

**EXHIBIT B – CONDITIONS OF APPROVAL
DRC2013-00044**

Approved Development

1. This approval authorizes a request by Port San Luis Harbor District for a Development Plan/Coastal Development Permit to develop the 32-acre Harbor Terrace site, which will include:
 - a. 80 paved RV sites with a maximum stay limited to 30 days
 - b. 15 gravel or decomposed granite based RV/RV cabin sites no taller than 15 feet in height, with a maximum stay limited to 30 days
 - c. 31 units including yurts, cabins, casitas, or bungalows no taller than 15 feet in height, with a maximum stay limited to 30 days
 - d. 35 delineated and unpaved car/tent campsites that include a picnic table and fire pit with a maximum stay limited to 30 days
 - e. 21 walk-in/bike-in unimproved sites that include a picnic table and fire pit with a maximum stay limited to 30 days.
 - f. 16,000 square feet of commercial space, uses may consist of:
 - i. Retail, restaurant, meeting/conference facilities; office/lobby/reception area; managers residence; storage/restroom/laundry; and picnic/gathering area/courtyard with barbeque; outdoor swimming pool/Jacuzzi and patio.
 - ii. Maximum allowed height is 25 feet.
 - g. 70 trailer boat storage spaces (250-square-feet each) for Harbor District or commercial use
 - h. 20 marine gear storage spaces (800-square-feet each) for Harbor District or commercial use
 - i. 1.05 acre storage area for use only by the Harbor District
 - j. 6,000 square feet (3,000 square foot building footprint) for future Harbor District use building only not to exceed 25 feet in height; and,
 - k. 48,000 square feet paved public parking spaces (delineated)

General Conditions

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan. The applicant shall submit a final parking plan consistent with the criteria set forth in the Harbor Terrace Planning Sub-Area upon submittal of construction permits.

On-going conditions of approval (valid for the life of the project)

3. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

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4. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

Environmental Conditions

5. **AES/mm-1 Upon application for construction permits** from the County of San Luis Obispo, the Harbor District or designee shall design and site the commercial buildings(s) and new water tank (if required) so that no part is above the natural ridgeline in the background. This may be accomplished by measures including but not limited to setting the structure further back from the leading edge of the graded top-of-slope, reducing building height, and/or stepping the upper portions of the building back from the lower façade. Prior to Harbor District approval of construction and architectural plans for proposed structures, a sight-line study shall be prepared showing the buildings will not silhouette above the primary natural ridgeline as seen from Avila Beach Drive. The sight-line study shall be submitted to the County with the construction permit application.
6. **AES/mm-2 Upon application for construction permits** from the County of San Luis Obispo, the Harbor District or designee shall submit final landscape plans incorporating substantial screening of all engineered graded surfaces. The plant palette shall incorporate plants of varied-size that will produce a natural pattern of vegetative growth.
 - a. Plants shall be arranged in natural appearing patterns using a combination of ground covers, different sized shrubs, and different sized trees. Plant types shall be native or native appearing.
 - b. Trees and large shrubs shall be planted such that within 10 years after project construction, no more than 20% of the parked RVs and other vehicles (at full-use capacity) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Screening vegetation shall be strategically planted on the slopes in front of the parking areas, as well as on the flatter areas among the spaces. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to the project site.
 - c. Plant trees and large shrubs such that within 10 years after project construction, no more than 30% of the commercial and other buildings and structures including the water tank (if required) are visible from viewpoints on Avila Beach Drive, beaches, the pier and pier parking lot , and other public vantage points. Plantings shall be allowed to provide for adequate visual sight lines and views of the coast for visitors to the project site.
7. **AES/mm-3 Upon application for construction permits** from the County of San Luis Obispo, the Harbor District or designee shall submit plans showing proposed recreational vehicle (RV) parking spaces set back as far back from the edge of the graded terrace as feasible, while avoiding the creation of additional cut slopes and retaining walls.

