. December 2001.

State of California Department of Water Resources. 2014. *Updated Model Water Efficient Landscape Ordinance and Water Conservation in Landscaping Act of 2006, Assembly Bill 1881*. Available at http://www.water.ca.gov/wateruseefficiency/landscapeordinance/.

State of California. 2014. *California Coastal Act of 1976*. Public Resources Code Division 20, California Coastal Act (2014).

8.1.1 Aesthetic Resources

County of San Luis Obispo. 2007. *Coastal Plan Policies*. County of San Luis Obispo, Department of Planning and Building. April 2007.

———. 2009. *San Luis Bay Area Plan (Coastal)*. County of San Luis Obispo, Department of Planning and Building. August 2009. 8-13 pp.

———. 2011a. *The Land Use and Circulation Elements of the San Luis Obispo County General Plan: Framework for Planning Coastal Zone*. Adopted March 1, 1988. Program Certified by the California Coastal Commission February 25, 1988. Revised November 2011.

———. 2011b. *Coastal Zone Land Use Ordinance, Title 23 of the San Luis Obispo County Code*. Adopted March 1, 1988 – Ordinance 2344. Certified by the California Coastal Commission October 7, 1986. Revised November 2011.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

State of California. 2014. *California Coastal Act of 1976*. Public Resources Code Division 20, California Coastal Act (2014).

8.1.2 Air Quality

Central Coast Transportation Consulting. 2014. *Port San Luis Harbor Terrace Transportation Impact Study*. August 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Earth Systems Pacific. 2014. Geologic/Geotechnical Hazards Study Harbor Terrace Campground Port San Luis County of San Luis Obispo, California. August 1, 2014.

Hendrix, M. and C. Wilson. 2007. *White Paper on Global Climate Change – Recommendations by the Association of Environmental Professionals (AEP) on How to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents.* Prepared for the Association of Environmental Professionals. March 5, 2007.

State of California Governor's Office of Planning and Research (OPR). 2011. CEQA and Climate Change. State of California, Office of Planning and Research. Available at http://opr.ca.gov/s_ceqaandclimatechange.php. Accessed June 2014.

San Luis Obispo County Air Pollution Control District (SLOAPCD). 2001. Clean Air Plan. December 2001.

———. 2012a. *CEQA Air Quality Handbook, A Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review*. April 2012.

———. 2012b. *Greenhouse Gas Thresholds and Supporting Evidence*. March 28, 2012.

———. 2013a. *2012 Annual Air Quality Report*. November 2013.

———. 2013b. *San Luis Obispo County Attainment Status*. August 20, 2013.

8.1.3 Biological Resources

Baldwin, B. G., D. H. Goldman, D. J. Keil, R. Patterson, T. J. Rosatti, and D. H. Wilken, editors. 2012. *The Jepson Manual: Vascular Plants of California*. 2nd ed. University of California Press, Berkeley.

California Native Plant Society (CNPS). 2014. Electronic Inventory of Endangered and Rare Plants. Available at: www.cnps.org/. Accessed April 2014.

California Natural Diversity Data Base (CNDDB). 2014. Rarefind 5.0 data output for known occurrences within 5-miles of the project site.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Holland, R.F. 1986. *Preliminary Description of Terrestrial Natural Communities of California.* State of California, The Resources Agency, Department of Fish and Wildlife.

Hoover, R.F. 1970. *The Vascular Plants of San Luis Obispo County, California*. Berkeley, CA: University of California Press.

Sibley, David Allen. 2003. *The Sibley Field Guide to Birds of Western North America*. New York, NY: Alfred A. Knopf, Inc.

U.S. Department of Agriculture Natural Resources Conservation Service (NRCS). 2014. Web Soil Survey. Available at: http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed April 2014.

8.1.4 Cultural Resources

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004. pp. 127-134.

Gibson, R.O. 1996. *Results of Phase One Archaeological Surface Survey of the Harbor Terrace Project, Port San Luis, San Luis Obispo County, California*.

8.1.5 Geology and Soils

California Department of Conservation California Geological Survey (DOC CGS). 2007. *Special Publication 42 Interim Revision 2007*. Fault-Rupture Hazard Zones in California, Alquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zones Maps.

California Emergency Management Agency, California Geological Survey, and University of Southern California. 2009. County of San Luis Obispo Tsunami Inundation Map for Emergency Planning Port San Luis Quadrangle. July 1, 2009.

County of San Luis Obispo. 1999. *County of San Luis Obispo General Plan, Safety Element*. Adopted December 14, 1999 – Resolution 99-559.

———. 2013. *County Guidelines for Engineering Geology Reports*. Updated October 2013.

County of San Luis Obispo Office of Emergency Services (OES). 2011. *San Luis Obispo County Tsunami Emergency Response Plan*. Revised August 2011.

———. 2014. *San Luis Obispo County Emergency Operations Plan*. June 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Earth Systems Pacific. 2008. *Summary of Geology/Geotechnical Conditions Harbor Terrace Planning Sub-Area Port San Luis District Master Plan Port San Luis, California.* October 16, 2008.

———. 2014. *Geologic/Geotechnical Hazards Study Harbor Terrace Campground Port San Luis County of San Luis Obispo, California.* August 22, 2014.

8.1.6 Greenhouse Gas Emissions and Climate Change

California Environmental Protection Agency, Air Resources Board (CARB). 2014a. California Greenhouse Gas Inventory for 2000-2012 – by Category as Defined in the 2008 Scoping Plan. Last updated Monday, March 24, 2014.

———. 2014b. *2014 Edition California GHG Emission Inventory*. California Greenhouse Gas Emissions for 2000 to 2012 – Trends of Emissions and Other Indicators. May 13, 2014.

———. 2014c. Assembly Bill 32 – California Global Warming Solutions Act. Overview. Available at: www.arb.ca.gov/cc/ab32/ab32.htm. Accessed August 12, 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

San Luis Obispo County Air Pollution Control District (SLOAPCD). 2012a. *CEQA Air Quality Handbook, A Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review*. April 2012.

———. 2012b. *Greenhouse Gas Thresholds and Supporting Evidence*. March 28, 2012.

U.S. Environmental Protection Agency (US EPA). 2007. Climate Change – Human and Environmental Effects. Available at: http://www.epa.gov/climatechange/effects/health.html. Accessed June 2014.

———. 2014. *Climate Change Indicators in the United States, 2014*. Third Edition. EPA 430-R-14-004.

8.1.7 Hazards and Hazardous Materials

California Department of Conservation, California Geologic Survey. 2008. *Special Report 208 Radon Potential in San Luis Obispo County, California*.

California Department of Forestry and Fire Protection, County Fire (CAL FIRE). 2002. Letter regarding CAL FIRE's evaluation of the system of evacuation routes and methods currently available to move people out of the community of Avila Beach should the need arise. March 7, 2002.

California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC). 2007. Cortese List Data Resources. Hazardous Waste and Substances List: http://www.calepa.ca.gov/sitecleanup/corteselist. Accessed August 7, 2014.

———. 2014a. Envirostor. Available at: http://www.envirostor.dtsc.ca.gov. Accessed August 7, 2014.

———. 2014b. Cortese List Data Resources. List of Active CDO and CAO from Water Board. Available at: http://www.calepa.ca.gov/sitecleanup/corteselist. Accessed August 7, 2014.

———. 2014c. Cortese List Data Resources. Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit. Available at: http://www.calepa.ca.gov/sitecleanup/corteselist/CurrentList.pdf. Accessed August 7, 2014.

California Office of Emergency Services (OES). 2013. *California Multi-hazard Mitigation Plan*. October 2013.

County of San Luis Obispo. 2014. Letter regarding potential of evacuating portions of the Port San Luis and Avila Beach areas through the Diablo Canyon Power Plant site. June 17, 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Earth Systems Pacific. 2014. *Geologic/Geotechnical Hazards Study Harbor Terrace Campground Port San Luis County of San Luis Obispo, California.* August 22, 2014.

State Water Resources Control Board (SWRCB). 2014. Geotracker. Available at: http://geotracker.waterboards.ca.gov. Accessed August 7, 2014.

8.1.8 Hydrology and Water Quality

California Coastal Commission (CCC). 2013. Draft Sea-Level Rise Policy Guidance. Public Review Draft. October 14, 2013.

County of San Luis Obispo and County of San Luis Obispo Flood Control and Water Conservation District. 2013. *Local Hazard Mitigation Plan*. December 2013.

County of San Luis Obispo. 2014. Post Construction Requirements Handbook Strategies for Post-Construction Stormwater Management and Low Impact Development in New Development and Redevelopment. Version 1.1. March 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Earth Systems Pacific. 2014. *Geologic/Geotechnical Hazards Study Harbor Terrace Campground Port San Luis County of San Luis Obispo, California.* August 22, 2014.

Regional Water Quality Control Board, Central Coast Region (RWQCB). 2013a. *Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region*. September 6, 2012. Adopted by Resolution No. R3-2013-0032, July 12, 2013.

———. 2013b. Total Maximum Daily Load Progress Report, San Luis Obispo Creek Pathogens TMDL. Updated September 2013.

Sherwood Design Engineers. 2014. *Hydrology Report*.

Tomlinson, Tim. 2014. Development Services, Permit and Floodplain Manager, County of San Luis Obispo Department of Public Works. Personal communication, email. September 21, 2014.

8.1.9 Noise

American Honda Motor Co., Inc.. 2014. Honda Generators – Selecting the right portable generator for you. Available at http://powerequipment.honda.com/generators/selecting-a-generator Accessed August 13, 2014.

Central Coast Transportation Consulting (CCTC). 2014. *Port San Luis Harbor Terrace Transportation Impact Study*. August 2014.

County of San Luis Obispo. 1992. *County of San Luis Obispo General Plan, Noise Element*. Adopted May 5, 1992 –Resolution 92-227.

State of California Governor's Office of Planning and Research (OPR). 2003. *General Plan Guidelines, Appendix C Noise Element Guidelines*. October 2003.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Federal Highway Administration (FHWA). 2011. Highway Traffic Noise, Construction Noise Handbook, 9.0 Construction Equipment Noise Levels and Ranges. Available at www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm Accessed August 13, 2014.

8.1.10 Public Services, Utilities, and Service Systems

California Department of Forestry and Fire Protection (CAL FIRE). 2014. Station 62, Avila Fire Station. Available at www.calfireslo.org/Station62.html Accessed August 9, 2014.

California Energy Commission, Energy Consumption Data Management System. 2014a. Electricity Consumption by County. Available at www.ecdms.energy.ca.gov/elecbycounty.aspx. Accessed August 13, 2014.

———. 2014b. Electricity Consumption by Planning Area. Available at www.ecdms.energy.ca.gov/elecbyplan.aspx. Accessed August 13, 2014.

CalRecycle. 2014. *Facility/Site Summary Details: Cold Canyon Landfill Solid Waste DS (40-AA-0004)*. Available at www.calrecycle.ca.gov/SWFacilities/Directory/40-AA-0004/Detail Accessed August 26, 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

County of San Luis Obispo Flood Control and Water Conservation District. 2012. *San Luis Obispo County Master Water Report*. May 2012.

County of San Luis Obispo. 2013. 2010-2012 Resource Summary Report, San Luis Obispo County General Plan. March 12, 2013.

Fluid Resource Management. 2014. Monthly Facility Report for the August 2014 Board Meeting. August 4, 2014.

Wallace Group. 2010. *Avila Beach Community Services District Wastewater Collection System Master Plan*. September 2010.

———. 2013. *Sewer System Management Plan (SSMP) Final 2010*. Revised September 2013: Revision 2.

8.1.11 Transportation and Traffic

C2 Consult. 2103. *Parking Management Plan for the Port San Luis Harbor District.* May 2013.

Central Coast Transportation Consulting (CCTC). 2014. *Port San Luis Harbor Terrace Transportation Impact Study*. August 2014.

County of San Luis Obispo Department of Public Works. 2009. *Exhibit A 2009 Update Avila Circulation Study*. October 20, 2009.

———. 2013. *Exhibit A 2013 Update Avila Circulation Study*. September 2013.

——— 2014. Traffic Count Data. Available at www.slocounty.ca.gov/Assets/PW/Traffic/TrafficCountData.pdf Accessed August 13, 2014.

Port San Luis Harbor District. 2014. Letter to CAL FIRE summarizing May 22, 2014, meeting. July 22, 2014.

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

Lisa Wise Consulting. 2014. Memorandum: Harbor Terrace January 21, 2014 Traffic Scoping Meeting Summary. February 10, 2014.

8.1.12 Issue Areas with Less than Significant Impacts

8.1.12.1 Agricultural Resources

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

County of San Luis Obispo. 2010. *County of San Luis Obispo General Plan, Agriculture Element*. Adopted December 15, 1998 – Resolution No. 98-495. Amended November 2006. Separated from the Open Space Element May 11, 2010 – Resolution No. 2010-151.

California Department of Conservation Division of Land Resource Protection. 2013. San Luis Obispo County Important Farmland 2010. Map published July 2013.

8.1.12.2 Population and Housing

County of San Luis Obispo. 2013. *2010-2012 Resource Summary Report, San Luis Obispo County General Plan*. March 12, 2013.

8.1.12.3 Recreation

Crawford, Multari, & Clark Associates (CMCA). 2004. *Final Program Environmental Impact Report for the Port San Luis Harbor District 2003 Port Master Plan*. Certified April 27, 2004.

County of San Luis Obispo. 2007. *Local Coastal Program Policy Document, A Portion of the San Luis Obispo County Land Use Element of the General Plan: Coastal Plan Policies*. Adopted March 1, 1988 – Resolution 88-115. Program Certified by the California Coastal Commission February 25, 1998. Revised April 2007.

County of San Luis Obispo. 2006. *County of San Luis Obispo General Plan, Parks and Recreation Element*. Adopted December 19, 2006 – Resolution No. 2006-478.

8.2 EIR PREPARERS

This EIR has been prepared by SWCA Environmental Consultants, in association with the Port San Luis Harbor District. Project Director for the EIR was Bill Henry, and Project Manager was Shawna Scott. The following is a list of individuals responsible for preparation of the EIR.

Responsibilities	EIR Preparer
Executive Summary, Introduction, Project Description, Environmental Setting, Air Quality, Greenhouse Gas Emissions and Climate Change, Hazards and Hazardous Materials, Noise, Public Services and Utilities, Issues with Less than Significant Impacts, Alternatives Analysis, Other CEQA Considerations	Shawna Scott, SWCA Stuart Poulter, SWCA
Aesthetic Resources	Shawna Scott, SWCA Bob Carr, Landscape Architect
Biological Resources	Shawna Scott, SWCA Barrett Holland, SWCA
Cultural Resources	Shawna Scott, SWCA Robert O. Gibson (technical report)
Geology and Soils	Shawna Scott, SWCA Earth Systems Pacific (technical report)
Hydrology and Water Quality	Shawna Scott, SWCA Sherwood Design Engineers (technical report)
Transportation and Traffic	Shawna Scott, SWCA Central Coast Transportation Consulting (technical report)
Document Graphics	Adriana Neal, SWCA
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CHAPTER 9
RESPONSE TO COMMENTS

The Response to Comments chapter of the EIR includes comment letters for the Port San Luis Harbor Terrace Development Plan Draft EIR. These comment letters were received from entities including federal and state agencies, non-agency organizations, and the general public. In accordance with CEQA Guidelines §15132(d), this Final EIR presents the Harbor District's response to comments submitted during the Draft EIR review and consultation process.

The letters of comment are in chronological order with the responses following the individual letters. Letters of comment are reproduced in total, and numerical annotation has been added as appropriate to delineate and reference the responses to those comments.

9.1 AGENCY COMMENT LETTERS AND RESPONSES

The following agencies have submitted comments on the 2013 Draft EIR.

Respondent	Code	Contact Information	Page
State of California **Office of Planning and Research** **State Clearinghouse and Planning Unit** Letter dated: October 31, 2014	SCH	1400 10th Street Sacramento, CA 95812 www.ceqanet.ca.gov	9-2
Federal Emergency Management Agency **Region IX** Letter dated: September 22, 2014	FEMA	1111 Broadway, Suite 1200 Oakland, CA 94607-4052 *Contact: Gregor Blackburn, CFM, Branch Chief, Floodplain Management and Insurance Branch*	9-5
County of San Luis Obispo **Department of Planning and Building** Letter dated: November 13, 2014	SLOPB	County Government Center San Luis Obispo, CA 93408 *Contact: Rob Fitzroy, Environmental Resource Specialist*	9-8
San Luis Obispo Council of Governments Letter dated: November 13, 2014	SLOCOG	1114 Marsh Street San Luis Obispo, CA 93401 *Contact: Ronald L. De Carli, Executive Director*	9-16
San Luis Obispo County **Air Pollution Control District** Letter dated: November 13, 2014	SLOAPCD	3433 Roberto Court San Luis Obispo, CA 93401 *Contact: Gary Arcemont, Air Quality Specialist*	9-18
California Coastal Commission **Central Coast District Office** Letter dated: November 14, 2014	CCC	725 Front Street, Suite 300 Santa Cruz, CA 95060 *Contact: Daniel Robinson, Coastal Planner*	9-21

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

October 31, 2014

Steve McGrath
San Luis Harbor District, Port of
3950 Avila Beach Drive
PO Box 249
Avila Beach, CA 93424

Subject: Port San Luis Harbor Terrace Development Plan
SCH#: 2014031024

Dear Steve McGrath:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on October 30, 2014, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. **SCH-1**

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

RECEIVED

NOV - 5 2014

PORT SAN LUIS
HARBOR DISTRICT

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2014031024
Project Title Port San Luis Harbor Terrace Development Plan
Lead Agency San Luis Harbor District, Port of

Type EIR Draft EIR

Description Range of overnight campground accommodations w/in a range of costs, including 80 RV sites, 15 RV/RV cabin sites, 31 hotel/motel units (yurts, cabins, casitas, or bungalows), 35 car/tent campsites, and 21 walk-in campsites. Approx. 16,000 sf of commercial uses may include retail, restaurant, meeting/conference facilities; office/lobby/reception area; campground manager's residence; storage/restroom/laundry area; and picnic/gathering/courtyard/bbq; outdoor pool/Jacuzzi; and patio. Include 70 trailer boat storage spaces, 20 marine gear storage spaces, 1.05 acre Harbor storage area, 10,000 sf, and future 6,000 sf Harbor Use building. Includes: 48,000 sf public parking;

Lead Agency Contact

Name Steve McGrath
Agency San Luis Harbor District, Port of
Phone 805 595 5414 **Fax**
email sscott@swca.com
Address 3950 Avila Beach Drive
PO Box 249
City Avila Beach **State** CA **Zip** 93424

Project Location

County San Luis Obispo
City
Region
Lat / Long 35° 10' 33.8" N / 120° 45' 16.5" W
Cross Streets Avila Beach Drive/Babe Lane
Parcel No. 076172002, 010, 019, 022; 171018, 021
Township 31/32S **Range** 11E **Section** **Base** MDB&M

Proximity to:

Highways
Airports
Railways
Waterways San Luis Crk, Wild Cherry Cyn Crk, unnamed drainages
Schools
Land Use Harbor/boat/RV; Public Facilities, Agriculture/LCP, Geological Study, Archaeologically Sensitive, Coastal Stream, Sensitive Res.

Project Issues Air Quality; Biological Resources; Archaeologic-Historic; Geologic/Seismic; Toxic/Hazardous; Noise; Public Services; Recreation/Parks; Traffic/Circulation; Other Issues; Water Quality; Water Supply; Aesthetic/Visual; Agricultural Land; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Minerals; Population/Housing Balance; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Vegetation; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Coachella Valley Mountains Conservancy; Department of Fish and Wildlife, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Caltrans, District 5; Air Resources Board; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 09/16/2014 **Start of Review** 09/16/2014 **End of Review** 10/30/2014

9.1.1 Response to Letter from State Clearinghouse

Comment No.	Response
SCH-1	Standard notice of agency distribution from State Clearinghouse. No changes to the EIR are necessary.

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U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052

FEMA

September 22, 2014

Shawna Scott, Senior Planner
Port San Luis Harbor District
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, California 93401

Dear Ms. Scott:

This is in response to your request for comments regarding the Public Notice of Availability of a Draft Environmental Impact Report for the Port San Luis Harbor Terrace Development Plan project. **FEMA-1**

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the County of San Luis Obispo (Community Number 060304), Maps revised November 16, 2012. Please note that the County of San Luis Obispo, California is a participant in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map. **FEMA-2**

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways. **FEMA-3**

www.fema.gov

- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. **FEMA-4**

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/business/nfip/forms.shtm. **FEMA-5**

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The San Luis Obispo County floodplain manager can be reached by calling John Maguire, Head of Engineering, Public Works Department, at (209) 953-7617. **FEMA-6**

If you have any questions or concerns, please do not hesitate to call Jane Hopkins of the Mitigation staff at (510) 627-7183.

Sincerely,

Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:
John Maguire, Head of Engineering Services, Public Works Department, San Luis Obispo County
Ray Lee, WREA, State of California, Department of Water Resources, North Central Region Office
Jane Hopkins, NFIP Planner, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

9.1.2 Response to Letter from Federal Emergency Management Agency

Comment No.	Response
FEMA-1	The Flood Insurance Rate Map (FIRM) for the County of San Luis Obispo (Community Number 060304) dated November 16, 2012 was reviewed during preparation of the Draft EIR. No changes to the EIR are necessary.
FEMA-2	As documented in the Draft EIR (Section 4.8.1.5 Hydrology and Water Quality, Flood Hazard), the project site not located within a flood zone. A Special Flood Hazard Area (Zone AE) subject to 1% annual flood (100-year flood zone) is located adjacent to the project site, at elevation 24, which covers Avila Beach Drive. No structures are proposed within Zone AE. No changes to the EIR are necessary.
FEMA-3	The project is not located within a Regulatory Floodway; the flood risk in the immediate area is due to coastal/ocean flooding. Please refer to Draft EIR Section 4.8 (Hydrology and Water Quality) and hydrological analysis study conducted for the project (Sherwood 2014) (see Appendix F of the EIR). Based on the hydrological analysis and incorporation of design measures identified in the study consistent with County of San Luis Obispo standards, the proposed project would not change the rate or amount of surface runoff flowing from the site onto the beach, and would not increase the base flood level (elevation 24). No changes to the EIR are necessary.
FEMA-4	Please refer to Draft EIR Section 4.8 (Hydrology and Water Quality). No buildings are proposed within Zone VE (elevation 24). No changes to the EIR are necessary.
FEMA-5	Based on the EIR analysis, completion of the development would not change existing Special Flood Hazard Area, and a FIRM revision is not necessary. No changes to the EIR are necessary.
FEMA-6	The Draft EIR and hydrological analysis study (Sherwood 2014, see Appendix F of the EIR) were reviewed by the County Department of Public Works. No changes to the EIR are necessary.

