City of Morro Bay
PUBLIC SERVICES DEPARTMENT
955 SHASTA AVENUE ◆ MORRO BAY, CA 93442
805-772-6261

Public Notice of Availability

Document Type: Mitigated Negative Declaration

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY OF MORRO BAY

The City has determined that the following proposal qualifies for a

☐ **Negative Declaration** ☒ **Mitigated Negative Declaration.**

PROJECT TITLE: Frye Coastal Development Permit, Use Permit for Bluff Development

PROJECT LOCATION: 3420 Toro Lane, approximately 180 feet northwest of Yerba Buena Street, Assessor Parcel Number 065-091-022.

CITY: Morro Bay **COUNTY:** San Luis Obispo

CASE NO.: CP0-419 / UP0-383

ZONING: Single Family Residential (R-1) / Special Building Site & Yard Standards (S2.A) and Environmentally Sensitive Habitat (ESH)

PROJECT DESCRIPTION: The applicant proposes to grade for and construct a 1,538 square-foot dwelling and a 579 square-foot garage, on a vacant 10,019 square-foot beach front parcel. Plans also show a 242.4 square-foot patio area. The height of the structure is limited to a maximum of 17 feet. The proposed lot coverage is 21.2%. Project grading would require disturbance of approximately 3,483 square feet within the parcel boundaries and 1,557 square feet within the adjacent right-of-way for off-site driveway access improvements.

LEAD AGENCY: City of Morro Bay

CONTACT PERSON: Whitney McIlvaine, Contract Planner

TELEPHONE: (805) 772-6211

ADDRESS WHERE DOCUMENT MAY BE OBTAINED:

Community Development Department
955 Shasta Avenue
Morro Bay, California 93442
(805) 772-6261

PUBLIC REVIEW PERIOD: Begins: June 5 to July 8, 2015

Anyone interested in this matter is invited to comment on the document by written response or contacting the Community Development Department.

_____

Whitney McIlvaine, Contract Planner

City of Morro Bay

COMMUNITY DEVELOPMENT DEPARTMENT
955 SHASTA AVENUE ◆ MORRO BAY, CA 93442
805-772-6261

D R A F T M I T I G A T E D N E G A T I V E D E C L A R A T I O N

CEQA: CALIFORNIA ENVIRONMENTAL QUALITY ACT

CITY OF MORRO BAY
955 Shasta Avenue
Morro Bay, California 93442
805-772-6261

The State of California and the City of Morro Bay require, prior to the approval of any project, which is not exempt under CEQA, that a determination be made whether or not that project may have any significant effects on the environment. In the case of the project described below, the City has determined that the proposal qualifies for a Mitigated Negative Declaration.

CASE NO.: Coastal Development Permit CP0-419 and UP0-383

PROJECT TITLE: Frye Coastal Development Permit, Use Permit for Bluff Development

PROJECT LOCATION: 3420 Toro Lane, approximately 180 feet northwest of Yerba Buena Street, Assessor Parcel Number 065-091-022.

APPLICANT / PROJECT SPONSOR:

Project Sponsor:
Greg and Jeanne Frye
Little Morro Creek Road
Morro Bay, California 93442

Project Sponsor's Representative:
None

PROJECT DESCRIPTION: The applicant proposes to grade for and construct a 1,538 square-foot dwelling and a 579 square-foot garage, on a vacant 10,019 square-foot beach front parcel. Plans also show a 242.4 square-foot patio area. The height of the structure is limited to a maximum of 17 feet. The proposed lot coverage is 21.2%. Project grading would require disturbance of approximately 3,483 square feet within the parcel boundaries and 1,557 square feet within the adjacent right-of-way for off-site driveway access improvements.

FINDINGS OF THE COMMUNITY DEVELOPMENT DIRECTOR

It has been found that the project described above will not have a significant effect on the environment. The Initial Study includes the reasons in support of this finding. Mitigation measures are required to assure that there will not be a significant effect to the environment; these are described in the attached Initial Study and Checklist and have been included as conditions of approval.

City of Morro Bay
COMMUNITY DEVELOPMENT DEPARTMENT
955 SHASTA AVENUE ◆ MORRO BAY, CA 93442
805-772-6261

INITIAL STUDY AND CHECKLIST

I. PROJECT INFORMATION

Project Title:	Frye Coastal Development Permit, Use Permit for Bluff Development		
Case Number:	Coastal Development Permit CP0-419, Conditional Use permit UP0-383		
LEAD AGENCY:	City of Morro Bay	Phone:	(805) 772-6261
	955 Shasta Ave	Fax:	(805) 772-6268
	Morro Bay, CA 93442		
Project Sponsor:	Greg and Jeanne Frye	Phone:	(805) 235-6503
	1725 Little Morro Creek Road	Fax:	
	Morro Bay, CA 93442		
Project Landowner:	Greg and Jeanne Frye	Phone:	(805) 235-6503
Project Agent:	Chris Parker, AIA	Phone:	(805) 772-5700
	630 Quintana Road	Fax:	
	Morro Bay, CA 93442		

Project Description: The applicant proposes to grade for and construct a 1,538 square-foot dwelling and a 579 square-foot garage, on a vacant 10,019 square-foot beach front parcel. Plans also show a 242.4 square-foot patio area. The height of the structure is limited to a maximum of 17 feet. The proposed lot coverage is 21.2%. Project grading would require disturbance of approximately 3,483 square feet within the parcel boundaries and 1,557 square feet within the adjacent right-of-way for off-site driveway access improvements.

Project Location:	3420 Toro Lane, approximately 180 feet northwest of Yerba Buena Street.
Assessor Parcel Number(s)	065-091-022
General Plan Designations:	Moderate Density Residential, Environmentally Sensitive Habitat
Zoning:	Single Family Residential (R-1) / Special Building Site & Yard Standards (S2.A) and Environmentally Sensitive Habitat (ESH)

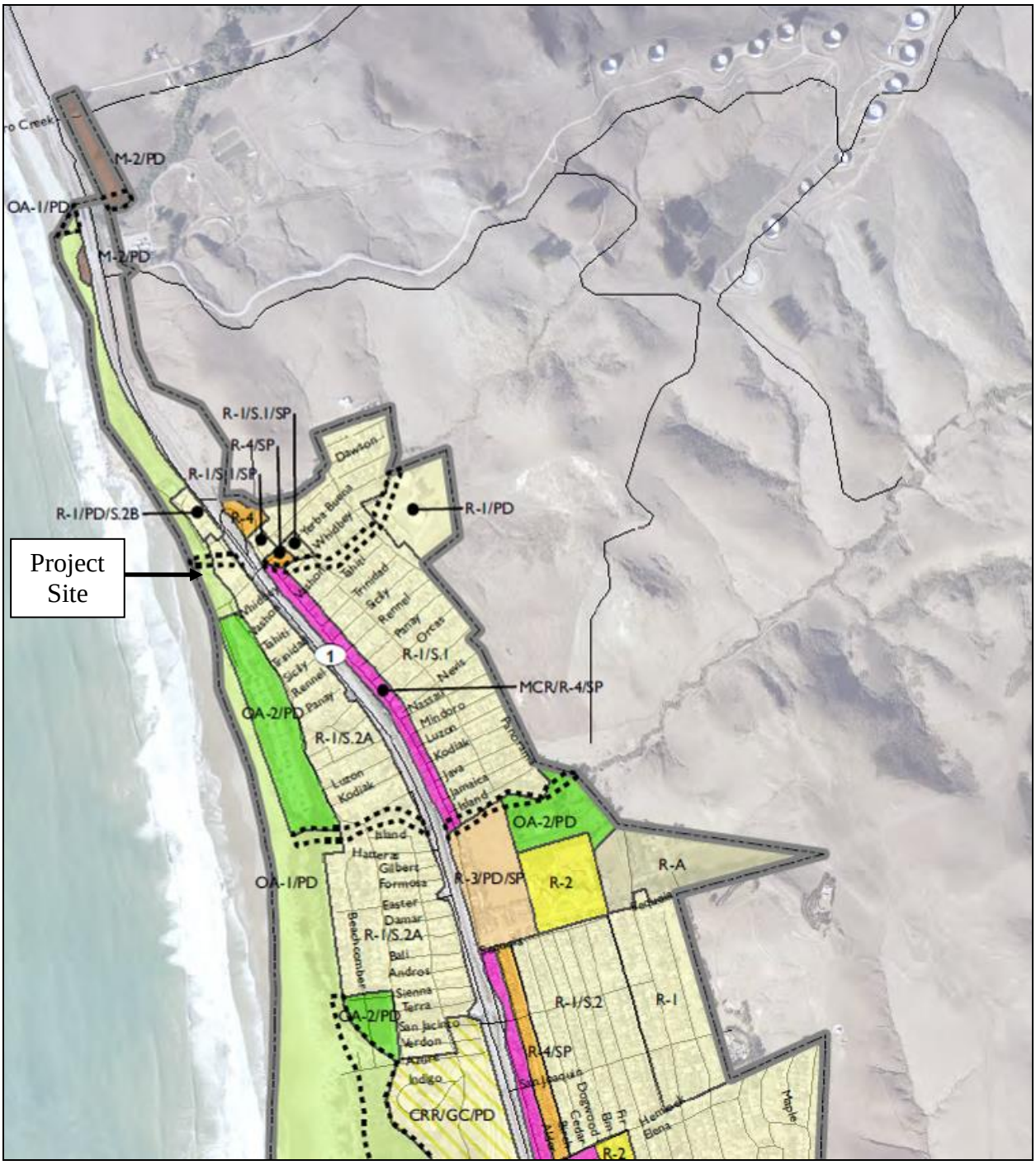
Surrounding Zoning and Land Uses	
North	Single Family Residential (R-1), Planned Development (PD) /Special Building Site & Yard Standards (S.2B)
South	Single Family Residential (R-1), Open Area 1 (OA-1) / Special Building Site & Yard Standards (S.2A)
West	Environmentally Sensitive Habitat Overlay Zone (ESH), Open Space Area 1 (OA-1) / Planned Development (PD)
East	Toro Lane and State Route 1

Other public agencies whose approval or consultation may be required (e.g., permits, or participation agreement.)

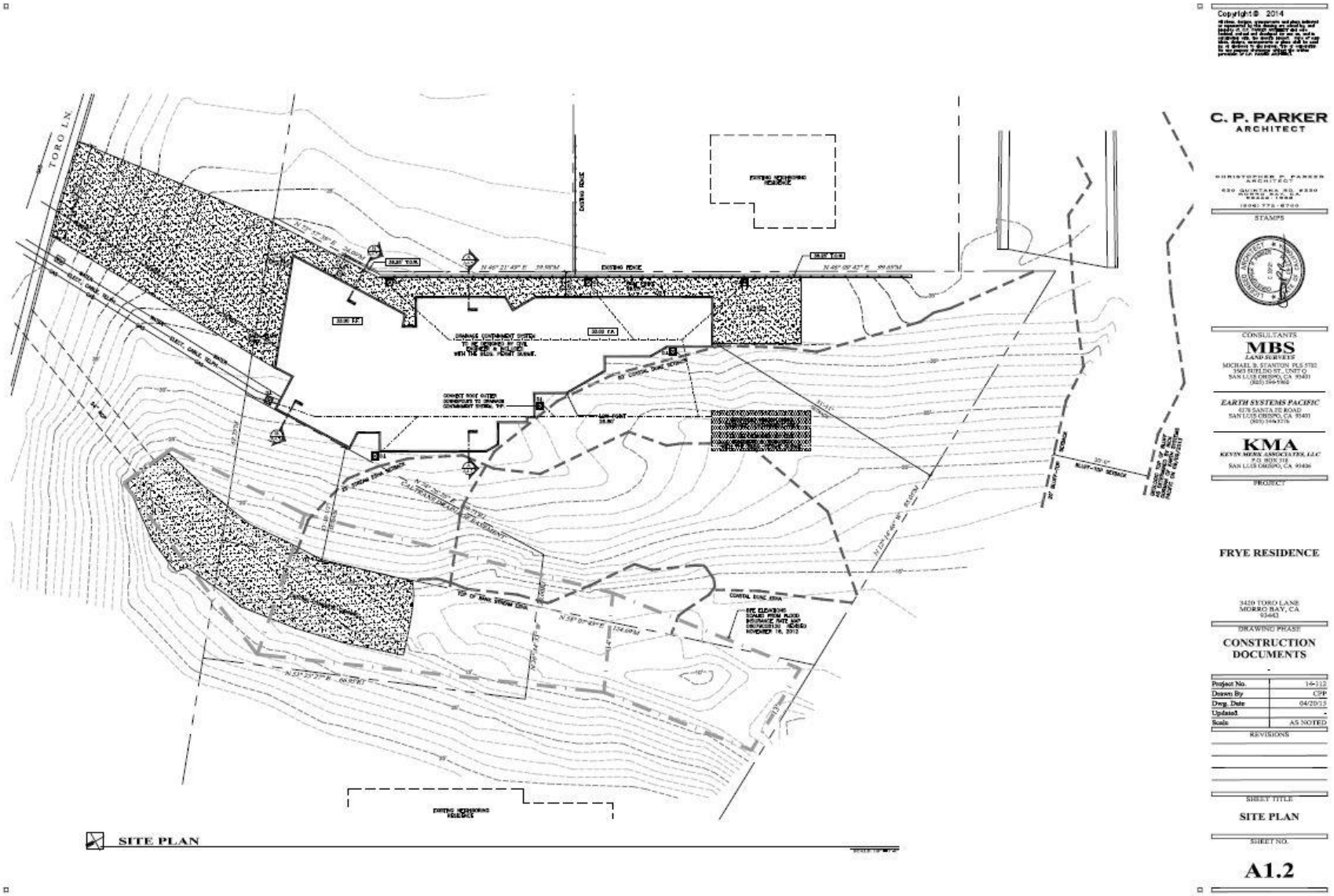
Regional Water Quality Control Board
California Department of Fish and Wildlife
California Department of Transportation

VICINITY MAP

ZONING MAP


M-2/PD
OA-1/PD
M-2/PD
R-1/S.1/SP
R-4/SP
R-1/S.1/SP
R-1/PD/S.2B
R-4
R-1/PD
Project Site
R-1/S.1
MCR/R-4/SP
OA-2/PD
R-1/S.2A
OA-2/PD
R-A
OA-1/PD
R-3/PD/SP
R-2
R-1/S.2A
R-1/S.2
R-1
OA-2/PD
R-4/SP
CRR/GC/PD
R-2

SITE PLAN


TORO LN
SITE PLAN
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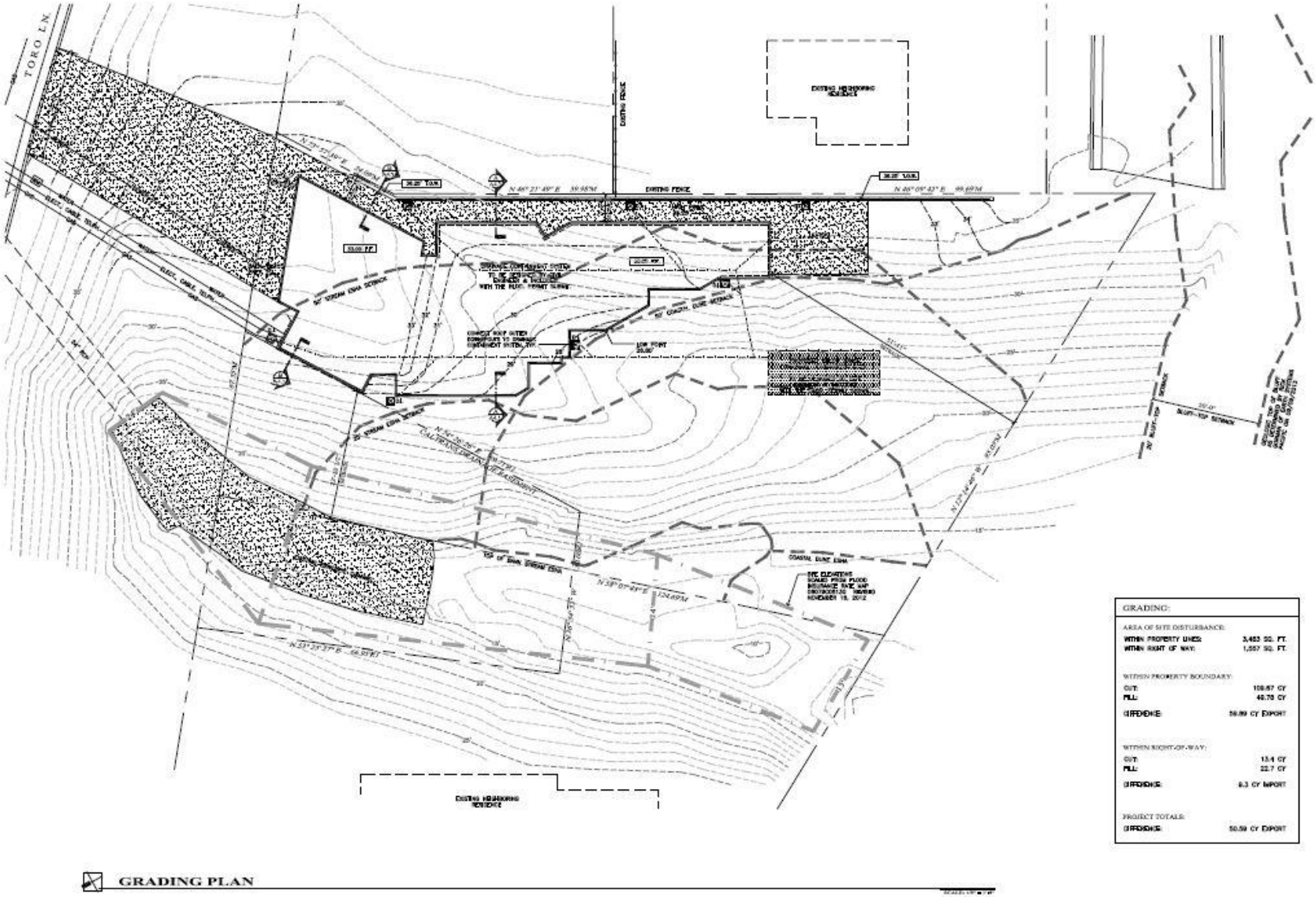
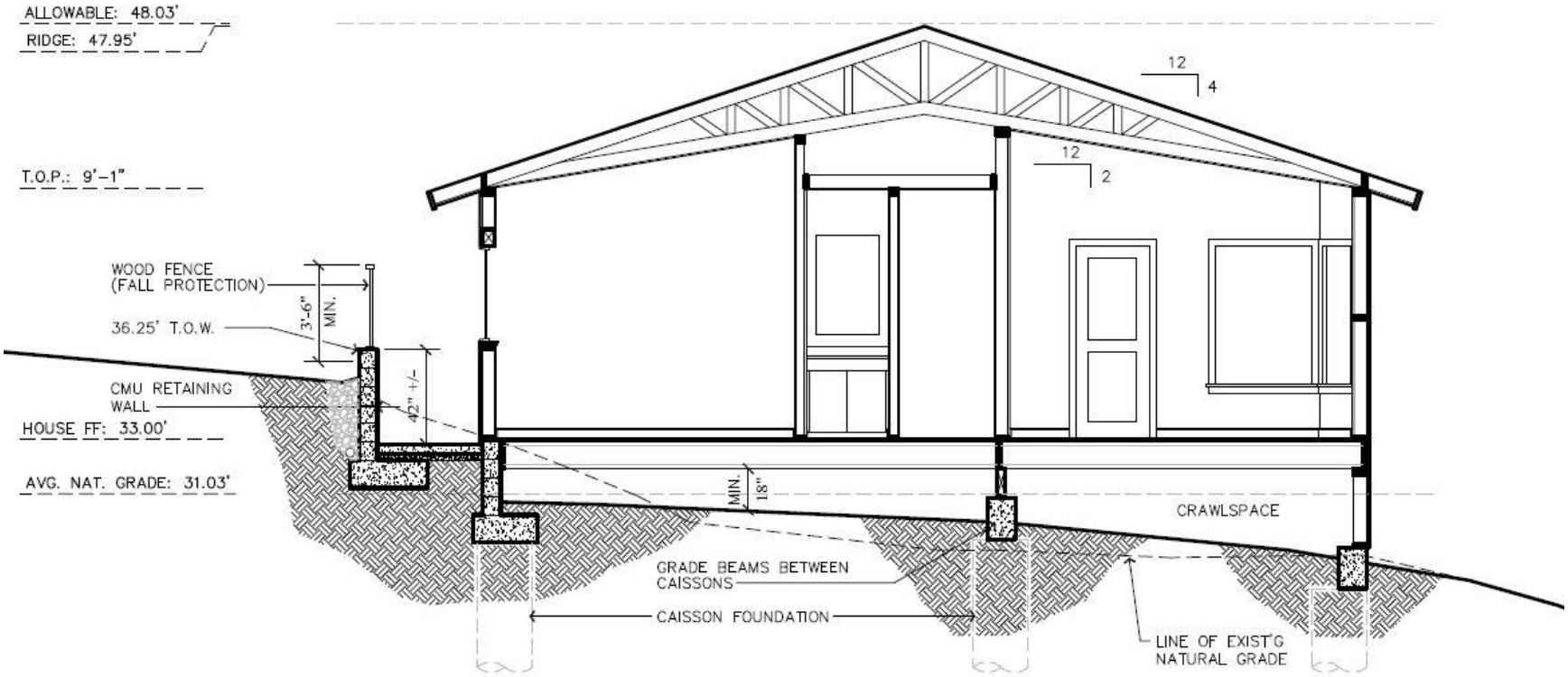
C. P. PARKER
ARCHITECT
STAMPS
CONSULTANTS
MBS
LAND SURVEYS
EARTH SYSTEMS PACIFIC
KMA
PROJECT
FRYE RESIDENCE
3420 TORO LANE
MORRO BAY, CA
93442
DRAWING PHASE
CONSTRUCTION DOCUMENTS
Project No. 14-112
Drawn By CPP
Dwg. Date 04/20/15
Updated
Scale AS NOTED
REVISIONS
SHEET TITLE
SITE PLAN
SHEET NO.
A1.2