Implement Port Master Plan Final Program EIR mitigation measures V-1, V-2, and V-3:

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

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

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

8. **AES/mm-4 Upon application for construction permits** from the County of San Luis Obispo, the Harbor District or designee shall prepare and submit plans incorporating the following:
 - a. All buildings and structures shall appear visually subordinate to the setting, blend with the hillside, and designed to reduce noticeability from off-site locations.
 - b. Buildings shall reflect the historic character of the working harbor and shall be an architectural style distinct from the redeveloped buildings seen along Front Street in Avila Beach. Blocky, monotonous, and pre-fabricated architectural style and design shall not be applied.
 - c. Buildings shall be pedestrian in scale, mass, layout, and appearance, (i.e., designed for visibility and use by pedestrians proximate to the building rather than visibility from Avila Beach Drive, such as finer distinctive architectural features, integration of art, massing and layout designed for function rather than to promote visibility, and smaller, lower positioned signage and lighting). Exterior colors, materials, and finishes shall visually blend with or complement the natural surroundings.
 - d. All site amenities including signage, light poles, street furniture, and other features shall be unobtrusive, blend with the setting, and support an architectural theme.
 - e. All commercial buildings shall not exceed 25 feet in height, and shall be located on the lower, previously graded portions of the project site, consistent with San Luis Bay Coastal Area Plan Standards.
 - f. The design of above-ground retaining walls shall incorporate features of the natural setting, including colors and articulation (i.e., simulated stone) to blend the appearance of the visible portion of the retaining wall into the surrounding landscape.
9. **AES/mm-5 Upon application for a construction permit** from the County of San Luis Obispo, the Harbor District (or their designee) shall submit a comprehensive lighting plan to the Department of Planning and Building for review and approval showing the following:
 - a. The Lighting Plan shall be based on a photometric study prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA), using guidance and best practices endorsed by the International Dark Sky Association.

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- b. The Harbor District (or their designee) shall provide the specific technical data and performance criteria required by the applicable safety policy used as the basis for the lighting plan.
 - c. As part of the Lighting Plan, illumination levels shall be the minimum required by the specifically defined public safety policy and ordinances.
 - d. As part of the Lighting Plan, all lighting sources shall be directed downward and shielded from view from public roads, beaches, the pier, parking lots, and other off-site public areas.
 - e. As part of the Lighting Plan, lights shall be designed and constructed to reduce illumination of the adjacent slopes and hillsides where applicable.
 - f. As part of the Lighting Plan, lighting shall include low-height bollard-type fixtures and be equipped with motion sensors to the greatest extent allowed by safety and security codes.
10. **AQ/mm-1 Prior to issuance of grading permits** from the County of San Luis Obispo, and throughout project construction, as applicable, the Harbor District or their designee shall implement the following construction emission reduction measures:
- a. Properly maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b. Fuel all off-road and portable diesel powered equipment with CARB-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c. Use CARB Tier 3 certified diesel construction equipment or cleaner off-road heavy-duty diesel engines, and comply with state Off-Road Regulations;
 - d. Use CARB 2007 or cleaner certified on-road heavy-duty diesel trucks and comply with state On-Road Regulations.
 - e. If construction or trucking companies that are awarded the bid or are subcontractors for the project do not have equipment to meet the above two measures, the impacts from the dirtier equipment shall be addressed through SLOAPCD approved off-site or other mitigation measures;
 - f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and job sites to remind drivers and operators of the 5-minute idling limit.
 - g. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies. Sensitive receptors are defined in the SLOAPCD Handbook as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units;
 - h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of SLOAPCD, including monitoring or low-particulate engine technologies;
 - i. Equipment shall be electrified when feasible;
 - j. Substitute gasoline-powered or diesel hybrids in place of diesel-powered equipment, where feasible; and

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- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
11. **AQ/mm-2 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall ensure SLOAPCD regulations that prohibit developmental burning of vegetative material within San Luis Obispo County are followed.
 12. **AQ/mm-3 Prior to issuance of grading permits**, the Harbor District or their designee shall ensure that portable equipment and engines 50 horsepower or greater, used during grading and construction activities have a California portable equipment registration (issued by the CARB) or an SLOAPCD permit. Proof of registration must be provided to the SLOAPCD prior to the start of grading or construction or a permit secured from the SLOAPCD prior to the start of grading or construction. The following list is a guide to equipment and operations that may have permitting requirements, but it is not exclusive:
 - a. Power screens, conveyors, diesel engines, and/or crushers;
 - b. Portable generators and equipment with 50-horsepower or greater engines;
 - c. Internal combustion engines;
 - d. Unconfined abrasive blasting operations;
 - e. Concrete batch plants;
 - f. Rock and pavement crushing;
 - g. Tub grinders; and
 - h. Trommel screens.
 13. **AQ/mm-4 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall obtain the required SLOAPCD permits for the removal or remediation of hydrocarbon contaminated soil. In addition, the following measures shall be implemented unless otherwise directed by the SLOAPCD upon a finding that alternative measures will result in equal or greater reduction in emission of air contaminants:
 - a. Covers on storage piles shall be maintained in place at all times in areas not actively involved in soil addition or removal;
 - b. Contaminated soil shall be covered with at least 6 inches of packed uncontaminated soil or other TPH –non-permeable barrier such as plastic tarp, or other methods as approved by the SLOAPCD. No headspace shall be allowed where vapors could accumulate;
 - c. Covered piles shall be designed in such a way to eliminate erosion due to wind or water. No openings in the covers are permitted;
 - d. The air quality impacts from the excavation and haul trips associated with removing the contaminated soil must be evaluated, with emissions estimates provided to the SLOAPCD and mitigated with low emission trucks, low emission construction equipment, and/or offsets if needed, if total emissions exceed the SLOAPCD's construction phase thresholds. An estimate of these emissions is included in this EIR;
 - e. During soil excavation, odors shall not be evident to such a degree as to cause a public nuisance, or violation of SLOAPCD regulations would result;
 - f. Clean soil must be segregated from contaminated soil; and
 - g. The permit shall specify applicable criteria established by SLOAPCD.