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

Promoting the Wise Use of Land – Helping to Build Great Communities

November 13, 2014

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
sscott@swca.com

Subject: Harbor Terrace - Draft Environmental Impact Report (EIR) Comments

Dear Ms. Scott,

Thank you for the opportunity to comment on the Draft EIR for the Harbor Terrace project located in Avila Beach. The County of San Luis Obispo is a Responsible Agency and will be considering issuance of a Coastal Development Permit for the project upon approval of the project and certification of the EIR by Port San Luis Harbor District. The County of San Luis Obispo as a Responsible Agency will rely upon the certified EIR when processing the Coastal Development Permit and other applicable permits. The County offers the following comments on the Draft EIR. **SLOPB-1**

Global Comments:

1. In general, it would be helpful to list mitigation measures from the Port Master Plan Final Program EIR when referencing them in the list of mitigation measures within each respective section. For Example, Page 4.1-19, under Impact AES-1, mitigation measure V-1, V-2 and V-3 are mentioned from the Program EIR but not listed specifically. It is understood that those measures are listed in the setting, but it may be helpful to the reader to have them listed in the mitigation measures as well. **SLOPB-2**
2. Mitigation measures should specify who items will be submitted to and when. For example, GEO/mm3 states "shall submit a fault investigation report", this should state who it will be provided to. Several measures include such language, as such it is recommended to further specify who/what/when if the applicant is to submit a particulate item. **SLOPB-3**

Aesthetics:

3. County staff has reviewed this section; no comment. **SLOPB-4**

Air Quality:

County staff reviewed this section and offers the following comments. In addition to County staff comments, please see the attached letter from the Air Pollution Control District. **SLOPB-5**

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
planning@co.slo.ca.us • FAX: (805) 781-1242 • sloplanning.org

4. Regarding AQ Impact 1 and construction emissions, it is understood that emissions would exceed construction thresholds with mitigation as modeled by CalEEMod. Mitigation measure AQ/mm-5 requires coordination with APCD to calculate how implementation of CAMP and BACT would further reduce emissions. If emissions are below threshold after implementation of CAMP and BACT no further action would be required, but evidence will need to be provided to the County supporting this conclusion. If emissions still exceed thresholds, it will need to be demonstrated how the payment of fees would mitigate air quality impacts and measures should be specified and/or performance standards included. Please consider including a statement that the County will need to be provided the calculations and results of the subsequent air quality analysis. **SLOPB-5**
5. Regarding AQ Impact 4, it is noted that operational emissions were calculated using CalEEMod (as per standard practice). Given that the project would include a larger proportion of RV's than most common projects, was the fleet mix assumed for the CalEEMod model run adjusted to account for the higher proportion of RV's or was an appropriate land use selected in the model to account for the higher proportion? **SLOPB-6**

Biological Resources: **SLOPB-7**

6. County staff has reviewed this section; no comment.

Cultural Resources:

7. County staff has reviewed this section; no comment.

Geology and Soils:

8. County staff and the County Geologist reviewed this section; no comment.

Greenhouse Gas Emissions: **SLOPB-8**

County staff reviewed this section and provide the following comment.

9. As noted in Air Quality, if it is demonstrated that emissions would still exceed thresholds with mitigation, the measures for off-site mitigation should be described and how those measures would ensure that emissions would be lowered below threshold by listing measures and/or performance standards.

Hazards and Hazardous Materials: **SLOPB-9**

County staff and CalFire reviewed this section and provide the following comments.

10. Include reference to the requirement for secondary egress which shows an agreement with Diablo Canyon Nuclear Power plant for emergency access and/or evacuation and analyze as applicable.
11. HAZ/mm-2 d. Site access also includes pedestrian pathways/hiking trails, must also provide strategically located access for emergency vehicle equipment and signage/milepost markers. **SLOPB-10**
12. HAZ/mm-3 b. All proposed structures are subject to the requirements of the CA Fire & building code. Yurts and other tents or membrane structures as defined in building code are not allowed as permanent structures. [Reference must also (not only) refer to chapter 7A] **SLOPB-11**
13. HAZ/mm-3 e. Clarify to include operational "fire" water system. **SLOPB-12**

Hydrology:

County staff, including Public Works, reviewed this section and provide the following comment: **SLOPB-13**

14. The entire section should be revised as applicable to reflect that the County has issued a technical exemption for Performance Requirement 2. **SLOPB-13**

Noise: **SLOPB-14**

15. County staff has reviewed this section; no comment.

Public Services:

16. County staff has reviewed this section; no comment.

Transportation and Traffic: **SLOPB-15**

17. The project is located in the San Luis Bay road fee area; payment of County road impact fees will be required. The project would generate 126 peak hour trips. Under the current fee schedule, the County has established a fee of $3,800.00 per peak hour trip, which based on the peak hour trips generated by the project, would total $478,800.00.
18. Encroachment permits will be required for construction activities located within the County right-of-way. **SLOPB-16**

If you have any questions, please feel free to contact me at rfitzroy@co.slo.ca.us or (805) 781-5179.

Sincerely,

Rob Fitzroy,
Environmental Resource Specialist

ATTACHMENTS: APCD Comment Letter

100% Post Consumer Recycled Paper

SLOPB-17

SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

November 13, 2014

Rob Fitzroy
Coastal Team/Development Review
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

SUBJECT: APCD Comments Regarding the Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor District Terrace Project - DRC2013-00044

Dear Mr. Fitzroy,

Thank you for including the San Luis Obispo (SLO) County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the DEIR for the Port San Luis Harbor District (District) Terrace project (DRC2013-00044 Port San Luis Harbor). Harbor Terrace is an approximately 32-acre portion of the District's landholding's associated with Port San Luis (Port). The project shall comply with the San Luis Bay Coastal Area Plan Local Coastal Plan (LCP) so as not to require an amendment to the LCP. In compliance with the LCP, the project program will include a mix of tent sites, tent cabins, bungalows, inns or yurts, full service recreational vehicle (RV) camp sites and other related amenities such as a food and beverage retail store and/or an eating and drinking establishment, and parking and storage facilities to serve the Port. The project will improve upon existing circulation, re-vegetate portions of the site with native habitat and employ engineering solutions that meet or exceed new County of San Luis Obispo (County) and Regional Water Quality Board (RWQCB) storm water regulations.

The following are APCD comments that are pertinent to this project.

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter, with special attention to items that are highlighted by bold and underlined text**.

OPERATIONAL PHASE IMPACTS

Fire Pits

Recent studies by the South Coast Air Quality Management District (SCAQMD) examined the impact of beach bonfires on public health. Results from air monitoring at Southern California beaches showed that smoke from beach fires impacted air quality in nearby residential areas.

t 805.781.5912 f 805.781.1002 w slocleanair.org 3433 Roberto Court, San Luis Obispo, CA 93401

SLOPB-17

DEIR for Port San Luis Terrace Project
November 13, 2014
Page 2 of 2

Recommendations from the SCAQMD study include:

- Locate fire pits at least 700 feet from the nearest residence; or,
- Fire pits should be at least 100 feet apart (If a city has 15 or fewer fire pits, they must be separated by at least 50 feet); and,
- Fire pits should not be used when air quality for fine particulates (PM2.5) is forecasted to exceed 100 on the Air Quality Index (AQI). Based on historical air quality data, the AQI is expected to rarely exceed 100 in the vicinity of this project.

Fire pit use is discussed on page 4.2-18 of the DEIR. The DIER states that fire pit use is not anticipated to increase PM10 emissions above APCD thresholds and the Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions. **The APCD recommends that the Harbor District also reserve the right to prohibit fire pit use during poor air quality conditions. The APCD also recommends locating the fire pits:**

- **at least 100 feet apart; and,**
- **as far as feasible from the hotel/motel units; and,**
- **at least 700 feet from the nearest residence.**

Nuisance

As defined in APCD's Rule 402, a person shall not discharge, from any source whatsoever, such quantities of air contaminant or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safely of any such persons or public, or which cause or have a natural tendency to cause, injury or damage to business or property. **If fire pit use has the potential to cause nuisance impacts, the project proponent needs to proactively take steps to reduce these impacts**.

Thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

Sincerely,

Gary Arcemont
Air Quality Specialist

GJA/lmg

cc: Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD
Shawna Scott, Port San Luis Harbor District

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9.1.3 Response to Letter from County of San Luis Obispo Department of Planning and Building

Comment No.	Response
SLOPB-1	Please refer to responses to specific comments below.
SLOPB-2	The EIR has been revised to list the Final Program EIR mitigation measures within the Project Specific Impacts and Mitigation sections within each resource section in Chapter 4 of the Final EIR, as requested, for clarity.
SLOPB-3	As requested, mitigation measures have been clarified as applicable, consistent with the Mitigation, Monitoring, and Reporting Program (Chapter 7 of the EIR).
SLOPB-4	Thank you for your comment; no changes to the EIR are necessary.
SLOPB-5	Please refer to responses APCD-1 through APCD-5. Regarding AQ Impact 1 and AQ/mm-5, the following clarification has been added to mitigation measures AQ/mm-5: "*Emissions calculations and results of the subsequent air quality analysis shall be provided to the County Environmental Coordinator for review and approval, in addition to the SLOAPCD*".
SLOPB-6	As shown in EIR Appendix C (Air Quality and GHG Emissions), the land use for the RV and other campsites is "User Defined Recreational". RVs will consist of both motorhomes and towed RVs. Default fleet mixes were applied for each identified land use. The operational fleet mix would consist of the following: passenger cars/light trucks/motorcycles (79%), motorhomes and medium to heavy-duty trucks capable of towing RVs (19%), and large diesel trucks associated with Harbor District areas (2%). The default CalEEMod fleet mix for the project consists of the following: passenger cars/light-duty trucks (72%), motorcycles (0.8%); light-heavy duty and medium-heavy duty trucks (capable of towing an RV) (25%), heavy-heavy duty trucks (2%), busses (0.4%), and motorhomes (0.5%). The default fleet mix is reasonable considering RV campsites would be occupied by both motorhomes and RVs that are towed by medium to heavy-duty trucks. In addition, the emissions modeling is conservative because it assumes full occupancy every day of the year, while in reality, occupancy would vary by season.
SLOPB-7	Comments noted; no changes to the EIR are necessary.
SLOPB-8	Mitigation measure GHG/mm-2 has been amended to include off-site mitigation options identified in the SLOAPCD CEQA Handbook (additional text shown in *italics*): "GHG/mm-2 Prior to issuance of construction permits from the County of San Luis Obispo, the Harbor District or their designee shall include building efficiency improvements with construction permit applications and/or secure SLOAPCD approved off-site reductions in GHG emissions to ensure that GHG emissions to not exceed the SLOAPCD thresholds. *Off-site mitigation may include, but not be limited to, the following measures, as approved by the County of San Luis Obispo Environmental Coordinator and SLOAPCD:* *a. Payment of off-site mitigation fees, as approved by the SLOAPCD and the Carl Moyer grant program;*

Comment No.	Response
	b. *Develop or improve park-and-ride lots;* c. *Retrofit existing homes in the project area with APCD-approved natural gas combustion devices;* d. *Retrofit existing homes in the project area with energy-efficient devices;* e. *Retrofit existing businesses in the project area with energy-efficient devices;* f. *Construct satellite worksites;* g. *Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles.* h. *Replace/repower transit buses;* i. *Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles);* j. *Fund an electric lawn and garden equipment exchange program;* k. *Retrofit or repower heavy-duty construction equipment, or on-road vehicles;* l. *Install bicycle racks on transit buses;* m. *Purchase Verified Diesel Emission Control Strategies (VDECS) for local school buses, transit buses or construction fleets;* n. *Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.);* o. *Fund expansion of existing transit services;* p. *Fund public transit bus shelters;* q. *Subsidize vanpool programs;* r. *Subsidize transportation alternative incentive programs;* s. *Contribute to funding of new bike lanes;* t. *Install bicycle storage facilities; and,* u. *Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans".*
SLOPB-9	Please refer to EIR Section 4.7.1 (Hazards and Hazardous Materials, Existing Conditions), which states: "Access to the Port is currently limited to Avila Beach Drive. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County Office of Emergency Services (County of San Luis Obispo 2014), and CAL FIRE (CAL FIRE 2002)".
SLOPB-10	Please refer to EIR Figure 2-3 Site Layout Plan, which shows the location of proposed internal trails. These short trails would provide access in between facilities within the proposed development area. Emergency vehicles would be able to easily access these areas from existing and proposed internal access roads, and the trails are short enough that mile markers are not necessary in order for a person to call emergency services and explain to the dispatcher their location within the campground.

Comment No.	Response
SLOPB-11	Mitigation measure HAZ/mm-2(b) has been clarified as follows (note additional text in *italics*): "b. Building and construction plans incorporating fire prevention and suppression measures consistent with *the complete* California Fire and Building Code, *California Fire and Building Code* Chapter 7A Ignition Resistant Construction in Wildland Urban Interface Areas, National Fire Protection Association standards, the California Fire Code, and the California Electrical Code".
SLOPB-12	Mitigation measures HAZ/mm-2(e) has been clarified as follows (note clarification in *italics*): "e. *Operational fire water system*, fire water storage tanks*,* and hydrants designed and located to the satisfaction of CAL FIRE."
SLOPB-13	EIR Section 4.8.5 (Hydrology and Water Quality, Project Specific Impacts and Mitigation Measures) has been updated to include the following paragraph: "*The County Public Works Department reviewed the Port San Luis Harbor Terrace Stormwater Technical Feasibility Exemption Request and Stormwater Control Plan, and determined that the preliminary Stormwater Control Plan appears acceptable, and the technical exemption for Performance Standard 2 was approved (Tim Tomlinson 2014).*" All references to the exemption request have been updated in the Final EIR.
SLOPB-14	Comments noted; no changes to the EIR are necessary.
SLOPB-15	Thank you for your comment; no changes to the EIR are necessary.
SLOPB-16	Thank you for your comment; no changes to the EIR are necessary.
SLOPB-17	Please refer to responses APCD-1 through APCD-5.

SLOCOG
SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

CONNECTING COMMUNITIES
ARROYO GRANDE | ATASCADERO | GROVER BEACH
MORRO BAY | PASO ROBLES | PISMO BEACH
SAN LUIS OBISPO | SAN LUIS OBISPO COUNTY

November 13, 2014
Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

RE: Harbor Terrace Draft Environmental Impact Report (DEIR)

Ms. Scott,

This letter is to provide comment on the Harbor Terrace Draft EIR. San Luis Obispo Council of Governments (SLOCOG) is the Regional Transportation Planning Agency and Metropolitan Planning Organization, as such our board is responsible for developing the Regional Transportation Plan and funding regionally significant transportation projects that enhance the economy, provide for access by all modes, and bring unique value to the region. SLOCOG has funded Harbor District projects such as the Harford Pier restoration. **SLOCOG-1**

SLOCOG is generally supportive of the Harbor Terrace project, in particular that it will provide hike and bicycle camping. However the Harbor Terrace project does have the potential to increase the number of people accessing the Pier and Avila Beach from the campground, hotel, and other visitor amenities – as well as increasing overall trips into and through Avila Beach.

The DEIR does not identify any mitigation measures that include provision of bike or pedestrian facilities on Avila Beach Drive (though it does acknowledge a potential need for a left turn lane at the entrance). It also does not include any mitigation measures for San Luis Bay Drive. We recommend the Harbor District coordinate with the County and participate in a sub-regional impact fee program to assure Harbor Terrace pays it fair share of offsite roadway improvements consistent with AB 1600 and determined through traffic impact study. **SLOCOG-2**

We also recommend that the mitigation measures for TR Impact 1 include bicycle and pedestrian improvements at this location should a left turn lane be needed, and that the development of a left turn lane be consistent with County Parks' Conceptual Design for the future Bob Jones/Coastal Trail segment between Avila and the Harford Pier. **SLOCOG-3**

Furthermore, we see that the project itself has the following project objective: **SLOCOG-4**

- In new visitor serving developments on Harbor Terrace, incorporate measures to provide safe pedestrian access on- and off-site and coordinate access to the beach and other Port facilities.

We strongly encourage the Harbor District to ensure that the final site plan include extensive pedestrian and bicyclist access that can potentially reduce the amount of vehicular traffic traveling between the new amenities at Harbor Terrace and destinations in Avila and at the Pier.

If you have any questions or concerns please contact me at 781-4251 or Jessica Berry at 781-5764.

Sincerely,

Ronald L. De Carli
Executive Director

1114 Marsh Street San Luis Obispo, CA 93401 | t (805) 781-4219 f (805) 781-5703 | slocog@slocog.org SLOCOG.ORG

9.1.4 Response to Letter from San Luis Obispo Council of Governments

Comment No.	Response
SLOCOG-1	Thank you for your comment; no changes to the EIR are necessary.
SLOCOG-2	The Harbor District has coordinated, and will continue to coordinate, with County Public Works and County Parks regarding potential transportation and circulation-related impacts and current and future projects including the extension of the Bob Jones Bikepath and multi-use Coastal Trail. The project is located within the San Luis Bay road fee area, and the Harbor District will be required to pay County road impact fees pursuant to the existing ordinance. Based on review by the County of San Luis Obispo, no off-site road improvements are identified or required to mitigate potential impacts. Therefore, no changes to the EIR are necessary.
SLOCOG-3	As discussed in the project description (EIR Chapter 2), the project includes two crosswalks across Avila Beach Drive. One crosswalk would be located at the Babe Lane entrance, and the second would be located at the second access road east of Diablo Canyon Road. If a left turn lane is determined to be required by County Public Works, the Harbor District would coordinate with the County regarding future plans for the multi-use path along Avila Beach Drive. No changes to the EIR are necessary.
SLOCOG-4	Development of off-site pedestrian and bicycle facilities, aside from proposed crosswalks, is within the jurisdiction of the County. The EIR recognizes current planning efforts related to regional improvements proposed by the County, and as noted above in responses SLOCOG-3 and SLOCOG-4, the Harbor District would contribute fair share fees as required by the County, and would continue to coordinate with the County regarding future development of regional pedestrian and bicycle facilities. No changes to the EIR are necessary.

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SLO COUNTY apcd | Air Pollution Control District
San Luis Obispo County

November 13, 2014

Rob Fitzroy
Coastal Team/Development Review
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

SUBJECT: APCD Comments Regarding the Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor District Terrace Project - DRC2013-00044

Dear Mr. Fitzroy,

SLOAPCD-1

Thank you for including the San Luis Obispo (SLO) County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the DEIR for the Port San Luis Harbor District (District) Terrace project (DRC2013-00044 Port San Luis Harbor). Harbor Terrace is an approximately 32-acre portion of the District's landholding's associated with Port San Luis (Port). The project shall comply with the San Luis Bay Coastal Area Plan Local Coastal Plan (LCP) so as not to require an amendment to the LCP. In compliance with the LCP, the project program will include a mix of tent sites, tent cabins, bungalows, inns or yurts, full service recreational vehicle (RV) camp sites and other related amenities such as a food and beverage retail store and/or an eating and drinking establishment, and parking and storage facilities to serve the Port. The project will improve upon existing circulation, re-vegetate portions of the site with native habitat and employ engineering solutions that meet or exceed new County of San Luis Obispo (County) and Regional Water Quality Board (RWQCB) storm water regulations.

SLOAPCD-2

The following are APCD comments that are pertinent to this project.

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter, with special attention to items that are highlighted by bold and underlined text**.

OPERATIONAL PHASE IMPACTS

Fire Pits

SLOAPCD-3

Recent studies by the South Coast Air Quality Management District (SCAQMD) examined the impact of beach bonfires on public health. Results from air monitoring at Southern California beaches showed that smoke from beach fires impacted air quality in nearby residential areas.

t 805.781.5912 f 805.781.1002 w slocleanair.org 3433 Roberto Court, San Luis Obispo, CA 93401

Recommendations from the SCAQMD study include:

- Locate fire pits at least 700 feet from the nearest residence; or,
- Fire pits should be at least 100 feet apart (If a city has 15 or fewer fire pits, they must be separated by at least 50 feet); and,
- Fire pits should not be used when air quality for fine particulates (PM2.5) is forecasted to exceed 100 on the Air Quality Index (AQI). Based on historical air quality data, the AQI is expected to rarely exceed 100 in the vicinity of this project.

SLOAPCD-3 (continued)

Fire pit use is discussed on page 4.2-18 of the DEIR. The DIER states that fire pit use is not anticipated to increase PM10 emissions above APCD thresholds and the Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions. **The APCD recommends that the Harbor District also reserve the right to prohibit fire pit use during poor air quality conditions. The APCD also recommends locating the fire pits:**

- **at least 100 feet apart; and,**
- **as far as feasible from the hotel/motel units; and,**
- **at least 700 feet from the nearest residence.**

Nuisance

SLOAPCD-4

As defined in APCD's Rule 402, a person shall not discharge, from any source whatsoever, such quantities of air contaminant or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safely of any such persons or public, or which cause or have a natural tendency to cause, injury or damage to business or property. **If fire pit use has the potential to cause nuisance impacts, the project proponent needs to proactively take steps to reduce these impacts**.

Thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-5912.

SLOAPCD-5

Sincerely,

Gary Arcemont
Air Quality Specialist

GJA/lmg

cc: Tim Fuhs, Enforcement Division, APCD
Karen Brooks, Enforcement Division, APCD
Gary Willey, Engineering Division, APCD
Shawna Scott, Port San Luis Harbor District

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9.1.5 Response to Letter from San Luis Obispo County Air Pollution Control District

Comment No.	Response
SLOAPCD-1	Thank you for your comment; no changes to the EIR are necessary.
SLOAPCD-2	Thank you for your comment; please refer to responses to specific comments below.
SLOAPCD-3	Based on the location of the project, there are no residential areas within 700 feet of the proposed development; therefore, no further limitation regarding off-site residences is required. The EIR has been clarified to state the following (note additional clarification in *italics*: "The Harbor District reserves the right to prohibit use of the fire pits based on fire hazard conditions, including drought conditions and high winds, *and during poor air quality conditions as determined by the SLOAPCD*". Mitigation measure AQ/mm-15 has been clarified to add: "*o. Locate proposed fire pits at least 100 feet apart, at least 700 feet from any on-site manager residence where feasible, and as far as feasible from proposed hotel/motel units".* These clarifications further mitigate potential operational impacts, and do not result in a change in the level of impact identified in the EIR.
SLOAPCD-4	As noted above in SLOAPCD-3, the project site is not located proximate (or within 700 feet) of a residential area. Mitigation measure AQ/mm-15 has been clarified to reduce potential nuisance on-site related to the use of fire pits as recommended.
SLOAPCD-5	Thank you for your comment; no changes to the EIR are necessary.

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STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

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November 14, 2014

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Subject: ***Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor Terrace Development Plan***

Dear Ms. Scott:

Thank you for the opportunity to offer comments on the DEIR for the Harbor Terrace project. The DEIR primarily analyzes a multi-use campground containing a range of overnight accommodations, including 80 RV sites, 15 RV/RV-cabin sites, 31 hotel/motel units, 35 car/tent campsites, and 21 walk-in campsites. In addition, the preferred project includes 16,000 square feet of commercial uses, various harbor uses such as 70 trailer boat storage spaces, and 48,000 square feet of public parking. Additionally, the DEIR discusses a No Project Alternative and a Reduced Project Alternative. The site is located on the north side of Avila Beach Drive, east of Diablo Canyon Road, at Port San Luis in San Luis Obispo County. **CCC-1**

As you are well aware, in November 2006 the Coastal Commission approved Local Coastal Program Amendment (LCPA) SLO-MAJ-1-05 (Part 1), which amended the County's Land Use Plan (San Luis Bay Area Plan) to include, among other things, development standards facilitating future development of the area within the Harbor Terrace Planning Sub-Area (Harbor Terrace). Stated goals within the LCP for this area include ensuring that new development provide a range and mix of uses, with emphasis on coastal related and visitor serving uses meant to enhance the public's enjoyment of the Port and serve the needs of harbor uses. Commission staff has reviewed this LCP amendment and the relevant sections of the LCP and provides the following comments and recommendations based on the proposed project:

Project Scope. We are encouraged by the depth of review and attempts at adherence to the LCP's strict requirements for a project on this site. We are also pleased that the DEIR presented a reduced project, which is stated as the environmentally superior alternative. We recognize the benefits of the reduced project, which appears to reduce impacts to visual resources, improve air quality and reduce greenhouse gas emissions, minimize transportation and traffic issues, lessen strain on public services and utilities, and better protect on-site habitats to the maximum extent feasible, while at the same time providing a range of coastal visitor-serving uses and accommodations, consistent with the LCP. **CCC-2**

Under the reduced project alternative, the number of hotel/motel units would be reduced to 20, RV spaces would be reduced to 64, and harbor use areas (including five marine gear storage

CCC-2
(continued)

spaces and four harbor use storage spaces) would be relocated to the east of the proposed storage areas. In summary, these reductions and their stated intent include the following:

A. **Reduction in Hotel/Motel Sites from 31 to 20.** All units would be located in areas designated as ruderal/disturbed habitat. As stated in the DEIR, this modification is proposed to address potential impacts to biological resources, including avoidance of coastal scrub and valley needlegrass grassland habitats in the northern portion of the project site. Reducing the development of hotel/motel units and relocation of storage areas would avoid permanent impacts to 0.30 acre of coastal scrub and 0.08 acre of valley needlegrass grassland. Removal of eleven hotel/motel units would also reduce the extent of fuel modification and vegetation management within scrub and grassland habitats.

B. **Relocation of Harbor Use Areas.** Some harbor use area and marine gear storage spaces would be relocated east to avoid impacts to coastal scrub. Reducing the development of hotel/motel units and relocation of storage areas would avoid permanent impacts to 0.30 acre of coastal scrub and 0.08 acre of valley needlegrass grassland.