PRELIMINARY GRADING PLAN



GRADING PLAN

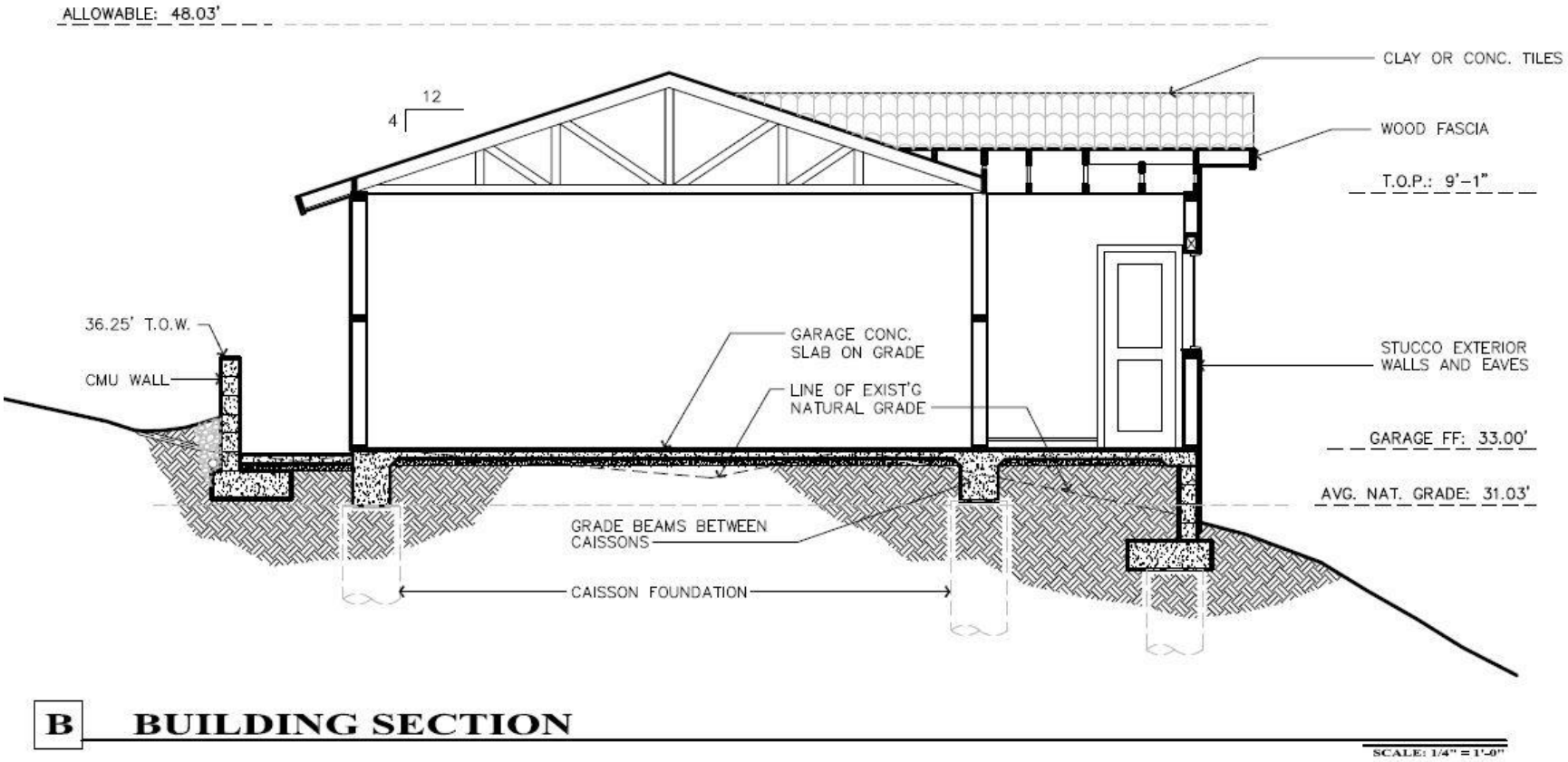
SECTION VIEW



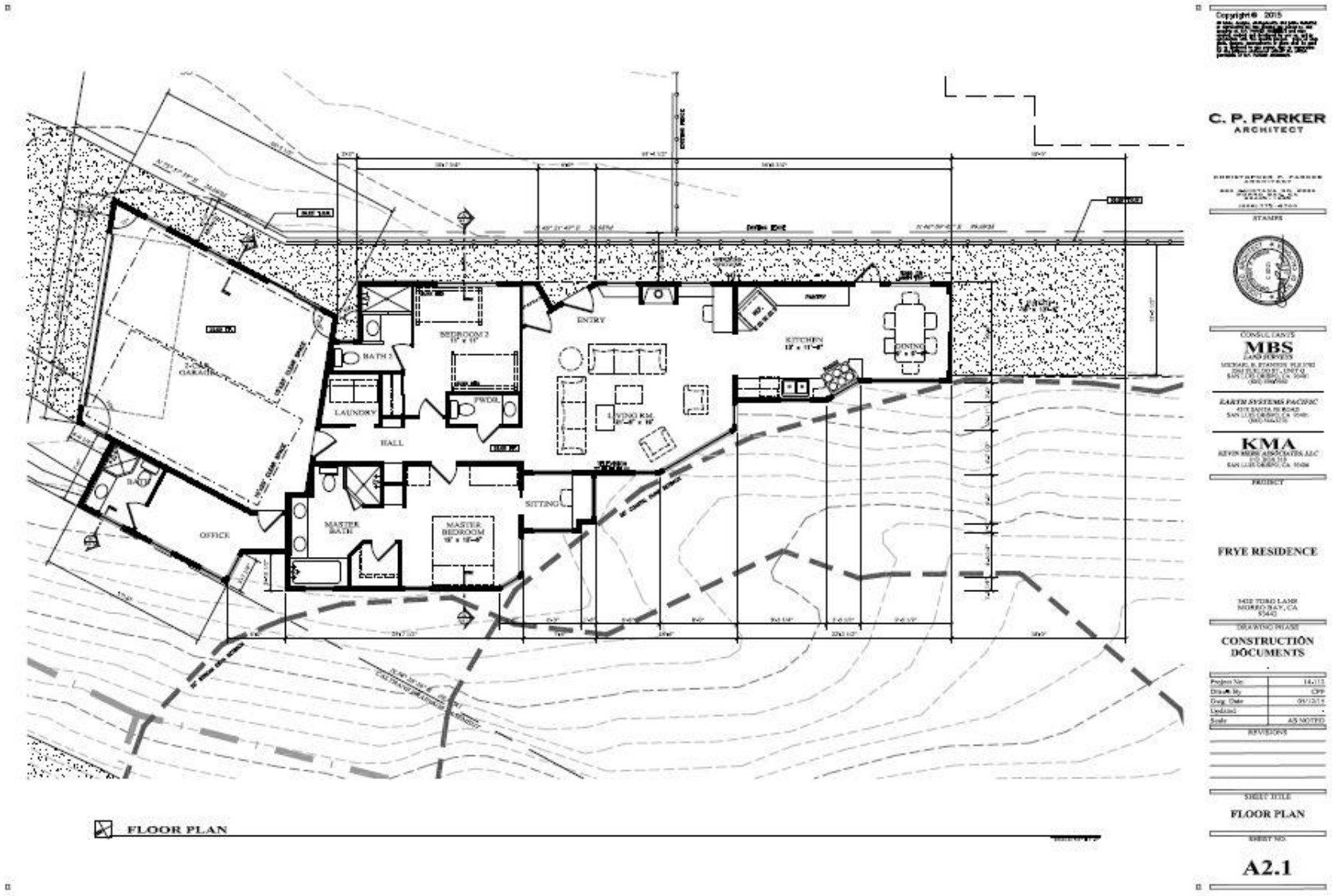
A BUILDING SECTION

SCALE: 1/4" = 1'-0"

SECTION VIEW



FLOOR PLANS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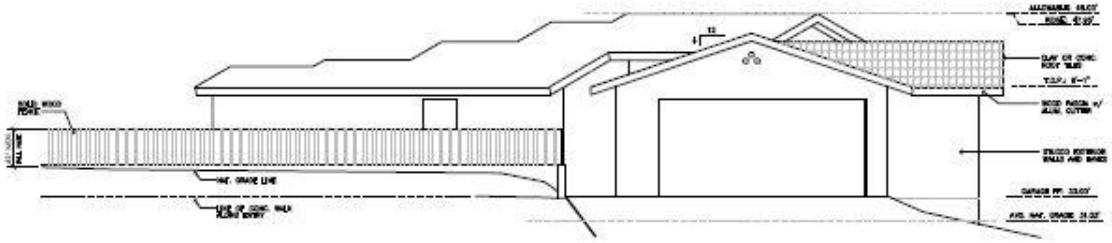
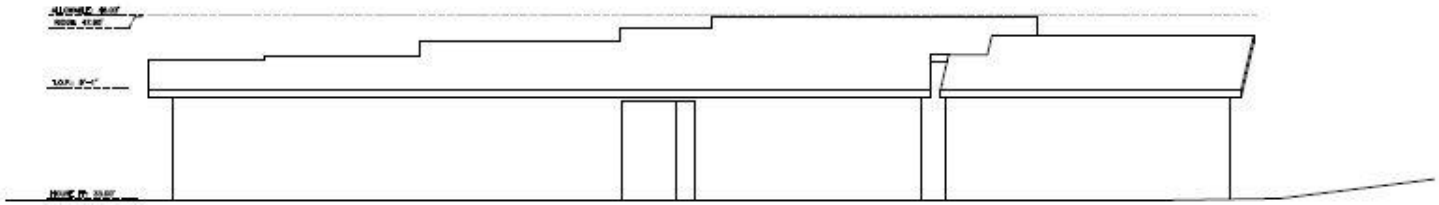
ARCHITECT
STAMPS
CONSULTANTS
MBS
LAND SURVEYS
EARTH SYSTEMS PACIFIC
KMA
PROJECT
FRYE RESIDENCE
DRAWING PHASE
CONSTRUCTION DOCUMENTS
REVISIONS
SHEET TITLE
FLOOR PLAN
SHEET NO.
A2.1
FLOOR PLAN
ENTRY
KITCHEN
DINING
BEDROOM 2
BATH 2
LAUNDRY
HALL
FWDR.
LIVING RM.
SITTING
MASTER BATH
MASTER BEDROOM
OFFICE
2-CAR GARAGE

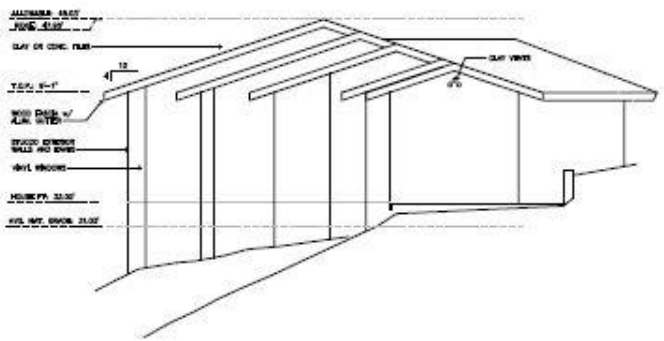
ELEVATIONS



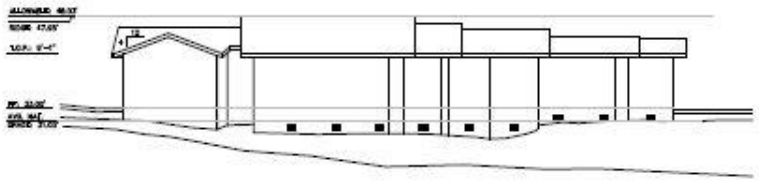
FRONT ELEVATION (EAST)



SIDE ELEVATION (SOUTH)



REAR ELEVATION (WEST)



SIDE ELEVATION (NORTH)

EXTERIOR LIGHTING REQUIREMENTS

ALL EXTERIOR LIGHTING SHALL BE OF HIGH EFFICACY, OR ON A PHOTOCELL & MOTION SENSOR

EXTERIOR LIGHTING IS TO BE DOWNWARD FACING AND SHIELDED TO NOT ALLOW THE BULB TO BE VISIBLE FROM NEIGHBORING PROPERTIES, OR PUBLIC SPACES

C. P. PARKER
ARCHITECT

STAMPS

CONSULTANTS

MBS
LAND SURVEYS

EARTH SYSTEMS PACIFIC

KMA

PROJECT

FRYE RESIDENCE

DRAWING PHASE

CONSTRUCTION DOCUMENTS

Project No.	14-112
Drawn by	CPP
Orig. Date	05/12/15
Update	
Scale	AS NOTED

REVISIONS

SHEET TITLE

ELEVATIONS

SHEET NO.

A3.1

II. ENVIRONMENTAL SETTING AND IMPACTS

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated", as indicated by the Environmental Checklist:

X	1. Aesthetics		X	10. Land Use/Planning
	2. Agricultural Ressources			11. Mineral Resources
X	3. Air Quality		X	12. Noise
X	4. Biological Resources			13. Population/Housing
X	5. Cultural Resources			14. Public Services
X	6. Geology/Soils			15. Recreation
	7. Greenhouse Gas Emissions			16. Transportation/Circulation
X	8. Hazards/Hazardous Materials			17. Utility/Service Systems
X	9. Hydrology/Water Quality		X	18. Mandatory Findings of Significance

Environmental Setting: The project site is a vacant beach front property at the north end of the City of Morro Bay. A drainage area runs along the northern boundary of the site from a culvert that conducts storm water from under Highway One and Toro Lane to the east of the site. Surrounding development is residential.

Surrounding Land Use			
North:	Concrete drainage culvert and drainage, single-family residence	East:	Toro Lane, State Route 1
South:	Single-family residence	West:	Morro Strand State Beach

Determination: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effect that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measure that are imposed upon the proposed project, nothing further is required.

Shawna Scott, SWCA Environmental Consultant

May 29, 2015
Date

Whitney McIlvaine, Contract Planner

Scot Graham, Community Development Manager
For

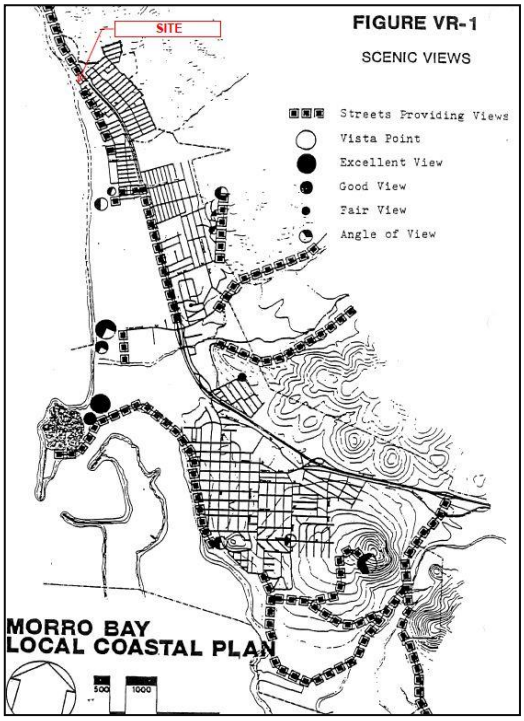
III. ENVIRONMENTAL CHECKLIST

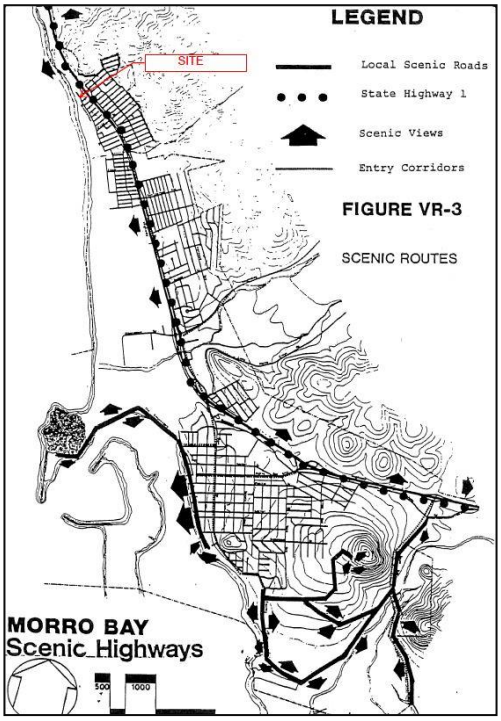
1. AESTHETICS: Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Have a substantial adverse effect on a scenic vista?			X	
b.	Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?			X	
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d.	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?		X		

Environmental Discussion:

The visual resources of an area comprise the features of its built and natural land forms, vegetation, water surfaces and landscape. Landscape features, naturally occurring or otherwise, form the overall impression of the area. The proposed project site is vacant, and located between two existing residences, west of Toro Lane on an ocean-front lot. The project is subject to compliance with zoning ordinance height limitations for this district in order to minimize impacts on views from Highway One (also referred to herein as "State Route 1").

The project site is visible from Toro Lane, State Route 1, Morro Strand State Beach, and the Northpoint Natural Area (as seen from the steps leading down to the beach). State Highway 1 is designated as a scenic route in the Morro Bay General Plan (Figure VR-3). Views of the ocean from State Route 1 (SR-1) are generally obstructed in this area, due to a line of residences on Beachcomber Drive and Toro Lane. The project site, and adjacent drainage, currently provide a visual break between existing residences, allowing a brief view of the bluff, beach, and ocean.





Beachcomber Drive is identified as a street providing Scenic Views (General Plan Figure VR-1 Scenic Views, Coastal Land Use Plan Figure 30 Scenic Views). The project site would be located past the terminus of Beachcomber Drive, and would not block views from this street. The project is located in the Atascadero Beach Tract, which is identified as an "area of visual significance" by the City of Morro Bay Visual Resources and Scenic Highway Element of the General Plan (Figure VR-2) and Coastal Land Use Plan (Figure 31 Areas of Visual Significance). The site is near the northern gateway into the city in Planning Area 1(North Morro Bay), and designated "Scenic Views" of the beach and Pacific Ocean are visible further to the north, as seen from SR-1.

The project is subject to the following General Plan Policies:

Policy VR-2: The scenic and visual qualities of coastal area 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 and coastal area, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated on Figure VR-1 (Scenic Views) shall be subordinate to the character of the setting. [*Note: The project site is outside specifically designated scenic areas.*]

Program VR-3.5: Development between State Highway One and the ocean in Planning Areas 1 [North Morro Bay], 2, and 5 shall provide view corridors as defined in Policy 12.02B and by Figure 32 so as to not significantly degrade views to and along the coast from Highway One. New development shall be subordinate to the character of its setting and shall be visually compatible with the surrounding areas. [*Note: The major view corridor identified in Figure 32 of the Coastal Land Use Plan is located approximately 4,000 feet south of the project site*. *The project site is within Planning Area 1, but is not within Mixed Use Area G (defined in Policy 12.02B)*].

The project is also subject to the following Local Coastal Plan Policies:

Policy 12.01: The scenic and visual qualities of coastal area 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 and coastal area, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated on Figure 31 (Scenic Views) shall be subordinate to the character of the setting. [*Note: The project site is outside specifically designated scenic areas.*]

Policy 12.03: Development between State Highway One and the ocean in Planning Areas 1, 2, and 5 shall provide view corridors as defined in Policy 12.02B and by Figure 32 so as not to significantly block views of travelers on the Highway. New development shall be subordinate to the character of its setting and shall be visually compatible with the surrounding areas [Note: The major view corridor identified in Figure 32 of the Coastal Land Use Plan is located approximately 4,000 feet south of the project site. The project site is within Planning Area 1, but is not within Mixed Use Area G (defined in Policy 12.02B)].

The project is also subject to compliance with Zoning Ordinance height restriction regulations:

The project site is zoned R-1/S.2.A/ESH. Section 17.40.050D of the City's Zoning Ordinance outlines standards for the S.2.A Overlay zone which limit dwelling height to 14 feet for flat roofs and 17 feet for roofs with a minimum pitch of 4:12 in order to protect the public views from Highway One. Building height is defined as the vertical distance from the average level of the highest and lowest points of that portion of the lot covered by the building, as measured to the topmost point of the roof excluding vents and chimneys under 6 feet in width or height. Architectural plans indicate compliance with the zoning height standards (See project site plan, section drawings, and elevations.) The height of the various gable roofs ranges from approximately 12 feet to just under 17 feet.

The following photo simulations help to illustrate the potential visual impacts of the proposed project. The massing exhibits are conceptual artist renderings and not exactly to scale.

FRYE RESIDENCE
3420 TORO LANE

C.P. PARKER
ARCHITECT

EXISTING PARCEL

VIEW FROM HIGHWAY 1

Proposed Design Massing Visual from Highway 1

Proposed Design Massing Visual from the Beach

Impact Discussion:

a. A substantial adverse impact to a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or areas.