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- h. The notification and permitting determination requirements shall be directed to the SLOAPCD Engineering Division.
14. **AQ/mm-5 Prior to issuance of grading permits** from the County of San Luis Obispo, or during construction, if emissions of ROG+NO_x with the above mitigations still exceed the thresholds, the Harbor District or their designee shall secure SLOAPCD-approved off-site reductions in ROG+NO_x emissions to ensure that ROG+NO_x emissions do not exceed the SLOAPCD quarterly thresholds. Coordination with the SLOAPCD should begin at least 6 months prior to issuance of grading permits for the project to allow time for refining calculations and for the SLOAPCD to review and approve the CAMP and off-site mitigation approach. Emissions calculations and results of the subsequent air quality analysis shall be provided to the County Environmental Coordinator for review and approval, in addition to the SLOAPCD.
15. **AQ/mm-6 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall ensure that all grading and construction equipment greater than 100 bhp be equipped with CARB Level 3 diesel particulate filters (DPF), or equivalent, to achieve an 85% reduction in diesel particulate emissions. If CARB verified Level 3 DPFs cannot be secured for all of the equipment greater than 100 hp then the Harbor District (or their designee) will work to offset the added DPM with measures including but not limited to schedule modifications, implementation of no idling requirement, and expanded implementation of AQ-1 measures i, j, and k (e.g., use of alternative fueled generators).
16. **AQ/mm-7** Prior to issuance of grading permits from the County of San Luis Obispo, the Harbor District or their designee shall produce a schedule detailing the phasing of activities and ensuring that the emissions of diesel particulates in any quarter falls below the applicable SLOAPCD thresholds. As an alternative approach, if scheduling is not feasible, the Harbor District or their designee shall provide SLOAPCD-approved off-site reductions in DPM emissions to ensure that DPM emissions do not exceed the SLOAPCD thresholds.
17. **AQ/mm-8 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall provide satisfactory evidence that a SLOAPCD-approved Construction Activity Monitoring Plan (CAMP) has been prepared that addresses fugitive dust emissions. The Plan shall include requirements in the SLOAPCD CEQA Handbook. Fugitive dust mitigation measures in the plan shall include a combination of the following, as approved by the SLOAPCD:
- a. Reduce the amount of the disturbed area where possible.
 - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. An adequate water supply source must be identified. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
 - c. All dirt stockpile areas should be sprayed daily as needed, covered, or a SLOAPCD-approved alternative method will be used. (90% reduction).
 - d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.

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- e. Exposed ground areas that will be reworked at dates greater than one month after initial grading should be sown with a fast-germinating non-invasive grass seed and watered until vegetation is established, unless other dust and erosion control measures are specified in the agency-approved Dust Control Plan.
 - f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the SLOAPCD.
 - g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
 - h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code §23114.
 - j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 - l. Apply water every 3 hours to disturbed areas within the construction site (61% reduction in particulate emissions).
 - m. Application of soil binders to dirt roads shall be applied to achieve at least an 80% reduction in fugitive dust emissions. All soil binders used shall be 'environmentally friendly' and shall be either lignosulfonate- or calcium lignosulfonate-based approved by the SLOAPCD. All dust control methods, including soil binders, shall be demonstrated in the fugitive dust control plan to ensure compliance with SLOAPCD Rule 401.
 - n. The contractor or builder shall designate a person to monitor the fugitive dust emissions and oversee mitigation measure implementation as per SLOAPCD approval to minimize dust complaints, reduce visible emissions to less than 20% opacity, and to prevent transport of dust off-site. The designated monitor shall carry out these duties on regular workdays, as well as holidays and weekends when work may not be in progress. The name and telephone number of the designated monitor shall be provided to the SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.
18. **AQ/mm-9 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit an APCD-approved CAMP, which shall include, but not be limited to the following elements:
- a. A Dust Control Management Plan that encompasses all, but is not limited to, measures identified in AQ/mm-8 and AQ/mm-13 (if required);
 - b. Tabulation of on- and off-road construction equipment information (e.g., make, model, type, engine tier, DPM Level 3 filter age, horse-power, and miles or hours of operation);
 - c. Construction truck trips scheduled during non-peak hours to reduce peak-hour emissions;
 - d. Limited construction work-day period, if necessary; and
 - e. Phase construction activities, if appropriate.