C. **Reduction in RV Spaces from 80 to 64.** Reducing the RV spaces by 20 percent would reduce visual clutter, provide greater flexibility to site RV pads in less visually sensitive areas (e.g., further back from the terrace edge), and allow for more integration of landscaping features.

The reduced project appears to better avoid the on-site coastal scrub and other native vegetation, as well reduce visual impacts by providing greater flexibility in site design. The reduced project would also result in additional open space that would allow for interspersed landscaping and trees between various project elements, which may provide a higher quality user experience. The reduced project would also result in a lower demand for water supply and wastewater capacity.[1] Energy demand would also decrease by 35% for the hotel units and 20% for the RV sites, compared to the proposed project. The reduction in hotel/motel units and RV spaces would result in a reduction in traffic trips generated by the project. Importantly, the amount of required lower-cost campsites (in this case, both car/tent campsites and walk-in/bike-in sites) and the required ratio of these sites to both hotel/motel rooms and RV campsites (spaces) would be unchanged with the reduced project.[2]

---

[1] Water demand would be reduced by approximately 2.97 acre feet per year (AFY) and demand for wastewater capacity would be reduced by approximately 810 gallons per day (GPD).

[2] Chapter 8 (pages 8-22) of the San Luis Bay Area Plan (Harbor Terrace Planning Criteria) requires a minimum of one lower-cost campsite for every 1.5 units of hotel/motel and for every three RV campsites. The "RV Cabins" would also trigger the 1.5 hotel/motel to campsite ratio.

However, implementation of the reduced project would result in fewer RV spaces and hotel/motel units on the site, thereby reducing the overall amount of accommodations available. Page 5-8 of the DEIR state: **CCC-2 (continued)**

> *"Implementation of this alternative would result in fewer low-cost options for overnight visitor accommodations in the Avila Beach/Port San Luis area. In addition, the provision of 64 RV spaces would result in an overall net loss of approximately 6 RV spaces in the Port San Luis Area, which may potentially conflict with Coastal Policies intended to increase public accessibility to the coastline and provide low-cost accommodations for visitors."*

However, it is not clear that RV spaces constitute a low-cost option for overnight stays, given the cost of renting or buying an RV combined with the generally higher cost of RV campsites compared to tent campsites. Thus Commission staff is unclear that the reduction of RV spaces and hotel/motel units would result in fewer "low-cost options." To understand this issue better, the EIR should include an evaluation of the room and campsite rates that will be charged to visitors. Further, given that, pursuant to the LCP, the tent campsites are intended as lower-cost visitor serving accommodations, the EIR should evaluate and explain what rates would be appropriate to ensure the campsites remain as such, including through ensuring that rates remain on par with those of State Parks, or other similar measures. **CCC-3**

Additionally, it is unclear how the Port determined the loss of "6 RV" spaces in the area from the reduce project alternative. It would appear that the number of RVs eliminated would be 16 (20%). Please explain. Is the Port basing this on the regional number of RV spaces? Will ten RV spaces be constructed somewhere else or does this include the existing RV spaces that are available on and near the site currently? Please ensure that the FEIR explains this calculation, and that it also explains what is meant when the EIR refers to the "*Avila Beach/Port San Luis area.*" **CCC-4** **CCC-5**

In terms of the required numbers of lower-cost campsites, Commission staff notes that it appears that the ratios would require 57 or 58 lower-cost accommodations (walk-in/bike-in campsites and the car/tent campsites) as opposed to 56.[3] Again, the preference would be to increase the number of lower-cost campsites instead of reducing an RV space to ensure that the required ratios are adhered to. **CCC-6**

In general, striking an appropriate balance between the often competing demands of providing visitor-serving accommodations along the coast while protecting coastal resources is challenging. Commission staff would like to see the reduced project alternative further explored and detailed, because it appears to provide increased habitat and visual protections, as well as other benefits as stated in the DEIR. However, and because it is our understanding that a reduced **CCC-7**

[3] The required ratio of RVs to lower-cost campsites is 3:1 while the ratio of hotel/motel units to lower-cost campsites is 1.5 to 1. In this case, 80 RVs (26.67) and 46 hotel/motel/RV cabins (30.67) would require 57 lower-cost campsites (if added without rounding) and would require 58 (if rounded up).

project site plan has not yet been developed, perhaps there is an opportunity and flexibility in redesigning the project to avoid having to eliminate RV spaces and hotel/motel units. We would be happy to meet with you on-site and discuss project designs that strive to retain this number of accommodations. Perhaps a site design indicating where the proposed reduced project components would specifically be sited (and in the case of the harbor use areas, re-sited) based on the above changes would provide an appropriate baseline and help to assist Commission staff in this respect.

CCC-7 (continued)

Additionally, Commission staff has the following comments:

CCC-8

Visual Resources. Pages 8-13 of the San Luis Bay Area Plan identify the visual and scenic resource goals and policies for lands owned or controlled by the Port San Luis Harbor District. The primary visual and scenic resource goal of the Plan is a landscape that reflects the context of its use and the natural setting with minimal impacts to scenic viewsheds. Importantly, Policy #2 states:

> *New development on bluffs and scenic hillsides shall be sited and designed to protect scenic resources and enhance the visual quality of the bluffs and hillsides. Visually degraded areas shall be restored where feasible.*

As the DEIR confirms, the future Harbor Terrace project would be located in a visually prominent, highly scenic coastal area within Port San Luis, Avila Beach, and the central coast of California. Port San Luis and the surrounding Avila Beach area contain sandy beaches, piers, and rolling hillsides which reflect an important oceanfront character. The future project, be it the preferred or reduced alternative or a variation of the two, would be visible from Avila Beach Drive, Fisherman's Beach, Harford Pier, and San Luis Bay. Therefore, it is important that the project protect scenic resources and assure compatibility with the surrounding uses and views to the maximum extent feasible. Additionally, a project objective should include the reduction of visual clutter on the project site by requiring that certain types of especially noticeable developments, such as RV pads and RV Cabins, e.g., and thus RVs, be located in less visually sensitive areas on the site, and that landscape screening and berming be used to hide development (including parked RVs) to the maximum extent feasible. Lastly, all development should be set back from the terrace edge as much as feasible so that the development will blend with, rather than protrude from, the hillside location and avoid the appearance of a silhouette extending above the ridgeline as seen from local public viewsheds. With that said, it would appear that the reduced project alternative would better accomplish these goals. However, as mentioned above, it would be our preference to retain the number of overnight accommodations, while still ensuring visual protection. Again, staff would be happy to discuss this further.

CCC-9

CCC-10

To help ensure that the final project, however it is designed based on the above, is consistent with the visual policies of the LCP, the project should include mitigation measure AES/mm-2, which requires that 80 percent of the parked RVs and other vehicles, and 70 percent of all buildings and structures (including the water tank) be screened from view from public vantage points within ten years. In addition, we are encouraged by the project's landform restoration

CCC-11

CCC-12

component, as the existing site conditions contain hard edges, scarps, and appear heavily unnatural as seen from the beach and the pier. The proposed grading and landform alteration should create softened, natural-looking terraces and be vegetated with native plant species appropriate to this area of the coast. We note that the proposed geologic mitigation measures mention the possibility of constructing a protective wall. Any necessary geologic mitigation measures should be designed and located so as to not result in adverse visual impacts.

CCC-12 (continued)

CCC-13

Biological Resources. The DEIR states that the reduced project would reduce biological impacts. Specifically, the number of hotel/motel units would be reduced to 20 (from 31), and all of these units would be located in areas designated as ruderal/disturbed habitat. This reduction would address potential impacts to biological resources, including through avoidance of coastal scrub and valley needlegrass grassland habitats located in the northern portion of the project site. In addition, five marine gear storage spaces and four harbor use storage spaces would be relocated to the east of the proposed storage areas, to avoid impacts to coastal scrub.

CCC-14

Protection of these habitats, if feasible, should be undertaken by avoidance. While in it not known if the grassland would actually map out as coastal prairie/native grassland, the FEIR should describe the needlegrass/bunch grass species on site as well as the associated forbs (definition: herbaceous flowing plant that is not a graminoid – e.g. grass, sedge, rush). In other words, the FEIR should include a description of the grassland habitat including the species composition and percent cover, and include a map. Depending on this information, native grassland ESHA could be located on the project site, and therefore would influence development patterns which would be required to setback from ESHA. Generally, the intent is to avoid impacts to coastal habitats such as coastal scrub, and thus it appears that the reduced project alternative would succeed in that intent, by removing project components away from these habitats and keeping them more on the disturbed area. However, as mentioned above, it would be our preference to retain the number of overnight accommodations, while still avoiding these habitat areas. Again, staff would be happy to discuss this further.

CCC-15

Lastly, the DEIR describes a preliminary landscape plan (Figure ES-4), which outlines three planting zones and associated plantings within each zone. The blue line stream that runs between Diablo Canyon Road and the project site appears to be located in *Area 1: Existing Naturalized*. The DEIR states that "no new landscaping or irrigation is proposed in *Area 1*." However, it is unclear if the project includes a "restoration" component of the blue line stream as part of the project. If not, Commission staff would recommend a restoration and enhancement component of this riparian area. Additionally, the Commission is not supportive of the landscaping proposed for Area 3, i.e. *Area 3: Climate Appropriate with Lawn*. Given the ongoing drought and severe water shortage issues in San Luis Obispo County, the Port should strive to reduce water consumption, including by eliminating lawn and vegetation that would require supplemental irrigation. For this reason, the landscaping in Area 3 should include appropriate native plantings such as those proposed in Area 2.

CCC-16

CCC-17

Geologic Hazards. The proposed project would be located within an LCP-mapped Geologic Study Area (combining designation) and in an area known for overall geologic instability

CCC-18

(including due to unconsolidated soils, liquefaction, seismically-induced landslide, erosion, tsunamis, etc.). The LCP requires that new development ensure structural stability while not creating or contributing to erosion or geological instability (including LCP Hazards Policies 1 and 2, and CZLUO Section 23.07.086). **CCC-18 (continued)**

In this case, the project includes extensive grading of the site, required to remediate landslide and slope stability hazards. As stated in the DEIR, and based on preliminary grading plans, approximately 16.5 acres would be graded, including approximately 115,000 cubic yards of cut and 43,000 cubic yards of fill. Based on the amount of grading and area and volume proposed for disturbance there is a high potential for erosion and down-gradient sedimentation to occur at the project site during construction. Therefore, it will be important, at a minimum, to follow the recommended geologic mitigation measures in the DEIR.

Minimizing potential long-term post-construction impacts will also be important. For example, it may be prudent to include different hazard abatement measures for different components of the project when and if they become threatened, including for expected Sea Level Rise. Additionally, Commission staff supports the long-term monitoring component of the project to ensure the project does not contribute to erosion or geological instability in the future. **CCC-19**

Public Access. We are encouraged by the Port's attempts to connect the Harbor Terrace project to the surrounding beach areas. As described in the DEIR, the project includes a crosswalk to access the beach. However, Commission staff would recommend additionally connect a beach trail to an additional crosswalk which would allow access *from* the beach to the Fisherman's Memorial and the eventual relocation trailhead of the Pecho Coast Trail, which is an important highly scenic coastal trail. **CCC-20**

In addition, we would recommend that the Port ensure through a coastal access program (interpretive signage, hours of operation, day/nighttime use, etc.) that new access trails/overlooks, etc. on the Harbor Terrace site be open not only to the guests of the campground but to the general public as well. The project should include clearly defined trails from the public parking lots that provide for opportunities to explore the surrounding terrain, and that include scenic destination points or loop trails. **CCC-21**

Conclusion. Thank you again for the opportunity to comment on the DEIR. As the project moves forward, Commission staff would be pleased to meet and discuss the issues raised in this letter, review revised site designs, or revisit the site. **CCC-22**

If you have any questions regarding these comments or wish to discuss the project further, please contact me at (831) 427-4863.

Sincerely,

Daniel Robinson
Coastal Planner
Central Coast District Office

CC: State Clearinghouse
Port District

9.1.6 Response to Letter from California Coastal Commission

Comment No.	Response
CCC-1	Thank you for your comment; please refer to responses to specific comments below.
CCC-2	Comment consists of a summary of the project alternatives analysis; no changes to the EIR are necessary.
CCC-3	The description of the Reduced Project Alternative has been clarified to note that the RV and RV/cabin sites are considered "*medium to lower*-cost options" (refer to EIR Section 5.4.2 Alternatives Analysis, Reduced Project Alternative). Please refer to the Memorandum: Response to the California Coastal Commission's comments regarding overnight visitor accommodation rate evaluations for Port San Luis Harbor Terrace (Lisa Wise Consulting, Inc. December 2014) following this table.
CCC-4	EIR Section 5.4.2 Reduced Project Alternative has been clarified to note that the provision of 64 RV spaces would result in an overall net loss of approximately "*16* RV spaces in the Port San Luis Area (*i.e. within the Port San Luis Master Plan Area*)".
CCC-5	Please refer to response to CCC-4 above.
CCC-6	The Harbor Commission will consider the comments regarding the appropriate ratio and number of low-cost campsites, and may consider and approve a project that includes 58 low-cost campsites.
CCC-7	Comments regarding the reduced project alternative are noted, and the Harbor District will continue to coordinate with California Coastal Commission staff regarding this alternative and the proposed project.
CCC-8	Please refer to EIR Section 4.1.4 (Aesthetic Resources, Project Specific Impacts and Mitigation Measures), which includes an analysis of potential visual impacts and identification of mitigation measures proposed to further consistency with the Visual Resource policies identified in the County's LCP and the Coastal Act. No changes to the EIR are necessary.
CCC-9	Please refer to EIR Section 4.1.2.2 (Aesthetic Resources, Local Regulations and Policies), which identifies County LCP Coastal Policies, and San Luis Bay Coastal Area Plan Policies specific to the planning area and Harbor Terrace, as indicated. The project sites proposed development components based on the San Luis Bay Coastal Area Plan and Port San Luis Master Plan, and was designed to balance the visitor-serving and coastal-dependent function of the project with protection of visual resources. In addition, please refer to mitigation measure AES/mm-2, which includes performance standards applicable to the landscape plan. No changes to the EIR are necessary.
CCC-10	Please refer to mitigation measure AES/mm-3, which includes a performance standard for the design of RV spaces, and mitigation measure AES/mm-1, which includes a performance standard to avoid silhouetting of structures above the background ridgeline. No changes to the EIR are necessary.

Comment No.	Response
CCC-11	The proposed project, or an approved alternative, would incorporate all Aesthetics mitigation measures identified in the EIR and Mitigation Monitoring and Reporting Program. No changes to the EIR are necessary.
CCC-12	Thank you for your comment; no changes to the EIR are necessary.
CCC-13	Implementation of geologic mitigation measures, including preparation of a final grading plan, would be incorporated into the project, in addition to identified Aesthetic mitigation measures. AES/mm-4 has been amended to include the following measure, in order to further reduce potential visual effects: "*f. The design of above-ground retaining walls shall incorporate features of the natural setting, including colors and articulation (i.e., simulated stone) to blend the appearance of the visible portion of the retaining wall into the surrounding landscape.*"
CCC-14	Thank you for your comment; no changes to the EIR are necessary.
CCC-15	EIR Section 4-3 has been clarified to further describe the valley needlegrass grassland habitat present on the project site, which is identified as a native grassland on Figures 4.3-1 (Habitat Map) and 4.3-2 (Habitat Map with Project Overlay). The proposed reduced project alternative identifies avoidance of this native grassland. Additional clarification included in the EIR is provided below (also refer to Final EIR Section 4.3.1.4 Biological Resources Native and Important Vegetation): "*Native grassland observed on the project site was classified as valley needlegrass grassland (Holland 1986) and more specifically as a Nassella Pulchra Herbaceous Alliance (Sawyer et. al 2009). This plant community consists of mid-height (up to 2 feet) grasslands dominated by perennial, tussock-forming purple needlegrass (*Nassella [=Stipa] pulchra*). Native shrubs/forbs and non-native annual grasses were observed between the purple needlegrass tussocks, and were observed to be intermixed with non-native grassland, coastal scrub and coast live oak woodlands in particular areas of the site.* *Native grasslands on the site were determined by estimating the percent cover of purple needlegrass within 10-meter plots. One-meter quadrats were also placed within the plots to determine species richness within the plots and to further support the cover of purple needle grass within the plots. The 10-meter plots were also placed in areas determined to be non-native grassland and where a distinct change in species composition was observed. Native grasses and forbs observed in the plots and during surveys conducted during the blooming period include purple needlegrass, soap plant (*Chloragalum pomeridianum*), blue eyed grass (*Sisyrinchium bellum*), blue dicks (*Dichelostemma capitatum*), wild cucumber (*Marah fabaceus *var.* *fabaceus*), catch fly (*Silene gallica*), rattlesnake weed (*Daucus pusillus*), pacific sanicle (*Sanicula crassicaulis*), yarrow (*Achillea millefolium*), arroyo lupine (*Lupinus succulentus*), coast morning glory (*Calystegia macrostegia *ssp.* cyclostegia*), and California poppy (*Eschscholzia californica*). Emergent native shrubs observed in the native grassland areas include saw-toothed goldenbush (*Hazardia squarrosa*), coyote brush (*Baccharis pilularis*), and California sagebrush (*Artemisia californica*). Non-native grasses and forbs observed in the native grassland areas include oats (*Avena *spp.*), brome (*Bromus *spp.*), rattail fescue (*Festuca myuros*), Italian ryegrass (*Festuca perennis*), and iceplant (*Carpobrotus edulis*).* *Percent cover of purple needlegrass within the plots was observed to be 20-60% in the*

Comment No.	Response
	areas mapped as native grassland. Purple needlegrass presence within the random 1-meter quadrats was observed to be 30-90%. The condition of the grassland habitat onsite varied based on slope and location. Native grassland within the upper slopes of the northwest portion of the project site appear to have remained undisturbed due to the topography and lack of historic and recent access. Grassland areas on gently sloping areas adjacent to ruderal/disturbed areas have historically been disturbed by the storage of materials and use of equipment near existing storage areas and roads, and do not exhibit the same habitat quality as the upper northwestern grassland areas". Additional information including photographs of coastal scrub vegetation within and adjacent to the existing Harbor District storage areas (the proposed Harbor Use Areas) is provided below (refer to Coastal Scrub Photo-documentation). The EIR documents and quantifies potential impacts to native habitats, and identifies a Reduced Project Alternative that would avoid these habitats. The Harbor Commission will consider comments regarding biological resources, and may consider the project and potential alternatives that avoid or have a reduced effect upon native habitats.
CCC-16	The blue line stream adjacent to Diablo Canyon Road is not within the project site, and is not located on property owned by the Harbor District. Therefore, the Harbor District does not have the ability to implement restoration off-site. The preliminary landscape plan includes vegetation planting between proposed development areas and the western boundary of the project site, which would provide a restored vegetative buffer between the stream and the proposed development. No changes to the EIR are necessary.
CCC-17	The Harbor Commission will consider the comment regarding removal of lawn from the proposed landscape plan.
CCC-18	The Harbor District would incorporate all recommended mitigation measures included in the Final EIR and Mitigation Monitoring and Reporting Program into the proposed project, as recommended. No changes to the EIR are necessary.
CCC-19	Please refer to EIR Section 4.8.5 (Hydrology and Water Quality, Project Specific Impacts and Mitigation Measures, Risk Exposure to Flooding or Inundation), which states that: "Affected areas of the project site may include the access roads and lower parking areas. Exacerbated coastal erosion may compromise the commercial structure, swimming pool, and lower campsites. In the future, modifications to the site may be required to adapt to climate change and sea level rise, and may include removal of structures or features. Based on the lower elevations of the Port and community of Avila Beach, the effects would occur along the Avila coastline, and regional adaptation measures would be required for the region". In addition, the following mitigation measure is included in the Final EIR: "*In order to plan for and further mitigate potential future effects resulting from sea level rise, the following mitigation is recommended:* *HYD/mm-1 Prior to occupancy of the proposed project, the Harbor District or their designee shall develop a Sea Level Rise Adaptation Plan including, but not limited to, the Harbor District's (or their designee's) ongoing documentation of high tide elevation levels and coastal storms, the future removal of structures and features as a result of sea level rise and associated coastal hazards including erosion and slope stability, and indicators that the lower facility amenities may be compromised by sea level rise (i.e.,*

Comment No.	Response
	wave action overtops and floods Avila Beach Drive and erodes the road cut adjacent to the project site). The initial plan, and subsequent revisions based on actual conditions, shall be submitted to the County of San Luis Obispo Environmental Coordinator for review and approval".
CCC-20	At this time, the off-site improvements associated with the project are limited to the proposed crosswalks. Additional improvements outside of the project limits are within the jurisdiction of the County. This does not preclude the Harbor District's future consideration of additional improvements in the area in the future, consistent with proposed projects described in the Port San Luis Master Plan and County of San Luis Obispo LCP and San Luis Bay Area Plan. No changes to the EIR are necessary.
CCC-21	The proposed project would include limited general public access onto the project site, including the commercial area, parking area, and barbeque areas within the lower terraces of the site. These limitations are recommended by the Harbor District to ensure the safety of guests and the public, and to ensure avoidance of biologically and culturally sensitive areas within the property boundaries. No changes to the EIR are necessary.
CCC-22	The Harbor District looks forward to further coordination with the Coastal Commission. No changes to the EIR are necessary.

lisa wise consulting, inc.
planning economics natural resources

Memorandum

Response to the California Coastal Commission's comments regarding overnight visitor accommodation rate evaluations for Port San Luis Harbor Terrace

Prepared by Lisa Wise Consulting, Inc.

December 4, 2014

TABLE OF CONTENTS

INTRODUCTION 3

BACKGROUND: THE 1:3:1.5 REQUIREMENT 3

EVALUATION OF RATES 6

TENT SITES 6

RV SITES 7

HOTEL/MOTEL UNITS 7

FIGURE 1. HARBOR TERRACE EXAMPLE LAND USE CONCEPT LEGEND 5

TABLE 1. RATIOS DERRIVED FROM EXAMPLE LAND USE CONCEPT LEGEND KEY C 5

TABLE 2. RATES RANGES FOR DRIVE-IN AND WALK-IN TENT SITES AT CALIFORNIA STATE PARKS 6

INTRODUCTION

In a letter dated November 14, 2014, the California Coastal Commission (CCC) offered the Port San Luis Harbor District (Port) comments on the Draft Environmental Impact Report (DEIR) for the Port San Luis Harbor Terrace Development Plan. The DEIR studied a mix of tent sites, RV sites, and hotel/motel units designed to be consistent with the San Luis Bay Area Plan's lower-cost visitor serving accommodation standards, which require one tent site for every three RV sites and one tent site for every 1.5 hotel/motel units (referred to in this letter as the 1:3:1.5 requirement).[1]

Regarding the issue of lower-cost overnight visitor accommodations for Harbor Terrace, the CCC's letter requests the following:

> To understand this issue better, the EIR should include an evaluation of the room and campsite rates that will be charged to visitors. Further, given that, pursuant to the LCP, the tent campsites are intended as lower-cost visitor serving accommodations, the EIR should evaluate and explain what rates would be appropriate to ensure the campsites remain as such, including through ensuring that rates remain on par with those of State Parks, or other similar measures.[2]

The purpose of this memorandum is to respond to the CCC's above request. First, to provide context for the rate evaluations, this memo briefly discusses the background of the CCC's approach concerning lower-cost overnight visitor accommodations and the 1:3:1.5 requirement. Second, this memo offers rate evaluations for the tent sites, RV sites, and hotel/motel units planned for Harbor Terrace.

BACKGROUND: THE 1:3:1.5 REQUIREMENT

Section 30213 of the California Coastal Act states:

> Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.
>
> The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.[3]

---

[1] County of San Luis Obispo, "Chapter 8: Planning Area Standards," in *San Luis Bay Area Plan*, (2009), 22.
[2] Daniel Robinson, California Coastal Commission, letter to Shawna Scott, Port San Luis Harbor District, November 14, 2014, 3.
[3] Cal. Coastal Code § 30213

In 2006, the CCC conducted a workshop that studied hotel affordability along the California coast. The study showed that only 7.9 percent of hotels in the State's nine most popular costal counties were of low-cost.[4] As a mitigation measure per Section 30213, the CCC requires some coastal developments or local plans to provide for lower-cost accommodations for approval.