State Route 1. SR-1 is a designated Scenic Highway, located approximately 70 feet to the northwest. Views in the vicinity of the project site include a mix of urban development along the route and frontage road, oceanfront residential development, and undeveloped coastal bluffs, beaches, and the Pacific Ocean (to the north between the city and Cayucos). Due to small setbacks on oceanfront lots, the scenic vista (Pacific Ocean) is primarily blocked. The project site and adjacent residences are located at a lower elevation than SR-1, allowing visibility

of a sliver of ocean views over the rooftops of the structures. Due to existing residential development and topography, the project would be visible from southbound and northbound SR-1 for approximately 0.1 mile. The intersection of SR-1 and Yerba Buena Road is signalized; the project site is visible to persons in queued vehicles for limited periods of time, until the light changes from red to green.

Northpoint Natural Area. This area includes a small parking area, unpaved trail, steps providing access to the beach, and a viewing area. Views include the beach, ocean, undeveloped bluffs to the north, undeveloped and developed bluffs, beach, ocean, city development, and Morro Rock to the south, the beach and ocean to the west, and hillsides to the east. Due to topography and development, the project site is not visible from the viewing area. Visitors using the stairway to the beach currently view oceanfront residential development along the bluff, and would be able to see the western extent of the proposed residence; however, the structure would be located between two existing residences, and would not be individually noticeable.

Toro Lane and Beachcomber Drive. The project site is immediately visible to vehicle passengers, bicyclists, and pedestrians on these local streets. The structure would be built adjacent to existing residences, and would not be individually noticeable.

Morro Strand State Beach. The project site is directly visible from the beach area.

Implementation of this infill project between two existing residences would not result in significant change to a scenic vista. Although the structure would block part of the existing view corridor, the drainage channel and associated buffer zone would continue to provide a brief glimpse of the ocean. The project would not significantly degrade views to and along the coast from Highway One. As proposed, the single family dwelling would be in character with the type and scale of surrounding development and would maintain a view corridor from State Route 1 and from Toro Lane to the ocean. Based on the location of the project and project compliance with height restrictions applicable to the zoning district, implementation would not result in a significant impact to the scenic vista.

b. SR-1 is an Officially Designated State Scenic Highway through Morro Bay. As discussed above (a), the project would be visible for approximately 0.1 mile from the northbound and southbound lanes, and potentially longer from the northbound lanes during brief signalized stops. The project would not affect trees, rock outcroppings, or historic buildings. The design of the residence is similar to surrounding structures, and would not appear out of place in the neighborhood. Based on the discussion above, the project would not substantially damage scenic resources as seen from SR-1.

c. The visual character of the project site is a transition from the expansive beach and ocean views north of the Northpoint Natural Area, to city development to the south. The proposed residence would be constructed within an existing row of houses, and would be smaller in scale than most surrounding development in the vicinity and similar in terms of architectural appearance. The project is subject to Planning Commission review and compliance with zoning regulations and general plan policies regarding visual impacts and view protection guidelines applicable to the parcel. Therefore, the project would not result in a significant impact to the visual character of this area of the city.

d. The project would include lighting, which would contribute to existing sources of light and glare in the surrounding neighborhood. However, the project would not create lighting or glare inconsistent with adjacent uses, provided standard measures are incorporated (see below). The following mitigation measures are recommended to reduce potential impacts to less than significant.

Conclusion: The proposed single family dwelling is subject to review and approval by the City Planning Commission for visual compatibility with nearby existing residential development along Beachcomber Drive and Toro Lane. The structure will comply with height limits established to minimize view blockage. The adjacent drainage and required on-site buffer will maintain a view corridor through this site. The proposed on-site ecological restoration would enhance the visual quality of the site. (See discussion under Section 4, Biological Resources.) After implementation of the following mitigation measures, residual impacts would be less than significant.

Mitigation and Residual Impact:

AES Impact 1 **Visibility of night lighting and daytime glare would adversely affect views resulting in a direct long-term impact.**

AES/mm-1 *Prior to issuance of a building permit, a comprehensive lighting plan shall be submitted for review and approval by the City. The lighting plan shall be prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, parking and driveways, paths, recreation areas, safety, and signage. The lighting plan shall include the following at minimum:*

a) The point source of all exterior lighting shall be shielded from offsite views.

b) Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields.

c) Lumination from exterior lights shall be the lowest level allowed by public safety standards.

d) Exterior lighting shall be designed to not focus illumination onto exterior walls.

e) Bright white-colored light shall not be used for exterior lighting.

f) Any signage visible from offsite shall not be internally illuminated.

AES/mm-2 *Prior to issuance of a building permit, the applicant shall submit building plans and elevations for review and approval consistent with the following conditions:*

a) No highly reflective glazing or coatings shall be used on windows.

b) No highly reflective exterior materials such as chrome, bright stainless steel, or glossy tile shall be used on the portions of the development where visible from off-site locations.

Monitoring:

The City of Morro Bay would verify implementation of lighting design details through review and approval of the lighting plan and building plans prior to issuance of building permits for the project.

2. AGRICULTURAL RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocol adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

a.	Convert prime farmland, unique farmland, or farmland of statewide importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

Environmental Discussion:

The City of Morro Bay contains a relatively limited area devoted to agricultural uses within the City limits. The Chorro and Morro Valleys, within and adjacent to the City, support intensive agricultural activity.

Impact Discussion:

a. The underlying soil is Cropley clay (2 to 9 percent slopes), which are considered Class 3 non-irrigated soils (severe limitations that reduce the choice of plants or that require special conservation practices, or both) (Natural Resources Conservation Service, Websoils, 2014). This soil type is only considered Prime Farmland if irrigated. Based on the San Luis Obispo County Important Farmland Map 2010, the project site is designated "Urban and Built-up Land" (California Department of Conservation, Division of Land Resource Protection, 2013). Based on the underlying soils and Farmland Designation, the project would not convert farmland, and no impact would occur.

b. The project site is within a residential land use category and is not subject to a Williamson Act contract. Therefore, the proposed use would not conflict with any agricultural zoning, and no impact would occur.

c. The project location does not consist of forest land or timberland; no impacts would result.

d. The project location does not consist of forest land or timberland; no impacts would result.

e. As discussed above (refer to a and b), the project would not result in the conversion of agricultural land to non-agricultural use The site is within the City limits and adjacent to existing residential development. The project is consistent with the zoning designation, and would not trigger development or conversion of agricultural land inside or outside City limits. Therefore, no impact would occur.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to agricultural resources and no mitigation measures are necessary.

Monitoring: None required.

3. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X	
d. Expose sensitive receptors to substantial pollutant concentrations?		X		
e. Create objectionable odors affecting a substantial number of people?			X	

Environmental Setting:

The San Luis Obispo County Air Pollution Control District (SLOAPCD) has developed the CEQA Air Quality Handbook (2012) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. The APCD has also prepared a Clean Air Plan to evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels.

Impact Discussion:

a. The proposed development is consistent with the goals and policies of the City of Morro Bay General Plan and is consistent with the APCD's CEQA Handbook and Clean Air Plan. The project includes residential development within an urban area currently zoned for this type of development. There would be no impact.

b. The project would result in the disturbance of approximately 5,040 square feet of soils, including approximately 123.07 cubic yards of cut and 72.48 cubic yards of fill. Approximately 50.59 cubic yards of soil will be exported from the construction site. These project activities would result in the creation of construction dust and short-term construction vehicle emissions (Construction Emissions). The project would generate long-term emissions due to trip generation and area source emissions (Operational Emissions).

Construction Emissions. Construction of the project, including export of fill, would generate emissions including reactive organic gasses (ROG), oxides of nitrogen (NO_x), carbon monoxide (CO), carbon dioxide (CO_2), fugitive dust (PM_{10}), and exhaust particulates (PM_{10} and $PM_{2.5}$) including diesel particulate matter (DPM). Construction emissions that would result from the proposed project were calculated using CalEEMod, pursuant to the CEQA Handbook. Construction emissions (winter) are estimated in Table 1 Construction Emissions, below. Estimated construction emissions are not expected to exceed the APCD thresholds requiring mitigation. Any potential impacts would be further minimized by implementation of the City's standard dust control measures.

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.

Table 1. Construction Emissions

	ROG	NO_x	CO	PM_{10}	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)	CO_2
Winter (lbs/day)	63.06	13.71	10.67	1.0	.94	.86	1,632.05
Threshold (lbs/day)*	137		n/a	n/a	7		n/a
Mitigation Required	No		n/a	n/a	No		n/a

*Source: County of San Luis Obispo, APCD CEQA Air Quality Handbook, 2012

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 more aggressive implementation of mitigation measures described below in the diesel idling section (if deemed necessary by the SLOAPCD). Areas where sensitive receptors are most likely to spend time include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. 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 locations.

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

Operational Emissions. The SLOAPCD has set thresholds for ozone precursor emissions, DPM, fugitive particulate matter emissions (dust), and CO. Ozone precursor emissions are measured as combined ROG and NOx emissions. 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. Operation of the project would generate approximately 9.6 daily trips. Due to the minimal amount of operational trips, resulting emissions would be negligible. No significant long-term air quality effects are expected to occur and no mitigation measures are required.

c. San Luis Obispo County is currently designated as non-attainment under the state standard for ozone. As noted above, the project would not result in the generation of emissions exceeding identified thresholds; therefore, the project's contribution would not be cumulatively considerable, and impacts would be less than significant.

d. The project is located within close proximity to sensitive receptors, including residences within 1,000 feet of the proposed development. The proposed project is also adjacent to Morro Strand State Beach. Each of these uses constitutes a sensitive receptor. The project would create short-term fugitive dust and diesel particulate matter (DPM) during construction activities, with the potential to constitute a nuisance. After implementation of standard dust control and DPM measures, impacts would be less than significant.

Naturally Occurring Asbestos. According to the SLOAPCD Naturally Occurring Asbestos Zones map, the project site is located in an area that is known to contain naturally occurring asbestos. Naturally occurring asbestos has been identified by the State Air Resources Board as a toxic air contaminant. The proposed project would result in grading activities and therefore naturally occurring asbestos may be encountered. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any construction or grading activities at the site, the applicant must comply with all

applicable requirements outlined in the Asbestos ATCM, which include preparation of an Asbestos Dust Mitigation Plan and/or an Asbestos Health and Safety Program.

e. The proposed use would not create objectionable odors, other than minimal effects potentially associated with short-term construction activities. Impacts would be less than significant.

Mitigation and Residual Impact:

AQ Impact 1 **Construction activities associated with development of the proposed project would result in short-term emissions of DPM, potentially affecting sensitive receptors.**

AQ/mm-1 *Prior to issuance of grading and construction permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing diesel particulate matter (DPM) emissions from construction equipment:*

a) Maintain all construction equipment in proper tune according to manufacturer's specifications;

b) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;

d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

e) Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;

f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

g) Excessive diesel idling within 1,000 feet of sensitive receptors is not permitted;

h) Electrify equipment when feasible;

i) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

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

AQ Impact 2 **Construction activities associated with development of the proposed project could generate dust that could be a nuisance to adjacent sensitive receptors.**

AQ/mm-2 *Prior to issuance of grading and construction permits, the applicant shall include the following notes on applicable grading and construction plans, and shall comply with the following standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:*

a) Reduce the amount of disturbed area where possible;

b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;

c) All dirt stockpile areas shall be sprayed as needed;

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) 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 APCD;

f) 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.

g) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

h) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;

i) 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;

j) All PM_{10} mitigation measures required shall be shown on grading and building plans; and

k) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the APCD Compliance Division and listed on the approved building plans prior to the start of any grading, earthwork or demolition.

AQ Impact 3 **Construction activities associated with development of the proposed project could generate dust that could be a nuisance to adjacent sensitive receptors.**

AQ/mm-3 *Prior to issuance of a grading permit, the applicant shall submit a geologic evaluation that determines if naturally occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request shall be filed with the District. If NOA is found at the site, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.*

Conclusion: With implementation of these measures, air quality impacts would be less than significant.

Monitoring:

Copies of regulatory forms will be submitted to the APCD for review and approval, consistent with existing regulations. The applicant is required to submit approval documentation from APCD to the City Community Development Director/Planning Manager. Monitoring or inspection shall occur as necessary to ensure all construction activities are conducted in compliance with the above measures. Measures also require that a person be appointed to monitor the

fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. All potential violations, remediation actions, and correspondence with APCD will be documented and on file with the City Community Development Director.

4. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X		
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?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?			X	

Environmental Setting:

The applicant provided two *Biological Resources Assessment* reports (KMA 2012, KMA 2013) with the project application. An addendum (KMA 2014 Biological Addendum) was submitted subsequently in response to questions and issues raised by the California Coastal Commission and U.S. Fish and Wildlife staff regarding this project. The addendum was prepared following guidance from and discussions with California Coastal Commission Ecologist, Dr. Jonna Engle. Several field studies were conducted by Kevin Merk, Principal Biologist (KMA), between February, 2012 and October, 2014. The results of these assessments and the addendum are incorporated into the setting and analysis discussions below.

The project site is located on a coastal bluff and is bounded by Toro Lane and SR-1 to the east, by an existing concrete channel and drainage and a single-family residence to the north, by a single-family residence to the south, and by the beach to the west. The majority of the site is a gently sloping terrace with steeper banks on either side to the south and north. Remnants of an old unpaved road cut slopes through the center of the property downward toward the beach. An informal pedestrian spur trail is located through the site. The primary habitat type onsite is non-native herbaceous vegetation. An unnamed drainage feature is located just outside of the northern property line, and in one location, the top of bank crosses into the site. A rocky outcrop extends into the property along the northern border of the lot just south of

the drainage channel. Site disturbance has been caused by the previous road cut, nearby residential development, and natural disturbance by gophers.

Vegetative types present onsite include annual non-native grassland, non-native Bermuda buttercup, and ice plant mat. In addition, a small area of ice plant mat and foredune is located in the northwest corner of the site, which can be characterized as coastal dune scrub, an environmentally sensitive habitat. Although the site supports coastal dune scrub, the habitat has been disturbed by previous activities, is bounded by existing development, and based on the biological evaluation, does not support habitat for nesting snowy plover. A small arroyo willow shrub (*Salix lasiolepis*) is present along the drainage; there is no other riparian vegetation associated with the drainage. No area with 50% or greater coverage of wetland plant indicator species was observed. As such, the wetland vegetation criterion used to define a coastal wetland was not met and there is no wetland ESH on site. (KMA 2014 Biological Addendum, revised Habitat Map Figure 3).

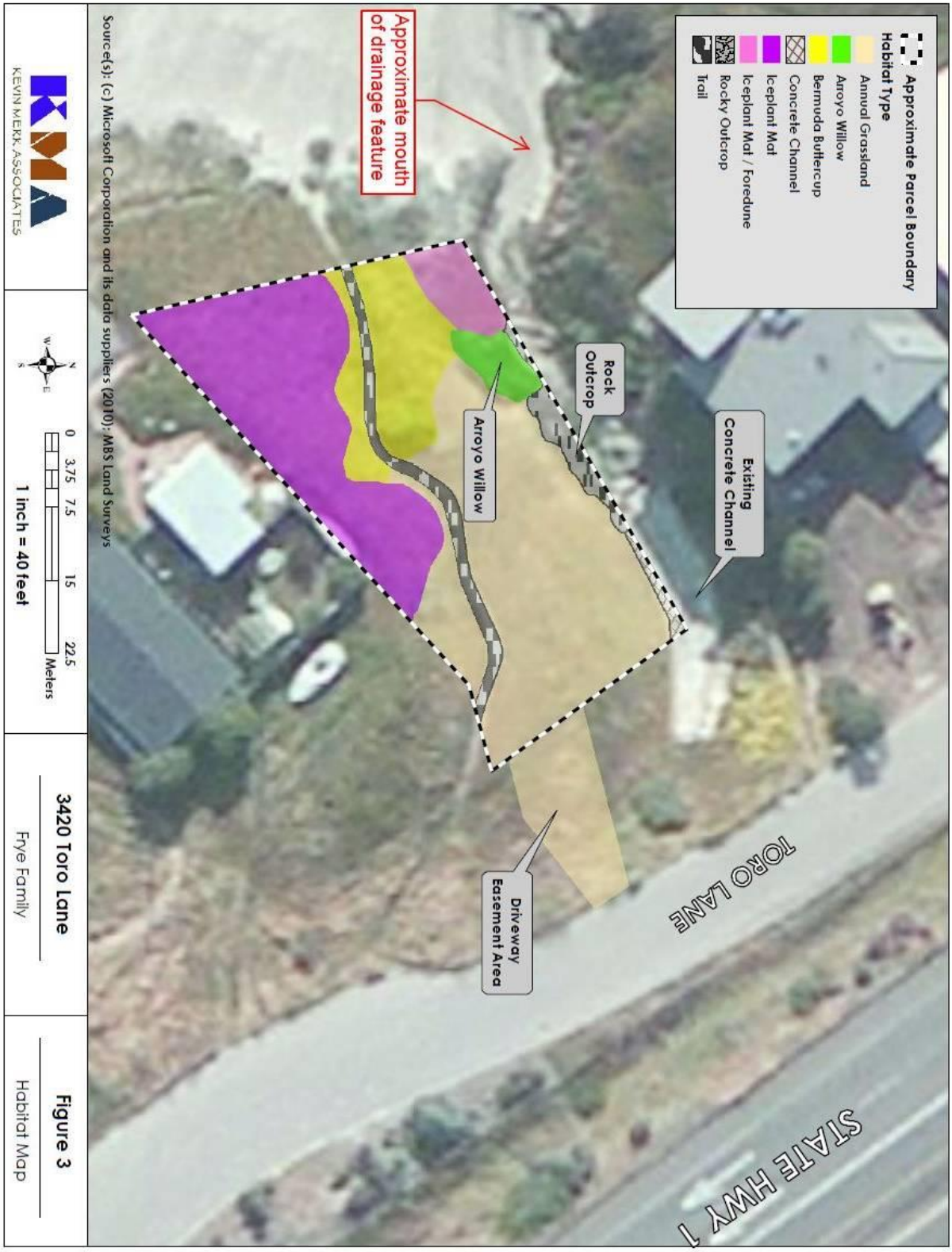
Based on review of the California Natural Diversity Database (CNDDB), 52 special-status plant species are known to occur within ten miles of the site. Based on the location of the project, special-status plant species known to occur in similar habitat include Blochman's dudleya (*Dudleya blochmaniae* ssp. *blochmaniea)*, San Luis Obispo owl's clover (*Castilleja densiflora* ssp. *obispoensis*), and Cambria (or San Luis Obispo County) morning glory (*Calystegia subacaulis* ssp. *episcopalis*). Species with the potential for occurrence in beach sands downslope of the property include beach spectaclepod (*Dithyrea maritima*), Blochman's leafy daisy (*Erigeron blochmaniae*), coast wooly-heads (*Nemacaulis denudata*), coastal goosefoot (*Chenopodium littoreum*) and California seablite (*Suaeda californica*). No special-status plant species were observed onsite during the appropriately-timed botanical surveys.

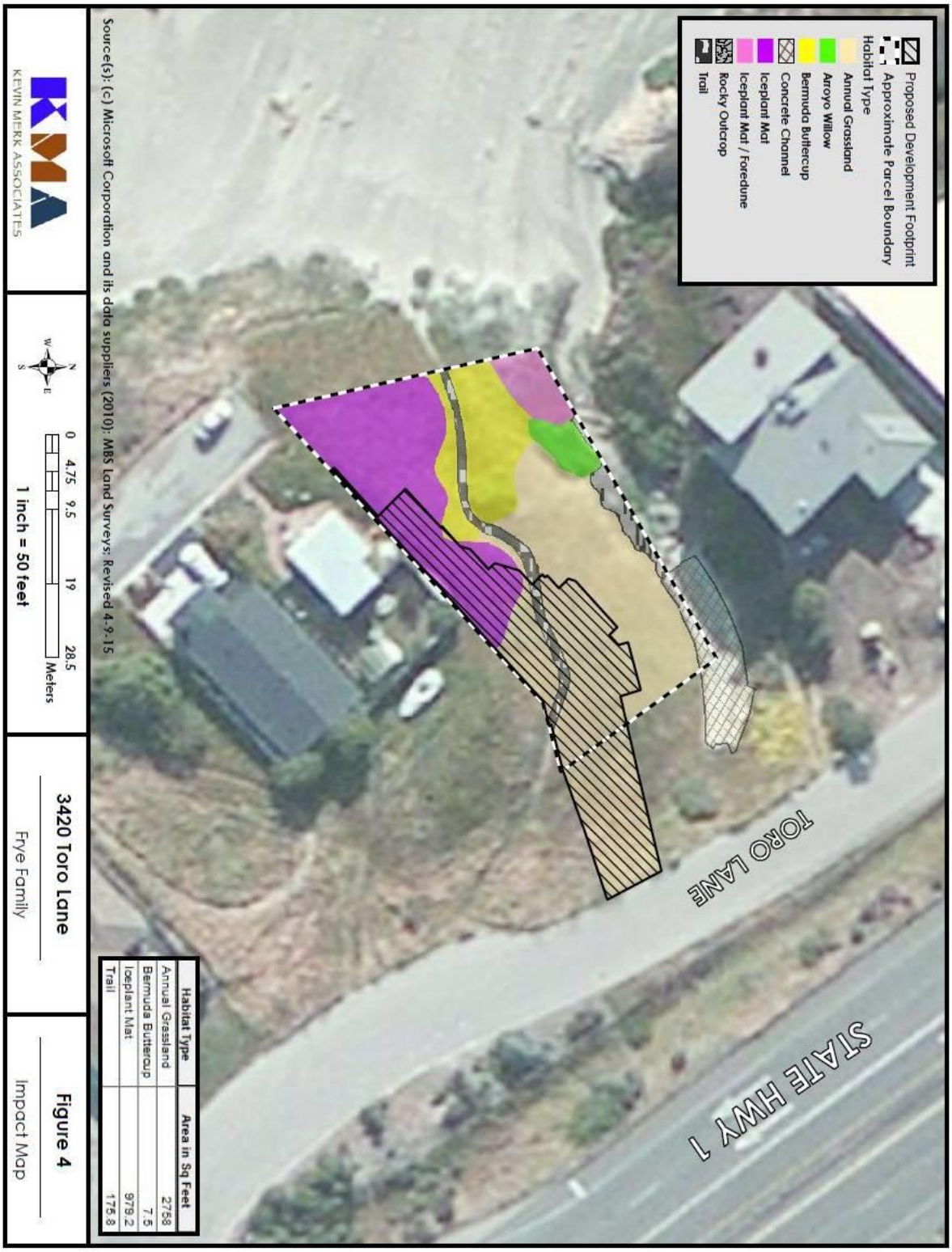
Based on the CNDDB, 45 special-status animal species are documented in the area, including the California red-legged frog (Rana draytonii; CRLF). Based on the habitat characteristics onsite and adjacent to the property (including the culverted and partially-concrete drainage), special-status wildlife species would not likely be present onsite. The site is relatively small and affected by adjacent human disturbance, does not support trees for nesting, does not support stabilized shrubs, and underlying soils are clayey. It is possible ground nesting birds could be seasonally present within or adjacent to the site, but not likely given the unsuitable nature of onsite habitat. To date, no special status species were observed on the project site during field work conducted over a two-year period (KMA 2014 Biological Addendum).