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19. **AQ/mm-10 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for both on- and off-road equipment during the project grading and construction phase near sensitive receptors:
- a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies;
 - b. Diesel idling within 1,000 feet of sensitive receptors is not permitted or applicable measures shall be employed as per the direction of the SLOAPCD, including monitoring or low-particulate engine technologies;
 - c. Use alternative fueled equipment whenever possible; and
 - d. Signs identifying the no idling requirements must be posted and enforced at the construction site.
20. **AQ/mm-11 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall implement the following idle-restricting measures for on-road vehicles during the grading and construction phases of the project:
- a. Section 2485 of CCR Title 13 limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of these vehicles:
 - Shall not idle the vehicle's primary diesel engine for more than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.
 - b. Signs shall be posted in the designated queuing areas and job sites to remind on-road equipment operators of the 5-minute idling limit.
21. **AQ/mm-12 Prior to issuance of applicable grading permit**, the Harbor District (or their designee) shall implement the following idle restricting measures for off-road vehicles during the construction phase of the project:
- a. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB In-Use off-Road Diesel regulation: www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.
 - b. Signs shall be posted in the designated queuing areas and job sites to remind off-road equipment operators of the 5-minute idling limit.
22. **AQ/mm-13 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a geologic evaluation under the CARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, to determine if Naturally Occurring Asbestos (NOA) is present within the area that will be disturbed. NOA has been identified as a toxic air contaminant by the CARB. If NOA is not present, an exemption request must be filed with the District. If

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NOA is found at the site, the Harbor District (or their designee) must 1) comply with all requirements outlined in the Asbestos ATCM. This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the SLOAPCD; 2) require that any crushing operations do not result in any dust that is visible crossing the property line, does not discharge into the air any visible emissions other than uncombined water vapor, for a period aggregating more than 3 minutes in any 1 hour which are 50% as dark or darker in shade as that designated as number one on the Ringlemann Chart or exceed at 10% opacity; and 3) conduct a geological evaluation prior to any grading. Technical Appendix 4.4 of the SLOAPCD CEQA Handbook includes a map of zones throughout the County where NOA has been found. More information on NOA is available at <http://www.slocleanair.org/business/asbestos.php>.

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

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

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

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- b. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in §2449(d)(3) of the CARB's In-Use off-Road Diesel regulation, Rule 402.
- c. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.
- d. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: www.arb.ca.gov/msprog/truck-idling/2485.pdf and www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf.
- e. In addition to the State required diesel idling requirements, the project shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors, including onsite visitors:

-Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;

-Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;

-Use of alternative fueled equipment is recommended; and

-Signs that specify the no idling areas must be posted and enforced at the site.

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

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have successfully fledged. A qualified biologist shall conduct periodic site inspections to ensure that the exclusion zone is maintained and to monitor the nesting progression. In the event that sensitive bird species are discovered, the USFWS and/or CDFW will be contacted to determine the appropriate protective measures prior to any construction beginning. If construction activities must occur within 250 feet of a nesting raptor nest, a qualified biologist shall be consulted to determine if the buffer can be reduced. If, in the opinion of the qualified biologist, the buffer cannot be safely reduced, a full-time avian monitor shall be present during all construction activities occurring within the established buffer to ensure no impacts occur. The avian monitor will have the authority to halt or re-direct work if raptors show signs of disturbance.

31. **BIO/mm-4** All existing oak trees shall remain on-site. All oak trees (greater than 4 inches in diameter) that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced by a qualified arborist prior to any grading or site grubbing. The outer edge of the tree root zone to be fenced will be outside of the canopy half the distance as measured between the tree trunk and outer edge of the canopy (i.e., 1.5 times the distance from the trunk to the drip line of the tree). Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas to the maximum extent feasible. If grading, compaction, or placement of fill in the root zone of an existing oak tree cannot be avoided, retaining walls may be constructed to minimize cut and fill impacts to existing oak trees. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface (if required, this work shall be conducted by a qualified arborist).
32. **BIO/mm-5** All oak trees identified to remain shall not be removed, unless otherwise regulated by the County CZLUO §23.05.062 (Exemption for trees in a hazardous condition). Unless previously approved by the County, the following activities are not allowed within the root zone of existing or newly planted oak trees:
 - a. year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years);
 - b. grading (includes cutting and filling of material);
 - c. compaction (e.g., regular use of vehicles);
 - d. placement of impermeable surfaces (e.g., pavement); or,
 - e. disturbance of soil that impacts roots (e.g., tilling).