For the Port San Luis Master Plan to be consistent with Section 30213, the CCC required that overnight visitor accommodations on the site be composed of the following ratios:

> A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every one and a half (1.5) unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one (1) lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three (3) RV campsites.[5]

For the CCC in this case, tent sites represented the provision of lower-cost accommodations.[6] The CCC derived these ratios (the 1:3:1.5 requirement) from the density ranges of uses shown in the Harbor Terrace Example Land Use Concept legend, shown in Figure 1, which reflected the Port's economic feasibility studies on demand for lower-cost visitor serving uses.[7]

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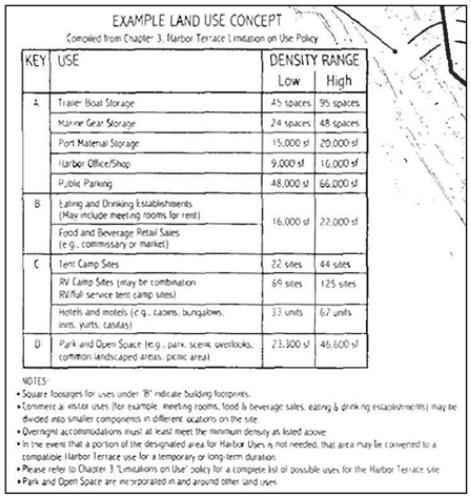
[4] California Coastal Commission, South Coast Area Office, *Major Amendment Request No. LOB-MAJ-1-10 (1-10) to the City of Long Beach Certified Local Coastal Program. For Public Hearing and Commission action at the Commission's June 16, 2011 Meeting in Marina del Ray*, by John Ainsworth, Gary Timm, and Charles Posner, Th18a-6-2011, (Long Beach, CA, 2011), 33.

[5] California Coastal Commission, Central Coast District Office, *San Luis Obispo County Local Coastal Program Major Amendment No. 1-05 (Part 1) Port San Luis Harbor Master Plan. For public hearing and action at the California Coastal Commission's November 16, 2006 meeting to take place at the Hyatt Regency in Huntington Beach*, by Charles Lester, Steve Monowitz, and Jonathan Bishop, Th9a-11-2006, (Santa Cruz, CA, 2006), 19.

[6] Ibid., 45.

[7] Ibid., 46.

FIGURE 1. HARBOR TERRACE EXAMPLE LAND USE CONCEPT LEGEND



EXAMPLE LAND USE CONCEPT

Compiled from Chapter 3, Harbor Terrace Limitation on Use Policy

KEY	USE	DENSITY RANGE Low	High
A	Trailer Boat Storage	45 spaces	95 spaces
	Marine Gear Storage	24 spaces	48 spaces
	Port Material Storage	15,000 sf	20,000 sf
	Harbor Office/Shop	9,000 sf	16,000 sf
	Public Parking	48,000 sf	66,000 sf
B	Eating and Drinking Establishments (May include meeting rooms for rent)	16,000 sf	22,000 sf
	Food and Beverage Retail Sales (e.g., commissary or market)		
C	Tent Camp Sites	22 sites	44 sites
	RV Camp Sites (may be combination RV/full service tent camp sites)	69 sites	125 sites
	Hotels and motels (e.g., cabins, bungalows, inns, yurts, casitas)	33 units	67 units
D	Park and Open Space (e.g., park, scenic overlooks, common landscaped areas, picnic area)	23,300 sf	46,600 sf

NOTES:
- Square footages for uses under "B" indicate building footprints.
- Commercial visitor uses (for example, meeting rooms, food & beverage sales, eating & drinking establishments) may be divided into smaller components in different locations on the site.
- Overnight accommodations must at least meet the minimum density as listed above.
- In the event that a portion of the designated area for Harbor Uses is not needed, that area may be converted to a compatible Harbor Terrace use for a temporary or long-term duration.
- Please refer to Chapter 3 "Limitations on Use" policy for a complete list of possible uses for the Harbor Terrace site.
- Park and Open Space are incorporated in and around other land uses.

Source: California Coastal Commission, Central Coast District Office 2006, C5.

Using the overnight visiter accomodation uses listed in Key C of the legend, the CCC found the 1:3:1.5 ratios present in both the low and high desnity ranges, as shown in Table 1 below:

TABLE 1. RATIOS DERRIVED FROM EXAMPLE LAND USE CONCEPT LEGEND KEY C

Use	Density Range		Ratio to Tent Camp Sites
	Low	High	
Tent camp sites	22	44	1
RV camp sites (may be combination RV/full service tent camp sites)	69	125	3
Hotel and motel units (e.g., cabins, bungalows, inns, yurts, casitas)	33	67	1.5

Source: California Coastal Commission, Central Coast District Office 2006, 46.

The CCC argued that the 1:3:1.5 requirements served three primary objectives:

> First, it ensures a portion of the new overnight accommodations will be dedicated to low-cost camping. Second, it ensures a greater mix of uses available to a wider spectrum of the public. Third, it ensures that the scale of development on the site will not be overburdened by one particular use to the detriment of coastal resources and the character of the area, including scenic views.[8]

[8] Ibid.

EVALUATION OF RATES

Per the CCC's request, below are rate evaluations for prospective tent sites, RV sites, and hotel/motel units.

TENT SITES

The 1:3:1.5 requirement ensures that the Harbor Terrace will include lower-cost overnight visitor accommodations, as represented by tent sites. The CCC has acknowledged tent sites along the California coast "are affordable to many residents, and are in extremely high demand."[9] Further, the CCC has recognized that tent camping fees at state parks along the California coast range from $5 to $60.[10] Relying on the same data referenced by the CCC,[11] Table 3 shows the rate ranges for drive-in and walk-in tent sites at state parks:

TABLE 2. RATES RANGES FOR DRIVE-IN AND WALK-IN TENT SITES AT CALIFORNIA STATE PARKS

Type of Tent Site	Park Count	Peak Season Rates		Non-Peak Season Rates	
		Low	High	Low	High
Drive-in	142	$10.00	$60.00	$10.00	$60.00
Walk-in	12	$5.00	$35.00	$5.00	$35.00
Total	**154**	**$5.00**	**$60.00**	**$5.00**	**$60.00**

Source: California Department of Parks and Recreation 2014.

Although these rates subject to change,[12] the rates for tent site planned for Harbor Terrace are expected fall within the above ranges. Further, because the CCC drew the 1:3:1.5 requirement from density designs derived from the Port's economic feasibility studies, market rate pricing for RV sites and hotel/motel units is expected to ensure the lower-cost pricing of the tent sites.

[9] California Coastal Commission, *Public Workshop on Lower Cost Visitor Serving Accommodations*, by Charles Lester, Susan Hansch, Madeline Cavalieri, and Rich Hyman, W3-12-2014, (San Francisco, CA, 2014), 9.
[10] Ibid.
[11] The CCC cited the state park tent site rate ranges as from California Department of Parks and Recreation, *California State Parks Camping Fees by Geographical Region*, (Sacramento, CA, 2014), accessed December 2, 2014, http://www.parks.ca.gov/pages/737/files/current_geoloc%20web_camping.pdf
[12] Each page of the listing states "Prices subject to change without notice." *California State Parks Camping Fees by Geographical Region.*

RV SITES

The DEIR's contention that RV sites can constitute lower-cost overnight accommodations was consistent with statements in prior CCC staff reports concerning Section 30213.[13] For example, according to the CCC's 2011 staff report for the City of Long Beach's Local Coastal Program amendment:

> Hostels, RV parks, and campgrounds are *inherently lower cost*, [emphasis added] and are the type of facilities that a mitigation charge for the loss of affordable over-night accommodations would support.[14]

The "inherently lower cost" language, along with the CCC's categorization of RV sites as "middle cost accommodation[s]" in the 2006 staff report for the Port San Luis Master Plan,[15] suggests that RV sites may represent an affordable option for visitors to the coast. However, a November 2014 CCC report makes clear that RV sites are most likely precluded from counting as lower-cost accommodations:

> [W]hen the cost of purchasing and maintaining, or renting an RV, is combined with the campground fee (which ranges from $50 to $80 per night at State Parks campgrounds along the coast), and the cost of gas (with typical RVs requiring a gallon of gas every ten miles), RV campgrounds would no longer be considered lower cost.[16]

The RV sites at Harbor Terrace will be priced at market rate. The 1:3:1.5 requirement imposed by the CCC via the San Luis Bay Area Plan accounts for market rate pricing of RV sites by requiring one tent site per three RV sites.

HOTEL/MOTEL UNITS

Like the RV sites, the hotel/motel units will priced at the market rate. The 1:3:1.5 requirement also accounts for the market rate pricing of hotel/motel units by requiring one tent site per three RV sites.

---

[13] *LOB-MAJ-1-10 (1-10)*, 33; California Coastal Commission, South Coast Area Office, *Major Amendment Request No. 2-08 to the City of Redondo Beach Certified Local Coastal Program (For Public Hearing and Commission Action at the July 8-10, 2009 meeting in San Luis Obispo)*, by Jack Ainsworth, Teresa Henry, Gary Timm, and Gabriel Buhr, Th11a-6-2009, (Long Beach, CA, 2011), 44.

[14] *LOB-MAJ-1-10 (1-10)*, 33.

[15] *Major Amendment No. 1-05 (Part 1) Port San Luis Harbor Master Plan*, 45.

[16] *Public Workshop on Lower Cost Visitor Serving Accommodations*, 9-10.

Coastal Scrub Photo-documentation

As shown in EIR Figure 4.3-2 (Habitat Map with Project Overlay), coastal scrub vegetation is present within and adjacent to existing Harbor District storage use areas. Vegetation within the existing storage areas has been historically disturbed. Vegetation density and quality increases in areas downslope from the existing storage area, towards the unnamed drainage along Diablo Canyon Road and oak woodland to the northwest. Figure 1 below is an excerpt from Figure 4.3.2 showing locations of photos taken on December 23, 2014.

Figure 1. Map excerpt and photo locations

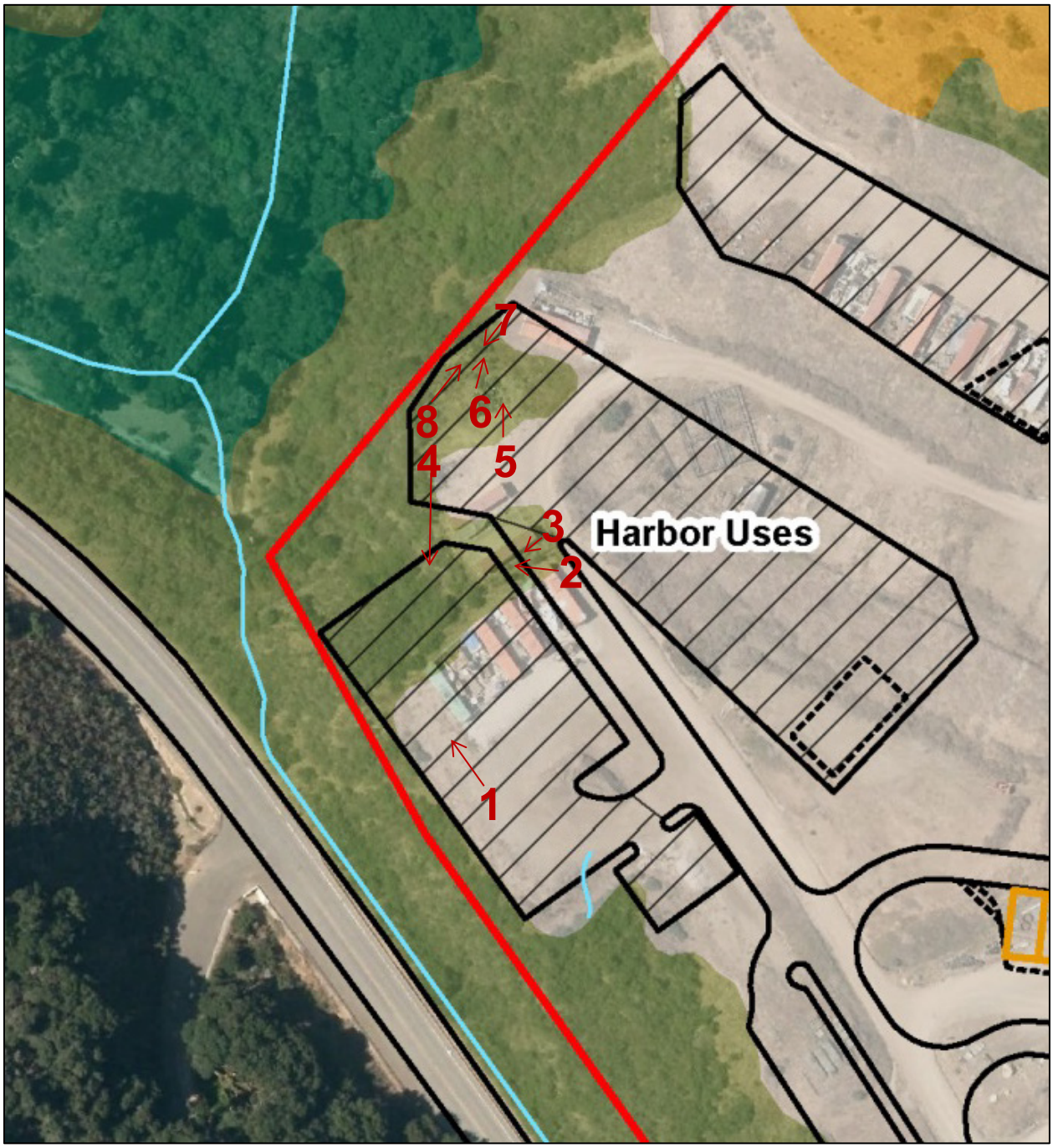




Photo 1: View looking northwest towards disturbed vegetation adjacent to existing lower storage area.



Photo 2: View looking northwest of coastal scrub vegetation present between existing storage units, within existing lower storage area.



Photo 3: Southwest view of coastal scrub vegetation present between existing storage units, within existing lower storage area.



Photo 4: Southern view fringe of coastal scrub adjacent to lower and middle existing storage areas.



Photo 5: Northern view of fringe of coastal scrub adjacent to existing roadway, within existing middle storage area.



Photo 6: View looking northeast (closer view of Photo 5), showing disturbed vegetation and fringe of coastal scrub adjacent to existing roadway, within existing middle storage area.



Photo 7: View looking southwest, showing coastal scrub vegetation within existing middle storage area.



Photo 8: View looking northeast, showing disturbed vegetation and fringe of coastal scrub within existing middle storage area.

9.2 NON-AGENCY ORGANIZATIONS COMMENT LETTERS AND RESPONSES

The following non-agency organizations have submitted comments on the Draft EIR.

Respondent	Code	Contact Information	Page
yak tityu tityu – Northern Chumash Tribe Emails dated: October 1, 2014, and November 12, 2014	ytt	olivas.mona@gmail.com *Contact: Mona Olivas Tucker, Tribal Chair*	9-45
Northern Chumash Tribal Council Letter dated: October 22, 2014	NCTC	67 South Street San Luis Obispo, CA 93401 *Contact: Fred Collins, Tribal Administrator*	9-48
San Luis Obispo Bicycle Club Email dated: November 6, 2014	SLOBC	daveabrecht@me.com *Contact: Dave Abrecht, Bicycle Advocate*	9-50
Avila Valley Advisory Council Letter dated: November 10, 2014	AVAC	P.O. Box 65 Avila Beach, CA 93424 *Contact: Jim Hartig, AVAC Chairperson*	9-52
San Luis Obispo Coastkeeper Letter dated: November 12, 2014	CK	EPI-Center 1013 Monterey Street, Suite 202 San Luis Obispo, CA 93401 *Contact: Gordon R. Hensley*	9-80
Sierra Club **Santa Lucia Chapter** Email dated: November 13, 2014	SC	P.O. Box 15755 San Luis Obispo, CA 93406 *Contact: Andrew Christie, Director*	9-82
San Luis Obispo County Bicycle Coalition Letter dated: November 13, 2014	SLOCBC	860 Pacific St, Suite 105 San Luis Obispo, CA 93401 *Contact: Dan Rivoire, Executive Director*	9-84

Shawna Scott

From: Mona Tucker <olivas.mona@gmail.com>
Sent: Wednesday, October 01, 2014 1:32 PM
To: Shawna Scott
Subject: Port San Luis Harbor Terrace Development Plan

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants (consultants to the District)
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
sscott@swca.com

Dear Ms. Scott:

This project is on top of my family's home village and we need a better understanding of what protective measures are being proposed to protect and preserve the amazing culture of the yak tityu tityu yak tilhini - Northern Chumash. A cemetery is mentioned and the avoidance of any disturbance to these areas is the only way to protect these people. The same measure of avoidance should be employed for any burial. **ytt-1**

We object to the dismantling of our culture and once our sacred and important sites are destroyed, they can never be replaced. We also believe that most people would support the respectful treatment of our culture. Our history in Avila Beach is significant to us but I believe it is also significant to the community of Avila Beach, County of San Luis Obispo and State of California. We would appreciate a meeting with you in which to better understand the proposed project. **ytt-2**

Thank you,

Mona Olivas Tucker, Tribal Chair
yak tityu tityu - Northern Chumash Tribe

1

Shawna Scott

From: Mona Tucker <olivas.mona@gmail.com>
Sent: Wednesday, November 12, 2014 2:21 PM
To: Shawna Scott
Subject: Port San Luis Harbor Terrace

November 12, 2014

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants (consultants to the District)
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
sscott@swca.com

Shawna:

Thank you for the recent tour and discussion regarding the Port San Luis Harbor Terrace project. It was good to hear that there are no known culturally sensitive sites within the boundaries of this project. However, I would like to make the following comments; **ytt-3**

1. There is a rich Northern Chumash history in this area and that makes it crucial to have a monitoring plan in place long before there is any disturbance. This will help guide all parties on appropriate protocols in the event of a cultural resource discovery.

2. We would like to see any trails directed away from culturally sensitive sites that may be nearby. **ytt-4**

3. Because the yak tityu tityu - Northern Chumash have thousands of years of history in this area, we would like to see our culture included in your educational component . **ytt-5**

4. We are requesting there be a contiguous open space through the project that would accommodate the safe movement of wildlife through the property. **ytt-6**

5. We recommend that you consider using the Audubon Society sanctuary practices for maintaining a safe habitat for birds and other wildlife. This includes the careful use of insecticides, pesticides, fertilizers and proper management of open spaces to include cover and food sources. Overall, the Audubon Society sanctuary practices or similar practices will promote a healthier environment for all birds, animals and humans. **ytt-7**

If you have any questions, please feel free to write or call.

Thank you,

Mona

Mona Olivas Tucker, Tribal Chair
yak tityu tityu - Northern Chumash Tribe

1

9.2.1 Response to Letter from yak tityu tityu – Northern Chumash Tribe

Comment No.	Response
ytt-1	Please refer to EIR Section 4.4.5 (Cultural Resources, Project Specific Impacts and Mitigation Measures). The proposed development areas and grading activities would be located outside of documented archaeological sites, and the known burials are located outside of the project boundaries. No changes to the EIR are necessary.
ytt-2	As noted above, the project would not impact archaeological sites located in the vicinity of the project. An on-site meeting was held with the commenter, Harbor District, Lisa Wise Consultants, and SWCA on October 28, 2014 to further discuss the project. No changes to the EIR are necessary.
ytt-3	The Harbor District appreciates the current and continued coordination with the yak tityu tityu. Please refer to mitigation measure CUL/mm-1, which states that the Monitoring Plan shall be submitted prior to issuance of grading permits from the County of San Luis Obispo. No changes to the EIR are necessary.
ytt-4	Based on the project design, no trails are proposed within culturally sensitive areas. No changes to the EIR are necessary.
ytt-5	Please refer to additional mitigation measure CUL/mm-5 regarding cultural resource educational materials: "*CUL/mm-5 Prior to occupancy, the Harbor District or their designee shall submit samples of cultural resource interpretive materials to the County Environmental Coordinator. The Harbor District or their designee shall coordinate with local Native American representatives during the initial development of the materials, and subsequent updating of materials for the life of the project. Materials shall not specifically identify the locations of archaeologically sensitive sites. Interpretive materials may include, but not be limited to, pamphlets, posters, kiosks or boards, exhibits, and online posting of information. Interpretive materials shall include, but not be limited to: prehistory, modern history, and living history of the Chumash in the Avila/Port San Luis Area and region, and citation or reference to laws governing the protection of cultural resources*".
ytt-6	Based on the design layout of the project, natural areas and wildlife corridors within the upper slopes of the property would remain, in addition to existing drainages within and adjacent to the project site. No changes to the EIR are necessary.
ytt-7	Recommendations regarding operational maintenance activities and management of landscaping and open space areas will be considered by the Harbor Commission and the developer/operator of the project. No changes to the EIR are necessary.

Northern Chumash Tribal Council
A Native American Corporation - NorthernChumash.org
67 South Street, San Luis Obispo, CA 93401 805-801-0347

Northern Chumash Tribal Councils Comments on the Port San Luis Harbor Terrace Development Plan Draft EIR
10/22/14

The Avila Beach, Port San Luis Harbor coastal bluffs from Indian Head Point to Port San Luis Light House was once a California Chumash Native American village complex, which was connected to Pismu to the south and Morro Bay to the north. The villages were interconnected by land form, trails, gathering places, ceremonial places, and living places. The bay was rimmed with a thriving community, interconnected and amazing. Living for over 15,000 years, looking at the viewshed of Sacred Point Conception and the virgin horizons, Tomols fishing on the bay from the beginning of time, all life connected living in balance and thrivability. **NCTC-1**

The current Draft EIR uses as its source of recommendation a Bob Gibson archaeological report dated December 10, 1996, after a complete review of the report the Northern Chumash Tribal Council (NCTC) finds the report to be outdated and missed the complete picture, there are not three sites, but, one village landscape, one village, interconnected. **NCTC-2**

After walking the current site, recently, and evaluating what is left of the original land form, it is NCTC understanding that a portion of the south easterly site may still containing some deposits and therefore a complete new evaluation should be done to prevent any uncalculated encounters, before any recommendation or mitigations for this project are determined. Monitoring is not mitigation. A complete new review of the old Bob Gibson report and a new evaluation taking in to consideration, what will be determined from the new archaeological extended Phase I evaluation. **NCTC-3**

NCTC would like to thank Mr. Steve McGrath for his outreach to NCTC, Mr. McGrath has been working to make sure the Chumash community is involved in commenting on this project, we thank him for his efforts. **NCTC-4**

Fred Collins
Tribal Administrator
Northern Chumash Trial Council

ENVIRONMENTAL & LAND-USE CONSULTING
EDUCATIONAL SERVICES TEACHING NATURE, NATIVE CULTURES & FARMING

9.2.2 Response to Letter from Northern Chumash Tribal Council

Comment No.	Response
NCTC-1	Please refer to Final EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting, Archaeological Resources), which has been expanded as follows: "*Native American coordination was conducted during preparation of the EIR. Responding parties included representatives from the Northern Chumash Tribal Council and the Northern Chumash Tribe yak tityu tityu. Both representatives noted the cultural significance of the Port San Luis/Avila Beach area, and an interconnected Native American village complex extending from Indian Head Point to the Port San Luis Lighthouse. Evidence of this village complex is supported by the archaeological records available for the area*".
NCTC-2	Please refer to response to comment NCTC-3 below. As documented in the Phase I surface survey report (Gibson 1996) and as summarized in the EIR, a majority of the site was historically graded and developed in the early 1900's through current use of the site. The Gibson report and certified Program EIR for the Port San Luis Master Plan provide substantial evidence of the three recorded archaeological sites, and are therefore adequate for use in the tiered EIR for the proposed project.
NCTC-3	The project EIR is tiered off the Program EIR for the Port San Luis Master Plan. Based on the Final EIR, which was certified prior to approval of the Master Plan and Local Coastal Plan Amendment to the San Luis Bay Area Plan, the noted Phase I surface survey was conducted (Gibson 1996) for the project site. As documented in the EIR (Section 4.4-9), the report identified three intact archaeological sites, all of which are located outside of the project grading and development area, and would remain intact and unaffected by the project. No trails or public or private use areas would be located outside of the development footprint, or within identified archaeological sites. The report did not identify any locations within the currently proposed grading and development area that would require further review. Based on the general archaeological sensitivity of the region, implementation of a Monitoring Plan and compliance with identified performance standards is recommended to ensure potential impacts to previously undiscovered subsurface resources are mitigated to less than significant. Monitoring activities would be conducted by a qualified archaeologist and Native American monitor. Based on the substantial evidence documented in the Program EIR for the Port San Luis Master Plan and associated documentation, no changes to the EIR are necessary.
NCTC-4	The Harbor District appreciates the current and continued coordination with the Northern Chumash Tribal Council.