The KMA 2014 Addendum to the earlier Biological Assessments for this site more specifically concludes that the site and the adjacent drainage are highly unsuitable for the CRLF and other aquatic special status species. The drainage is highly ephemeral; has no perennial pools supporting freshwater habitat downstream of Highway 1; lacks riparian shrub cover; and is affected by salt water and high tides on the beach. A majority of the drainage has been altered from its natural condition, and currently travels in pipes under existing residential development and Highway One to the east, and in and out of small open ditches as it drains towards the Pacific Ocean. It discharges from an approximately 48-inch diameter culvert into the concrete trapezoidal channel adjacent to the project site, and continues onto sandstone bedrock and beach sands before flowing toward the Pacific Ocean. This un-named drainage is identified by the City's LCP as Environmentally Sensitive Habitat (ESH), as are all drainages with intermittent flow.

The top of stream bank or "riverine bank" delineation has been confirmed by Rick Gorman, Engineering Geologist with Earth Systems Pacific, in a letter dated September 29, 2014 to the applicant, Mr. Greg Frye. (Earth Systems Pacific File NO: SL-17131-GA). This letter points out that an earlier geologic report for this property incorrectly labeled the top of the inland canyon bluff as top of bank. Section 17.40.040 of the MBMC defines a stream as a well defines a stream as any well-defined channel with distinguishable bed and bank that shows evidence of having contained flowing water as indicated by scour or deposit of rock, sand, gravel, soil or debris. The concrete channel was designed to hold the normal course of stream flow, which then is contained by a rock outcropping before running out onto the sandy beach.

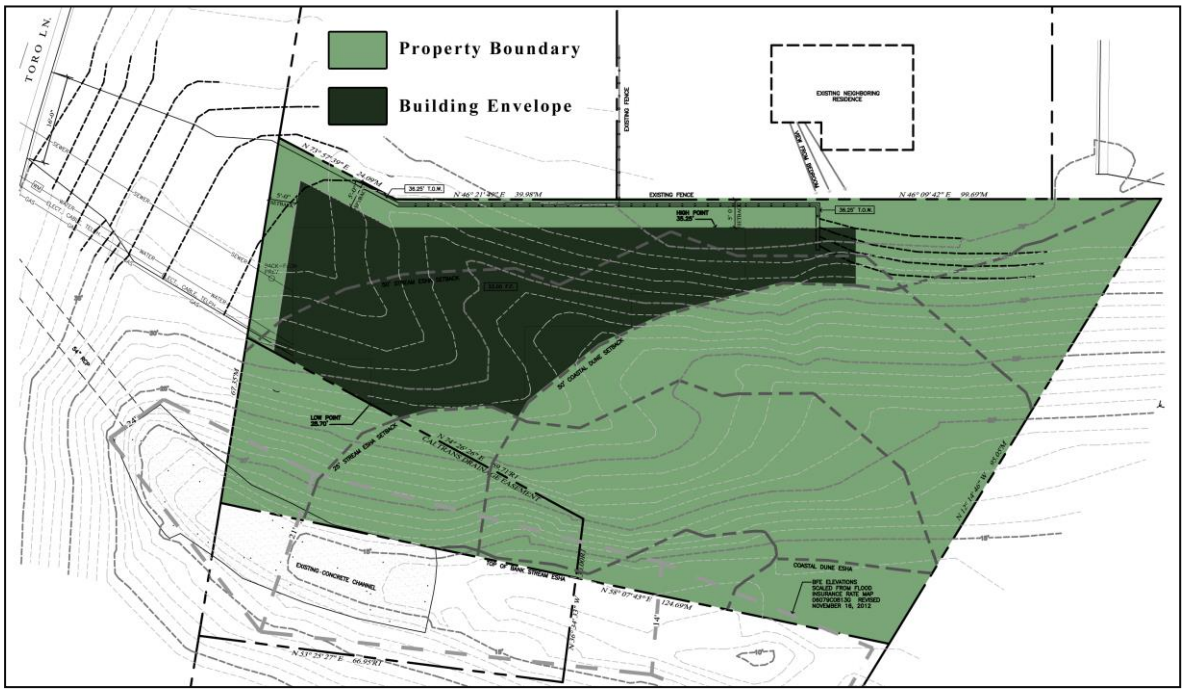
The following three exhibits were prepared by Kevin Merk Associates to illustrate habitat type, impact of proposed development, and areas proposed for ecological restoration. The next two exhibits show the proposed ESH setbacks and the project floor plan (p. 32).


Approximate Parcel Boundary
Habitat Type
Annual Grassland
Arroyo Willow
Bermuda Buttercup
Concrete Channel
Iceplant Mat
Iceplant Mat / Foredune
Rocky Outcrop
Trail
Approximate mouth of drainage feature
Rock Outcrop
Arroyo Willow
Existing Concrete Channel
Driveway Easement Area
TORO LANE
STATE HWY 1
Source(s): (c) Microsoft Corporation and its data suppliers (2010); MBS Land Surveys
KEVIN MERK ASSOCIATES
0 3.75 7.5 15 22.5 Meters
1 inch = 40 feet
3420 Toro Lane
Frye Family
Figure 3
Habitat Map

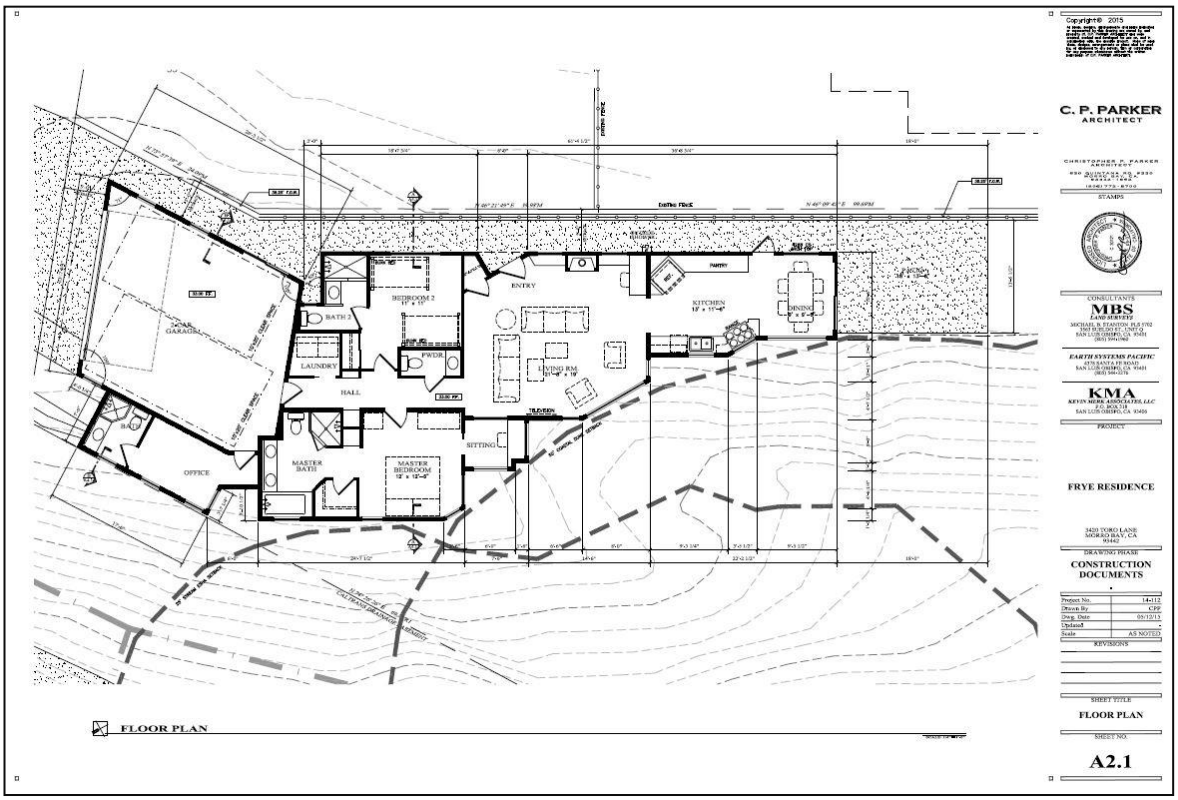

Proposed Development Footprint
Approximate Parcel Boundary
Habitat Type
Annual Grassland
Arroyo Willow
Bermuda Buttercup
Concrete Channel
Iceplant Mat
Iceplant Mat / Foredune
Rocky Outcrop
Trail
STATE HWY 1
TORO LANE
Source(s): (c) Microsoft Corporation and its data suppliers (2010); MBS Land Surveys: Revised 4-9-15
KEVIN MERK ASSOCIATES
1 inch = 50 feet
0 4.75 9.5 19 28.5
Meters
3420 Toro Lane
Frye Family
Figure 4
Impact Map
Habitat Type | Area in Sq Feet
Annual Grassland | 2758
Bermuda Buttercup | 7.5
Iceplant Mat | 979.2
Trail | 175.8


Parcel Boundary
Proposed Development Footprint
Coastal Scrub (approx. 3300 sq. ft.)
(Baccharis pilularis, Isocoma menziesii, Ceanothus horizontalis, Heteromeles arbutifolia)
Coastal Grassland (approx. 2500 sq. ft.)
(Stipa pulchra, Danthonia californica, Leymus condensatus, Achillea millefolium, Iris douglasiana)
Highway 1
Toro Lane
Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community, Revised 4-10-15
KEVIN MERK ASSOCIATES
1 inch = 50 feet
0 5 10 20 30 Meters
3420 Toro Lane
Frye Family
Figure 5
Ecological Planting Plan

ESH Buffer Map (CP Parker 2015)



Proposed Floor Plan / Building Footprint



Applicable LCP and Coastal Act Policies:

Potential ESH onsite includes foredune/iceplant mat area and the unnamed drainage. The City's LCP and associated Coastal Act policies define ESH as: "areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments". Under the Coastal Act, resources that meet one or more of the following criteria are typically designated as ESH:

1. Unique, rare, or fragile communities which should be preserved to ensure their survival in the future;
2. Rare and endangered species habitats that are also protected by state and federal laws;
3. Specialized wildlife habitats which are vital to species survival;
4. Outstanding representative natural communities which have an unusual variety or diversity of plant and animal species; and,
5. Areas with outstanding educational values that should be protected for scientific research and education uses now and in the future.

Section 30240 of the Coastal Act states: "(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. (b) 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." Pursuant to the City's LCP (Policy 11.14 noted above), a 50-foot minimum buffer strip (setback) from the drainage and willow (ESH) would be required; however, City policy allows a maximum 50% reduction in the ESH buffer, provided the buffer is not less than 25 feet in urban areas. This reduction is only allowed for consideration when "all other means to project modifications are found inadequate to provide for both the use and the larger minimum buffer." In addition, "the lesser setback shall be established in consultation with U.S. Fish and Wildlife Service and the California Department of Fish and Game, and shall be accompanied by adequate mitigations." The applicant's biological reports and addendum include a delineation of potential ESH, identify potential impacts to ESH, and present mitigation to reduce potentially adverse effects and improve the overall habitat quality of the site. The results of the biological reports and addendum are incorporated into the analysis below. Approval of the buffer reduction will be considered by the City decision makers.

Zoning:

Morro Bay Municipal Code Section 17.40.040: The project is subject to zoning regulations governing environmentally sensitive habitat overlay zones. This section outlines types of sensitive habitat and buffer/setback requirements.

Coastal Land Use Plan Policies (General Plan Land Use Policies):

Policy 11.02 (LU-55.2): 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 maintain the habitats' functional capacity.

Policy 11.05 (LU 55.4): Prior to the issuance of a coastal development permit, all projects on parcels containing environmentally sensitive habitat as depicted on the Land Use Plan map or habitat map included within the LUP and on the adopted U.S. Fish and Wildlife wetland inventory map, or projects on parcels within 250 feet of all designated areas (except wetlands where projects on parcels within 1000 feet is the criterion), or projects having the potential to affect an environmentally sensitive habitat area must be found to be in conformity with the applicable habitat protection policies of the Land Use Plan. All development plans, grading plans, etc., shall show the precise location of the habitat(s) potentially affected by a proposed project. Projects which could adversely impact an environmentally sensitive habitat area shall be subject to adequate environmental impact assessment by a qualified biologist(s). In areas of the City where sensitive habitats are suspected to exist but are not presently mapped or identified in the city's Land Use Plan, projects hall undergo an initial environmental impact assessment to determine whether or not these habitats exist. Where such habitats are found to exist, they shall be included in the City's environmentally sensitive habitat mapping included within the LUP.

Policy 11.06 (LU Program-55.4): Buffering setback areas a minimum of 100 feet from sensitive habitat areas shall be required. In some habitat areas setbacks of more than 100 feet shall be required if environmental assessment results in information indicating a greater setback area is necessary for protection. No permanent structures shall be permitted within the setback area except for structures of a minor nature such as fences or at-grade improvements for pedestrian or equestrian trails. Such projects shall be subject to review and comment by the Department of Fish and Game prior to commencement of development within a setback area. For other than wetland habitats, if subdivision parcels would render the subdivided parcel unusable for its designated use. the setback area may be adjusted downward only to a point where the designated use is accommodated but in no case is the buffer to be less than 50 feet. The lesser setback shall be established in consultation with the Department of Fish and Game. If a setback area is adjusted downward mitigation measures developed in consultation with the Department of Fish and Game shall be implemented. *Note: Policies 11.14 and 11.15 and 11.20 are more specifically relevant to the subject site which could potentially affect a drainage corridor and coastal dune habitat. The project has been referred to the California Department of Fish and Wildlife, but no comments were received.*

Policy 11.14 (LU-55.8): A minimum buffer strip along all streams shall be required as follows:
(2) a minimum buffer strip of 50 feet in urban areas.
If the applicant can demonstrate that the implementation of the minimum buffers on previously subdivided parcels would render the subdivided parcel unusable for its designated use, the buffer may be adjusted downward only to a point where the designated use can be accommodated but in no case shall the buffer be reduced to less than 50 feet for rural areas and 25 feet for urban areas. Only when all other means to project modifications are found inadequate to provide ·for both the use and the larger minimum buffer. The lesser setback shall be established in consultation with U.S. Fish and Wildlife and the California Department of Fish and Game and shall be accompanied by adequate mitigations. The buffer area shall be measured landward from the landward edge of riparian vegetation or from the top of the bank (e.g .. in channelized streams). Maps and supplemental information may be required to determine these boundaries. Adjustments to the minimum buffer must protect the biological productivity and water quality of the streams. Assessment of impact shall include. but not be limited to the following factors:
(a) Soil type and stability of stream corridors:
(b) How surface water filters into the ground:
(c) Slope of land on either side of the stream: and
(d) Location of the 100 year flood plain boundary.
Where riparian vegetation has been previously removed, except for stream channelization, the buffer shall allow for the re-establishment of riparian vegetation to its prior extent to the greatest degree possible.

Policy 11.15 (LU-55.10): No structures shall be located within the stream corridor except: public trails located within a buffer when no alternative location is feasible but outside of riparian habitat; necessary water supply projects; flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and development where the primary function is the improvement of fish and wildlife habitat. Bridges (when support structures are located outside the critical habitat areas) may be permitted when no alternative route/location is feasible. All development shall incorporate the most protective mitigations feasible.

Policy 11.16 (LU-55.11): All permitted development, including dredging, filling, and grading within stream beds and setback buffer areas shall be limited to activities necessary for the construction of uses specified in Policy 11.15. When such activities require removal of riparian plant species, revegetation with local native riparian species shall be required. Projects which would cause the removal of vegetation shall be subject to review and comment by U.S. Fish and Wildlife Service and the Department of Fish and Game.

Policy 11.17 (LU-55.12): The biological productivity of the City's environmentally sensitive habitat areas shall be maintained and, where feasible, restored through maintenance and enhancement of the quantity and quality of Morro and Chorro groundwater basins and through prevention of interference with surface water flow. Stream flows adequate to maintain riparian and fisheries habitat shall be protected.

Policy 11.20 (LU-55.2): Coastal dune habitats shall be preserved and protected from all but resource dependent, scientific, educational and passive recreational use. Disturbance or destruction of any dune vegetation shall be prohibited, unless no

feasible alternative exists. and then only if revegetation is made a condition of project approval. Such revegetation shall be with native plants propagated from the disturbed sites or from the same species at adjacent sites. All non-authorized motor vehicles shall be prohibited in beach and dune areas. A buffer strip, a minimum of 50 feet in width in urban areas and 100 feet in nonurban areas shall be maintained between the dune habitat and adjacent development. All permitted uses shall be regulated and restrictions enforced to protect critical bird habitats during breeding and nesting seasons. Controls may include restriction of access. noise abatement. restriction of hours of operations of public or private facilities. For all permitted uses within dune habitat areas including recreation, foot traffic on vegetated dunes shall be minimized. Where access through dunes is necessary or established through historical public use well-defined footpaths or boardwalks shall be developed and used.

Policy 11.22 (LU-60): The precise location and thus boundary line of Environmentally Sensitive Habitat areas shall be determined based upon a field study paid for by the applicants and performed by the City or City's consultants and approved by City Council and/or their appointed designee prior to the approval of development on the site including, but not limited to, a division of land. provision of public access or restoration of the ESH.

Policy 11.23 (LU—61): As a condition of approval of development prior to commencement of any development, property owners/applicants shall dedicate appropriate permanent easement over portions of the property determined to be sensitive habitat such as a stream corridor or coastal dune scrub.

Impact Discussion:

a. As noted above, no special-status plant species were noted onsite. Soils, existing vegetation, and the ephemeral and channelized nature of the drainage are unlikely to provide habitat for special-status species, including the California red-legged frog and the California seablight plant. Although direct effects would be avoided, potential indirect effects as a result of water quality degradation or discharge of fuels, sediments, and trash onto the beach area could affect shoreline birds. Long-term effects as a result of additional nighttime lighting, noise, and human activity are not expected to be significant based on the existing setting (residential neighborhood). City standards and identified mitigation to reduce light and glare (refer to Section 1 Aesthetics) would address potentially adverse effects to nocturnal shoreline species including bats. The introduction of non-native plant species would further reduce potential habitat for wildlife in the area. The project proposes to plant the required buffer areas with native species in order to improve habitat quality. Mitigation is identified to mitigate potential effects to less than significant.

b. Implementation of the proposed project could have indirect adverse effects on potentially sensitive habitats. The sensitive habitats identified are the adjacent drainage and a small area which can be classified as coastal dune scrub. Approximate areas of habitat affected by the project are summarized in Table 2 below. Other than the one willow, there is no significant riparian vegetation on site and the seasonal water flow is largely confined to a concrete channel before percolating into beach sand off site. The proposed restoration area will have a net benefit to habitat quality.

Table 2. Habitat Impacted and Preserved

Habitat Type or Feature	Habitat Impacts (square feet)	Habitat Preserved (square feet)
Annual Grassland	2,758	2,428
Arroyo Willow*	0	270
Bermuda Buttercup	8	1,312
Iceplant Mat/Foredune*	0	480
Iceplant Mat	979	1,911
Informal Trail	176	264
Total	**3,921**	**6,665**

***Potential ESH**
Source: KMA 2015

Construction of the project would include the use of heavy equipment and machinery adjacent to a drainage, which is directly downgrade from the area of proposed disturbance. These activities may result in pollutant discharges, including sediment, oils, and fuels entering the drainage and potentially also affecting the adjacent beach area. Habitat degradation could also occur from introduction of non-native invasive plants through landscaping, and uncontrolled sediment-laden runoff leaving the site and entering the drainage or adjacent beach.