Implement Port Master Plan Final Program EIR mitigation measures B-2, B-4, B-5, and B-9.

33. **BIO/mm-6** The trimming of oaks can be detrimental and shall be minimized as follows:
 - a. Removal of larger lower branches should be minimized to:
 - i. Avoid making tree top heavy and more susceptible to “blow-overs;”
 - ii. Reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation;
 - iii. Retain the wildlife that is found only in the lower branches;
 - iv. Retain shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers); and retain the natural shape of the tree.
 - v. Retain the natural shape of the tree

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

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Implement Port Master Plan Final Program EIR mitigation measures B-1, B-4, B-5, and B-7.

36. **CUL/mm-1 Prior to issuance of grading permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a Monitoring Plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all initial earth-disturbing activities. The Monitoring Plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
 - b. Inclusion of involvement of the Native American community, as appropriate;
 - c. Description of how the monitoring shall occur;
 - d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
 - e. Description of what resources are expected to be encountered;
 - f. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered "significant" archaeological resources?);
 - g. Description of procedures for halting work on the site and notification procedures;
 - h. Provisions defining education of the construction crew;
 - i. Protocol for treating unanticipated finds (refer to Treatment Plan); and,
 - j. Description of monitoring reporting procedures.
37. **CUL/mm-2 Prior to initial ground disturbance**, a County of San Luis Obispo-approved archaeologist shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites. In addition, the Harbor District (or their designee) shall provide all field supervisors with maps showing those areas sensitive for potential buried resources.
38. **CUL/mm-3 During all initial ground disturbing construction activities**, the Harbor District or their designee shall retain a qualified archaeologist (approved by the County Environmental Coordinator) and Native American to monitor all initial earth disturbing activities, per the approved Monitoring Plan. If any significant archaeological resources not previously identified in the Monitoring Plan, or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The Harbor District (or their designee) shall implement the mitigation as required by the County Environmental Coordinator.
39. **CUL/mm-4 Upon completion of all monitoring/mitigation activities**, and prior to occupancy or final inspection (whichever occurs first), the qualified archaeologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
40. **CUL/mm-5 Prior to occupancy**, the Harbor District or their designee shall submit samples of cultural resource interpretive materials to the County Environmental

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Coordinator. The Harbor District or their designee shall coordinate with local Native American representatives during the initial development of the materials, and subsequent updating of materials for the life of the project. Materials shall not specifically identify the locations of archaeologically sensitive sites. Interpretive materials may include, but not be limited to, pamphlets, posters, kiosks or boards, exhibits, online posting of information, and presentations. Interpretive materials shall include, but not be limited to: prehistory, modern history, and living history of the Chumash in the Avila/Port San Luis Area and region, and citation or reference to laws governing the protection of cultural resources.

Implement Port Master Plan Final Program EIR mitigation measures C-1 and C-2:

C-1 In the event archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative should monitor any mitigation work associated with prehistoric cultural material.

C-2 If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC).

41. **CUL/mm-6** A qualified paleontologist shall monitor initial excavation activities. **Upon completion of all monitoring/mitigation activities, and prior to final inspection**, the consulting paleontologist shall submit a report to the County Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met and include analysis of all discoveries.
42. **GEO/mm-1 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a comprehensive geologic investigation. At a minimum, the investigation shall include all areas where development would be located within or below a landslide. The investigation shall conform to §§1803 of the 2013 edition of the CBC and the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013), or editions that are applicable at the time of investigation. The investigation shall be conducted by a Certified Engineering Geologist. At a minimum, it shall address the type, extent, depth, configuration, and activity level of the landslide, and shall include an analysis of slope stability. Upon application for grading and construction permits from the County of San Luis Obispo, a final grading plan shall be submitted that incorporates measures to mitigate potential landslide hazards based on review by the consulting Certified Engineering Geologist. A range of mitigation measures addressing treatment of the site to ensure slope stability, including regrading, structural mitigation, mitigation for roads and utilities, and monitoring are presented below. These measures include, but are not limited to, the following:
 - a. Regrading. The entire landslide mass can be regraded from the toe to the upper limit, or the grading program could involve only those areas including and above proposed improvements. If an entire landslide mass were to be regraded,