Shawna Scott

From: David Abrecht <daveabrecht@me.com>
Sent: Thursday, November 06, 2014 6:15 PM
To: Shawna Scott
Subject: Port San Luis Harbor Terrace Draft Environmental Impact Report (EIR)

Hello Shawna,

On behalf of the 600+ members of the San Luis Obispo Bicycle Club, thank you for the opportunity to comment on the draft EIR for the Port San Luis Harbor Terrace Development Plan. **SLOBC-1**

My comments will be very specific to the contents of Chapter 4, specifically the section on Transportation and Traffic. **SLOBC-2**

In our county, Avila Beach is one of the most popular riding destinations for cyclists of all ages and abilities. The Bob Jones Trail is the jewel of our local recreational trail system and is certainly a great way for families with children to bike and walk to Avila from trail heads on Ontario Road and on San Luis Bay Drive. The other access, preferred by road cyclists for a variety of reasons, is via San Luis Bay Drive and Avila Beach Drive.

I understand that your EIR is focused specifically on the actual development, but the nature of the development is going increase the number of over-sized vehicles into the area via the only accessible roads, Avila Beach Dr. and San Luis Bay Drive. As an aside, my wife and I travel in the 34' motorhome so I am certainly not opposed to the project and the fact that increased RV parking is coming to our county. However, there needs to be consideration for cyclists in the form of improved bike lanes into Avila Beach. As the report correctly mentions, both routes offer only Class 3 bike lanes and there a number of areas where cyclists have to ride in the traffic lane due to narrow or non-existent shoulders, or to avoid ruts, broken asphalt, parked cars, pedestrians and other hazards. There needs to be a strong cooperative effort by the Harbor District and the County of San Luis Obispo to create legal Class 2 bike lanes from the intersection of Ontario Road and Avila Beach Dr. all the way into Avila Beach. The same applies for the intersection of San Luis Bay Drive and Ontario Road into Avila Beach. These improvements are in the current County Bicycle Transportation Plan (the plan is currently being updated and will be published in 2015) and need to be moved higher in the "pecking order" of all county bike projects as the Terrance project is realized. **SLOBC-3**

I appreciate that you mention reducing motor vehicle traffic into Avila Beach by encouraging shuttle transit services and increasing the use of bicycles. The way to increase access by bike is to make sure roadway infrastructure supports safe cycling. Only experienced road riders will use Avila Beach Road if it remains in its current state. **SLOBC-4**

Finally, I am well aware that parking in "downtown" Avila Beach is scarce, especially on summer weekends and holidays. If you really want to encourage bike trips from the Terrace development to downtown Avila Beach, work with the County of San Luis Obispo to create "bike parking corrals" on Front and First Streets that can park 10 - 12 bikes in a single vehicle parking space. This removes bikes from sidewalks and pedestrian areas and sends a message that commuting to Avila by bicycle is encouraged and welcomed and helps to avoid vehicle congestion. **SLOBC-5**

Thanks again for the opportunity to comment.

Dave Abrecht
Bicycle Advocate
San Luis Obispo Bicycle Club
805.801.9211

1

9.2.3 Response to Letter from Dave Abrecht

Comment No.	Response
SLOBC-1	Please refer to responses to specific comments below.
SLOBC-2	Thank you for your comment; no changes to the EIR are necessary.
SLOBC-3	The Harbor District has coordinated, and will continue to coordinate, with County Public Works and County Parks regarding current and future projects including the extension of the Bob Jones Bikepath and multi-use Coastal Trail. The project is located within the San Luis Bay road fee area, and the Harbor District will be required to pay County road impact fees pursuant to the existing ordinance. No changes to the EIR are necessary.
SLOBC-4	Please refer to response to comment SLOBC-3 above; no changes to the EIR are necessary.
SLOBC-5	The installation of additional bike parking areas within Avila Beach is outside of the scope of the project; however, the Harbor District will continue to coordinate with the County of San Luis Obispo regarding multi-modal transportation recommendations and needs in the Avila area. No changes to the EIR are necessary.

Avila Valley Advisory Council

San Luis Obispo County, California
P.O. Box 65
Avila Beach, CA 93424 www.avac-avila.org

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Liz Johnson (alt)

Squire Canyon
Kirt Collins
Open (1)

November 10, 2014

Port San Luis Harbor District
c/c Shawna Scott, Senior Planner
SWCA Environmental Consultants

Dear Shawna,

At the Avila Valley Advisory Council meeting on November 10, 2014 the council voted unanimously in support of the attached comments regarding the Harbor Terrace Draft EIR. **AVAC-1**

Jim Hartig

Jim Hartig
AVAC Chairperson

cc: AVAC Land Use Committee, Steve McGrath, Rob Fitzroy, Jim Bergman

DATE: November 10, 2014
TO: Port San Luis Harbor District
c/c Shawna Scott, Senior Planner,
SWCA Environmental Consultants
Email: sscott@swca.com
FROM: Jim Hartig, Chair, Avila Valley Advisory Council
SUBJECT: AVAC COMMENTS ON HARBOR TERRACE DRAFT EIR

GENERAL COMMENTS

- Project details are minimally more defined than in the Master Plan. Project design has largely been deferred to the time of application for construction permits. Exhaustive development standards as mitigations substitute for a defined project. The sketchily defined project precludes both public review and decision authority consideration of definitive plans. Statements that there are no significant impacts cannot be verified. If this EIR is accepted it should be as a program EIR with acknowledgement that additional environmental review is necessary once there is a definitive project. **AVAC-2**
- Unacceptably, the necessary geotechnical investigation for a defined project has not been performed. Without this investigation, actual locations for project components are unknown. **AVAC-3**
- Unacceptably, the transportation- traffic analysis for project and cumulative impacts excludes summer weekends and holidays. This is when project traffic, particularly from RVs, would likely have significant impacts for which mitigations would be necessary. **AVAC-4**

EXECUTIVE SUMMARY, E. PROJECT DESCRIPTION

1. Landscaping

Site areas designated as Area 3 are proposed to have lawn installed. To address reoccurring drought conditions, artificial turf or other alternative surfaces should be evaluated under Biology impacts. **AVAC-5**

PROJECT DESCRIPTION

1.1

Stated is that the Harbor District and State Coastal Conservancy propose the development plan. Probably this should be clarified since 1.4 shows the Harbor District as the sole applicant. **AVAC-6**

2.3 Project Objectives

No statement is included about elimination of RV parking along the ocean side of Avila Beach Drive. However, the traffic analysis (4.11.5, under note 1 of Table 4.11-5, Project Trip Generation) states: "New net RV sites reflects removal of 55 RV spaces from Avila Beach Drive and existing on Harbor Terrace." The number of proposed spaces on Avila Beach Drive to be eliminated, if any, should be stated. Also, if RV parking, but not camping, is intended, this should be stated. **AVAC-7**

2.4 Project Components

- It is necessary to state whether commercial components are intended for the general public in addition to overnight guests. This is essential information for evaluating onsite circulation and parking adequacy. **AVAC-8**
- The specific uses and sizes of commercial buildings and swimming pool facilities are lacking. This information is needed for determination of the number of parking spaces needed if the components are intended for the general public. **AVAC-9**
- There are no architectural elevations. These are needed for aesthetic evaluation. **AVAC-10**

- Maximum stays are stated as 30 days. It should be specified whether this is consecutively or annually. Without specificity, RVs could repeatedly stay for 30 days, leave for a couple of days and return for another 30 days. Turnover should be encouraged for greater public availability. **AVAC-11**

3.5 Cumulative Development Scenario

Cumulative development information is incomplete. A complete list for projected development should be included here or appended since this information is essential for the traffic analysis. **AVAC-12**

- Because development buildout is projected by the County based on permits, traffic generated by unpermitted temporary events for 3,000 attendees at the golf course is omitted from County data. These events are increasingly held Friday evening through Sunday evening for half the year, during high visitor season. **AVAC-13**
- The popular Friday market on the plaza in Avila Beach is held weekly from May to October. **AVAC-14**
- Colony lots in Avila Beach are being developed and could have multiple dwellings, as could other lots in Avila Beach.
- Approved Kingfisher Canyon development is ongoing.
- Avila Point's proposed components are known since an EIR for the project is under preparation.
- 50 unbuilt golf course cottage units adjacent to the timeshare are in the San Luis Bay Estates Master Development Plan.

4.1 AESTHETIC RESOURCES

4.1.1 Existing Conditions

RV parking along Avila Beach Drive is not mentioned. **AVAC-15**

4.1.4 Impact Assessment and Methodology

Photo simulations show continued RV parking along portions of Avila Beach Drive in proximity of the project site. Is this intended? **AVAC-16**

4.1.5 Project Specific Impacts and Mitigations

- Under Introduce a Use within a Scenic View Open to Public View is mentioned that RV camping along the ocean side of Avila Beach Drive would be relocated to the project site. Is all such RV camping proposed to be relocated? Would daytime RV parking on Avila Beach Drive be allowed? **AVAC-17**
- Glare from walls of RV windshields needs to be evaluated and mitigated. **AVAC-18**
- Parking of RVs on Avila Beach Drive across from Harbor Terrace would intensify the aesthetic impact of the proposed RVs on the hill. This impact should be discussed. **A designated RV area in the parking lot at the harbor for daytime RV parking should be included as aesthetic mitigation for project RVs.** **AVAC-19**

AES/mm-1

The commercial building siting and design should be finalized before project approval rather than before the application for construction permits. **The public should have opportunity to review and comment on, and the decision body opportunity to consider, specific location and design for the commercial building.** **AVAC-20**

AES/mm-2

The landscape plan for whatever might be the actual project should be finalized before project approval rather than before application for construction permits. **The public should have opportunity to review and comment on, and the decision body opportunity to consider, definitive landscaping components.**

AES/mm-3

Cross-section plans showing RV space locations set back from terrace edges should be finalized before project approval rather than before application for construction permits. **RV siting is a primary aesthetic impact on which the public should have opportunity to review and comment, and the decision body opportunity to consider, prior to development plan approval.**

AVAC-20 (continued)

AES/mm- 4
Measures to achieve consistency with area visual character should be incorporated into the project before project approval rather than before application for construction permits. The public should have opportunity to review and comment and the decision body should vote on a definitive project. **Proposed deferred mitigations should be incorporated into the plan before a development permit.**

Port Master Plan Final Program EIR measures V-1, V-2 and V-3
These are referenced as mitigation measures and should be included in this section or appended.

AVAC-21

4.10 PUBLIC SERVICES, PROTECTION

4.10.1.2 The Sheriff's response time is stated to be three to five minutes. However, the Sheriff's letter in Appendix A states the current average response time is generally 12 to 49 minutes. This discrepancy needs to be clarified.

AVAC-22

4.11 TRANSPORTATION & TRAFFIC

4.11.1 Existing Conditions
Discussion about the area's emergency access situation, with one way in and out, should be included.

AVAC-23

4.11.1.3 Transit Service
Trolley capacity and route frequency should be included.

AVAC-24

4.11.1.5 Seasonal Traffic
The second paragraph cites Tuesday as the busiest traffic weekday during both non-summer and summer/holiday times, whereas the fourth paragraph correctly cites Thursdays and Fridays as busiest for summer/holiday times.

AVAC-25

4.11.3 d., Thresholds of Significance
"Fail to provide for adequate emergency access" is listed as a criterion for significant impacts. Does this apply to emergency access for both the Avila area and the site?

AVAC-26

4.11.5 Project Specific impacts & Mitigation Measures
- Traffic impacts are not evaluated for summer and holiday weekends when project traffic, particularly RVs, could have significant impacts. Increasingly, Avila Beach visitors are present on Thursdays and Fridays, in addition to weekends and holidays from mid-May through mid-October. **Peak use of Harbor Terrace would coincide with Avila's peak visitor times and must be evaluated and mitigated.**

AVAC-27

- Impacts exclude traffic trips from the 73,000 cubic yards of soil that would be exported from the site (pg. ES-15, Site Preparation). This would involve 8,000 trips of large dump trucks for loads hauled out and the return trips. **Site preparation truck trips need to be evaluated and mitigated.**

AVAC-28

- Impacts do not reflect information included under 4.11.2, pp 8&9, Regulatory Setting, Intercept Parking & Shuttle Service, second and fourth paragraphs: Mentioned is that Avila Beach parking is at or near capacity during summer weekends and holidays and that estimated demand with planned land

AVAC-29

uses exceeds supply by about 200 spaces. **This information is omitted from project impacts and needs to be referenced and evaluated.** **AVAC-29 (continued)**

- Changeable message signs to divert RVs from entering Avila Beach when RV parking is absorbed should be discussed as mitigation for addition of project RVs to peak season traffic. These signs should be placed at Avila Beach interchanges on 101 or, if this location is not possible, between off-ramps and Ontario Road on Avila Beach Drive and San Luis Bay Drive. (Note: Under 4.11.2 such signs were recommended to divert traffic to future intercept lots.) **Changeable message signs should be included to mitigate increased RV traffic during peak visitor season.** **AVAC-30**

- Under Create Unsafe Conditions, pg.4.11-15, first paragraph, is stated: "Detailed site designs should be reviewed once they are available to ensure that pedestrian facilities are continuous and connect to likely destinations to the maximum extent possible." **Site design for pedestrian facilities should be available for public review and comment and for decision body consideration prior to project approval, instead of deferred to construction permits. A signalized pedestrian safety crossing should be installed if any Avila Beach parking is allowed along or across from Harbor Terrace**. **AVAC-31**

- Mitigation for sight distance visibility hazard to Harbor Terrace pedestrians due to daytime RV parking on Avila Beach Drive is needed. **A designated daytime RV parking area in the harbor parking lot should be provided to mitigate Harbor Terrace hazard to pedestrians crossing Avila Beach Drive.** **AVAC-32**

- Under Create Unsafe Conditions, pg.4.11-15, is discussion of a left turn lane. The EIR recommends observation of conditions following project operation rather than initial installation. However, traffic calculations are based on a non-summer/holiday weekday and do not consider high season weekend/holiday traffic volumes. **A left turn lane should be evaluated for peak traffic season and a left turn lane included as mitigation.** **AVAC-33**

4.11.6 Cumulative Impacts

Cumulative development information is incomplete. A list of projected development upon which analysis is based should either be included here or provided elsewhere in the EIR and referenced here. Also, traffic generation assumptions for the proposed large Avila Point project need to be specified. Because the County bases build out projections on Planning permits, traffic generated by the continually increasing number of unpermitted temporary events for 3,000 attendees at the golf course is omitted from County data. These events are usually held Friday evening through Sunday evening for half the year- during high visitor season. Additionally, the Friday afternoon – evening farmers market on the plaza, permitted by County Parks and Recreation, operates during peak season and absorbs all parking spaces in Avila Beach. **Inclusion of detailed traffic generation information for cumulative development is necessary, as well as analyses for summer-holiday weekend traffic**. **AVAC-34**

4.3 BIOLOGICAL RESOURCES

AVAC-35

4.3.1 Existing Conditions, Regional Setting

Description presented is not specific to this project's location.

Open Water: Citing the bay bottom and the marine mammals (i.e., sea otters, humpback whales and killer whales) does not relate to this project.

Marine Intertidal: References to the San Luis Obispo Creek east of the project site.

Estuarine: Vegetation between Avila Beach Drive and the lagoon formed by San Luis Creek on the road berm is out of the location of this project.

Riparian: Canopy formed by Wild Cherry Canyon and Harford Creek and San Luis Obispo Creek is named, supporting habitats for special-status species, and is out of the range of this project.

Sandy Beach: This is not impacted by this project; the birds are migratory. Fisherman's Beach is not noted, with its grunion runs and the trench created from dredging.
Coastal Scrub: This is typical of this site. It is stated that the silvery legless lizard and California horned lizard may be present; either they are or are not present.
Coast Live Oak Woodland: This site has 21 Coast Live Oaks. It is noted that the California newt is present; however, there is no stream on the property for the newt to survive. The Tidewater goby is not listed.
Annual Grassland: This general description does not apply to this project and it is not on this project site.
Ruderal (Disturbed): This disturbed habitat is throughout the project area, due to landscaping, construction and other land clearing activities.

AVAC-35 (continued)

4.3.1.2 Project Site Setting
4.3.1.3 Environmentally Sensitive Habitat: the last sentence refers to the "project area" rather than the Project Site Setting. The content in this 4.3.1.2 section is general in its description and not specific to the project site.
San Luis Creek Estuary: This is not on the site. SRA = Sensitive Resource Area; this should be spelled out the first time it appears in the report. Rainbow trout by the dam is first mentioned here; again, not in the project site, it is .7 miles from the site.
Coastal Streams and Riparian Vegetation: These are out of the project site. The two unnamed drainages, one of which is parallel to Diablo Canyon Road, 50 ft. west of the property boundary, actually comes out in a culvert, 6 ft/10 ft. above the ground and is concrete.

AVAC-36

4.3.1.4 Native and Important Vegetation: There are 21 coast live oak trees on the project site. It is not clear what kind of needle grass is present as it is listed three different ways in this report.

AVAC-37

Table 4.3.1 - Special-Status Plant Species Evaluated for Potential Occurrences (chart) lists eighteen species and none were observed on the property. Why is it presented in this document? Is it used as filler?

AVAC-38

Natural Communities of Concern: One specie was listed and it was noted that it is "absent....served within the property boundaries." Why was this listed? It does not apply.

AVAC-39

4.3.1.5 Special-Status Species: "No rare, threatened or endangered plant species were found on the Harbor Terrace site during site surveys conducted for the Harbor Terrace EIR in 1996." If this is what the District is relying on for their evidence, why is it not attached to the document? These finding needs to be documented. Also, noted was "recent surveys conducted ....by Barry Holland documented the presence of the woodrat middens; no other special status plants or wildlife was observed." This is the first time in this report woodrat middens have been noted.

AVAC-40

Special-status Plants: Reference to CNDDB and CNIS databases is difficult because it is not clear what/where these two databases represent/reside and Appendix D is not included in this report.

AVAC-41

The statement, "...18 special-status plant species and one natural community of concern have the potential to occur in the area (refer to Table 4.3-1)," does not seem appropriate, as none were observed. The use of the word, potential, is misleading. The report suggests that there are "suitable conditions" for: owl's clover, Mesa Horkelia, Jones's layia, and southern curly monardella; these need only to be listed. However, it is stated that "...no special-status plant species were observed onsite. The point is mute.

AVAC-42

Special-status Animal Species: There is no need to have a table of eight species who have "potential to occur in the immediate area" when the suitable habitat condiditons are present for only nesting birds

AVAC-43

and San Diego woodrats. Then, it is stated that "No rare, threatened, or endangered wildlife species were observed; however, woodrat middens were documented..." Should they be added to the table? **AVAC-43 (continued)**

Nesting and Migratory Birds: They state that California brown pelican or American peregrine falcon may occasionally fly over the site. Is this an issue? **AVAC-44**

Table 4.3-2 Special-status Wildlife Species Investigated for Potential Occurrence served during the ists six species not observed. Also, no other nesting birds were observed during the survey (March-August which is the birds active nest season); yet, they surveyed during March, May, and August of 2014 and did not document any observed. San Diego woodrat were observed on the site. **AVAC-45**

4.3.1.6 Common Wildlife: These all have potential to be present. Is this supposed to be a complete list from the literature or from a biologist's observation? **AVAC-46**

4.3.2 Regulatory Setting
4.3.2.1 Federal and State
4.3.2.2 Local Regulations and Policies
San Luis Bay Coastal Area Plan: "Development in areas....shall be sited and designed to prevent impacts which would significantly degrade such areas..." Agreed. Oaks replanted. **AVAC-47**

Port San Luis Aquatic and Terrestrial Habitats: Marine Environments. "...sustain the biological productivity of coastal waters and maintain healthy populations of all species..." How do we plan to measure this? "Environmentally sensitive habitats of San Luis Creek....shall be protected, preserved and restored...." No restoring because there is no impact. **AVAC-48**

Native Vegetation: "New landside development shall require landscaping plans that include only native, drought tolerant plants." Yes! This site is 60% ruderal/disturbed; why restore it? Introducing valley needlegrass which grows in clumps, rationale? **AVAC-49**

Harbor Terrace: #6 "The provision of designated areas for pets so that native habitat areas are avoided. This is a very difficult challenge to ensure; what is the plan? **AVAC-50**

#7 "Grading for approved development....to minimize sedimentation impact on adjacent surface water bodies....shall be scheduled to avoid the rainy season."
#9 "...the stream channel shall be restored to provide both flow capacity and natural habitat." It is paved, culverized under Avila Road with cement.
Coastal Zone Land Use Ordinance: Development
standards for ESHA: #3 ".. restored to?..damaged habitats shall be restored as a condition of development approval." This site was a Tank Farm; is this what it should be returned to? **AVAC-51**

Port Master Plan and Port Master Plan Final Program EIR: Mitigiation Measures:
B-1 - Oak tree removed....recommends 4:1 replacement of oak trees.
B-3 - Oak tree protective measures....preventing any construction or grading activities from damaging existing oak trees. These two statements are confusing; what is the answer? **AVAC-52**

B-5 - Bell's sage sparrow is listed for the first time. Why is it now listed? It has not been observed. **AVAC-53**

B -6 - "Botanical survey shall be conducted to determine the presence and distribution of special status plant species on the Harbor Terrace site prior to project approval." Where are the survey results? Table 5.6-1 was not available. **AVAC-54**

B-9.3 - "Where feasible, damaged habitats shall be restored aas a condition of development approval." What does this mean? This project's site is predominantly ruderal/disturbed; is this what "damaged habitats" mean? If restoring purple needlegrass, then valley needlegrass maybe present; why replant it? **AVAC-55**

B-9.4 "Development shall be consistent with the biological continuance of the habitat." Does this mean the migratory corridors? **AVAC-56**

B-10.1 - "Protection of kelp beds, offshore rocks, reefs and intertidal areas. Development shall be sited and designed to mitigate impacts..." Is this an expectation to be met? **AVAC-57**

B-10.2 - "Siting of shoreline structures." This does not apply to this project. **AVAC-58**

B-10.3 - " Coastal access. Coastal access shall be monitored and regulated to minimize impacts on marine resources..." Will this occur during the pre-construction phase and during the construction phase? **AVAC-59**

Table 4.3-4. Detailed Temporary and Permanent Impacts Based on Use Areas: Looks like there are three habitations: ruderal/disturbed, ornamental trees and Coastal scrub with significant exposure. Valley needlegrass grasslands is listed; however, there are three other listings in the report of needlegrass. Is this title all inclusive? **AVAC-60**

Effects on Special-Status Species and Habitat

Construction-Related Impacts: "Removal of ornamental trees ....Eucalyptus would have an adverse effect on nesting birds;" eucalyptus has not been mention before in this document. There are other ornamental trees (i.e., pepper, Monterey pines, Italian cypress); will these be also removed? What is left for the nesting birds? **AVAC-61**

BIO Impact 1: Mitigation Measures

BIO/mm-1 - It states that "Prior to initiation of grading activities, a qualified biologist shall conduct pre-construction surveys to determine the presence or absence of special-species." This is redundant; nothing has been found. Why do it again? **AVAC-62**

BIO/mm-2 and BIO/mm-3 - "Grading and construction resulting in ground disturbance should be limited to the typical dry season (April 15 to October 15)." then, stated..."If feasible, all work shall be avoided during the nesting bird season (approximately February 1 through August 15)" These two statements result in August 15 to October 15 as the time to comply; one month to do the work is not realistic." **AVAC-63**

BIO/mm-4 and -5- "All existing oak trees shall remain on-site." "All oak trees identified to remain shall not be removed. These two statements are not clearly defined and need explanation. **AVAC-64**

Long-term Impacts:

With the statement that there is permanent loss of .08 acres of valley needlegrass grassland (not documented) and .79 acre of coastal scrub (not documented) through a landscape plan, the question is: what about the ruderal/disturbed, which appears from Table 4.3-4 to dominate the property? **AVAC-65**

A statement is made that "The proposed development provides an opportunity for additional education regarding sensitive habitats and species..." raises the question as to the purpose of this report.