As shown in Table 2 above, implementation of the project would avoid potential ESH including central dune scrub and the willow. The project would not result in the direct disturbance of the drainage. Project plans show a 25-foot setback from the top of bank. This is the minimum urban stream setback allowed per LCP Policy 11.14 and Zoning Ordinance Section 17.40.040D and requires review and consultation with USFWS and CDFW. The project also proposes a 50-foot setback from coastal dune scrub, which is the allowed minimum setback per LCP Policy 11.20. The intermittent stream has been channelized and does not support any significant riparian vegetation. The dune habitat in this area is limited in size, is currently subject to human disturbance including a spur trail, beach use, and the residential neighborhood, and does not support suitable nesting habitat for snowy plover. The disturbed nature of the site and presence of adjacent residences limit the ecological function of the ESH.

The applicant has agreed to incorporate recommended measures provided in the biological evaluation (KMA 2013), including habitat restoration and enhancement, use of non-invasive, drought-tolerant landscaping, incorporation of vegetated swales, soil amendments, catch basins, and best management practices (BMPs). A conceptual Ecological Planting Plan (prepared by KMA), including approximately 3,300 square feet of native coastal scrub plants and 2,500 square feet of coastal grassland plants was submitted by the applicant. The presence of a biological monitor would be required during construction and for oversight of the ecological planting plan. Prior to construction, the applicant would be required to submit a final grading plan including temporary and permanent soil stabilization and erosion control measures, and a spill prevention control and countermeasure plan to avoid the potential for accidental leak or release of oils, fuels, and other materials. These best management practices would mitigate potential impacts resulting from pollutant discharges into the drainage and downslope beach area. Onsite restoration would improve the biological function of the buffer area in the long-term (compared to existing conditions). Based on implementation of these measures, which are incorporated as mitigation measures, potential impacts to ESH would be less than significant.

c. There are no federally protected wetlands as defined by Section 404 of the Clean Water Act on site. Refer to b., above. Field surveys found no areas with 50% or greater vegetative cover of wetland indicator species. Therefore, the wetland vegetation criterion used to define a coastal wetland was not met, and there are no federally, state, or locally protected wetlands on site. Mitigation and best management practices would be incorporated into the project to avoid inadvertent, indirect impacts to the unnamed drainage. Impacts would be less than significant.

d. The project site is located in between existing residential development. No trees are present onsite. Based on the existing condition of the project site, and results of the biological resources evaluation, the project would not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. If nesting birds are present onsite, nests and eggs would be adversely affected by construction activity. Mitigation is identified to avoid disruption of active nests. Therefore, potential impacts would be less than significant.

e. Refer to a., above.

f. The project site is not subject to any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. Impacts would be less than significant.

Conclusion: The overall habitat value of the site as it currently exists is low. The site has been disturbed and contains no listed or native species. The project would significantly improve habitat quality in the proposed buffer areas associated with the intermittent drainage and seasonal dune scrub. Based on the most recent biological evaluation conducted by KMA, the ESH boundaries are defined by the top of bank and the one adjacent willow (Stream ESH) and the area of ice plant mat and foredune (Coastal Dune Scrub ESH). The project would have no direct impact on the identified habitat

areas. Implementation of low impact development standards, mandatory erosion control during construction and stormwater management would mitigate potential indirect impacts to the drainage area and the coastal dune scrub (KMA 2012). The project will include an ecological planting plan for the buffer areas. Short-term intrusions into the buffer areas may be considered pursuant to ecological restoration of any disturbed areas within the required ESH buffers. The proposed restoration area will have a net benefit to habitat quality.

Mitigation and Residual Impact:

BIO Impact 1 **Development of the project could indirectly affect the natural drainage feature to the north of the site, coastal and shoreline habitat to the west, and special-status species and wildlife in the proximity.**

BIO/mm-1 *Prior to issuance of construction permits, the applicant shall submit documentation verifying designation of a qualified environmental monitor for all biological resources measures to ensure compliance with Conditions of Approval and mitigation measures. The monitor shall be responsible for: (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) compliance reporting; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected natural resource agencies, which may include the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, California Coastal Commission, U.S. Fish and Wildlife Service, and the City of Morro Bay.*

BIO/mm-2 *Prior to the initiation of construction, the environmental monitor shall conduct environmental awareness training for construction personnel. The environmental awareness training shall include discussions of sensitive habitats and animal species in the immediate area. Topics of discussion shall include: general provisions and protections afforded by the Endangered Species Act; measures implemented to protect special-status species; review of the project boundaries and special conditions; the monitor's role in project activities; lines of communications; and procedures to be implemented in the event a special-status species is observed in the work area.*

BIO/mm-3 *Prior to the initiation of construction, the applicant's contractors and the environmental monitor shall coordinate the placement of project delineation fencing throughout the work areas. The environmental monitor shall field fit the placement of the project delineation fencing to minimize impacts to sensitive resources. The project delineation fencing shall remain in place and functional throughout the duration of the project. During construction, no project related work activities shall occur outside of the delineated work area.*

BIO/mm-4 *Prior to issuance of grading and construction permits, the applicant shall submit a Native Habitat Restoration and Enhancement Plan prepared by a qualified restoration ecologist for the review and approval by the City Community Development Manager. The plan shall be implemented concurrent with or immediately following construction. The plan shall including, but not be limited to the following measures, pursuant to the Biological Resources Assessment (KMA December 2013 and KMA Addendum 2014):*

a. Prior to any construction activities, a construction buffer shall be demarcated with highly visible construction fencing or staking for the benefit of contractors and equipment operators.

b. Restoration of surface contours through minor grading and seeding native vegetation may be required to reduce the erosion potential and provide temporary cover during and after construction.

c. Non-native and invasive plant species shall not be permitted in the approved buffer areas. For a list of noxious weeds and appropriate plant materials, please refer to the following sources: the California Invasive Plant Council website at www.cal-ipc.org and the County of San Luis Obispo's approved landscape plant list. Substitutions may be allowed, but shall be approved by a qualified botanist.

d. The ESH buffer areas shall utilize native species characteristic of the coastal scrub and coastal grassland habitat. Landscaping around the house and to the east and south shall utilize drought tolerant, non-invasive species.

e. As part of any building permit application, a sediment and erosion control plan shall be submitted that specifically seeks to protect the drainage and protected native habitat adjacent to the construction site. Erosion control measures shall be implemented to prevent runoff from the site. Silt fencing, straw bales, and/or sand bags shall be used as well as other methods to prevent erosion and sedimentation of the drainage channel. The plan shall specify locations and types of erosion and sediment control structures and materials that would be used on-site during construction activities. Biotechnical approaches using native vegetation shall be used as feasible. The plan shall also describe how any and all pollutants originating from construction equipment would be collected and disposed.

f. Current Best Management Practices (commonly referred to as BMPs) shall be utilized to minimize impacts to the drainage feature and native habitat areas onsite. Washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing of equipment, tools, roads, etc. shall not be allowed in any location where the tainted water could affect the drainage and adjacent beach's sensitive biological resources.

g. Identification of areas to be seeded or planted following weed abatement, planting and weed control methodologies, measures to protect plantings during the establishment period, irrigation methods and timing (which shall not result in erosion or down-gradient sedimentation).

h. The plan shall be monitored for two years following initial site preparation, planting, and seeding.

i. Annual monitoring reports shall be submitted to the City Community Development Manager, and shall include written explanation of adherence to the plan, any necessary remediation or maintenance actions, and photo-documentation.

BIO Impact 2 **Development of the project could adversely affect nesting birds onsite or in the proximity.**

BIO/mm-5 *Prior to ground disturbance, to minimize impacts to nesting bird species, including special status species and species protected by the Migratory Bird Treaty Act, initial site grading shall be limited to outside the nesting season and focused during the time period between September 1 and February 1 as feasible. If initial site disturbance cannot be conducted during this time period, a pre-construction survey for active bird nests onsite shall be conducted by a qualified biologist. Surveys shall be conducted within two weeks prior to any construction activities. If no active nests are located, ground disturbing/construction activities can proceed. If active nests are located, then all construction work shall be conducted outside a non-disturbance buffer zone to be developed by the qualified biologist based on the species (i.e., 50 feet for common species and upwards of 250 feet for special status species), slope aspect and surrounding vegetation. No direct disturbance to nests shall occur until the young are no longer reliant on the nest site as determined by the project biologist. The biologist shall conduct monitoring of the nest until all young have fledged.*

After implementation of these measures, residual impacts to biological resources would be less than significant.

Monitoring:

The City shall verify required elements on plans and compliance in the field. The City shall review and approve plans and monitoring reports.

5. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?		X		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	

Environmental Setting:

The project site is located in an area historically occupied by the Obispeno Chumash, and is considered by some to include the southern boundary of the Playano Salinan people. During prehistoric times, the areas surrounding the Morro Bay inlet and estuary were rich in terrestrial, littoral, and estuarine resources, which directly correlate to the high frequency of prehistoric cultural sites identified in the Morro Bay region. Several locations along the coast and Morro Creek are designated Archaeologically Sensitive (AS). The project site is not located within an AS overlay.

A records search and surface survey were conducted for the project (Gibson 2002). The results of the record search and pedestrian survey showed no evidence of significant historic or prehistoric archaeological resources onsite. City staff also requested a record search in 2014 from the Central Coast information Center. The search result indicated no sites or historic resources on the parcel or within a 300-foot radius of the parcel. Furthermore, the parcel has been highly disturbed as a result of grading for the tank road and for the concrete channelization of the unnamed drainage.

Impact Discussion:

a. The project site does not include any resources included on a local register of historical resources, and does not contain any building, structure or other object that is historically significant to California's history or cultural heritage as defined by CEQA Section 15064.5. No historic resources are located onsite; therefore no impact would occur.

b. No archaeological resources were documented by the records search or surface survey, and no further investigations are recommended. These results do not preclude the possible existence of unknown, subsurface resources, especially in a region that has been demonstrated to be archaeologically sensitive. Therefore, the archaeological report recommends monitoring during initial grading of the site. In the unlikely event prehistoric or historic cultural materials are encountered during any phase of property grading or development, the work would be halted until a qualified archaeologist can make an assessment of the resources and proper mitigation measures be formulated in accordance with City and County guidelines. Based on the results of the study, monitoring during initial grading, and lack of evidence indicating the presence of significant resources, potential impacts would be less than significant.

c. No unique paleontological or geographic resources are known to exist at the project site. Based on the area of disturbance, significant paleontological discovery is unlikely; therefore, impacts are less than significant.

d. Based on the results of the archaeological study and location of the project site, discovery of human remains is unlikely. Health and Safety Code Section 7050.5 requires construction to cease if in situ cultural resources are encountered until the County Coroner has been notified and necessary findings as to origin and disposition of the remains can be made pursuant to Public Resources Code Section 5097.98. Construction must halt in the area of the discovery, the area must be protected, and consultation and treatment must occur as prescribed by law. Based on results of the study and compliance with existing regulations, impacts would be less than significant.

Mitigation and Residual Impact:

CR Impact 1 **Ground disturbance associated with the construction of the residence and all associated facilities may result in the inadvertent discovery of previously undocumented archaeological resources.**

CR/mm-1 *A qualified archaeologist, approved by the City, shall be on site to monitor grading, trenching and related site preparation. The name and contact information of the monitoring archaeologist shall be included on the cover sheet of the building plans. Prior to a request for foundation inspection, the applicant shall submit a report prepared by the monitoring archaeologist summarizing the dates and times of monitoring and observations regarding the presence or absence of cultural material during grading operations.*

CR/mm-2 *In the event that intact and/or unique archaeological artifacts or historic or paleontological resources are encountered during grading, clearing, grubbing, and/or other construction activities associated with the proposed project involving ground disturbance, all work in the immediate vicinity of the find shall be stopped immediately, the onsite archaeological monitor shall be notified, and the resource shall be evaluated to ensure the discovery is adequately recorded, evaluated and, if significant, mitigated.*

CR/mm-3 *Prior to any grading or construction, contractors involved in grading and grubbing activities shall receive training from a City-approved qualified archaeologist knowledgeable in local tribes. At a minimum, the training shall address the following:*

a) Review of the types of archaeological artifacts that may be uncovered.

b) Provide examples of common archaeological artifacts to examine.

c) Review what makes an archaeological resource significant to archaeologists and local Native Americans.

d) Describe procedures for notifying involved or interested parties in case of a new discovery.

e) Describe reporting requirements and responsibilities of construction personnel.

f) Review procedures that shall be used to record, evaluate, and mitigate new discoveries.

g) Describe procedures that would be followed in the case of discovery of disturbed or intact human burials and burial-associated artifacts.

After implementation of these measures, residual impacts would be less than significant.

Monitoring:

The City Community Development Director shall verify compliance with this measure.

6. GEOLOGY /SOILS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

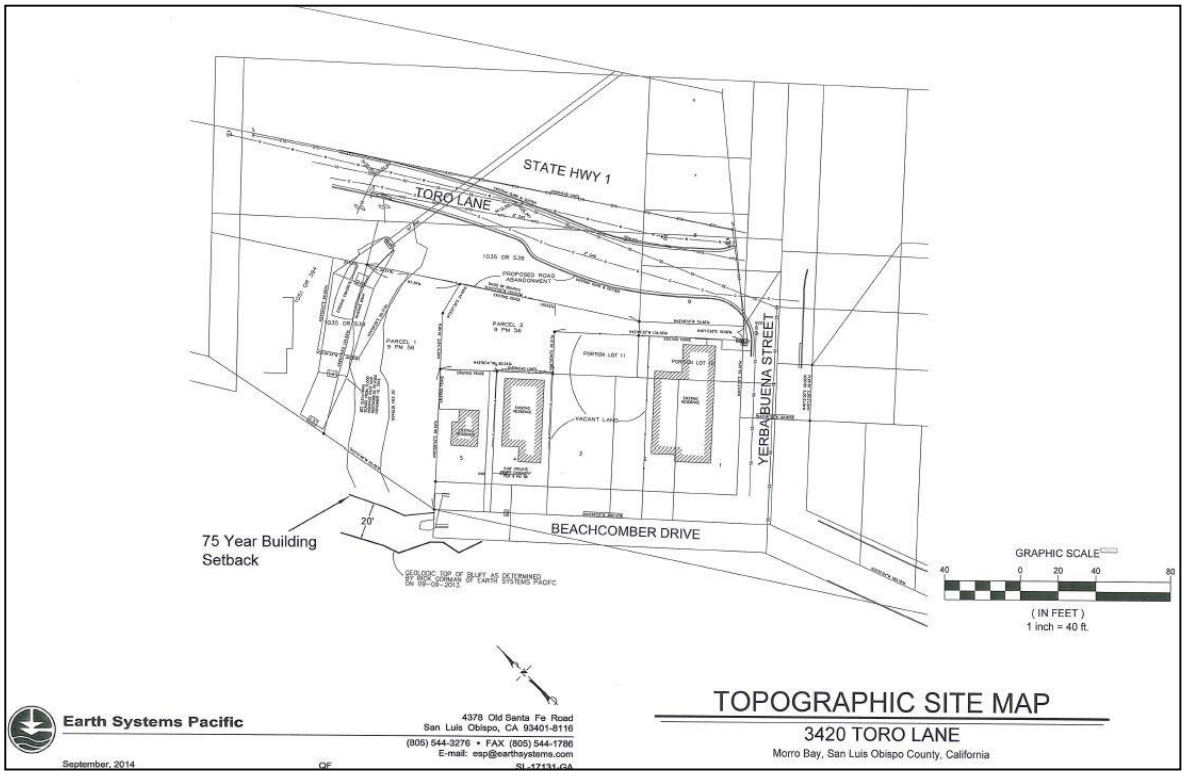
i	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42)			X	
ii	Strong Seismic ground shaking?		X		
iii	Seismic-related ground failure, including liquefaction?			X	
iv	Landslides?			X	
b.	Result in substantial erosion or the loss of topsoil?			X	
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X		
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

Environmental Setting:

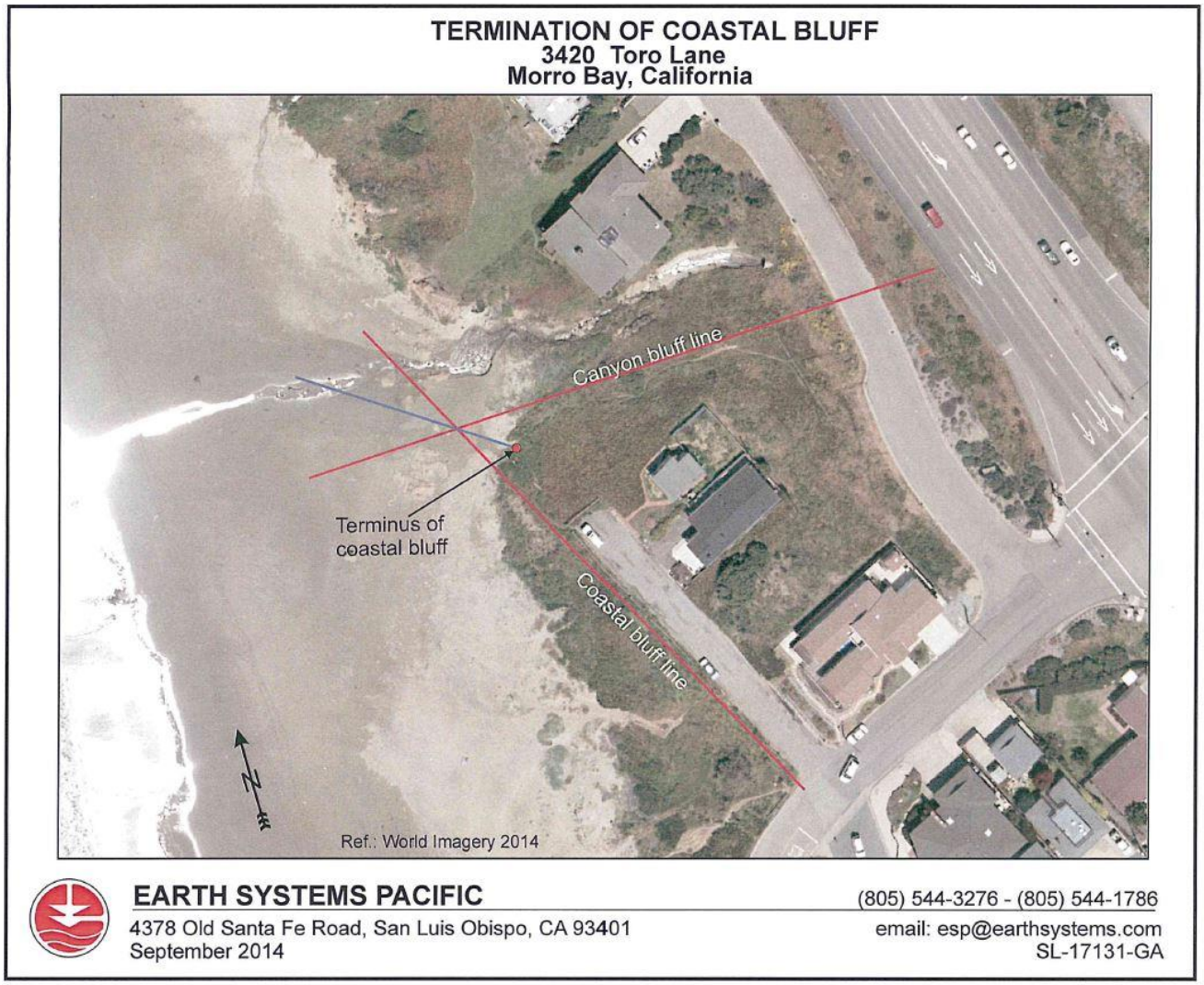
A *Geologic Report* (Earth Systems Pacific, June 11, 2002, revised September 13, 2002), *Update of Geologic Bluff Study* (Earth Systems Pacific, September 18, 2013), and a *Sea Wave Run-up Analysis* (Earth Systems Pacific, May 5, 2014) were submitted by the applicant. A further clarification of the top of stream bank and delineation of the coastal bluff and canyon/riverine bluff was prepared by Earth Systems Pacific and is dated September 29, 2014. A slope stability analysis (Earth Systems Pacific, March 5, 2015) and a revised sea wave run-up analysis (Earth Systems Pacific, February 12, 2015) were submitted in support of the delineation of the coastal and canyon bluffs. Reports were reviewed by California Coastal Commission's coastal engineer, Lesley Ewing, and by the Commission's staff geologist Mark Johnsson, who respectively concurred with the revised sea wave run-up analysis and the bluff delineations. A Soils Engineering Report was also prepared for the project (GeoSolutions, August 2014).

The results of these reports are incorporated into the analysis below. The reports analyzed the project's impact on geology, groundwater/springs, bluff retreat, and erosion, tsunamis, faulting and earthquakes, slope stability, channel bank retreat, and construction activity. No unique geologic features exist on or adjacent to the site, aside from the coastal bluff to the west. The *Sea Wave Analysis* consideration anticipated maximum storm wave heights, tidal influences, maximum anticipated flood elevations, storm surge, tsunami hazards and the impacts of potential future rises in sea level.

Section 17.45.050 of the Zoning Code requires a Geologic Report be prepared for projects proposed within a bluff area. Geologic reports are used to determine bluff stability and required setbacks to ensure structural stability without any need to alter natural bluff landforms or require the construction of protective devices such as sea walls for the economic life of the development (75 to 100 years) consistent with Section 30253 of the Coastal Act. The minimum bluff setback required by the City Zoning Ordinance (Section 17.45.040) is 20 feet. The following topographic map shows the minimum setback is beyond the project site boundary. Proposed development would be more than 70 feet from the coastal bluff edge.



