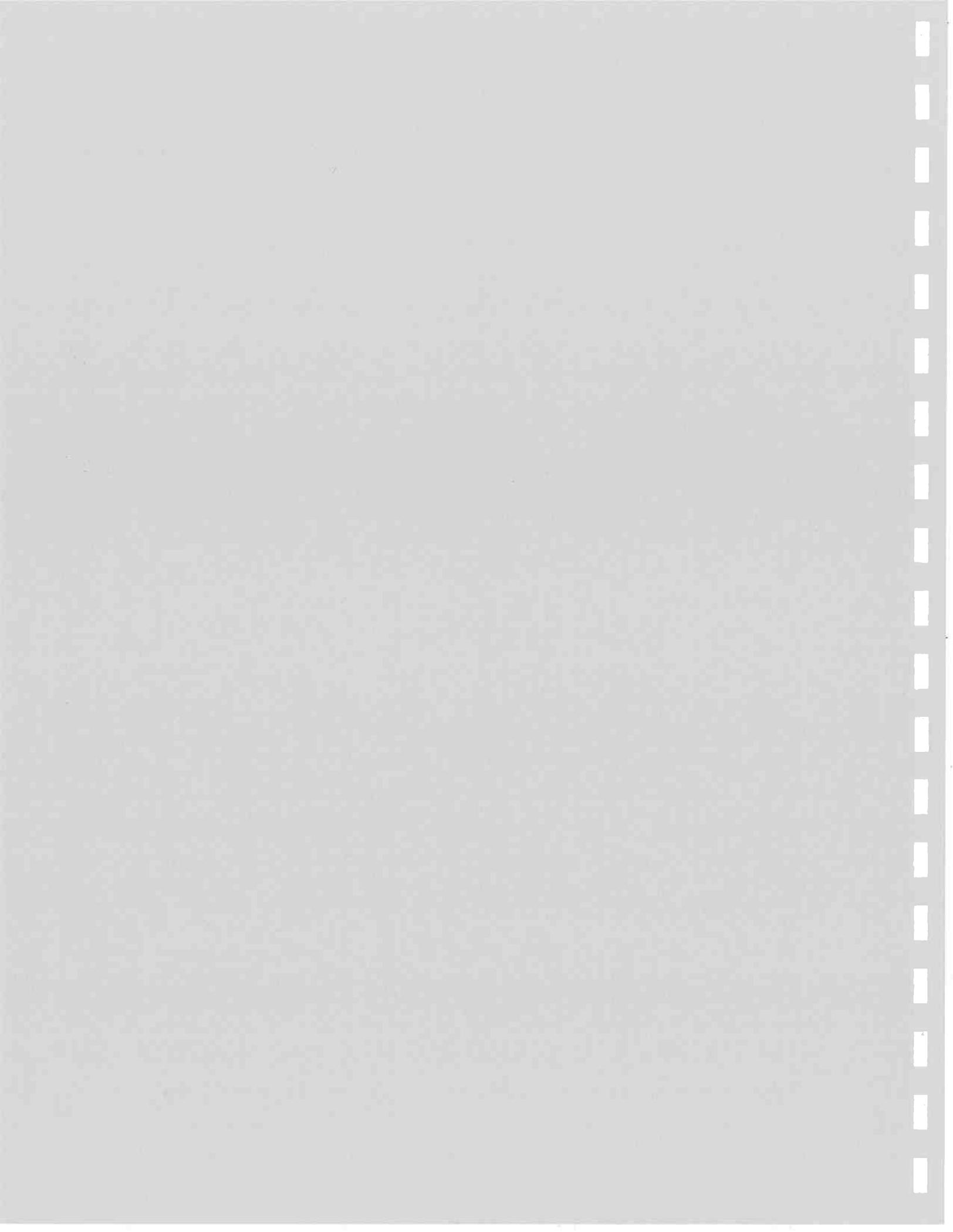




Appendix J

EIR Mitigation Measures/  
Conditions of Approval



## Mitigation Measures/Conditions of Approval

- 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<sub>10</sub> and NO<sub>x</sub> 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<sub>x</sub> engine design) in heavy equipment used to construct the project to further reduce NO<sub>x</sub> 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.
- 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:

- ~~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.~~
- *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.*

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 DEIR 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 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.
  - 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 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-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.
- 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.*

- 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).

- N-1 All construction equipment shall be in proper operating condition and fitted with factory standard silencing features.
- A haul route plan shall be prepared for review and approval by the Harbor District.
  - 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.
  - 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..
- 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 ~~Uniform~~ *California* Fire Code and other ~~City~~ 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 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 Avilla 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.
- 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.
- 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.
- 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.