BIO Impact 2: Mitigation Measures

BIO/mm-7 - "Prior to issuance of grading permits....their designee shall submit a final landscape plan incorporating the following elements and standards...replacement of valley needlegrass grassland...replacement of coastal scrub within the property boundaries. " Why are they removing native plants? **AVAC-66**

4.3.6 Cumulative Impacts

"The cumulative impact scenario includes build-out under the Port Master Plan."...Mitigation identified in the Port Master Plan Final Program EIR and additional project-specific measures would mitigate all identified impacts to less than significant." This reviewer has no way of assessing whether this statement is true, as it appears to be an overwhelming project which impacts an area which has not been developed. **AVAC-67**

Implementation of the Avila Tank Farm Project is stated to have an impact on this project. This statement is not substantiated in this document.

4.4 CULTURAL RESOURCES

4.4.1 Existing conditions: This report was generated by using Results of Phase One Archaeological Surface Survey of the Harbor Terrace Project (Gibson 1996). This survey was done 18 years ago; a more current survey should be done before the plan for the development is presented for approval, as procedures have changed in two decades and needs to be applied to this site. Also, why is this Phase One report a "confidential" document held on file at the Harbor District offices? Explain. **AVAC-68**

4.4.1.1 Pre-History: It is definitely established that the Native Americans occupied this area for more than 15,000 years with Avila Beach being a large site. **AVAC-69**

4.4.1.2 Modern History: Discusses the surrounding area but not this specific site.

4.4.1.3 Site Specific Setting **AVAC-70**

Archaeological Resources: It is noted that that "... the Harbor Terrace site indicates the existence of 12 recorded archaeological sites. Of this total, three sites were recorded near or within the Harbor Terrace site boundaries." Later, it is stated that "None of the documented sites are located within the areas proposed for grading, development, or public access." How can this statement be made when the plans for the development continue to morph based upon input received? No map of the site with these three areas identified is presented; so, this is difficult to understand the aforementioned statement. "These three site would fall within the following definitions of important and significant archaeological resources." Why hasn't there been an extensive survey of this area before establishing this project? The surface survey of "All three of these prehistoric cultural sites identified during the surface survey of the Harbor Terrace site were largely intact cultural deposits." Are we ignoring the value of preserving a major archaeological setting? **AVAC-71**

Historical Resources: This section is very limited with only a reference statement about the Pacific Coast Narrow Gage Railroad (discontinued in 1937) . In addition: Did the Chinese workers have their homes on this site? Did whalers and fishermen reside here? Wasn't this the first Tank Farm and Refinery on this site? These questions and more need to be answered; so,doesn't this call for a professional historian to provide the important historical research of this site. **AVAC-72**

Paleontological Resources: "...the potential for significant paleontological discovery is high in native soils." There is no response to why or why not further exploration is possible and/or required. **AVAC-73**

4.4.2 Regulatory Setting **AVAC-74**

4.4.2.1 State Regulations: Just because this site is not listed in or determine to be eligible for listing on the California Register of Historical Resources, it "....does not preclude a lead agency from determining that the resource may be an historical resource." Has this been discussed by the Commission/Lead Agency and if so, what was the outcome of the discussion? If it has not been discussed, why not?

Also, "Achieving CEQA compliance with regard to treatment of impacts to significant cultural resources requires that a mitigation plan be developed for the resources." What is stated in the Mitigation Plan is that there will be monitoring, cultural awareness training for crews and a qualified archaeologist and Native American to monitor the initial stage earth-disturbing activities. The concern is that the site has not been evaluated to identify the cultural and **AVAC-75**

historical resources, which are present. To say, monitoring is the mitigation plan does not make sense. Explain. **AVAC-75 (continued)**

"Preservation in place is the preferred manner of mitigating impacts to archeological resources." This is not presented in the Mitigation Plan. Why not? **AVAC-76**

4.4.2.2 Local Regulations and Policies
Coastal Zone Land Use Ordinance
Section 23.07.104 - Archaeologically Sensitive Areas: The document lists how areas are defined as archaeologically sensitive. It does not draw a conclusion that this site is defined as archaeologically sensitive. Since it is specified in this section, are we to believe that this site is archaeologically sensitive? **AVAC-77**

"A preliminary site survey shall be required before a land use or construction permit for development in an archaeologically sensitive area." Since the survey completed is 18 yrs. old, wouldn't it be necessary to conduct a current survey and develop a mitigation plan which will protect the resources? And wouldn't the results of the survey be shared with the developers before they submit their proposals? **AVAC-78**

Who is the Environmental Coordinator who will approve the mitigation plan and does this person have responsibility to share the decision which is considered in the evaluation of the development request by the Review Authority? **AVAC-79**

It states that "The County will provide pertinent project information to the affected Native American tribe(s) and consider comments prior to approval of the mitigation plan." Does the Mitigation Plan presented on 4.4-9 and 4.4-10 represent the feedback from the Native American tribe(s) and if so, what were their comments and if not, why aren't their comments incorporated into the Mitigation Plan? **AVAC-80**

San Luis Bay Coastal Area Plan
Harbor Terrace: d. "...Archaeological field surveys shall be conducted prior to construction activities." What are the archaeological field surveys conducted? **AVAC-81**

What are "cultural/archaeological preservation activities that have been coordinated and approved by the State Historic Preservation Officer and representatives of the appropriate Chumash tribe? **AVAC-82**

4.4.4 Impact Assessment and Methodology
It states "When a project will impact an archaeological site, the lead agency must first determine whether the site is an historical resource." Has this been determined? When? **AVAC-83**

4.4.5 Project Specific Impacts and Mitigation Measures
Disturb Archaeological Resources: How can the statement be made that "Proposed grading and construction activities would not result in the disturbance of any known archaeological resources."? Explain. **AVAC-84**

"This impact would be minimized by project location and the design...these sites are not located within the property line of the project site." This is unclear as the document has lead the reader to believe that this project is on a cultural/archaeological/historical/paleontological site. Present a clear map as to the sensitive areas impacted relative to this project site. This area was the largest gathering of Native Americans on the Coast, not to mention the others groups that followed. More data is needed to determine the extent of this sensitive site. **AVAC-85**

CUL Impact 1
Mitigation Measures
CUL/mm-1 Submitting a Monitoring Plan, with the intent to monitor all initial earth-disturbing activities is a premature, as a first mitigation step.
Without the benefit of a comprehensive, current archeological survey, an historian's report on the historical resources and a geological survey to determine the paleontological resources, how can a project development plan be accepted to proceed with the initial earth-disturbing activities?

AVAC-86

These resources are important and significant. What is the mitigation plan to preserve them? Does mitigation result in preservation of these resources? There is no discussion in this Mitigation Plan of preservation strategies.

AVAC-87

Residual Impacts
"Based on the design of the proposed project, significant archaeological sites would be avoided."
What is a "significant archaeological site"? Aren't all archaeological sites significant?

AVAC-88

Disturb Historic Resources
The conclusion that there is no impact as there are no historic resources or structure has been made without an historian's historical resources report. The conclusion made in this report is strictly based on a Pacific Coast Narrow Gage Railroad statement. Isn't there more to this site's history than the railroad.

AVAC-89

Disturb Paleontological Resources
"Due to the sensitivity of the underlying geologic formations, there is a potential for significant paleontological discovery. Grading activities have the potential to destroy significant resources, resulting in a potentially significant impact." WOW! Isn't there a need for extensive surveys and reporting prior to any development/planning and especially, grading activities. These surveys and report need to be available to the lead agency and project developers to ensure that they are not developing in an area that is not significant for resources (cultural, historical, archaeological and paleontological). From the review of this report, the scope of resource locations is vast and has not been defined. Define these locations.

AVAC-90

CUL Impact 2
Residual Impact
How can this conclusion, "...potential impacts would be mitigated to less than significant," when throughout the report it is stated that there is potential for significant paleontological discovery?

AVAC-91

4.4.6 Cumulative Impacts
Consistently, it is stated that "…documented significant resources would be avoided." This is an unclear assumption, as no data has been present, no current surveys, nor reports that delineate specifically what is avoided and the assumption that these resources will not be disturbed is not clear. How can this statement be made without a clear understanding of this site's resources. Please specify.

AVAC-92

4.5 GEOLOGY & SOILS

4.5.3 GEOLOGIC HAZARDS

4.5.1.4 Seismic Setting

General Comment:

AVAC-93

The proposed development site is impacted by at five active earthquake faults. Of particular concern are the newly discovered Shoreline Fault and the little known San Luis Bay Fault which crosses the project site.

CONCLUSIONARY COMMENTS

In just these few sections of Chapter 4.5 of the draft EIR concerning the earthwork and seismic impacts, it is apparent that the entire 20-acres proposed for mass grading on the 32-acre site will require extensive work to determine the areas and depths of major cuts and fills that may overlay previous cuts and fills at greater depths. There is little information available to know where these conditions exist.

To further compound these grading concerns, there are seven geologic hazards listed that will also control the design of the proposed improvements to avoid, remove, and replace poor soil areas, or provide setbacks from seismic faults. Again, these fault zones have yet to be located accurately on the site.

The existing conditions are so difficult with so little information available that without the needed geotechnical preliminary exploratory investigations (borings and lab testing), much of the proposed development area may have to be redesigned and new mitigation measures prepared once the final geotechnical report has been prepared at a later time.

Page 4.5-7: 4.5.1.4 Seismic Setting

AVAC-94

"***The Port San Luis Harbor District is located in a seismically active region of California where strong ground motion has occurred in the past and is likely to occur again.***"

"Active faults that may impact the project site include the Los Osos Fault, the San Andreas Fault, and the Hosgri Fault.

The newly discovered Shoreline Fault also lies in close proximity to the site; however, its activity level has not yet been determined."

NOTE: Recent studies by PG&E for the adjacent nuclear power plant have been concluded and the information developed should be included in this draft EIR.

AVAC-95

"The San Luis Bay Fault, a potentially active fault that is part of the San Luis Ridge Fault System, is believed to cross the site and may result in impacts."

"The Los Osos Fault lies approximately 7 miles north of the site. The Los Osos Fault is capable of generating a maximum moment earthquake of magnitude 6.8."

"The most seismically active fault in California is the San Andreas Fault, which lies about 45 miles to the east… and is generally considered to be the most likely source for strong motion in San Luis Obispo County."

Page 4.5-8: ***"The Hosgri Fault consists of a series of faults off of the San Luis Obispo County coast. The fault is considered active by the USGS. At its closest point the Hosgri Fault lies approximately six miles to the west of the site."***

Page 4.5-9: ***"The San Luis Bay Fault is part of the San Luis Ridge Fault System… near the community of Avila Beach. The fault is poorly exposed and not well-expressed geomorfically, suggesting a low level of activity…. its designation by the California Division of Mines and Geology is potentially active."***

NOTE: The Geologic Map on Page 4.5-3 shows the San Luis Bay Fault encompassing the project site. This little known fault requires further investigation to determine the mitigation measures.

4.5.3 SEISMIC HAZARDS

4.5.3.1 Faults

AVAC-96

Page 4.5-11: 4.5.3.1 Faults ***"The Harbor Terrace site is crossed by the San Luis Bay Fault. While the precise location of the fault is not known, past studies constrained the fault to an approximately 1200-foot wide zone that encompasses almost the entire campground site.***

Earth Systems Pacific identified an area of highly sheared rock in the west central region of the site. Such a highly sheared rock zone is suggestive of faulting, and may represent a secondary fault extending from the main fault."

NOTE: This zone underlies a proposed row of RVs and cabins. Clearly, additional borings and trenching are necessary to determine the mitigation measures and redesign the project layout for the draft EIR.

4.5.3.2 Ground Shaking

AVAC-97

Page 4.5-12: ***"The project site has the potential to experience strong ground shaking from earthquakes…"***

"Ground shaking could also occur in the event of movement along the newly discovered Shoreline Fault or the San Luis Bay Fault."

4.5.3.3 Ground Surface Rupture

Page 4.5-12: ***"In the event that the San Luis Bay Fault moved sympathetically in response to strong shaking from a seismic event along another fault, there is a potential for ground rupture to occur."***

4.5.3.4 Liquefaction

Page 4.5-12: ***"Consequently, shallow groundwater may be present in some areas of the site. In view of this and the fact that the composition, density, and other properties of the native and fill soils at the site are not known, a potential for liquefaction and associated lateral spreading may exist in some areas of the site."***

NOTE: There are too many unknowns. Preliminary exploratory investigation would resolve these and allow a realistic conceptual site plan to be prepared with appropriate mitigation measures.

4.5.3.5 Seismically-Induced Settlement

AVAC-98

Page 4.5-13: ***"Undocumented fill underlies much of the project site and may be deeper than the 36-feet encountered in the past borings . Due to the unknown nature of the fill materials, the potential for seismically induced settlement is considered moderate to high unless future analysis of the fill soils indicate otherwise."***

4.5.3.6 Seismically-Induced Landsliding and Slope Stability

Page 4.5-13: ***"Eight significant landslides have been identified at, or in the general vicinity of, the site on geologic maps and in previous geologic studies. There are also significant slopes at the site that comprise undocumented fill soils. In view of these conditions, the potentials for seismically-induced land sliding and slope instability are considered high."***

4.5.8 Project Specific Impacts and Mitigation Measures

Exposure to Seismic Hazards

Page 4.5-22: LANDSLIDES ***"Movement of landslides, including seismically-induced movement, could result in damage to proposed improvements that lie within their boundaries or in their path. Movement of Landslide 1 or Landslide 3 could damage cabins or vehicles and, depending upon the type and severity of the movement, could endanger those occupying these areas***

9.2.4 Response to Letter from Avila Valley Advisory Council

Comment No.	Response
AVAC-1	Please refer to responses to specific comments below.
AVAC-2	The proposed project includes additional specifications in uses, circulation, landscaping, grading, and management of stormwater. The project is similar to the conceptual plan due to planning area standards identified in the San Luis Bay Area Plan. The mitigation measures identified in the Draft and Final EIR include verifiable performance standards to mitigate identified impacts beyond the County's Local Coastal Plan (LCP) documents and the Port Master Plan. No further CEQA documentation would be required, provided the construction plans are consistent with the ultimately approved project, County-issued Coastal Development Permit, and adopted Mitigation Monitoring and Reporting Program. Additional opportunities for public review and comment will occur during the County's review of the CDP and during the Harbor Commission's review and approval of final construction and architectural plans. No changes to the EIR are necessary.
AVAC-3	Further geotechnical review will clarify which mitigation measures would be required, out of the identified mitigation measures presented in the EIR. The location of project components would not change. No changes to the EIR are necessary.
AVAC-4	The traffic analysis was prepared pursuant to the County's LCP and Avila Valley Circulation Study, and based on methodology directed by County Public Works, and assesses if the project would result in a significant impact based on County thresholds of significance. The project would not result in a change in level of service below LOS C. The LOS standard was established by the County in order to focus on the normal demand, which drives road improvement requirements. As noted in the EIR, the maintenance of acceptable levels of service (LOS) for the Avila Valley and Avila Beach area streets is important for balancing future development with the reasonable level and scale of roadway improvements in the community. It can be noted that build-out of the Port Master Plan, including Harbor Terrace, would not reduce level of service during summer/holiday weekend peak hours. No changes to the EIR are necessary.
AVAC-5	Based on the analysis in the Draft EIR, no significant impacts related to the proposed landscape plan were identified; however, the Harbor Commission will consider the recommendation to remove the lawn component from the landscape plan. No changes to the EIR are necessary.
AVAC-6	The following clarification has been added to the Introduction of the EIR: "*The Harbor District is the CEQA lead agency and project proponent, and the Conservancy provided the funding for development of the plan and preparation of the EIR and County of San Luis Obispo Coastal Development Permit (CDP) application*".
AVAC-7	Final EIR Section 2.4 (Project Description, Project Components) has been clarified as follows: "*Approximately 25 RV camping spaces are currently located on Avila Beach Drive. With implementation of the proposed project, these 25 RV camping spaces would not be allowed on Avila Beach Drive. These spaces may remain available for roadside parking, including RVs"*.

Comment No.	Response
AVAC-8	Proposed uses that would be available to the public include the commercial uses and associated barbeque and viewing areas. The project includes parking for overnight guests, and a 48,000-square foot parking area available for the public, consistent with the San Luis Bay Area Plan, which will be adequate to serve the proposed uses. Onsite circulation was reviewed by County Public Works and CAL FIRE during development of the proposed site plan. No changes to the EIR are necessary.
AVAC-9	As described in Table 2-1 (Project Components and Amenities), the 16,000-square feet would be available for visitor serving/commercial uses. These uses would be available for both overnight guests and the public. Parking areas are identified for both overnight guests and the public. No changes to the EIR are necessary.
AVAC-10	Please refer to EIR Section 4.1.2.2 (Aesthetic Resources, Local Regulations and Policies, County of San Luis Obispo Local Coastal Program, Harbor Terrace), which identifies planning area standards specific to the allowable height and development standards. Additional performance standards are identified in mitigation measure AES/mm-1 and AES/mm-4, based on the aesthetics evaluation documented in EIR Section 4.3 (Aesthetics Resources). Architectural designs will comply with mitigation measure performance standards, and will be reviewed and approved by the Harbor Commission, with input through public comment. No changes to the EIR are necessary.
AVAC-11	As currently proposed, the maximum stay limit is 30 consecutive days. The Harbor Commission may consider application of further restrictions. Final EIR Table 2-1 Project Components and Amenities has been clarified to note (clarification in *italics*): "The maximum stay limit would be 30 days, *with the exception of camp host(s)*".
AVAC-12	Based on consultation with the County Public Works Department, the cumulative forecasting approach for the traffic analysis included use of the County's traffic model, which includes build-out of the San Luis Bay Area Plan. The traffic consultant completed the traffic analysis as directed by the County. No changes to the EIR are necessary.
AVAC-13	Please refer to response to AVAC-12 above; the cumulative traffic analysis was prepared using the Avila Traffic Model, as required by County Public Works. Final EIR Table 3-2 Cumulative Projects List has been updated to including ongoing special events.
AVAC-14	Please refer to response to AVAC-12 above; the cumulative traffic analysis was prepared using the Avila Traffic Model, as required by County Public Works. Final EIR Table 3-2 Cumulative Projects List has been updated.
AVAC-15	Please refer to Final EIR Section 4.1.1.1 (Aesthetics Resources, Project Site), which has been clarified as follows (clarification in *italics*): "RVs are currently allowed to park *and camp* on the ocean-side of Avila Beach Drive across from the parking area, which blocks views of the ocean as seen from Avila Beach Drive".
AVAC-16	Photo-simulations show continued RV parking on Avila Beach Drive, because this use will continue to be allowed. RV camping would be discontinued. No changes to the EIR are necessary.

Comment No.	Response
AVAC-17	RV camping on Avila Beach Drive would be discontinued; daytime vehicle and RV parking would be allowed. No changes to the EIR are necessary.
AVAC-18	Please refer to Final EIR Section 4.1.5 (Project Specific Impacts and Mitigation Measures, Create Glare or Night Lighting), which has been clarified by including the following: "*Glare from RV and vehicle windshields may also occur; however, the duration of the glare would be short-term during the day, and implementation of the proposed landscape plan would provide screening. Therefore, the effect would be less than significant"*.
AVAC-19	The aesthetics analysis considers potential impacts of the project on the current environmental setting, which includes RV camping and parking on Avila Beach Drive, and RV camping on the project site. The photo-simulations used to assist environmental review include continued allowed daytime RV parking on Avila Beach Drive. At this time, County Public Works does not prohibit RV parking on the roadside. RV parking is, and will continue to be allowed within the Harbor parking lot; therefore, no additional mitigation is required. No changes to the EIR are necessary.
AVAC-20	Please refer to EIR Section 4.1.2.2 (Aesthetic Resources, Local Regulations and Policies, County of San Luis Obispo Local Coastal Program, Harbor Terrace), which identifies planning area standards specific to the allowable height and development and landscaping standards. The site plan identifies specific areas for proposed development, including an identified commercial area and location of the commercial use structures and types of visitor service and commercial uses. Additional performance standards are identified in mitigation measures AES/mm-1 through AES/mm-4, based on the aesthetics evaluation documented in EIR Section 4.3 (Aesthetics Resources). Architectural designs and the landscaping plan will comply with mitigation measure performance standards, and will be reviewed and approved by the Harbor Commission, with input through public comment. All mitigation measures and approved plans would be incorporated into plans prior to the County's release of grading and construction permits. No changes to the EIR are necessary.
AVAC-21	Applicable mitigation measures identified in the Port Master Plan Program EIR are appended to the EIR (Appendix B) and listed in the Regulatory Setting for each resource topic. For clarity, these measures are now included in full within the mitigation section for each applicable impact.
AVAC-22	The EIR states that "emergency response times to the service area of the Los Osos Sheriff's Substation depends on a variety of factors which influence emergency and non-emergency calls. The location of the call and its priority (i.e., emergency status) determine the length of time for a law enforcement response. It is the Sheriff's Department objective to have a patrol car in the vicinity of the Avila Beach area most of the time. If a patrol car is in the vicinity, an emergency response time of 3 to 5 minutes can be expected". EIR Section 4.10.1.2 (Public Services and Utilities, Police Protection) has been clarified by including the following: "*The Sheriff's Department notes an average response times ranging from 12 to 49 minutes upon dispatch from the Los Osos station or north coast areas*." This clarification does not change the impact determination identified in the EIR.

Comment No.	Response
AVAC-23	EIR Section 4.11.1.1 (Transportation and Traffic, Existing Conditions, Roadway Network) has been clarified to incorporate information from EIR Section 4.7.1. (Hazards and Hazardous Materials, Existing Conditions), as follows: "*Access to the Port is currently limited to Avila Beach Drive. Emergency evacuation via Diablo Canyon Road is recognized by the Harbor District, PG&E, the County Office of Emergency Services (County of San Luis Obispo 2014), and CAL FIRE (CAL FIRE 2002)*".
AVAC-24	EIR Section 4.11.1.3 (Transportation and Traffic, Transit Services) has been clarified as follows (additional clarification in *italics*): "The Avila Beach Trolley provides free fixed route service between Pismo Beach and Avila Beach on Friday evenings, *and* Saturdays, and Sundays during the *spring,* summer, *and fall*. There is an existing Trolley stop within the Harford Pier parking lot. Weekend service is provided hourly between 10:00 a.m. and 6:00 p.m. d*uring the summer, and between 10:00 a.m. and 4:00 p.m. in the spring and fall*. The Trolley connects to the South County Transit network which serves the Five Cities area with four routes, *and completes the full route each hour. The capacity of the Trolley is 29 persons.* The San Luis Obispo Regional Transit Authority (RTA) provides regional fixed-route and dial-a-ride services to San Luis Obispo County. Route 10 serves the South County, with a stop in Pismo Beach. *Transit bus capacity ranges from 32 to 38 passengers*".
AVAC-25	EIR Section 4.11.1.5 (Transportation and Traffic, Seasonal Traffic) has been clarified by removing the noted inconsistent text. The following text remains in the EIR: "Typically, traffic varies during the week with Thursday and Friday being the busiest weekdays and Saturdays being the busiest weekend day. This trait consistently occurs at several locations for both summer and non-summer conditions. While the percentage increase in summer weekend traffic over summer weekday traffic is significant at the major access routes to the beach area, the largest changes occur on streets in the town".
AVAC-26	The threshold of significance applies to the proposed project. No changes to the EIR are necessary.
AVAC-27	The traffic analysis was prepared pursuant to the County's LCP and Avila Valley Circulation Study, and based on methodology directed by County Public Works, and assesses if the project would result in a significant impact based on County thresholds of significance. The project would not result in a change in level of service below LOS C, assuming full occupancy. The LOS standard was established by the County in order to focus on the normal demand, which drives road improvement requirements. As noted in the EIR, the maintenance of acceptable levels of service (LOS) for the Avila Valley and Avila Beach area streets is important for balancing future development with the reasonable level and scale of roadway improvements in the community. The EIR recognizes that seasonal and short-term increases in traffic currently occur during special events. The project will mitigate for traffic through payment of traffic fees, which will be applied by the County towards area-wide improvements identified in the Avila Circulation Study. Mitigation is based on peak hour trips, and in this case, assumes full occupancy. No off-site mitigation has been identified by the County. No changes to the EIR are necessary.