Because the coastal bluff is interrupted in the vicinity of the project by the un-named drainage, it was necessary to distinguish between the coastal bluff and the stream channel canyon bluff bank which runs through the north facing side of the project site. An analysis was performed following the methodology as presented in the California Coastal Act, California Code of Regulations, Title 14, subsection 13577(h)(2). This method defines the terminus of the coastal bluff as a point reached by the intersection of lines coinciding with the general trend of the coastal and canyon bluffs for a minimum length of 500 feet. A 1963 aerial photo shows the general trend of the bluff lines, however, since the lines of the both bluffs have been disturbed by road construction and other development, it was also necessary to also assess current and historical erosion related to marine influences in light of the definition for coastal bluffs cited in the California Code of Regulations subsection 13577(h)(1), as "those bluffs, the toe of which is now or was historically (generally within the last 200 years) subject to marine erosion. Analysis of aerial photos from 1953 through 2014 indicate no significant marine erosion has occurred during that period. A Sea Wave Run-up Analysis prepared by Earth Systems Pacific (February 2015) concludes that the slope area above the un-named drainage has not been subject to historic marine erosion, and, therefore should be considered a canyon bluff.



Impact Discussion:

a. The Southern Coast Ranges Province is one of the most complex geologic provinces in the state, characterized by a number of sub-parallel structural blocks bounded by several on- and off-shore faults. There are no official maps of Alquist-Priolo Earthquake Fault Zones in or near the City of Morro Bay, and the site is not within a State Earthquake Fault Zone. The closest active fault to the project site is the Los Osos Fault, approximately two miles to the southeast. The closest mapped fault to the site (regardless of activity) is the Cambria Fault located approximately 0.75 mile from the project site.

The project site is located in a region of generally high seismicity, and has the potential to experience strong ground shaking from earthquakes on regional and/or local causative faults. Based on the location of known faults, the potential for surface fault rupture is low. There is a high potential for existing soil slumps to reactivate as a result of strong ground shaking from a seismic event.

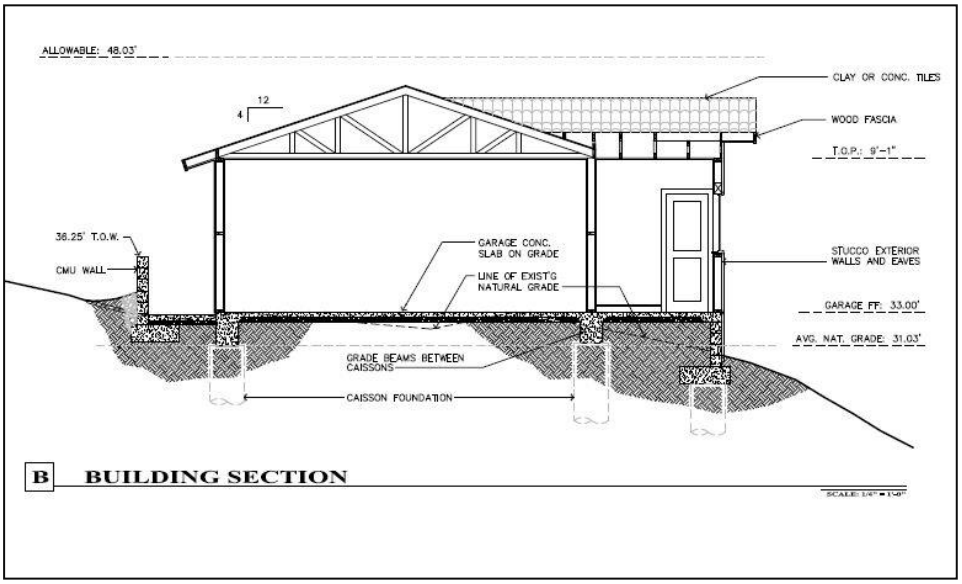
The engineering soils report prepared for the project (GeoSolutions, August 14, 2014) concludes that the potential for subsidence and liquefaction on site are low.

Based on incorporation of recommendations identified in the noted soils and geology reports, and compliance with existing regulations in the Building Code, potential impacts would be less than significant.

b. The Natural Resources Conservation Service maps soils and establishes erosive factors to predict the erodibility of a soil and its tolerance to erosion in relation to specific land uses and treatments. Erosive factors are influenced by factors such as plant cover, grade and length of slope, management practices, and climate. Based on incorporation of measures identified by the applicant's geologist to stabilize disturbed slopes between the proposed development and the drainage, and between the development and the coastal bluff, the potential for erosion at the site is less than significant.

c. The update of the geologic bluff study (Earth Systems, September 18, 2013) notes that no significant evidence of coastal bluff instability has occurred during the last 11 years. The underlying soil and gravel exposed on the coastal bluff is considered to be grossly stable with a moderate potential for shallow slumps when saturated from precipitation or sea wave run-up. Sea wave erosion appears to be the dominant factor for bluff retreat at the site. Since 1953 the coastal bluff erosion retreat rate has averaged 1.2 inches per year. At its closet point, the coastal bluff is more than 20 feet from the westerly parcel boundary and more than 70 feet from the proposed structure.

The sandstone bedrock exposed in the lower part of the drainage channel is grossly stable. Marine terrace deposits overlaying the sandstone have a moderate potential for shallow soil slumping. Stability should increase with property development and associated drainage and erosion control. The proposed project foundation would be constructed using caissons down to underlying bedrock for long-term stability of the structure.



For a 75-year period with a long-term average site bluff retreat rate of 1.2 inches per year, it is estimated that the bluff will retreat 7.5 feet from the current top of bluff. The California Coastal Commission (CCC) requires that additional 10 feet should be added to the 7.5-foot bluff top building setback for total setback of 17.5 feet. The CCC adds a 10-foot buffer to the long-term average bluff retreat rate to account for unforeseeable episodic bluff erosion events and sea level rise. The 17.5-foot bluff top building setback is less than the City's required setback of 20 feet (Section 17.45.040); therefore, the City's identified minimum setback should be used for the new development and construction. The applicant's proposed bluff setback is more than 70 feet, which complies with the geologist's recommendation and the Zoning Code.

The *Revised Sea Wave Run-up Analysis* (2015) applied sea level rise estimates identified in the 2013 California Ocean Protection Council Document. Factors considered in the analysis include estimated sea level rise, winter storm sand scour, breaking waves, and wave run-up. The year 2100 High Average Range of Models applied a

sea level rise of 55 inches (4.58 feet), which was used in the analysis to provide a conservative estimate of future risk. Based on the analysis, the 100-year design stillwater elevation would be 7.56 feet (NAVD88). The calculations consider a winter storm scour depth of 2.5 feet, which would yield a scour depth elevation of 9.5 feet, resulting in a design stillwater depth of 2.7 feet along the mouth of the unnamed drainage. Based on 100-year storm data, a breaking wave height of 15 feet (6-second period) was applied; the wave would likely break offshore and run up along the gently sloping scoured beach surface. At the project site, the wave run-up elevation was estimated on the beach and within the unnamed drainage. The addition of the 2.55 feet calculated wave run-up height to the 100-year stillwater elevation of 12.2 feet yields a total 100-year wave run-up elevation of 14.75 feet (NAVD 88). However, due to the potential for the creek to be flooded from storm water runoff flowing out of the culvert at the same time as a 100-year storm event, it is estimated that 1.5 feet in height should be added to the 100-year wave run-up elevation. Therefore, the 100-year wave run-up elevation along the creek would be 16.25 feet (NAVD 88). The finish floor elevation of the proposed residence would be 33 feet. Therefore, the proposed project would not be adversely affected by sea level rise.

Grading and construction plans for the project will be subject to compliance with recommendations in the geologic and soils reports prepared for the project as well as compliance with the Building Code to ensure the project is located on a stable geologic unit or soil.

d. Onsite soils may have high shrink-swell potential and high expansion potential of the soil. Compliance with the Building Code would address this potential impact; therefore, the residual effect would be less than significant.

e. The project does not include the construction of an onsite septic system; therefore, no impacts would occur.

Mitigation and Residual Impact:

GS Impact 1 **Development associated with the proposed project places structures and people in an area subject to geologic hazards including seismic groundshaking, and risks associated with slope stability.**

GS/mm-1 *Upon application for grading and construction permits, all mitigation measures identified in the September 13, 2002 Geologic Report prepared by Earth Systems Pacific shall be incorporated into the project. These measures shall be included on all grading and building plans. These include the following:*

a. The Certified Engineering Geologist of record shall provide an engineering geologist's written certification of adequacy of the proposed site development for its intended use.

b. A Certified Engineering Geologist shall review, approve and stamp construction plans including all plans for building foundations and excavation.

c. The Certified Engineering Geologist shall inspect work on-site and verify that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review and engineering geology report.

d. Before final inspection and/or issuance of occupancy permits, should the services of the Certified Engineering Geologist be terminated the applicant shall submit a transfer of responsibility statement to the Planning Division from the new Certified Engineering Geologist pursuant to the Uniform Building Code.

GS/mm-2 *Concurrent with submittal of construction plans, the applicant shall submit a Soils Report, prepared by a California Registered Geologist or Soils Engineer, a Geology Report, prepared by a California Registered Geologist, and a Slope Stability Report, prepared by a California Registered Engineering Geologist. The Soils Report shall address soils engineering and compaction requirements, slope stability issues, drainage locations with respect to walls, finish floor elevations,*

drain materials, and shall contain recommendations regarding foundation design, retaining wall design, and paving sections, where applicable, for the project. The soils report shall be reviewed and approved by the City Engineer.

GS/mm-3 *Prior to issuance of grading and construction permits, the applicant shall prepare a drainage and erosion control plan to reduce the potential for erosion and down-gradient sedimentation both during construction and for the life of the project. Grading and construction plans shall include measures to prevent and avoid spills or spread of dangerous materials and clean-up procedures in the event of a spill. Monitoring or inspection of construction activities by the City Building Inspector shall occur as needed to ensure compliance with the erosion control plan.*

After implementation of these measures, residual impacts related to geology and soils would be less than significant.

Monitoring:

Design plans shall be inspected and approved by the City Engineer to ensure compliance with the requirements of the Geologic Report. Erosion control plans shall be submitted to the City Community Development Department for review and approval, in consultation with the City Engineer. Monitoring or inspection of construction activities by the City Building Inspector shall occur as needed to ensure compliance with design plans and the drainage and erosion control plan.

7. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with an applicable plan, policy of regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Environmental Setting:

In California, the main sources of Greenhouse Gases (GHGs) are from the transportation and energy sectors. According to the San Luis Obispo County Annual Resource Summary Report (2013), approximately 40 percent of GHG emissions result from transportation and 23.5 percent result from commercial/industrial uses (County of San Luis Obispo, 2010). GHGs remain in the atmosphere for periods ranging from decades to centuries; the main GHGs emitted by human activities include CO2, methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCS), perfluorocarbons (PFCS), and sulfur hexafluoride (SF6).

A warming trend of approximately 1.0 to 1.7 degrees Fahrenheit occurred during the 20th Century. It is generally agreed that human activity has been increasing the concentration of GHGs in the atmosphere, mostly CO2 from the combustion of coal, oil and gas. The effect of each GHG on climate change is measured as a combination of the volume or mass of its emissions, and the potential of a gas or aerosol to trap heat in the atmosphere (global warming potential), and is expressed as a function of how much warming would be caused by the same mass of CO_2.

The potential effects on future climate change on California resources include increases of air temperature, sea level rise, reduced water resources and changed flood hydrology, changed forest composition and productivity, increased wild fires, changed habitats and ecosystems, changed crop yields and increased irrigation demands, and increased smog and public health issues.

Impact Discussion:

a. Carbon dioxide (CO_2) is the most dominant greenhouse gas, making up approximately 84 percent of total GHGs by volume. Based on Table 1-1: Operational Screening Criteria for Project Air Quality Analysis (APCD 2012), the project would not generate emissions exceeding the APCD's bright-line threshold of 1,150 metric tons (MT) of CO_2e per year. Therefore, potential impacts would be less than significant.

b. The proposed project is consistent with the goals and policies of the City of Morro Bay General Plan, SLOAPCD's CEQA Handbook, Clean Air Plan, and GHG Thresholds and Supporting Evidence document. Impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts related to greenhouse gas emissions, and no mitigation measures are necessary.

Monitoring: None required.

8. HAZARDS/HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d. Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

Environmental Setting:

Based on review of the City of Morro Bay General Plan, City of Morro Bay Local Coastal Plan, and the California Department of Toxic Substances Control Cortese List and EnviroStar databases, there is no evidence that hazardous materials were ever used, stored or spilled on the project site at any time in the past, and there are no oil wells, tanks or related structures located on the property.

Risks related to hazardous materials and their release into the environment could occur during the construction stage of the project. Sensitive uses/resources that could be impacted by hazards resulting from the proposed project include adjacent residences, an unnamed drainage, and adjacent beach area.

Impact Discussion:

a. The project does not propose the routine transport, use or disposal of hazardous materials. Construction materials, including fuels and oils, may be transported during construction, in compliance with existing regulations. Associated hazard to the public or the environment would be less than significant.

b. Risks related to hazardous materials and their release into the environment could occur during the construction phase of the project. Although a limited amount of hazardous materials would be present at the project site (namely oil and gas for construction equipment and vehicles) during normal construction conditions, hazardous materials would not pose a substantial risk. However, there is the potential for spills to occur at the project site, which would potentially affect sensitive areas. Mitigation, including preparation of a drainage and erosion control plan which specifically addresses hazardous materials to be used during construction and operation, and identifies procedures for storage, distribution, and spill response is recommended to avoid the potential for incidental exposure; therefore, potential impacts would be less than significant.

c. The project would not be located within 0.25 mile of a school and does not propose to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Impacts would be less than significant.

d. The project site is not located on a known hazardous materials site. No impacts would occur.

e. The project site is not located within an airport land use plan or within two miles of a public airport. No impacts would occur.

f. The project site is not located within the vicinity of a private airstrip. No impacts would occur.

g. Based on the location of the project site, construction of the proposed project would not conflict with any regional evacuation or emergency response plan.

h. The project is proposed adjacent to an urban setting, and is not in a high fire risk area. The project would be served by the City Fire Department, and the applicant would comply with standard practices during construction to minimize the potential for incidental fires, including inspection of equipment. The project would not expose people or structures to a significant risk of fire, and impacts would be less than significant.

Mitigation and Residual Impact:

HAZ Impact 1 **Development associated with the proposed project has the potential to result in the accidental release of hazardous materials into sensitive areas adjacent to the project site.**

HAZ/mm-1 *Prior to construction, the applicant shall prepare a drainage and erosion control plan which also specifically addresses hazardous materials to be used during construction and operation, and identifies procedures for storage, distribution, and spill response for review and approval by the City Community Development Department. The plan shall identify hazardous materials to be used during construction and operation, and shall identify procedures for storage, distribution, and spill*

response. Equipment refueling shall be done in non-sensitive areas and such that spills can be easily and quickly contained and cleaned up without entering any existing stormwater drainage system or creek. The plan shall include procedures in the event of accidents or spills, identification of and contact information for immediate response personnel, and means to limit public access and exposure. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. The plan shall be implemented by the construction contractor, and verified by the City Building Inspector.

With implementation of this mitigation measure, impacts related to hazards and hazardous materials would be less than significant.

Monitoring:

The applicant shall be responsible for implementing the approved drainage and erosion control including spill prevention control and response measures. The City Building Inspector shall conduct periodic inspections to verify compliance.

9. HYDROLOGY/WATER QUALITY Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?		X		
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?		X		
d. Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?		X		
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		
f. Otherwise substantially degrade water quality?			X	
g. Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X

Environmental Setting:

The project site is located on a coastal bluff, and bordered by an unnamed drainage. The drainage is within the Federal Emergency Management Agency Flood Insurance Rate Map Zone AE (areas subject to inundation by the one percent annual chance flood event [100 year flood zone]). The Pacific Ocean is located to the west. The existing culvert is located within a State easement; any development within the easement would require an Encroachment Permit issued by Caltrans.

Impact Discussion:

a. The project site is bordered by an unnamed drainage that flows onto the beach. As discussed in Section 4 (Biological Resources), Section 6 (Geology and Soils), and Section 8 (Hazards / Hazardous Materials), construction of the project may result in erosion and down-gradient sedimentation or the accidental release of fuels, oils, or other materials, which may discharge into the unnamed drainage. Mitigation is recommended to address these potential impacts. Based on implementation of recommended best management practices and mitigation measures, including the presence of a biological monitor, no violations of any water quality standards or waste discharge requirements are expected. Impacts would be less than significant.

b. The proposed project would utilize City water supplies, which are estimated to be sufficient to meet project demands (refer to Section 17, Utilities and Service Systems, below). No depletion of groundwater supplies or effects on groundwater recharge would result. Impacts would be less than significant.

c. The project would disturb approximately 5,040 square feet and would increase pervious surfaces at the location with development of a residence and garage, paving and other infrastructure. Based on the size and location of the development, it would not substantially alter the existing drainage pattern on the site. Based on the location and size of the project, and implementation of drainage management features, potential impacts to erosion and siltation would be less than significant. In addition, incorporation of low impact development planning principles is recommended to further reduce impervious surfaces and associated increased runoff. With implementation of these measures, impacts would be less than significant.

d. Refer to c., above. The project would not substantially increase runoff which would result in flooding on- or off-site. Impacts would be less than significant with implementation of the recommended mitigation measures.

e. Refer to c., above. The project would contribute additional runoff; however, stormwater would continue to flow into the adjacent unnamed drainage downstream of the existing culvert. Based on preliminary review by Caltrans, concerns regarding the culvert and associated State easement include potential flooding resulting in undercutting and scour (Caltrans, 2014). Based on the size of the project, location above the 100-year flood elevation, implementation of proposed restoration and slope stabilization between the structure and the drainage feature, and preparation of a detailed drainage plan for review by the City Engineer and Caltrans, no substantial increase in capacity or additional sources of runoff would occur. With implementation of recommended mitigation measures, impacts would be less than significant.

f. An inlet filter would be required at any storm drain system catch basins. With implementation of recommended mitigation measures, no impacts to water quality would occur. Impacts would be less than significant.

g. The project is not within FEMA's 100-year flood hazard area. Based on the *Sea Wave Run-up Analysis* (Earth Systems Pacific 2014), and according to the Flood Insurance Rate Map for San Luis Obispo County, California, the site adjacent to the creek area is located within a 100-year flood zone AE with a flood elevation of 13 feet (NAVD 88 datum) near the mouth of the drainage up to 24 feet adjacent the culvert outlet. Due to the potential for the creek to be flooded from storm water runoff flowing out of the culvert at the same time as a 100-year storm event, an additional 1.5 feet should be added to the FEMA Coastal Flood elevation. The FEMA Coastal Flood elevations would then range from 14.5 feet at the mouth of the creek to 25.5 feet (NAVD 88) near the culvert in the year 2100. The finish floor elevation of the residence is approximately 33 feet in this location. Therefore, no significant impacts would occur.

h. Refer to g) above. The project is not within the FEMA 100-year flood hazard area, and would not redirect or impede any flood flows. Impacts would be less than significant.

i. The project does not place structures or people in a high flood hazard area and is not within an area that would be affected by a levee or dam failure. Impacts would be less than significant.

j. The project is located in an area subject to inundation by tsunami, similar to existing adjacent residences. Tsunamis along the Morro Bay coastline are relatively rare. Based on the *Sea Wave Run-up Analysis* (Earth Systems Pacific 2014), the highest documented tidal surge was approximately 5 feet. Therefore, the maximum 5-foot tidal surge was added to the 100-year design still water elevation of 12.2 feet to derive a maximum tsunami flood elevation of 17.2 feet. The finish floor elevation of the residence would be 33 feet. Therefore, impacts would be less than significant.

Mitigation and Residual Impact:

HWQ Impact 1 **The project would increase impervious surfaces at the project site, which would increase the total volume of storm water runoff and could contribute to erosion, siltation and flooding risks.**

HWQ/mm-1 *Prior to issuance of grading permits, the applicant shall submit a final grading and drainage plan for review and approval by the City Engineer and California Department of Transportation (Caltrans). The drainage plan shall demonstrate that additional runoff resulting from the project would not compromise the existing culvert under Toro Lane, and would avoid scour under the culvert structure and concrete portion of the channel.*

HWQ/mm-2 *Prior to issuance of grading permits, in the event final plans require any work within the State easement for the culvert and drainage channel, the applicant shall provide a copy of an Encroachment Permit issued by the California Department of Transportation.*

HWQ/mm-3 *Prior to issuance of grading and building permits, the applicant shall submit construction plans incorporating Low Impact Development (LID) planning principles, to the maximum extent feasible, consistent with the City of Morro Bay "Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements" to the satisfaction of the Public Works Director.*

After implementation of these measures, residual impacts would be less than significant.

Monitoring:

Monitoring shall occur as necessary to ensure development is proceedings consistent with the final grading and drainage plan. The City shall verify receipt of a copy of the Caltrans-issued Encroachment Permit.

10. LAND USE AND PLANNING Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Physically divide an established community?			X	
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		

c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Environmental Setting:

The proposed project is located in an urban area, within a residential neighborhood on Toro Lane and Beachcomber Drive, within the Coastal Appealable Zone. A portion of the site is within the ESH overlay. The project is within the moderate residential designation and zone. The site is currently vacant, and is located between two existing residences. Morro Strand State Beach is located immediately to the west. Toro Lane and State Route 1 are located to the east. The project is subject to review and approval by the Planning Commission for a use permit and coastal development permit which will include evaluation of consistency with applicable land use policies and regulations.