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removal of the slide materials and replacement as a structural fill, including excavation of proper keyways, benches, and installation of subdrains would likely be necessary. Use of geogrid reinforcing may be appropriate for some areas. Geogrid reinforcing involves the placement of alternating layers of geogrid and soil, and can be effective in increasing soil strength and stability. Another option that may be appropriate for specific project areas would be partial stabilization. This solution may include the construction of buttress fills below improvement areas that would be sufficient to resist movement of the upper portion of the slide mass. With partial stabilization, it should be noted that any improvements situated below the buttress still would still be at risk from landslide movement. This potential risk shall be addressed in the geologic investigation by the Certified Engineering Geologist.

- b. Structural mitigation. Structural mitigation may be a potential option, depending upon the characteristics of the landslide in the area where the improvements are located. For habitable buildings, such solutions may include deep foundations (e.g., driven piles or caissons designed with sufficient lateral resistance to overcome the sliding force exerted by the landslide). Foundation augmentation such as tie-back anchors attached to the caissons or piles, or batter piles, may be appropriate. Another potential solution would be to construct walls that would be anchored through the slide and founded in underlying stable material.
- c. Mitigation for Roads and Utilities. Potential mitigations to protect roads and utilities may include such measures as retaining walls, possibly anchored with tie-backs or reinforced with soil nails or geogrid, depending upon the depth and characteristics of the landslide in those areas. Flexible and/or articulating connections may provide some mitigation for utilities, depending upon the nature and severity of the landslide movement. For water lines, sacrificial water lines with automatic shut-off valves may be appropriate. If the geologic investigation confirms that the landslide is slow-moving, ongoing repair and replacement of damaged roads and utilities may be feasible. Another option may include constructing utilities above grade in utility raceways.

43. **GEO/mm-2 For the life of the project**, monitoring of landslide movement shall be monitored by a Certified Engineering Geologist. As landslide movement tends to be associated with inclement weather, seasonal monitoring of the landslides for indications of incipient movement shall be implemented in addition to other selected mitigation measures. If monitoring indicates potential movement, or during periods of particularly intense or prolonged inclement weather, temporary restrictions on use and occupancy of the campground may implemented upon the recommendation of the consulting Certified Engineering Geologist.

Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2, G-3, and G-4:

G-1 Future development shall conform with all applicable requirements of the Uniform Building Code and other applicable construction regulations relating to potential seismic and/or geologic and slope-related hazards.

G-2 No development shall occur until 1) a geologic investigation has been prepared of Title 24 of the California Code of Regulations, and standard geologic practice; and 2) a Geotechnical Engineering Investigation has been prepared conforming to Section 3309.5 of the Uniform Building Code, 1994 Edition as amended by pertinent sections of Title 24 of the California Code of Regulations,

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and standard geologic practice. The contents of these investigations are described below:

- a. The geologic investigation shall be conducted by a certified Engineering Geologist, which at a minimum, shall address the following: the extent, depths, configurations, and activity levels of the existing major landslides, including the landslide that has been obscured by the buttress fill; the potential for destabilization of these landslides due to the proposed grading; the stability of slopes under the proposed grading and appropriate mitigation; evaluation of the sheared rock zone and its relations to fault activity; determination of the location of the San Luis Bay Fault at the site and its potential ramifications for the project; evaluations of the cut slope at the eastern corner of the site and its potential for instability, as well as appropriate mitigations; the potential for liquefaction and lateral spreading in the area where fill will be placed for the Port access road and which may extend into the Bay (Phase II); and assessment of the potential for bluff erosion along the coastal length of the project. This investigation will also provide feasible engineering and/or design solutions for these potential geologic impacts including the need for construction or augmentation of bluff protection and setback requirements from existing constraints.
- b. The geotechnical engineering investigation shall be conducted by a Registered Geotechnical Engineer or a Registered Civil Engineer experienced in geotechnical investigations. In addition to the items that normally are addressed in such an investigation, the report should include, but not be limited to, the following factors: soil and groundwater conditions encountered; preparation of the site prior to grading; grading criteria for pavement and building areas; types and depths of foundations; maximum allowable bearing capacities; site coefficients for use in foundation design; potential for liquefaction; total and differential settlement; resistance to lateral loads; subslab ground treatment; design criteria for retaining walls; pavement design criteria; site drainage; assessment of the existing fill at the site, including the suitability of the materials used, original site preparation, and degree of compaction; the impact of placing fill upon the existing fills and appropriate mitigation; settlement potential of the fill and appropriate mitigation; and placement of fill over cut slopes and appropriate mitigation. This investigation will also provide feasible engineering or design solutions to these potential geologic impacts.