Comment No.	Response
AVAC-28	The following clarification has been incorporated into the Final EIR regarding less than significant short-term effects related to construction traffic: *"Construction of the proposed project would result in the use of local roadways for the transport of equipment and materials to the project site. Due to the short-term nature of the construction period, the effects would be less than significant (Class III), and would therefore not require off-site road improvements. Prior to issuance of grading and construction permits, a Construction Traffic Mitigation Plan would be prepared, and would be implemented during the grading and construction phases. The following measure would be incorporated into the project:* *TR/mm-1 Prior to construction, the Harbor District or their designee shall prepare a Construction Traffic Mitigation Plan for review and approval by County Public Works. The Plan shall be implemented during construction, and shall include, but not be limited to, the following elements:* *a. Description of construction activities, including equipment lists and project schedule, including estimated start and end dates and working hours;* *b. Name of on-site construction manager;* *c. Identification of the work area, truck route(s), and staging areas in relation to cross streets, including all distances and dimensions;* *d. Traffic control plan, including: all temporary traffic control devices including signs and delineators; use of construction staff to manage or direct traffic; measures to reduce truck and equipment queuing on County streets; and safety measures for vehicles, pedestrians, bicyclists, and construction workers;* *e. Avoidance of peak traffic hours based on consultation with the County Public Works Department."*
AVAC-29	Based on existing conditions identified in the EIR related to regional parking demands, and the analysis presented in the Port Master Plan Program EIR (EIR Section 4.11.2 Regulatory Setting), and the standards identified in the San Luis Bay Area Plan, the project includes a 48,000-square foot public parking area, and includes removal of RV camping on Avila Beach Drive. These measures were required to address the project's effect on the demand for parking in the area. Development of additional parking within Avila Beach is not within the scope of the project, and the Harbor District will continue to coordinate with the County regarding regional demands for parking due to the build-out of the Avila Beach area, consistent with the existing Parking Management Plan referenced and summarized in the EIR. No changes to the EIR are necessary.
AVAC-30	The Harbor Commission will consider the commenter's request for message signs located off-site. No changes to the EIR are necessary.
AVAC-31	As discussed in the project description (EIR Chapter 2), the project includes two crosswalks across Avila Beach Drive. One crosswalk would be located at the Babe Lane entrance, and the second would be located at the second access road east of Diablo Canyon Road. Installation of a signal at the project intersections is not warranted based on the traffic analysis and review by County Public Works. The Harbor Commission may consider additional features associated with the proposed crosswalks, based on consultation and approval by the County Public Works Department. No changes to the EIR are necessary.

Comment No.	Response
AVAC-32	Please refer to mitigation measure TR/mm-3: "For the life of the project, a clear sight triangle of at least 300 feet of stopping sight distance, and 440 feet of intersection sight distance shall be maintained at each access approach to Avila Beach Drive. This shall be achieved through long-term management of vegetation and limitations on parking on Avila Beach Drive". In addition, the Harbor District would continue to coordinate with the County regarding regional road improvements, including the County-proposed bicycle and pedestrian improvements along Avila Beach Drive. No changes to the EIR are necessary.
AVAC-33	As noted in the EIR, construction of a turn lane was evaluated based on full occupancy of the proposed project, and consideration of peak hour trips during a specified time period (second week in May), as required by the County Public Works Department, San Luis Bay Area Plan, and use of the Avila Traffic Model. Use of these existing standards, including the County-adopted traffic model, are required by the County in order to determine the reasonable and appropriate level and extent of road improvements and facilities in the Avila/Port San Luis area. No changes to the EIR are necessary.
AVAC-34	The cumulative impact analysis identified in the EIR was prepared using the County's Avila Traffic Model, as required by the County and adopted San Luis Bay Area Plan and Avila Valley Circulation Study. Use of these existing standards, including the County-adopted traffic model, are required by the County in order to determine the reasonable and appropriate level and extent of road improvements and facilities in the Avila/Port San Luis area under cumulative conditions. In addition, payment of traffic fees based on peak hour trips would be required, and the County would apply these fees to address area-wide improvements identified the Avila Valley Circulation Study. No changes to the EIR are necessary.
AVAC-35	The existing conditions described in the EIR provide the environmental baseline and context of the project both within the project boundaries, and proximate areas within the Port Master Plan area, including Fisherman's Beach (Sandy Area). The EIR describes special-status species with the potential to occur on the project site based on existing habitat, and notes whether special-status species were observed during biological surveys conducted onsite. Tidewater goby is identified in the description of species present within the San Luis Creek lagoon (refer to EIR Section 4.3.1.1 Biological Resources, Regional Setting, Estuarine). No changes to the EIR are necessary.
AVAC-36	The EIR has been clarified as follows: "The San Luis Coastal Area Plan identifies Environmental Sensitive Habitat Areas (ESHAs) and Sensitive Resource Areas (SRAs) *within and proximate to the project site*". The San Luis Creek Estuary and the creek along Diablo Canyon Road are included in the discussion to provide context, and to confirm that the project site is located outside of identified buffers. SRA is spelled out in the first mention, within the first paragraph of section 4.3.1.3 (Environmentally Sensitive Habitat).
AVAC-37	The EIR discussion has been clarified to note that purple needlegrass is identified within the valley needlegrass grassland vegetation classification: "Non-native grassland and valley needle grassland *including bunches of purple needlegrass* are located on the upper slopes of the project site".

Comment No.	Response
AVAC-38	Table 4.3.1 identifies special-status species that have the potential to occur within the project site based on existing habitat conditions, and provides information for the decision makers and the public. No changes to the EIR are necessary.
AVAC-39	Table 4.3.1 identifies a natural community of concern that has the potential to occur within the project site, and includes the results of seasonal botanical surveys conducted onsite to provide information for the decision makers and the public. No changes to the EIR are necessary.
AVAC-40	The EIR for the project tiers off the Program EIR for the Master Plan. The Program EIR is available for review at the Harbor District office, and the results of the Program EIR analysis are incorporated by reference into the project EIR sections, as applicable. Recent seasonal surveys conducted for the project are documented in the EIR, and the results and findings are summarized in EIR Section 4-3 Biological Resources. A stand-alone report was not prepared. No changes to the EIR are necessary.
AVAC-41	The CNDDB database is maintained by the California Department of Fish and Wildlife, and is available through Rarefind 5.0. Relevant output from the CNDDB is presented in Appendix D of the EIR. The CNPS Inventory is maintained by the California Native Plant Society, and is available for review at www.cnps.org. No changes to the EIR are necessary.
AVAC-42	The EIR analysis identifies what species have the potential to occur onsite based on site elevation, soil conditions, and habitat. This information is provided for informational disclosure in the EIR. No changes to the EIR are necessary.
AVAC-43	Based on the transient nature of wildlife, the EIR considers what special-status wildlife species may be present in the area. The analysis also considers the specific habitat conditions on the project sites to further define if special-status species could be present onsite in the future. No woodrats were observed during the surveys; however, middens were observed as documented in the EIR, including within Table 4.3-2 Special-status Wildlife Species Investigated for Potential Occurrence. This information provides substantial evidence for the impact analysis and identification of appropriate mitigation measures. No changes to the EIR are necessary.
AVAC-44	Please refer to BIO Impact 1, which identifies a potentially significant impact to avian species during construction of the project. The identified impact relates to nesting activity, because non-nesting birds would be able to avoid the construction area and forage within adjacent habitats unaffected by the project. Mitigation measure BIO/mm-3 (nesting bird surveys) is required. No changes to the EIR are necessary.
AVAC-45	The EIR analysis identifies what species have the potential to occur onsite based on site elevation, soil conditions, and habitat. This information is provided for informational disclosure in the EIR. No changes to the EIR are necessary.
AVAC-46	The description of common wildlife species identifies both observed species and species known to occur in the area. No changes to the EIR are necessary.
AVAC-47	Thank you for your comment; no changes to the EIR are necessary.

Comment No.	Response
AVAC-48	The regulatory setting is provided as information for the decision makers and the public. Biological productivity of coastal waters is addressed through review of specific projects identified in the Port Master Plan, and the effects of those projects on the marine environment. No changes to the EIR are necessary.
AVAC-49	Restoration is identified in compliance with the San Luis Bay Area Plan. No changes to the EIR are necessary.
AVAC-50	Pets would be allowed within the development areas identified in the project site plan. Compliance with access restrictions for pets would be monitored during operation by the campground manager. No changes to the EIR are necessary.
AVAC-51	Restoration plans include native and drought-tolerant species, consistent with coastal habitats present in the upper slopes of the project site and off-site surrounding areas. No changes to the EIR are necessary.
AVAC-52	The mitigation measures identified in the Port Master Plan Program EIR are carried forward, as applicable to the project. As proposed, the project would avoid removal of existing mature oak trees. No changes to the EIR are necessary.
AVAC-53	The mitigation measures identified in the Port Master Plan Program EIR are carried forward, as applicable to the project. No changes to the EIR are necessary.
AVAC-54	The survey results are presented in the EIR (refer to Table 4.3-1 Special-Status Plant Species Evaluated for Potential Occurrence). No changes to the EIR are necessary.
AVAC-55	Based on the project design, opportunities for restoration of ruderal/disturbed areas are present within the project site. Purple needlegrass is a species included in the valley needlegrass vegetation classification. No changes to the EIR are necessary.
AVAC-56	Biological continuance refers to existing native habitats. No changes to the EIR are necessary.
AVAC-57	The mitigation measures identified in the Port Master Plan Program EIR are carried forward, as applicable to the project. No changes to the EIR are necessary.
AVAC-58	No shoreline structures are proposed; however, this measure is included because crosswalk improvements are proposed, in addition to a potential left turn lane on Avila Beach Drive. No changes to the EIR are necessary.
AVAC-59	Coastal access is monitored by the Harbor District during operation of beaches and coastal-dependent uses within the Port San Luis Master Plan area. No changes to the EIR are necessary.
AVAC-60	Valley needlegrass grasslands is a vegetative habitat type located on the project site. Additional clarification is included in the Final EIR (refer to Final EIR Section 4.3.1.4 Biological Resources Native and Important Vegetation). Please also refer to response to comment CCC-15.

Comment No.	Response
AVAC-61	Please refer to EIR Section 4.3.1.4 (Biological Resources, Native and Important Vegetation), which describes the ornamental trees and vegetation near Babe Lane including pepper trees, Monterey pines, blue gum eucalyptus, and Italian cypress. As described in the project description, preparation of the project site for development may include removal of grasses, shrubs, and non-native tree species within the development footprint (refer to EIR Section 2.4.2 Project Description, Site Preparation). Bio Impact 1 discussion (Effects on Special-Status Species and Habitat) identifies removal of "ornamental and Eucalyptus", which includes pepper, pine, eucalyptus, and Italian cypress trees. Mature oak trees and native oak woodland onsite would remain. In the long term, the landscape plan includes trees, which would provide habitat and foraging opportunities for birds. No changes to the EIR are necessary.
AVAC-62	Due to the transient nature of terrestrial animals and birds, a pre-construction survey is required to ensure that no special-status animal species are present onsite prior to grading and construction activities. No changes to the EIR are necessary.
AVAC-63	Please note that mitigation measures BIO/mm-3 includes a provision if the nesting bird season cannot feasibly be avoided, a ground and tree-nesting bird survey is required, and buffer zones would be established if an active nest is present. No changes to the EIR are necessary.
AVAC-64	No mature oak trees are proposed for removal. These measures are in place for the construction manager to ensure no oak trees are removed during site preparation, grading, and construction activities. No changes to the EIR are necessary.
AVAC-65	The loss of vegetative habitats was determined through onsite mapping, and overlaying the proposed development over the vegetative habitat map. Amounts were quantified using Geographic Information System (GIS). The proposed landscape plan includes native species complimentary to the native habitats within the previously-undisturbed portions of the property. As noted by the commenter, ruderal/disturbed vegetation dominates the project site. The purpose of the EIR section is to describe the existing conditions (baseline environmental setting), identify potential physical impacts on the environment as a result of the proposed project based on adopted thresholds of significance, and present measures to feasibly avoid or reduce environmental effects during both construction and operation. No changes to the EIR are necessary.
AVAC-66	Based on the design of the proposed project, limited removal of native plants would occur. No changes to the EIR are necessary.
AVAC-67	The Port San Luis Master Plan Program EIR identifies potential impacts and mitigation measures, and the Harbor Commission adopted findings stating that these impacts would be mitigated to less than significant. The requirement of the cumulative impacts analysis is to consider the incremental impact of the project when added to other, closely related past, present, or reasonably foreseeable probable future projects, such as the Avila Tank Farm project. The intent of the analysis is not to identify how another project may affect the proposed project, but rather, the cumulative effects to identified resources such as native habitats, special-status species, and nesting birds. No changes to the EIR are necessary.

Comment No.	Response
AVAC-68	The project EIR is tiered off the Program EIR for the Port San Luis Master Plan. Based on the Final EIR, which was certified prior to approval of the Master Plan and Local Coastal Plan Amendment to the San Luis Bay Area Plan, the noted Phase I surface survey was conducted (Gibson 1996) for the project site. As documented in the EIR (Section 4.4-9), the report identified three intact archaeological sites, all of which are located outside of the project grading and development area, and would remain intake and unaffected by the project. No trails or public or private use areas would be located outside of the development footprint, or within identified archaeological sites. The report did not identify any locations within the currently proposed grading and development area that would require further review. The report is confidential because release of information regarding the specific location of archaeological sites may result in damage to the resource, such as looting. Based on the substantial evidence documented in the Program EIR for the Port San Luis Master Plan and associated documentation, no changes to the EIR are necessary.
AVAC-69	Please refer to Final EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting, Archaeological Resources), which has been expanded as follows: "*Native American coordination was conducted during preparation of the EIR. Responding parties included representatives from the Northern Chumash Tribal Council and the Northern Chumash Tribe yak tityu tityu. Both representatives noted the cultural significance of the Port San Luis/Avila Beach area, and an interconnected Native American village complex extending from Indian Head Point to the Port San Luis Lighthouse. Evidence of this village complex is supported by the archaeological records available for the area*". Please refer to EIR Section 2.2.1 (Project Description, History of Harbor Terrace), which includes additional information regarding the modern history of the project site.
AVAC-70	The EIR analyzes the project as proposed. Based on the proposed grading and development footprint, the noted archaeological sites would be avoided. No changes to the EIR are necessary.
AVAC-71	Please refer to response to AVAC-68 above. The development footprint is located in areas previously disturbed by development of the oil tank farm and modern uses as a trailer park, RV campsites, marine storage, and Harbor District facilities. The area's topography, soils, and vegetation were substantially altered by past development and use. The proposed project does not include development within the upper elevations of the project site; these areas would retain their natural context. No changes to the EIR are necessary.
AVAC-72	The project site does not retain evidence of historic built environments, such as structures, building foundations, or other features of historical significance. Therefore, further evaluation of the site is not required. No changes to the EIR are necessary.
AVAC-73	As noted in EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting), the native soils and underlying geologic units with the potential for paleontological discovery are located beneath colluvium, landslide debris, and fill soil. These native soils are not currently accessible without major grading. It is anticipated that proposed grading activities would expose native soils, and would allow for the paleontological monitor to identify and document any discovered resources (refer to mitigation measure CULT/mm-5). No changes to the EIR are necessary.

Comment No.	Response
AVAC-74	The project site does not contain any historic structures or features; therefore, there are no historic resources present for further evaluation or inclusion on the California Register of Historical Resources list. No changes to the EIR are necessary.
AVAC-75	Please refer to response to AVAC-68 above. The site has been surveyed and evaluated, as documented in EIR Section 4-4 Cultural Resources. Based on the general archaeological sensitivity of the region, implementation of a Monitoring Plan and compliance with identified performance standards is recommended to ensure potential impacts to previously undiscovered subsurface resources are mitigated to less than significant. Monitoring activities would be conducted by a qualified archaeologist and Native American monitor. No changes to the EIR are necessary.
AVAC-76	The documented archaeological sites would be preserved by the proposed project. In the event undiscovered subsurface resources are encountered during grading activities and archaeological monitoring, the archaeologist and Native American monitor would evaluate the resource and identify the appropriate methods to mitigate potential effects, as outlined in the approved Monitoring Plan. Appropriate methods may include preservation of the resources. No changes to the EIR are necessary.
AVAC-77	The project site is within the Archaeologically Sensitive (AS) combining designation overlay, which indicates that archaeological resources are present in the area. The sensitivity is supported by the presence of archaeological sites in the immediate area, and as documented in the EIR. No changes to the EIR are necessary.
AVAC-78	Please refer to response to AVAC-68 above. Documented archaeological sites would be avoided by the project, and no further evaluation or mitigation is required to protect these resources. The developer's plans would be consistent with the approved project, and would not include grading or construction outside of the identified grading and development footprint; therefore, all future plans would avoid documented archaeological sites. Preparation and implementation of the Monitoring Plan is identified to provide additional protection for undiscovered subsurface resources. The Monitoring Plan would be approved by the County, and provided to the developer. No changes to the EIR are necessary.
AVAC-79	The Environmental Coordinator is an employee of the San Luis Obispo County Planning and Building Department, and the County reviewed the Draft EIR and identified mitigation measures. The County "review authority" will consist of the Planning Commission; a decision making body that will consider the proposed Coastal Development Permit and identified mitigation measures, findings, and conditions of approval. Regarding Coastal Zone Land Use Ordinance Section 23.07.104c, in this case, no significant archaeological sites would be affected by the proposed project, and no further evaluation or mitigation is necessary for these sites. No changes to the EIR are necessary.
AVAC-80	The archaeological report and Draft EIR were provided to interested Native American tribal representatives, and their comments are included in this Final EIR. A mitigation plan is not required for the documented archaeological sites, because these sites would be avoided by the proposed project. No changes to the EIR are necessary.

Comment No.	Response
AVAC-81	An archaeological survey was conducted for the project site, and the results are incorporated by reference into the EIR. The proposed site plan would avoid documented resources. No changes to the EIR are necessary.
AVAC-82	The Draft EIR was submitted to SHPO for review; no comments were received. The Draft EIR was provided to interested Native American tribal representatives, and meetings and site visits were conducted as requested. No changes to the EIR are necessary.
AVAC-83	Yes; based on the archaeological survey conducted on the project site and adjacent properties, significant archaeological resources are present proximate to the proposed project. The results of the survey are presented in the Program EIR for the Port San Luis Master Plan and are incorporated by reference into the project EIR. No changes to the EIR are necessary.
AVAC-84	The archaeological survey documents and maps archaeological sites proximate to the proposed project. No archaeological or historic resources were observed within the area proposed for grading and development. No changes to the EIR are necessary.
AVAC-85	As documented in the EIR, the project site is located in a culturally sensitive area, based on the known presence of significant cultural resources. Based on this sensitivity, appropriate surveys were conducted to identify the specific location of archaeological resources (there is no built environment to evaluate for historic resources). Paleontological sensitivity is identified based on the potential for a geologic formation within an area to produce intact fossils. The locations of documented resources are not shown on a map in order to prevent disturbance and looting of these sites. The project would be located within areas previously disturbed and developed by past uses, and would avoid these known sites; therefore, further evaluation is not warranted. No changes to the EIR are necessary.
AVAC-86	The CEQA Guidelines recommend avoidance as the first strategy to protect significant cultural resources; as proposed the project would avoid documented resources. Any future development plans would also avoid documented resources, because these sites are located outside of the project limits. No built environment historic resources are present onsite; therefore there are no historic resources present to evaluate. Pursuant to CEQA Statute 21083.2, a lead agency may make provisions for archaeological sites accidently discovered during construction. Based on the general archaeological sensitivity of the region, implementation of a Monitoring Plan and compliance with identified performance standards is recommended to ensure potential impacts to previously undiscovered subsurface resources are mitigated to less than significant. Monitoring activities would be conducted by a qualified archaeologist and Native American monitor. Evaluation of potential impacts, and mitigation recommendations, are based on substantial evidence documented in the EIR, including a survey of the project site and avoidance of documented and mapped resources. No changes to the EIR are necessary.
AVAC-87	As proposed, the project would avoid documented archaeological sites; therefore, the project would preserve these sites and no further mitigation for these sites is warranted. No changes to the EIR are necessary.

Comment No.	Response
AVAC-88	Pursuant to CEQA Statute 21083.2(g), a significant or "unique" archaeological resource is an artifact, object, or site that meets the following criteria: (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information. (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type. (3) Is directly associated with a scientifically recognized important prehistoric or historic event or person. Based on this definition, the archaeological sites described in the EIR are considered "unique" and impacts to these sites would be considered a significant impact. As proposed, the project avoids these sites. No changes to the EIR are necessary.
AVAC-89	Based on review of the project site, there are no built environment resources to be evaluated further. Therefore, there are no historic resources that would be affected by the project. No changes to the EIR are necessary.
AVAC-90	As noted in EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting), the native soils and underlying geologic units with the potential for paleontological discovery are located beneath colluvium, landslide debris, and fill soil. These native soils are not currently accessible without major grading. It is anticipated that proposed grading activities would expose native soils, and would allow for the paleontological monitor to identify and document any discovered resources (refer to mitigation measure CULT/mm-5). Documentation regarding archaeological resources is summarized in the EIR, and the project would avoid documented sites. More detailed information and maps related to the archaeological resources is confidential in order to protect the integrity of these resources. No changes to the EIR are necessary.
AVAC-91	Due to the potential for significant paleontological discovery in native soils underlying existing colluvium and fill material, mitigation measure CULT/mm-5 is identified, which requires preparation and implementation of a paleontological monitoring plan. Implementation of this plan would allow for onsite inspection of underlying native soils, and appropriate analysis and management of discovered resources. Therefore, potential impacts would be mitigated to less than significant. No changes to the EIR are necessary.
AVAC-92	Please refer to EIR Section 4.4.1.3 (Cultural Resources, Site Specific Setting), which describes the archaeological sites located proximate to the project site. Based on review of the archaeological report for the project site, including maps documenting the location of these sites, the project's grading and development footprint is not located within these documented sites. Maps showing the location of these sites are not included in the EIR, and are not available for public review, in order to protect the integrity of these sites. No changes to the EIR are necessary.
AVAC-93	The geologic hazard analysis was provided by Earth Systems Pacific, who has experience with this site. The analysis presents substantial evidence regarding potential geologic and soils impacts based on past study of the project site, and includes a full range of mitigation options and verifiable performance standards, as required by CEQA. Any modifications to the project, as approved by the Harbor Commission and County of San Luis Obispo through consideration of the Coastal Development Permit, would be

Comment No.	Response
	substantially consistent with the approved project and would comply with adopted mitigation measures. If changes to the project or its circumstances occurs following certification of the EIR, the lead agency is required to review the changes compared to the proposed project and determine if those changes warrant an addendum or subsequent or supplemental CEQA document. No changes to the EIR are necessary.
AVAC-94	Earth Systems Pacific conducted a review (September 19, 2014) of the Central Coast California Seismic Imaging Project Study (PG&E September 2014). Based on their review, there was no information that affected Earth Systems Pacific's conclusions and recommendations regarding the proposed project, and there was no new findings regarding the San Luis Bay Fault. No changes to the EIR are necessary.
AVAC-95	Please refer to mitigation measures GEO/mm-3 and GEO/mm-4, which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.
AVAC-96	Please refer to mitigation measures GEO/mm-3 and GEO/mm-4, which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.
AVAC-97	Please refer to mitigation measures GEO/mm-3, GEO/mm-4, and GEO/mm-5, which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.
AVAC-98	Please refer to mitigation measures GEO/mm-1, GEO/mm-2, GEO/mm-3, GEO/mm-4, GEO/mm-5, GEO/mm-8, and GEO/mm-9 which provide performance standards including incorporation of required setbacks and design measures. Compliance with these measures can be verified by the County of San Luis Obispo and County Geologist through review of the grading and construction plans, and confirmed through reporting and onsite field inspections. No changes to the EIR are necessary.