Impact Discussion:

a. The proposed project proposes residential development consistent with surrounding land uses. The project would not divide an existing community and impacts would be less than significant.

b. As noted in Section 4 (Biological Resources), the project site is subject to the Coastal Act and City LCP policies related to environmentally sensitive areas (ESH), including City LCP Policies 11.02 (Development near ESH), 11.06 (ESH setback), 11.14 (riparian buffer setbacks), 11.17 (ESH restoration), 11.20 (coastal dune setbacks), 11.22 (delineation of ESH), and 11.23 (easement over sensitive habitat). The LCP and associated Zoning Code Section 17.40.040D require a 100-foot setback from wetlands and 50-foot setback for streams. The Zoning Code allows for reduced buffers (except for wetlands) on a previously subdivided parcel if the buffer would "render that subdivided parcel unusable for its designated use" subject to consultation with CDFW and implementation of habitat protection mitigation measures. The project proposes a reduced setback of 25 feet from the riparian top of bank, and reduced setback of 50 feet from coastal dune scrub. These reduced setbacks may be considered by the City, provided that the project is not inconsistent with the City's LCP.

The project is also subject to Coastal Act and the City's LCP policies related to coastal access and potential environmental impacts resulting from the creation of a dedicated coastal accessway. The project site is currently crossed by an informal trail to the beach. The *Access Issues and Constraints* discussion in Chapter III of the City's Coastal Land Use Plan (p.43) notes, " Uncontrolled and undirected shoreline access has, over the years, resulted in resource damage to the sand dunes paralleling the beach…Fragile native plants and habitat have been lost. There is an urgent need to control and direct access, and restore, as far as possible, former dune habitat."

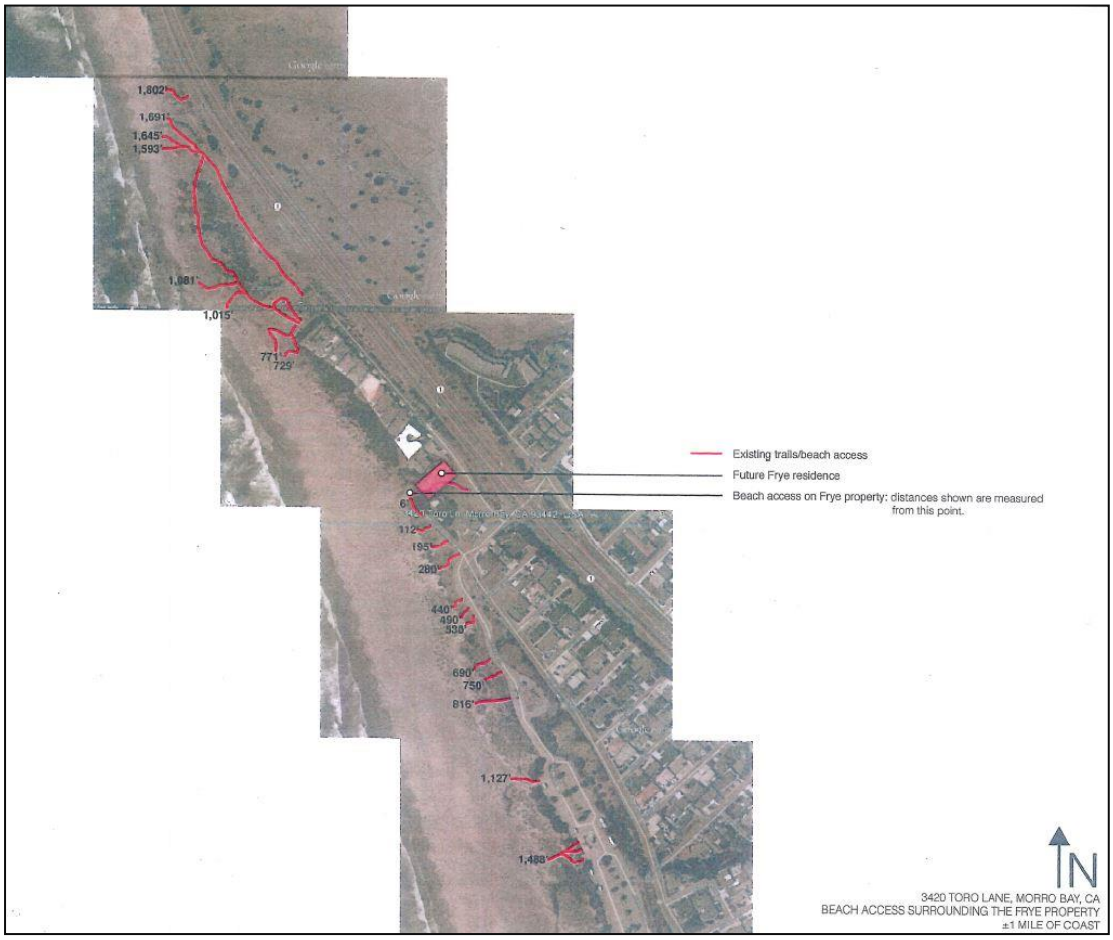
The following Coastal Act sections related to public coastal access are applicable to project evaluation:

Section 30210 of the Coastal Act states, "…maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse."

Section 30211. "Development shall not interfere with the public's right of access to the sea where acquired throught use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212(a). Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with the public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

North Morro Bay Coastal Access Paths



Section 30214(a). The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

(1) Topographic and geologic site characteristics.
(2) The capacity of the site to sustain uses and at what level of intensity.
(3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

City LCP Policy 11.15 provides for the possibility of public access trails along streams provided they are located within a buffer outside of riparian habitat when no alternative location is feasible. Policy 11.20 provides for the possibility of access through coastal dunes, but notes, "Where access through the dunes is necessary, or established through historical public use, well-defined footpaths or boardwalks shall be developed or used." This same policy also cautions that disturbance or destruction of dune vegetation shall be prohibited, unless no feasible alternative exists.

While the applicants are not opposed to creation of a formal public accessway, adequate access exists nearby on numerous alternative paths to the beach in the vicinity. Development of a boardwalk through the site would decrease the area available on site for ecological restoration and may conflict with adjacent residential

development. Because adequate access exists nearby, the project may be found consistent with the Coastal Act and the City's LCP regarding coastal access, thereby allowing a larger area for ecological restoration.

c. There are no habitat conservation plans or natural community conservation plans that apply to the project site. No impacts would occur.

Conclusion: Based on the existing disturbed nature of the habitat, its current lack of significant ecological function, and incorporation of mitigation measures including monitoring and habitat restoration (see Section 4, Biological Resources), the project may be found consistent with applicable land use policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to land use and planning. LCP consistency determinations will be made by the City Planning Commission and/or the City Council. Mitigation is identified that would address potential impacts (refer to respective resource sections). After implementation of these measures, residual impacts would be less than significant.

Monitoring:

Compliance will be verified by the City through review of project plans and onsite inspection.

11. MINERAL RESOURCES Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Result in the loss of availability of a known mineral resources that would be of value to the region and the residents of the state?			X	
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

Environmental Setting:

The area of proposed development is with the City limits in an area that does not contain significant amounts of any known mineral resources.

Impact Discussion:

a. The project is not located in an area of known mineral resources. Impacts would be less than significant.

b. The project site is not designated on any local or regional plan as a locally-important mineral resource recovery site. No impacts would occur.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to mineral resources and no mitigation measures are necessary.

Monitoring: None required.

12. NOISE Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Expose people to, or generate, noise levels exceeding established standards in the local general plan, coastal plan, noise ordinance or other applicable standards of other agencies?		X		
b.	Expose persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c.	Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d.	Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

Environmental Setting:

The City of Morro Bay Noise Element states that residential land uses in areas with exterior noise levels above 60 decibels (dBA) may only be permitted after implementation of noise protective mitigation measures in compliance with the Noise Element. Mitigation measures are also required if interior noise levels exceed 45 dBA. The proposed project would be located approximately 100 feet from State Route 1, which is the primary noise-generator in the area. Based on review of the County of San Luis Obispo Noise Element, the site may be subject to noise levels within the 65 decibel noise contour. The site is located at a lower elevation than State Route 1, which would provide an approximately 5 decibel reduction in the noise level (City of Morro Bay Noise Element 1993).

Impact Discussion:

a. Construction activities associated with the proposed project would generate increased noise levels due to the use of heavy construction equipment and vehicles. Development of the proposed project would likely expose surrounding areas to noise levels that exceed those established in the Noise Element. This effect would be short-term, however, and would be limited to daytime hours pursuant to City policy. Short-term construction impacts would be less than significant.

Long-term effects of the proposed project include the potential exposure of people to projected noise levels that exceed those recommended in the Noise Element. The project site is located at a lower elevation than State Route 1, which may provide up to a five decibel reduction (resulting in exposure to 60 dBA). In addition, the proposed garage would be located between the residence and the roadways, which would further reduce potential noise impacts. Based on the existing topography between the residence and State Route 1, and the presence of the garage between the noise source and the receptor, potential long-term effects in outdoor use areas would be less than significant. Interior noise levels are estimated by incorporating noise reduction characteristics of the building materials. Typical wood frame construction provides between 15 to 20 dBA of noise reduction. This level of reduction would equate to interior noise levels to acceptable levels (approximately 45 dBA). In general, doors, windows, and ventilation, plumbing and electrical systems are the acoustical weak links in building construction. Careful consideration must be given to the design and placement of these components. By limiting the number and size of openings on the sides of the building exposed to the primary noise source, interior noise levels will be minimized. Therefore, with incorporation of mitigation, potential impacts would be less than significant.

b. The proposed project would result in some groundborne vibration and noise during the short-term construction phase. These potential impacts would be short-term and limited to daytime hours consistent with City policy. Impacts would be less than significant.

c. Implementation of the project would generate approximately 9.6 average daily trips, which would not substantially increase noise levels in the immediate area. Use of the residential area would generate operational noise; however, the increase would not result in a substantial permanent increase in the ambient noise level, due to existing residential and transportation-related noise in the immediate area. The impact would be less than significant.

d. The project would create temporary increased in noise levels in the project vicinity above those existing without the project due to construction activities (refer to a. and b., above). However, potential increased would not differ from those typically associated with similar development projects, and activities would be conducted in compliance with existing City policy. Impacts would be less than significant.

Mitigation and Residual Impact:

N Impact 1 **The proposed project places structures and people in an area subject to excessive noise levels associated with traffic along State Route 1.**

N/mm-1 *Prior to issuance of building permits, the applicant shall submit plans incorporating noise mitigation measures, including, but not limited to:*

a. location of all vents and other roof and wall penetrations on walls and roofs facing away from the noise source (on the north, west and east elevations whenever possible)

b. use of bends and insulation in ventilation systems

c. use of closable dampers

d. Sound Transmission Class rated wall, door and window materials

e. use of acoustical sealant on all windows and other openings as appropriate.

With implementation of these construction measures, impacts would be less than significant.

Monitoring:

Monitoring shall occur as necessary to ensure development is proceeding consistent with the mitigation measures and that all exterior and interior noise levels are consistent with levels established in the Noise Element prior to occupancy.

13. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?			X	

Environmental Setting:

The City of Morro Bay has a population of 10,234 based on data from the 2010 Census. The population has remained relatively constant over the last decade, down approximately 1.1 percent from 10,350 in 2000 (California Department of Finance, Table E-4).

The San Luis Obispo County Council of Governments (SLOCOG) allocates housing production goals for the County and incorporated cities based on their fair share of the region's population and employment, which is outlined in the SLOCOG 2008 Regional Housing Needs Plan. The Plan designated a Regional Housing Needs Allocation (RHNA) of 180 of the total 4,885 housing units to the City of Morro Bay over the 2007-2014 planning period. The City's 2009 Housing Element showed the City's capacity to accommodate all 180 allocated units, and a remaining surplus of lands suitable to develop as many as 400 additional units.

Impact Discussion:

a. Implementation of the project would have no effect on existing housing, and would not displace any people. No impacts would result.

b. Refer to a., above. No impacts would result.

c. The project proposes development of one single-family residence within the City, which would induce negligible population growth in the area. However, this growth is consistent with that anticipated in the Land Use Element, Zoning Code and build out under the General Plan. Infrastructure is in place to meet the anticipated growth and impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to population or housing and no mitigation measures are necessary.

Monitoring:

None required.

14. PUBLIC SERVICES Would the project result in a substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?			X	
b. Police protection?			X	
c. Schools?			X	
d. Parks or other recreational facilities?			X	
e. Other governmental services?			X	

Environmental Setting:

According to the California Department of Finance, the City of Morro Bay's population in 2010 was 10,234 and San Luis Obispo County's population was 269,637. SLOCOG published an updated Long Range Socio-Economic Projections Report in August 2010, updating population projections in the county after accounting in the dramatic downturn in the

economy and adjusting population projections accordingly. The report projects the City population to grow by 8.1 percent to 11,350 by 2035.

The City of Morro Bay is served by the Morro Bay Police and Fire Departments and the San Luis Coastal Unified School District. The project site is located in a Moderate Fire Hazard Zone on the County of San Luis Obispo safety maps.

There are two schools within the City, Del Mar Elementary School and Morro Bay High School. The San Luis Coastal Unified School District is operating at acceptable capacities at all grade levels. Elementary schools are currently operating at approximately 82.5 percent capacity, and serving 3,409 students. Middle schools serve approximately 1,071 students and are operating at 69.1 percent capacity. High schools within the district are the closest to reaching their capacity levels, and currently serve approximately 2,493 students at 93.4 percent capacity (County of San Luis Obispo 2013). High school capacity levels have been designated a Level of Severity II, which means enrollment projections are estimated to reach school capacity with five years.

Impact Discussion:

a. The proposed project would result in the addition of one residential unit in the City, and may cause a minimal increase in demand for City services, including fire and police protection.

The project involves residential growth consistent with levels anticipated at build out under the City's General Plan and Zoning Code. The City has capacity and infrastructure in place to facilitate the residential use planned for this area. The project is not located within a high fire risk area and is not expected to generate demand on police services above the level generally utilized for surrounding residential uses. The proposed project would not alter the existing services currently provided by the City, and no new or physically altered facilities would be required. The project's incremental effect on existing services would be mitigated through payment of standard development fees. Impacts would be less than significant.

b. Refer to a., above. Impacts would be less than significant.

c. Schools within Morro Bay are currently operating at acceptable levels. With an average household size of 2.1 (calculated by dividing the total City population by total number of housing units), it could be estimated that the development of 1 residential unit could result in the addition of one school aged child to local schools (although the applicant has indicated a family of six). Schools within the district would be capable of meeting this additional demand. Impacts would be less than significant.

d. Recreational facilities are discussed in Section 15, below. Impacts would be less than significant.

e. The proposed project is not expected to result in any significant adverse impacts on any other governmental services within the City or San Luis Obispo County. Impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to public utilities and no mitigation measures are necessary.

Monitoring: None required.

15. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X	

Environmental Setting:

The City of Morro Bay manages 13 City parks, and also offers three state parks and a significant number of open space and recreational opportunities associated with more than 10 miles of ocean shoreline within the City limits, over 95 percent of which is open to lateral coastal access. Approximately 90 percent of the lands abutting the Pacific Ocean in Morro Bay are publicly owned (City of Morro Bay 1982). The proposed project is located adjacent to Morro Strand State Beach, is approximately 800 feet southeast of the Northpoint Natural Area, and approximately 850 feet northwest of the Morro Strand State Beach Campground. There is an existing spur trail through the property, which is not dedicated public access. Signage is posted granting permission of trespass by owner approval.

Impact Discussion:

a. The proposed project would result in an increased demand on existing City recreational facilities. However, based on information from the applicant, the project would only add six people to the City's population. The City's substantial existing recreational facilities would be sufficient to accommodate this increased demand. Impacts would be less than significant.

b. The project does not propose the construction or expansion of any new or existing recreational facilities, the development of which may result in adverse environmental effects. The project would eliminate the existing trail down to the beach; however, there is approved public access near Morro Strand State Beach and the Northpoint Natural Area in the neighborhood. There are also numerous informal coastal paths. (See Section 10, Land Use and Planning.) Public access would not be impaired in the area, and the project would not be required to include vertical access pursuant to the Coastal Act. Impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to recreational facilities and no mitigation measures are necessary.

Monitoring: None required.

14 TRANSPORTATION/CIRCULATION Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, street, highway and freeways, pedestrian and bicycle path, and mass transit?			X	
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the country congestion management agency for designated roads or highways?			X	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d. Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			X	
e. Result in inadequate emergency access?			X	
f. Conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities?			X	

Environmental Setting:

The project would be accessed by Toro Lane, a local, dead-end street extending off Yerba Buena Avenue. On-site parking would be provided by the driveway and two-car garage. Primary circulation for the project would be provided by State Route 1 and Yerba Buena Drive (signalized intersection). Another residential access road in the vicinity include Beachcomber Drive.

Impact Discussion:

a. Implementation of the project would result in the generation of approximately 9.6 daily trips, which is not expected to have an effect on existing level of service or congestion on Toro Lane, Beachcomber Drive, Yerba Buena Drive, or State Route 1. The project would not have an adverse effect on the existing bike lane on State Route 1. No transit facilities are located in the immediate neighborhood. Based on the negligible traffic generated by the project, potential transportation and circulation impacts would be less than significant.

b. Refer to a., above. The proposed project would not result in a measurable increase in congestion; therefore, potential impacts would be less than significant.

c. The project would not have any effect on area flight patterns. No change in air traffic patterns would result from the proposed project, and impacts would be less than significant.

d. No dangerous design features are being proposed and the proposed use would be consistent with existing uses. Impacts would be less than significant.

e. The project would not result in inadequate emergency access from any on-site or adjacent location. Impacts would be less than significant.

f. The project would not conflict with any adopted plans, policies, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Impacts would be less than significant. Because adequate access exists nearby, the project may be found consistent with the Coastal Act and the City's LCP regarding coastal access. (See also the discussion of coastal access in Section 10, Land Use and Planning).

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant transportation or circulation impacts and no mitigation measures are necessary.

Monitoring: None required.

17. UTILITIES & SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Environmental Setting:

The City receives water from a variety of sources: groundwater from the Morro Creek and Chorro Creek underflows, converted water through the City's desalination facility, and state water via the Chorro Valley pipeline (refer to Table 3 below). The desalination facility also treats brackish water from the Morro Creek underflow for nitrate removal. The

desalination facility provides water when the State Water Project pipeline undergoes annual maintenance. The City has an allocation from the State Water Project, including a drought buffer amount.

Water use in the City has remained relatively steady over the past 10 years (as has the City's population), ranging from 1,317 afy in 2009-2010 at its lowest, to 1,475 afy in 2003-2004 at the highest (refer to Table 4 below).

Table 3. City of Morro Bay Water Supply

Water Provider	Morro Bay Water Demand		
	Source	2010-2011 afy	2011-2012 (afy)
City of Morro Bay	Subsurface flow – potable	87	15
	BWRO subsurface[1]	*	76
	State Water	1,136	1,149

Source: County of San Luis Obispo, Annual Resource Summary Report 2010-2012

* No data received

[1]BRWO: Brackish Water Reverse Osmosis

Table 4. City of Morro Bay Total Water Use (acre feet/year)

1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	2004-2005	2005-2006	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012
1,372	1,417	1,437	1,423	1,475	1,400	1,384	1,420	1,369	1,317	1,223	1,240

*Source: County of San Luis Obispo, Annual Resource Summary Report 2010-2012

Based on information provided by the City for preparation of the County Resource Management System's 2010-2012 Annual Resources Summary Report, single-family residential water use in 2012 was approximately 46,316 gallons. The City's water rates are relatively high (the second highest rates in the county), with an average single family unit paying $66.90 per month.

The City shares a wastewater treatment plant with the Cayucos Sanitary District, located in Morro Bay near the Morro Bay power plant. The wastewater treatment plant currently has one of the few secondary treatment waivers in the state, which allows the plant to dispose of primary-treated sewage through an outfall to the ocean. The waiver is being phased out over the next several years, as the plant is upgraded to provide tertiary treatment. At that level of treatment, the wastewater effluent could be recycled to augment the City's water supply.

As of 2012, the City's sewer treatment facility was operating at approximately 56 percent capacity (County of San Luis Obispo 2013). Average daily dry weather flows for 2012 were 1.154 million gallons per day (mgd). The facility's current daily capacity is 2.06 mgd. Wet weather flows are much higher (averaged approximately 2.6 mgd in 2010 and peaked at approximately 6.0 mgd). However, the system has sufficient detention capacity to hold these additional flow amounts and release flows consistent with the 2.06 mgd biological capacity. The City and Cayucos are in the process of upgrading the facility. After the expansion, the facilities capacity would be approximately 1.5 mgd, a reduced capacity that has been adjusted to account for new population and flow projections for both communities over a 20 year planning period (Bruce Keogh, personal communication, November 4, 2011). Additional information can be found in the Facility

Master Plan, and specifically the Facility Master Plan – July 2010 Amendment 2, which are located on the City's website, at http://www.morro-bay.ca.us/index.aspx?NID=352.

The City contracts with Morro Bay Garbage Service to provide residential and commercial garbage, recycling, and green waste collection services for Morro Bay. All of the City's waste is taken to Cold Canyon Landfill. Cold Canyon is located approximately five miles south of the City of San Luis Obispo on State Route 227. Total capacity at the landfill is 10.9 million cubic yards, and the County is currently conducting environmental review for a proposal to expand the existing facility and services. Currently, about 75 percent of the landfill's capacity is filled.