ENVIRONMENT IN THE PUBLIC INTEREST

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San Luis Obispo **COASTKEEPER®**

November 12, 2014

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

Subject: Port San Luis Harbor Terrace Development Plan DEIR

Dear Ms. Scott and Honorable Commissioners,

Thank you for the opportunity to comment on the DEIR for the Port San Luis Harbor Terrace Development Plan. The San Luis Obispo Coastkeeper, a program of Environment in the Public Interest, is organized for the purpose of ensuring that public officials charged with responsibilities for water quality, watershed protection, land use planning, and environmental protection comply fully with sound planning principles and with all environmental laws of the State. **CK-1**

After review of the Project presented in the DEIR, SLO Coastkeeper supports the Consultants proposed "Reduced Project Alternative" as the preferred project.

In addition, SLO Coastkeeper has observed the storm water filtration in and around the Harbor District parking lot and boat yard on several occasions. We have been impressed with the system installed and urge the use of a similar storm water catchment/filtering system to protect the bay waters from runoff leaving the Harbor Terrace Development. **CK-2**

Sincerely,

Gordon R. Hensley

Gordon R. Hensley
San Luis Obispo Coastkeeper

WATERKEEPER® ALLIANCE MEMBER

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9.2.5 Response to Letter from San Luis Obispo Coastkeeper

Comment No.	Response
CK-1	Thank you for your comment; no changes to the EIR are necessary.
CK-2	Please refer to the conceptual drainage plan shown in EIR Figure 2-6. The drainage plan includes the use of drainage swales, bio-treatment structures, stormdrains, and culverts to manage runoff. No changes to the EIR are necessary.

Shawna Scott

From: Santa Lucia Chapter of the Sierra Club <sierraclub8@gmail.com>
Sent: Thursday, November 13, 2014 3:15 PM
To: Shawna Scott
Subject: Sierra Club comment on Harbor Terrace DEIR



Santa Lucia Chapter
P.O. Box 15755
San Luis Obispo, CA 93406
(805) 543-8717

Nov. 13, 2014

RE: Port San Luis Harbor Terrace Development Plan EIR

Dear Ms. Scott,

We commend the District and the Conservancy on bringing forward a plan that goes a long way toward achieving the goal of providing a range of coastal related and visitor serving uses, enhance the public's enjoyment of Harbor Terrace. **SC-1**

We are concerned, however, to see 126 rv/hotel/motel units planned and only 56 car/tent and walk-in campsites. This ratio should be essentially reversed in order to conform to the intent of the LCP and its stipulation prioritizing campsites as low- and moderate-cost overnight accommodations. **SC-2**

The hotel/motel units also appear to be situated at the highest portion of the terrace. We suggest locating campsites here and relocating yurts, cabins, bungalows, etc. to the lower elevations to minimize visual intrusion **SC-3**

Overall, the Reduced Project Alternative is preferable – relocating the harbor use areas and reducing the number of hotel/motel units to 20, with all units located in areas designated as disturbed habitat, avoiding impacts to coastal scrub and valley needlegrass. While the slight reduction in existing RV spaces this alternative entails "may potentially conflict with Coastal Policies intended to increase public accessibility to the coastline," coastal management has always been a balance between public access and the protection of coastal resources. The Reduced Project Alternative offers the best balance. **SC-4**

Thank you for this opportunity to comment,

Andrew Christie, Director
Santa Lucia Chapter of the Sierra Club
P.O. Box 15755
San Luis Obispo, CA 93406

(805) 543-8717

9.2.6 Response to Letter from Sierra Club

Comment No.	Response
SC-1	Thank you for your comment; no changes to the EIR are necessary.
SC-2	Please refer to EIR Section 2.2.2.2 (Project Description, San Luis Bay Coastal Area – Planning Criteria for the Harbor Terrace Planning Sub-Area), which identifies the prescribed use ratios for the project site: "A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every 1.5 unit of hotel/motel (cabin, bungalow, inn, yurt, casita) development. A minimum of one lower-cost campsite (car or walk-in/bike-in tent campsite) must be provided for every three RV campsites". As proposed, the project meets these ratio requirements. No changes to the EIR are necessary.
SC-3	Pursuant to the San Luis Bay Area Plan, walk-in/bike-in camping is proposed near the existing access road (Babe Lane). Yurts, cabins, and bungalows are located in previously disturbed portions of the project site, and mitigation is identified in EIR Section 4-1 to address potential visual resource impacts. The commenter's suggestion regarding the locations of these facilities will be considered by the Harbor Commission. No changes to the EIR are necessary.
SC-4	Thank you for your comment; no changes to the EIR are necessary.



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Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey St., Suite C200
San Luis Obispo CA 93401

Nov. 13, 2014

Re: Port San Luis Harbor Terrace Development Plan Draft Environmental Impact Report

Dear Ms. Scott:

The San Luis Obispo County Bicycle Coalition appreciates the opportunity to comment on the Port San Luis Harbor Terrace Development Plan Draft Environmental Impact Report (Draft EIR). Our mission is to improve quality of life throughout the Central Coast though bicycle advocacy, education and inspiration. With 800 members countywide, our efforts are motivated directly by the wants and needs of residents who believe active transportation, recreation and safe streets are essential to local well-being. **SLOCBC-1**

Avila Beach and Port San Luis have long been popular destinations for area recreational cyclists. As Avila Beach has transitioned from a local beach hangout to a resort destination, vehicle traffic has significantly increased. Improvements to our roadways to accommodate bicyclists have lagged, making what used to be a pleasant pedal with little traffic from San Luis Obispo or Pismo Beach to Avila and Port San Luis much more dangerous.

Additional vehicular traffic requires more and better bicycle and pedestrian facilities. The popularity of the Bob Jones Trail from Ontario Road to Avila Beach underscores the demand for safe, convenient and pleasant bicycle routes. Our comments will address the need to upgrade the roadways and the Bob Jones Trail to better accommodate and reduce risks to bicyclists and pedestrians, and opportunities to increase both recreational and commuting bicyclists.

As the Draft EIR notes, Avila Beach and Port San Luis are accessed from US 101, San Luis Bay Drive and Avila Beach Drive. The 101 interchanges with San Luis Bay Drive and Avila Beach Drive pose serious safety risks to bicyclists and pedestrians and are not adequately addressed in the Draft EIR.

The San Luis Obispo Council of Government's (SLOCOG) Draft US 101 Corridor Mobility Master Plan suggests either a signal or roundabout to address the offset southbound off-ramps that intersect with Shell Beach Road, resulting in unpredictable traffic patterns that are particularly challenging for cyclists and pedestrians. **SLOCBC-2**

The 101/San Luis Bay Drive/Ontario intersection also poses safety risks to bicyclists and pedestrians. Crossing San Luis Bay Drive on Ontario or turning left from San Luis Bay Drive

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to Ontario are extremely risky during peak commute times and during the tourist season because of the heavy volume of vehicular traffic. **SLOCBC-2 (continued)**

The following issues also need to be adequately addressed to encourage more commuter and recreational bicyclists to cycle to and in the vicinity of Avila Beach and Port San Luis:

- Avila Beach Drive and Shell Beach Road have inconsistent shoulder widths and need to be brought up to class 2 bike lane standards. **SLOCBC-3**
- Sections of the Bob Jones Trail from the Ontario Road Trailhead to Avila Beach need to be upgraded to a 12-foot-wide paved trail with two-foot shoulders, and clear courtesy rules need to be established and enforced. Existing stretches of the trail are only eight feet wide, too narrow to safely accommodate commuters and recreational bicyclists. The narrow trail and lack of courtesy rules result in conflicts with other users, especially groups of pedestrians spread across the trail and unleashed dogs. Completion of the proposed extension of the Bob Jones Trail from the Ontario Road Trailhead to the Octagon Barn is many years away. The Bob Jones Pathway Revised Draft Environmental Impact Report Alternatives Section released for public comment by San Luis Obispo County on Oct. 20, 2014, proposes a 12-foot-wide paved trail with two-foot shoulders.
- Bicyclists riding to Avila Beach and Port San Luis from San Luis Obispo will be using Higuera Street and Ontario Road. The stretch of Higuera Street from the San Luis Obispo city limits to Ontario Road, and Ontario Road have inconsistent shoulder widths and need to be brought up to class 2 bike lane standards.
- The bridge over San Luis Creek on San Luis Bay Drive east of See Canyon Road needs to be widened and sidewalks added to both sides.
- Left and right turn lanes are needed on Avila Beach Drive at the Avila Valley Barn, which is a bottleneck during the tourist and holiday seasons.
- All employers, from Pacific Gas & Electric Co.'s Diablo Canyon, resorts – including Harbor Terrace, and Bellevue-Santa Fe Charter School to small businesses, must work with SLOCOG to develop and implement traffic reduction plans. The number of employees driving alone to Avila Beach and Port San Luis must be significantly reduced by switching to multimodal transportation options. The focus should be on moving people, not motor vehicles. **SLOCBC-4**
- The stretch of road between Avila Beach and Port San Luis is already dangerous for bicyclists and pedestrians. The "pop outs" from the mammoth recreational vehicles parked along the beach often extend into the roadway right of way, forcing bicyclists to weave in and out of the auto traffic lanes. Pedestrians, including children, and disabled individuals are forced to maneuver between parked cars and the roadway. These individuals often are carrying kayaks, surfboards, boogie boards, ice chests and beach supplies, exacerbating the risk. The Draft EIR needs to address the risk and possible mitigations, including installation of protected bike lanes and a separate walking path. **SLOCBC-5**
- How will the project encourage visitors to the proposed Harbor Terrace to leave their vehicles parked during their visit to bicycle, walk or use transit options within the project site and to Port San Luis and Avila Beach? Will the project offer rental bicycles and sell transit passes? **SLOCBC-6**

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- The Draft EIR says pedestrian volumes crossing Avila Beach Drive should be monitored to determine the need, if any, of enhanced crossing treatments such as in-pavement flashers. It should not take a fatality or serious injury to prompt enhanced crossing treatments – they should be installed before the project is open for business. **SLOCBC-7**
- Same comment on left turn lanes. The Draft EIR says monitoring of traffic levels at the project driveways during operation of the project, and further consultation with the County Department of Public Works would be implemented to make a determination of the need for left turn lanes based on field observed conditions after project occupancy. Again, it should not take a fatality or serious injury, including bicyclists and pedestrians hit by impatient motorists trying to swerve around left turning vehicles, to prompt left turn lanes. They should be installed before the project is open for business. **SLOCBC-8**
- The Port San Luis Harbor District, upon installing new curbs on the stretch of Avila Beach Drive between the Port and Avila Beach, simply spread decomposed granite, road base or some other such substrate across the top of the bluff edge and then placed the curb edge on top of that loose base. This area between the edge of the bluff and the curb is where pedestrians are supposed to walk. But the area is not compacted nor prepared for pedestrians in any way. It is loose, uneven, rutted and slippery along the bluff edge. This loose curb base construction method has degraded an already relatively unsafe pedestrian area along the bluff edge. It's inconsistent, slippery and unstable nature is a further hazard to pedestrians who must constantly steady themselves so as to not slip off the edge of the road and fall down the bluff edge. Pedestrians' only other option in place of this unsafe bluff top route is to walk immediately in the roadway along with cyclists traveling in a supposed class 3 condition and also with the automobile traffic (traveling at the posted speed limit of 40 mph). So in effect pedestrians have no safe means of travel through the corridor whatsoever. **SLOCBC-9**

We ask that the Harbor District focus on a multimodal transportation system to Avila Beach and Port San Luis that safely and conveniently moves people, and offer our assistance to help make this transition. **SLOCBC-10**

Best Regards,



Dan Rivoire
Executive Director
San Luis Obispo County Bicycle Coalition

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9.2.7 Response to Letter from San Luis Obispo County Bicycle Coalition

Comment No.	Response
SLOBC-1	Development of off-site pedestrian and bicycle facilities, aside from proposed crosswalks, is within the jurisdiction of the County, and is addressed under planning efforts for the Bob Jones Bikepath extension and multi-use Coastal Trail. The EIR recognizes current planning efforts related to regional improvements proposed by the County, and the Harbor District would contribute fair share fees as required by the County (which are applied towards regional improvements and address the project's impact on regional road and highway infrastructure), and would continue to coordinate with the County regarding future development of regional pedestrian and bicycle facilities. The Harbor Commission will consider the commenter's concerns and recommendations regarding regional improvements. No changes to the EIR are necessary.
SLOCBC-2	The Harbor District has coordinated, and will continue to coordinate, with County Public Works and County Parks regarding potential transportation and circulation-related impacts and current and future projects including the extension of the Bob Jones Bikepath and multi-use Coastal Trail. The project is located within the San Luis Bay road fee area, and the Harbor District will be required to pay County road impact fees pursuant to the existing ordinance. Based on review by the County of San Luis Obispo, no off-site road improvements are identified or required to mitigate potential impacts. Therefore, no changes to the EIR are necessary.
SLOCBC-3	As noted above (SLOCBC-1 and SLOCBC-2), the Harbor District will contribute fair share fees, which would be applied by the County Public Works Department towards road improvements in the area. No changes to the EIR are necessary.
SLOCBC-4	The proposed project includes facilities accessible, and intended for, bicyclists. The project site is also accessible by transit and trolley facilities. No changes to the EIR are necessary.
SLOCBC-5	Please note that implementation of the project includes removal of RV campsites on Avila Beach Drive. The Harbor District has coordinated, and will continue to coordinate with County Public Works and County Parks regarding improvements to Avila Beach Drive and the development of the Bob Jones Bikepath and multi-use Coastal Trail. Development of additional bikepaths and walkways outside of the project footprint have not been identified as a requirement by the County, and the Harbor District will contribute fair share fees to County Public Works for implementation of regional transportation improvements identified in the Avila Valley Circulation Study. No changes to the EIR are necessary.
SLOCBC-6	Operation of the proposed project would include provision of information to overnight guests and the public, which is currently available online on the Harbor District's website. No changes to the EIR are necessary.
SLOCBC-7	The proposed project currently includes the establishment of crosswalks at each of the two proposed project access roads. The Harbor District will coordinate with County Public Works regarding any additional features, as the roadway is within the County's jurisdiction.

Comment No.	Response
SLOCBC-8	Based on the location of the project, and traffic analysis conducted during the EIR analysis, a majority of vehicles entering the project site will be approaching from the east, and will make right turns into one of the proposed access driveways. Therefore, it is appropriate to monitor traffic patterns during operation to determine if a left turn lane is warranted in this location. No changes to the EIR are necessary.
SLOCBC-9	Please refer to response to comment SLOCBC-5 regarding offsite regional improvements. No changes to the EIR are necessary.
SLOCBC-10	Please refer to responses to comments above; no changes to the EIR are necessary.

9.3 PUBLIC COMMENTS

The following members of the general public have submitted comments on the Draft EIR.

Respondent	Code	Contact Information	Page
Eric Meyer Email dated: November 7, 2014	EM	P.O. Box 16160 San Luis Obispo, CA 93406 Email: frenchbicycles@gmail.com	9-90
Carolyn Moffatt Letter dated: [undated]	CM	1096 Noyes Road Arroyo Grande, CA 93420 Email: floydorcarolyn@hotmail.com	9-93

Shawna Scott

From: Eric Meyer <frenchbicycles@gmail.com>
Sent: Friday, November 07, 2014 4:43 PM
To: Shawna Scott
Subject: Harbor Terrace EIR comments

To Shawna Scott,
RE: Port San Luis Harbor Terrace EIR
Nov. 7, 2014

EM-1

The majority of the users of the proposed Harbor Terrace facility will arrive via RV. These RV's arrive onsite and then require a certain amount of set up (leveling jacks, awning poles, sewage and power hookups, extension of side pop outs, etc.) Once the RV's are set up as campsites... they tend to remain in place for the duration of the user's visit. The users of the RV's then tend to make the majority of their trips to and from the campsite as a pedestrian or via bicycle.

I do not see where the increase in easterly or westerly pedestrian, handicapped or bicycle trips has been taken into consideration by this EIR.

EM-2

Avila Beach Drive between the project and Avila Beach is classified as a class 3 bike trail. However there is currently no appropriate facility for pedestrians or for disabled visitors to travel in either a westerly or easterly direction along Avila Beach Drive from the project area. As such pedestrians and disabled people in route to Avila Beach are now forced to travel between the parked cars along the unimproved edge of road... or between the parked cars and the travel lanes in the same location as the class three bike lane. The parked cars often include RV's... and these same RV's often extend their side pop outs from the parking area into the travel lane... or into the area between the parked cars and the edge of the road.

The Port is already at risk for creating the current situation with their existing campsite and parking arrangements along Avila Beach drive... and for encouraging and indeed promoting their facility as a tourist destination... and an attractive beach... without providing a safe route for pedestrians and handicapped people to effectively negotiate their way to the amenities advertised from the current campsites without walking in the auto/bike travel lanes.

The project exacerbates an already unsafe condition whereby the pedestrian, coming from the existing camping facilities, in route to Avila Beach or in route to Old Port Beach and often carrying kayaks, surfboards, boogie boards, coolers etc., is forced to walk within the 40MPH automobile travel lane next to cars and directly in the path of bicyclists and automobiles. Same goes for any handicapped users of the Project... they are traveling in an unsafe condition from their campsite... to any other destination accessed via Avila Beach Drive.

Because there is currently no official place for the pedestrian or the ADA user... that user is currently forced into using the class three bicycle facility and this then creates an additional unsafe condition for the class three bike lane user... who should have some expectation of his authority to use the right of way... but who much currently give way that authority and negotiate around the pedestrians, the doorways of people entering and exiting automobiles, the handicapped people, and the pop outs of the RV's while simultaneously considering the cars traveling within the same lane at 40 MPH. To sign such a route as a class three bike route... given all the obstacles that the design creates... gives an artificial sense of safety to the cyclists and thus creates an unsafe condition whereby the Port could be named liable in the event of an interaction where a pedestrian, having been

1

given no other option but to walk in the travel lane, then causes a cyclist to swerve into traffic and be hit by an automobile.

EM-2 (continued)

For this reason this stretch of roadway between Avila and Port San Luis is currently an unsafe place to walk or ride your bicycle. For the Port to continue to add additional pedestrians, bicycles, and handicapped people to this already unsafe condition demands mitigation.

In addition... there is no adequate ada crossing over San Luis Obispo Creek just west of First St. in Avila. The pedestrian and or handicapped individual must compete for space with cars and cyclists within the travel lanes in order to cross the bridge. There is absolutely no way for two handicapped individuals in wheelchairs to pass one another without one of them being forced to cross the traffic lanes... or swerve into the auto traffic lanes.

EM-3

During peak hour times... the ADA user and indeed even the pedestrian is placed in a dramatically inferior position to the automobile because of this situation.

When you add together the volumes of peak hour traffic created by Diablo Canyon Power Plant employees, the lack of pedestrian or ada connectivity, the fact that the pedestrians and handicapped individuals are effectively forced to walk in the bike/car lanes, and then add in the 40 MPH auto speed limit... we currently have a VERY unsafe roadway condition which... with the addition of the new pedestrian, bicycle and handicapped trips created by the project will create an even more dangerous situation.

If Harbor Terrace is to increase the visitor serving commercial nature of the location... it needs to mitigate the dangers to pedestrians, handicapped individuals and bicyclists who, by the very nature of the location must traverse an already unsafe corridor in order to reach the nearest attractive amenities such as a grocery store, post office, bike rental location, kayak rental facility or restaurant.

EM-4

When you view this project under the lens of a multi modal level of service analysis... the pedestrian, the ADA user, and the bicyclist, are forced into dramatically lower levels of service than the automobile user... and this is an unmitigated danger to the multi modal users of the corridor. The project fails to consider any of this.

Any proposed mitigation should provide safe legal separated routes of travel between the Harbor Terrace project, the Port itself, and Avila Beach, for each mode.

--
Eric Meyer
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San Luis Obispo, CA 93406

2

9.3.1 Response to Letter from Eric Meyer

Comment No.	Response
EM-1	The EIR recognizes current planning efforts related to regional improvements proposed by the County to improve multi-modal transportation in the area, such as an extension to the Bob Jones Bikepath and multi-use Coastal Trail and continued use of transit and the Avila Trolley. The Harbor District would contribute fair share fees as required by the County, and would continue to coordinate with the County regarding future development of regional pedestrian and bicycle facilities. No changes to the EIR are necessary.
EM-2	Please note that the implementation of the proposed project includes the removal of RV camping on Avila Beach Drive. Please refer to response to comment EM-1. The Harbor Commission will consider the commenter's concerns and recommendations regarding regional improvements.
EM-3	Please refer to response to comment EM-1. No changes to the EIR are necessary.
EM-4	The proposed project includes the removal of RV camping on Avila Beach Drive, and the installation of a crosswalk across Avila Beach Drive at each of the two proposed access roads. The Harbor District will contribute fair share fees to the County Public Works Department for application towards regional roadway and accessibility improvements. Development of additional off-site improvements has not been identified as a required improvement by the County Public Works Department. No changes to the EIR are necessary.

Port San Luis Harbor District
c/o Shawna Scott, Senior Planner
SWCA Environmental Consultants
1422 Monterey Street
San Luis Obispo, Ca 93401

Re: Comments
Harbor Terrace Development Plan
Environmental Impact Report

Port San Luis has systematically moved toward the Harbor Terrace Project. The certified amendment was remarkably specific, the conceptual project is consistent with the LCP Amendment and both project proposals are consistent with the conceptual project. The EIR for the development plan for Port San Luis Harbor Terrace consistently follows and appropriately elaborates upon the EIR for the PSLMP and LCP Amendment. **CM-1**

There are two areas that might benefit from comment as the specific planning and permitting go forward.

Members of the Commission have indicated the desire to capture and reuse storm water runoff.. There is nothing for this and there should be. Item 10 Harbor Terrace planning Criteria b.8 appears to allow for structural facilities to retain storm water runoff (cisterns as at the Lighthouse). Water from roadways and parking lots on each terrace level can be filtered through oil/water separators (as in the boatyard) to remove contaminates before flowing into cisterns. It would be held for reuse such as fire protection, any landscape needs and possibly toilets. Overflow then would be directed into vegetative berms without carbons etc. from the roadways and parking facilities, thus protecting landscaping in the berms from toxic buildup, insuring critical water quality in the bay and avoiding the risk of contamination of dredge materials in the sport launch that might effect permitting. **CM-2**

The second area of comment regards the Landscape Preliminary Plant Species List: **CM-3**

While California sycamore are very beautiful, in recent years they have been so infected with anthracnose they have difficulty surviving in landscape. The London Plane Tree might be a better choice;

Any Acacia is extremely allergenic and perhaps not a good choice in public areas;

There are three good Arbutus including the beautiful Madrone;

Why Deodor cedar, native to the Himalayas, as opposed to the coastal redwood?

Carpenteria Californica is native at 4,000' elevation in the Sierras. Will it tolerate salt air?

Some additional species that would be appropriate are:

Catalina Ironwood would be beautiful and interesting:

Atriplex offers varieties from 12" ground cover to 10' screen. Brewer Saltbush is very fire resistant, drought tolerant and thrives in salt air and soil.;

Armeria maritime, while not native is very useful and pretty in coastal environments:

Australian natives such as Leptospermum levigatum and Melaluca lucadendron and nesophila and Grevillea noelii would thrive,add interest and be very pretty.

CM-3 (continued)

Thank you for the opportunity to review this EIR for the District's Harbor Terrace Project. I enjoyed it.

CM-4

Carolyn Moffatt
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9.3.2 Response to Letter from Carolyn Moffatt

Comment No.	Response
CM-1	Please refer to responses to specific comments below.
CM-2	Please refer to the conceptual drainage plan shown in EIR Figure 2-6. The drainage plan includes the use of drainage swales, bio-treatment structures, stormdrains, and culverts to manage runoff. Any temporary storage of stormwater and re-use within the project site would be implemented consistent with existing stormwater regulations and mitigation recommended to avoid over-saturation of onsite soils (refer to EIR Section 4-8 Hydrology and Water Quality). No changes to the EIR are necessary.
CM-3	The commenter's recommendations regarding the Landscape Preliminary Plant List will be considered by the Harbor Commission upon review of the Landscape Plan. No changes to the EIR are necessary.
CM-4	Thank you for your comment; no changes to the EIR are necessary.

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