Impact Discussion:

a. The project would be served by existing City wastewater collection and treatment facilities, and would not include an onsite system. Therefore, there would be no impact.

b. The project would utilize City water resources and the City's existing wastewater collection and treatment system and facility. Both services have sufficient capacity to meet increased capacity and demand resulting from the proposed project and the project would not result in the construction of new or expanded facilities. Impacts would be less than significant.

c. The project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, because the site is on the ocean-side of Toro Lane. Onsite stormwater would be managed via a catch basin and vegetated swale. Low impact development measures would be incorporated into the final design (refer to Section 9 Hydrology). Therefore, potential impacts would be less than significant.

d. The City's existing water supplies are considered adequate to meet any additional demand generated by development of the proposed project and no new or expanded entitlements would be required. Impacts would be less than significant.

e. The project would be served by the City's wastewater collection and treatment facility. The facility is expected to have sufficient capacity to meet additional capacity produced by the project, and impacts would be less than significant.

f. The proposed project's impact on capacity at Cold Canyon Landfill would be minimal. The landfill is expected to be able to meet the additional demand and impacts would be less than significant.

g. The project would comply with all applicable federal, state, and local statutes and regulations related to solid waste; impacts would be less than significant.

Mitigation and Residual Impact:

The project is not expected to result in any potentially significant impacts to utilities or service systems and no mitigation measures are necessary.

Monitoring:

None required.

IV. INFORMATION SOURCES:

A. City / County / Federal Departments Consulted :

County of San Luis Obispo

B. General Plan

x	Land Use Element	x	Conservation Element
x	Circulation Element	x	Noise Element
x	Seismic Safety/Safety Element	x	Local Coastal Plan and Maps
x	Zoning Ordinance		

C. Other Sources of Information

x	Field Work / Site Visit	x	Flood Control Maps
x	Calculations	x	Zoning Maps
x	Project Plans / Description	x	Soils Maps / Reports
	Traffic Study	x	Plant Maps
x	Records	x	Archeological Maps
x	Grading Plans	x	Other: County of San Luis Obispo Air Pollution Control District, CEQA Air Quality Handbook, adopted December 2012
x	Elevations /Architectural Renderings	x	City of Morro Bay General Plan
x	Published Geological Maps	x	City of Morro Bay Municipal Code and Zoning Ordinance
	Topographic Maps	x	City of Morro Bay Local Coastal Plan
x	AG Preserve Maps	x	California Coastal Act

D. References

California Department of Conservation, Division of Land Resource Protection. 2013. *Farmland Monitoring and Mapping Program – San Luis Obispo County Important Farmland Map 2010*.

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County of San Luis Obispo. March 12, 2013. Annual Resource Summary Report 2010-2012.

Department of Finance. 2011. Table E-4, Population Estimates, 2001-2010. Available at: http://www.dof.ca.gov/research/demographic/reports/estimates/e-4/2001-10/view.php. Accessed on: November 2, 2011.

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Federal Emergency Management Agency (FEMA). November 16, 2012. Flood Insurance Rate Map, San Luis Obispo County, California and Incorporated Areas. Panel 813 of 2050.

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Kevin Merk Associates, LLC (KMA). March 2012. Biological Resources Assessment.

Kevin Merk Associates, LLC (KMA). November 7, 2014. Addendum to Biological Resources Assessment.

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V. MANDATORY FINDINGS OF SIGNIFICANCE (Section 15065)

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA Sec. 15065):

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
***Potential to degrade*:** Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
Cumulative: Does the project have impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
***Substantial adverse*:** Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

Discussion:

Potential to Degrade. The proposed project would not substantially degrade or threaten the quality of the environment, habitat or populations of any fish or wildlife species, or important examples of California history or prehistory. Potential adverse effects to the environment associated with development of the project include impacts to ESH, coastal vegetation, coastal wildlife, and water quality. Mitigation measures have been proposed to prevent for mitigate for potential impacts Refer to Sections 4 (Biological Resources) and 6 (Geology and Soils) for additional information.

Cumulative. Project-specific impacts, when considered along with, or in combination with, other impacts, do not rise to a level of significance. Project impacts are limited and no substantial cumulative impacts resulting from other projects were identified.

Substantial Adverse. The project does not have environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly. Project impacts are limited and standard mitigation measures would be incorporated that would reduce any potential impacts to a less than significant level.

VI. DETERMINATION

On the basis of this initial evaluation:

The Public Services Director has found that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.	
The Public Services Director has found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared.	**X**
The Public Services Director has found that the proposed project MAY have limited and specific significant effect on the environment, and a **FOCUSED ENVIRONMENTAL IMPACT REPORT** is required.	
The Public Services Director has found that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.	

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[X] With Public Hearing [ ] Without Public Hearing

Previous Document : Draft Mitigated Negative Declaration SCH#2014071072

Project Evaluator : _____

_____ MAY 29, 2015
Signature Initial Study Date

WHITNEY McILVAINE
Printed Name

On behalf of Scot Graham, Community Development Department Manager

CITY OF MORRO BAY
Lead Agency

VII Attachments

Attachment A – Summary of Mitigation Measures

VII. ATTACHMENTS

Attachment "A"

SUMMARY OF REQUIRED MITIGATION MEASURES

AESTHETICS:

AES Impact 1 **Visibility of night lighting and daytime glare would adversely affect views resulting in a direct long-term impact.**

AES/mm-1 *Prior to issuance of a building permit, a comprehensive lighting plan shall be submitted for review and approval by the City. The lighting plan shall be prepared using guidance and best practices endorsed by the International Dark Sky Association. The lighting plan shall address all aspects of the lighting, including but not limited to all buildings, infrastructure, parking and driveways, paths, recreation areas, safety, and signage. The lighting plan shall include the following at minimum:*

c) The point source of all exterior lighting shall be shielded from offsite views.

d) Light trespass from exterior lights shall be minimized by directing light downward and utilizing cut-off fixtures or shields.

e) Lumination from exterior lights shall be the lowest level allowed by public safety standards.

f) Exterior lighting shall be designed to not focus illumination onto exterior walls.

g) Bright white-colored light shall not be used for exterior lighting.

h) Any signage visible from offsite shall not be internally illuminated.

AES/mm-2 *Prior to issuance of a building permit, the applicant shall submit building plans and elevations for review and approval consistent with the following conditions:*

i) No highly reflective glazing or coatings shall be used on windows.

j) No highly reflective exterior materials such as chrome, bright stainless steel, or glossy tile shall be used on the portions of the development where visible from off-site locations.

After implementation of these measures, residual impacts would be less than significant.

Monitoring:

The City of Morro Bay would verify implementation of these design details through review and approval of the lighting plan and building plans prior to issuance of building permits for the project.

AIR QUALITY

AQ Impact 1 **Construction activities associated with development of the proposed project would result in short-term emissions of DPM, potentially affecting sensitive receptors.**

AQ/mm-1 *Prior to issuance of grading and construction permits, the applicant shall submit plans including the following notes, and shall comply with the following standard mitigation measures for reducing diesel particulate matter (DPM) emissions from construction equipment:*

k) Maintain all construction equipment in proper tune according to manufacturer's specifications;

l) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

m) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;

n) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

o) Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;

p) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

q) Excessive diesel idling within 1,000 feet of sensitive receptors is not permitted;

r) Electrify equipment when feasible;

s) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

t) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ Impact 2 **Construction activities associated with development of the proposed project could generate dust that could be a nuisance to adjacent sensitive receptors.**

AQ/mm-2 *Prior to issuance of grading and construction permits, the applicant shall include the following notes on applicable grading and construction plans, and shall comply with the following standard mitigation measures for reducing fugitive dust emissions such that they do not exceed the APCD's 20 percent opacity limit (APCD Rule 401) and do not impact off-site areas prompting nuisance violations (APCD Rule 402) as follows:*

l) Reduce the amount of disturbed area where possible;

m) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;

n) All dirt stockpile areas shall be sprayed as needed;

o) 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;

p) 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 APCD;

q) 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.

r) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

s) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;

t) 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;

u) All PM_{10} mitigation measures required shall be shown on grading and building plans; and

v) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. The name and telephone number of such persons shall be provided to the APCD Compliance Division and listed on the approved building plans prior to the start of any grading, earthwork or demolition.

AQ Impact 3 **Construction activities associated with development of the proposed project could generate dust that could be a nuisance to adjacent sensitive receptors.**

AQ/mm-3 *Prior to issuance of a grading permit, the applicant shall submit a geologic evaluation that determines if naturally occurring asbestos (NOA) is present within the area that will be disturbed. If NOA is not present, an exemption request shall be filed with the District. If NOA is found at the site, the applicant shall comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD.*

With implementation of these measures, air quality impacts would be less than significant.

Monitoring:

Copies of regulatory forms will be submitted to the APCD for review and approval, consistent with existing regulations. The applicant is required to submit approval documentation from APCD to the City Community Development Director/Planning Manager. Monitoring or inspection shall occur as necessary to ensure all construction activities are conducted in compliance with the above measures. Measures also require that a person be appointed to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site. All potential violations, remediation actions, and correspondence with APCD will be documented and on file with the City Community Development Director.

BIOLOGICAL RESOURCES

BIO Impact 1 **Development of the project could indirectly affect the natural drainage feature to the north of the site, coastal and shoreline habitat to the west, and special-status species and wildlife in the proximity.**

BIO/mm-1 *Prior to issuance of construction permits, the applicant shall submit documentation verifying designation of a qualified environmental monitor for all biological resources measures to ensure compliance with Conditions of Approval and mitigation measures. The monitor shall be responsible for: (1) ensuring that procedures for verifying compliance with environmental mitigations are followed; (2) lines of communication and reporting methods; (3) compliance reporting; (4) construction crew training regarding environmentally sensitive areas; (5) authority to stop work; and (6) action to be taken in the event of non-compliance. Monitoring shall be at a frequency and duration determined by the affected natural resource agencies, which may include the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, California Coastal Commission, U.S. Fish and Wildlife Service, and the City of Morro Bay.*

BIO/mm-2 *Prior to the initiation of construction, the environmental monitor shall conduct environmental awareness training for construction personnel. The environmental awareness training shall include discussions of sensitive habitats and animal species in the immediate area. Topics of discussion shall include: general provisions and protections afforded by the Endangered Species Act; measures implemented to protect special-status species; review of the project boundaries and special conditions; the monitor's role in project activities; lines of communications; and procedures to be implemented in the event a special-status species is observed in the work area.*

BIO/mm-3 *Prior to the initiation of construction, the applicant's contractors and the environmental monitor shall coordinate the placement of project delineation fencing throughout the work areas. The environmental monitor shall field fit the placement of the project delineation fencing to minimize impacts to sensitive resources. The project delineation fencing shall remain in place and functional throughout the duration of the project. During construction, no project related work activities shall occur outside of the delineated work area.*

BIO/mm-4 *Prior to issuance of grading and construction permits, the applicant shall submit a Native Habitat Restoration and Enhancement Plan prepared by a qualified restoration ecologist for the review and approval by the City Community Development Manager. The plan shall be implemented concurrent with or immediately following construction. The plan shall including, but not be limited to the following measures, pursuant to the Biological Resources Assessment (KMA December 2013 and KMA Addendum 2014):*

a. Prior to any construction activities, a construction buffer shall be demarcated with highly visible construction fencing or staking for the benefit of contractors and equipment operators.

b. Restoration of surface contours through minor grading and seeding native vegetation may be required to reduce the erosion potential and provide temporary cover during and after construction.

c. Non-native and invasive plant species shall not be permitted in the approved buffer areas. For a list of noxious weeds and appropriate plant materials, please refer to the following sources: the California Invasive Plant Council website at www.cal-ipc.org and the County of San Luis Obispo's approved landscape plant list. Substitutions may be allowed, but shall be approved by a qualified botanist.

d. The ESH buffer areas shall utilize native species characteristic of the coastal scrub and coastal grassland habitat. Landscaping around the house and to the east and south shall utilize drought tolerant, non-invasive species.

e. As part of any building permit application, a sediment and erosion control plan shall be submitted that specifically seeks to protect the drainage and protected native habitat adjacent to the construction site. Erosion control measures shall be implemented to prevent runoff from the site. Silt fencing, straw bales, and/or sand bags shall be used as well as other methods to prevent erosion and sedimentation of the drainage channel. The plan shall specify locations and types of erosion and sediment control structures and materials that would be used on-site during construction activities. Biotechnical approaches using native vegetation shall be used

as feasible. The plan shall also describe how any and all pollutants originating from construction equipment would be collected and disposed.

f. Current Best Management Practices (commonly referred to as BMPs) shall be utilized to minimize impacts to the drainage feature and native habitat areas onsite. Washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing of equipment, tools, roads, etc. shall not be allowed in any location where the tainted water could affect the drainage and adjacent beach's sensitive biological resources.

g. Identification of areas to be seeded or planted following weed abatement, planting and weed control methodologies, measures to protect plantings during the establishment period, irrigation methods and timing (which shall not result in erosion or down-gradient sedimentation).

h. The plan shall be monitored for two years following initial site preparation, planting, and seeding.

i. Annual monitoring reports shall be submitted to the City Community Development Manager, and shall include written explanation of adherence to the plan, any necessary remediation or maintenance actions, and photo-documentation.

BIO Impact 2 **Development of the project could adversely affect nesting birds onsite or in the proximity.**

BIO/mm-5 *Prior to ground disturbance, to minimize impacts to nesting bird species, including special status species and species protected by the Migratory Bird Treaty Act, initial site grading shall be limited to outside the nesting season and focused during the time period between September 1 and February 1 as feasible. If initial site disturbance cannot be conducted during this time period, a pre-construction survey for active bird nests onsite shall be conducted by a qualified biologist. Surveys shall be conducted within two weeks prior to any construction activities. If no active nests are located, ground disturbing/construction activities can proceed. If active nests are located, then all construction work shall be conducted outside a non-disturbance buffer zone to be developed by the qualified biologist based on the species (i.e., 50 feet for common species and upwards of 250 feet for special status species), slope aspect and surrounding vegetation. No direct disturbance to nests shall occur until the young are no longer reliant on the nest site as determined by the project biologist. The biologist shall conduct monitoring of the nest until all young have fledged.*

After implementation of these measures, residual impacts to biological resources would be less than significant.

Monitoring:

The City shall verify required elements on plans and compliance in the field. The City shall review and approve plans and monitoring reports.

CULTURAL RESOURCES

CR Impact 1 **Ground disturbance associated with the construction of the residence and all associated facilities may result in the inadvertent discovery of previously undocumented archaeological resources.**

CR/mm-1 *A qualified archaeologist, approved by the City, shall be on site to monitor grading, trenching and related site preparation. The name and contact information of the monitoring archaeologist shall be included on the cover sheet of the building plans. Prior to a request for foundation inspection, the applicant shall submit a report prepared by the monitoring archaeologist summarizing the*

dates and times of monitoring and observations regarding the presence or absence of cultural material during grading operations.

CR/mm-2 *In the event that intact and/or unique archaeological artifacts or historic or paleontological resources are encountered during grading, clearing, grubbing, and/or other construction activities associated with the proposed project involving ground disturbance, all work in the immediate vicinity of the find shall be stopped immediately, the onsite archaeological monitor shall be notified, and the resource shall be evaluated to ensure the discovery is adequately recorded, evaluated and, if significant, mitigated.*

CR/mm-3 *Prior to any grading or construction, contractors involved in grading and grubbing activities shall receive training from a City-approved qualified archaeologist knowledgeable in local tribes. At a minimum, the training shall address the following:*

a) Review of the types of archaeological artifacts that may be uncovered.

b) Provide examples of common archaeological artifacts to examine.

c) Review what makes an archaeological resource significant to archaeologists and local Native Americans.

d) Describe procedures for notifying involved or interested parties in case of a new discovery.

e) Describe reporting requirements and responsibilities of construction personnel.

f) Review procedures that shall be used to record, evaluate, and mitigate new discoveries.

g) Describe procedures that would be followed in the case of discovery of disturbed or intact human burials and burial-associated artifacts.

After implementation of these measures, residual impacts would be less than significant.

Monitoring:

The City Community Development Director shall verify compliance with this measure.

GEOLOGY/SOILS

GS Impact 1 **Development associated with the proposed project places structures and people in an area subject to geologic hazards including seismic groundshaking, and risks associated with slope stability.**

GS/mm-1 *Upon application for grading and construction permits, all mitigation measures identified in the September 13, 2002 Geologic Report prepared by Earth Systems Pacific shall be incorporated into the project. These measures shall be included on all grading and building plans. These include the following:*

a. The Certified Engineering Geologist of record shall provide an engineering geologist's written certification of adequacy of the proposed site development for its intended use.

b. A Certified Engineering Geologist shall review, approve and stamp construction plans including all plans for building foundations and excavation.

c. *The Certified Engineering Geologist shall inspect work on-site and verify that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review and engineering geology report.*

d. *Before final inspection and/or issuance of occupancy permits, should the services of the Certified Engineering Geologist be terminated the applicant shall submit a transfer of responsibility statement to the Planning Division from the new Certified Engineering Geologist pursuant to the Uniform Building Code.*

GS/mm-2 *Concurrent with submittal of construction plans, the applicant shall submit a Soils Report, prepared by a California Registered Geologist or Soils Engineer, a Geology Report, prepared by a California Registered Geologist, and a Slope Stability Report, prepared by a California Registered Engineering Geologist. The Soils Report shall address soils engineering and compaction requirements, slope stability issues, drainage locations with respect to walls, finish floor elevations, drain materials, and shall contain recommendations regarding foundation design, retaining wall design, and paving sections, where applicable, for the project. The soils report shall be reviewed and approved by the City Engineer.*

GS/mm-3 *Prior to issuance of grading and construction permits, the applicant shall prepare a drainage and erosion control plan to reduce the potential for erosion and down-gradient sedimentation both during construction and for the life of the project. Grading and construction plan shall include measures to prevent and avoid spills or spread of dangerous materials and clean-up procedures in the event of a spill. Monitoring or inspection of construction activities by the City Building Inspector shall occur as needed to ensure compliance with the erosion control plan.*

After implementation of these measures, residual impacts related to geology and soils would be less than significant.

Monitoring:

Design plans shall be inspected and approved by the City Engineer to ensure compliance with the requirements of the Geologic Report. Erosion control plans shall be submitted to the City Community Development Department for review and approval, in consultation with the City Engineer. Monitoring or inspection of construction activities by the City Building Inspector shall occur as needed to ensure compliance with design plans and the drainage and erosion control plan.

HAZARDS AND HAZARDOUS MATERIALS

HAZ Impact 1 **Development associated with the proposed project has the potential to result in the accidental release of hazardous materials into sensitive areas adjacent to the project site.**

HAZ/mm-1 *Prior to construction, the applicant shall prepare a drainage and erosion control plan which also specifically addresses hazardous materials to be used during construction and operation, and identifies procedures for storage, distribution, and spill response for review and approval by the City Community Development Department. The plan shall identify hazardous materials to be used during construction and operation, and shall identify procedures for storage, distribution, and spill response. Equipment refueling shall be done in non-sensitive areas and such that spills can be easily and quickly contained and cleaned up without entering any existing stormwater drainage system or creek. The plan shall include procedures in the event of accidents or spills, identification of and contact information for immediate response personnel, and means to limit public access and exposure. Any necessary remedial work shall be done immediately to avoid surface or ground water contamination. The plan shall be implemented by the construction contractor, and verified by the City Building Inspector.*

With implementation of this mitigation measure, impacts related to hazards and hazardous materials would be less than significant.

Monitoring:

The applicant shall be responsible for implementing the approved drainage and erosion control including spill prevention control and response measures. The City Building Inspector shall conduct periodic inspections to verify compliance.

HYDROLOOGY AND WATER QUALITY

HWQ Impact 1 **The project would increase impervious surfaces at the project site, which would increase the total volume of storm water runoff and could contribute to erosion, siltation and flooding risks.**

HWQ/mm-1 *Prior to issuance of grading permits, the applicant shall submit a final grading and drainage plan for review and approval by the City Engineer and California Department of Transportation (Caltrans). The drainage plan shall demonstrate that additional runoff resulting from the project would not compromise the existing culvert under Toro Lane, and would avoid scour under the culvert structure and concrete portion of the channel.*

HWQ/mm-2 *Prior to issuance of grading permits, in the event final plans require any work within the State easement for the culvert and drainage channel, the applicant shall provide a copy of an Encroachment Permit issued by the California Department of Transportation.*

HWQ/mm-3 *Prior to issuance of grading and building permits, the applicant shall submit construction plans incorporating Low Impact Development (LID) planning principles, to the maximum extent feasible, consistent with the City of Morro Bay "Stormwater Management Guidance Manual for Low Impact Development and Post-Construction Requirements" to the satisfaction of the Public Works Director.*

After implementation of these measures, residual impacts would be less than significant.

Monitoring:

Monitoring shall occur as necessary to ensure development is proceedings consistent with the final grading and drainage plan. The City shall verify receipt of a copy of the Caltrans-issued Encroachment Permit.

NOISE

N Impact 1 **The proposed project places structures and people in an area subject to excessive noise levels associated with traffic along State Route 1.**

N/mm-1 *Prior to issuance of building permits, the applicant shall submit plans incorporating noise mitigation measures, including, but not limited to:*

a. location of all vents and other roof and wall penetrations on walls and roofs facing away from the noise source (on the north, west and east elevations whenever possible)

b. use of bends and insulation in ventilation systems

c. use of closable dampers

d. Sound Transmission Class rated wall, door and window materials

e. use of acoustical sealant on all windows and other openings as appropriate.

With implementation of these construction measures, impacts would be less than significant.

Monitoring:

Monitoring shall occur as necessary to ensure development is proceeding consistent with the mitigation measures and that all exterior and interior noise levels are consistent with levels established in the Noise Element prior to occupancy.

Acceptance of Mitigation Measures by Project Sponsor:

_____ _____

Name Date