G-3 There are five major landslides which have been identified on the Harbor Terrace site. These landslides are depicted as Landslides 1 through 5 on [Figure 4.5-1]. Specific recommendations related to each landslide are provided below as well as within the Harbor District offices.

- a. Landslide 1, located in the eastern region of the site, shall be thoroughly assessed by the project geologist. In addition to analyzing the inherent stability of the landslide, the impact of making cuts in the body of the landslide must also be considered, as well as the impact of the 40-foot fill planned in the southeast region of the landslide. This study shall be conducted as part of the final project design, when final grades have been set and are available in a grading plan, yet while modifications are still possible to accommodate site conditions. This study shall be conducted as a feasibility study to determine the major characteristics of the slide and the

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extent of required mitigation. Specific measures that could be implemented, depending upon the characteristics of the landslide and the relationship of the landslide debris to the proposed building locations, include excavation of appropriate portions of the landslide and replacement with compacted fill. This type of grading solution would entail benching, the installation of drains, and possibly the use of geogrid reinforcing. Fill slopes shall not exceed a 2:1 horizontal to vertical ratio. Other alternatives could include stabilization systems utilizing tie-backs or caissons or project redesign to relocate structures out of the slide area.

- b. Landslide 2, located in the northwest region of the site, shall be studied by the project geologist to determine its depth, activity level, and extent. This study shall be conducted as part of the final project design, as the relationship of the grading to the location and depth of the landslide will determine the appropriate mitigation(s). Possible mitigation measures for this landslide could include excavation of the landslide and replacement as a compacted fill, possibly with drains and geogrid reinforcement; increasing the height of the retaining wall to allow it to also function as a debris wall; or using another stabilizing system such as a tie-back system above the retaining wall in caissons.
- c. Landslide 3, located below the existing water tank, shall be analyzed to determine its depth and geometry and the effect of the proposed cut upon slope stability. This study shall be conducted as part of the final project design, as a fairly accurate depth of cut must be known to properly assess its impact upon slope stability. As major cuts are planned in this area, mitigation could be achieved by modifying the grading plan to remove all of the landslide debris. Other possible mitigations could include replacement with compacted fill, possibly with drains and geogrid reinforcement, use of a retaining wall, tie-backs, or caissons.
- d. The location of Landslide 4 has been obscured by past grading, and by the subsequent placement of a buttress fill. This landslide area shall be investigated as part of final project design with respect to the materials used and its state of compaction. Mitigation, if any, will be determined by the outcome of such an investigation. Possible mitigations include removal of the slide debris and replacement as a compacted fill, placement of additional buttress fill, or use of structural solutions such as retaining walls, tie-backs, or caissons. This assessment shall be conducted by the project geologist as part of final project design.

G-4 In addition to the four major landslides described above, there are numerous smaller landslides and slumps located throughout the property. Landslide 5 will not be impacted by project development other than the possibility of decreasing the need for frequent maintenance due to the placement of fill and the subsequent increased distance between the landslide and the affected roadway. In areas where cuts are made, the project geologist shall determine whether all of the slide debris has been removed in each area. This determination should be made during project grading. If it is determined that slide debris remains in any areas, assessments regarding stability and any necessary mitigation measures shall be made at that time.

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44. **GEO/mm-3 Upon application for grading and construction permits**, the Harbor District or their designee shall submit a fault investigation for any potentially habitable structure. The building areas of habitable structures shall be investigated by excavating an exploratory trench(es) perpendicular to the fault trace, and extending beyond the building footprint at least the minimum setback distance for the anticipated building type. The fault investigation shall be overseen by a Certified Engineering Geologist and shall conform to the Guidelines for Engineering Geology Reports (County of San Luis Obispo Department of Planning and Building 2005, revised 2013) or the applicable edition at the time of investigation. If any habitable structures are found to overlie the fault or are within the minimum setback distance to the fault, the structure shall be relocated within the existing boundary of the areas identified for development, or designed to accommodate potential fault movement (pending approval by the County of San Luis Obispo). Potential design solutions may include, but are not limited to, mat foundations or overexcavated and geogrid-reinforced building pads designed with sufficient strength to overcome the maximum shearing force exerted by seismic movement. Utility lines shall be fitted with articulating connections and/or automatic shut-off valves.
45. **GEO/mm-4 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit construction plans and a geotechnical engineering report in compliance with the CBC, which includes measures to reduce risk from seismic events. Structures shall be designed in accordance with the seismic parameters presented in a project-specific geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards. The geotechnical engineering report shall be prepared by a qualified geotechnical engineer. The potential for seismically induced settlement shall be addressed in the geotechnical engineering report, which shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an evaluation of the properties of the fill and native soils, address the potential for seismic settlement, and provide specific recommendations for mitigation if appropriate. Available alternatives to reduce the effects of soil settlement may include, but not be limited to, deep ground improvement methods, surcharging the site to further consolidate the underlying soils, use of deep foundations such as driven piles combined with structural support of floor slabs, use of lightweight fills, and limiting the thickness of fills. Structures shall be designed in accordance with the recommendations and seismic parameters presented in the geotechnical engineering report, applicable sections of the appropriate edition of CBC, and other applicable local regulations relating to potential seismic hazards, including seismic settlement.

Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2 (as listed above in Condition of Approval number 45), and G-10:

G-10 It is recommended that on-site areas of sheared rock be evaluated by the project geologist and a determination made as to whether the sheared rock is fault-related. If the sheared rock zone is fault-related, the potential ramifications of the fault shall be studied and addressed by the project geologist. Potential mitigation measures to avoid seismic-related displacement include: setting back from the fault, structural augmentation of the foundation where the fault is straddled or removing the bedrock and replacing it with compacted fill as the foundation support material.

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46. **GEO/mm-5 Upon application for grading and construction permits**, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall address potential for liquefaction, lateral spreading, and associated slope failure, and shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. If significant potentials for liquefaction or lateral spreading are found to exist, recommendations for mitigation shall be developed and presented in the geotechnical engineering report. If it is determined that liquefaction or lateral spreading may affect certain parts of the site, there are numerous mitigation measures that can be implemented, including but not limited to the following recommendations. Depending upon the location, depth, and extent of liquefaction or lateral spreading-prone areas and the types of improvements planned for these areas, potential mitigations could include earthwork (grading) programs, specialized foundations (such as mat or deep foundations), ground modification, and designing pipes and pipe connections for high strength and ductility. Potential measures to mitigate slope instability induced by lateral spreading include deep ground improvement methods, reinforcing of slopes, reducing slope inclinations, or establishing adequate setbacks between structures and slopes.

Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2 (as listed above in Condition of Approval number 45).

47. **GEO/mm-6 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit erosion and sedimentation control plans addressing both short-term erosion hazards during construction, and long-term erosion hazards for the life of the project. The plan shall include, but not be limited to, the following measures: control of surface runoff; V-ditches, berms, brow ditches, or other drainage diversion features; mid-slope benches; vegetation; straw bales; erosion matting; vegetative cover, control of rodent activity, or other methods. Drainage shall discharge in a non-erosive manner away from improvements and, where slopes are present, away from the tops and toes of the slopes.
48. **GEO/mm-7 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a project specific geotechnical engineering report, prepared by a qualified geotechnical engineer and conforming to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include an assessment of the potential impacts of BMPs, including infiltration SCMs, and provide recommendations for mitigation. The impacts of infiltration SCMs upon slope stability, settlement of fill soils, drainage, and the shrink/swell cycle of expansive soils, shall be analyzed and included in the report. Infiltration SCMs shall not be placed in or above fill, near descending cut slopes, or at the toe of any slope. Infiltration SCMs shall be set back from foundations and surface improvements, or barriers such as deepened curbs, cutoff walls or impermeable membranes shall be placed between infiltration SCMs and foundations and/or improvements. Infiltration tests shall be conducted to assess the infiltration potential for use in the design of infiltration SCMs. To address potentially adverse impacts associated with BMPs, a maintenance program for all BMPs shall be prepared and implemented. The program shall include periodic inspection of BMPs, cleaning and removal of accumulated silt, sand, and debris from BMPs, maintenance of vegetation in BMPs, and periodic rehabilitation of infiltration BMPs for the life of the project.

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Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2 (as listed above in Condition of Approval number 45.)

49. **GEO/mm-8 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the properties of the existing fill and the stability of the existing fill slopes, and shall include assessment of the existing fills, including suitability of the materials used, original site preparation, and degree of compaction; the suitability of the fill for supporting the proposed improvements; settlement of potential of the fill; slope stability; the impacting of placing fill upon existing fill; placement of fill over existing cut slopes; and appropriate mitigations for all of these issues. If the fill is found to be inadequate for the support of proposed improvements or unstable, mitigation measures shall include, but not be limited to, regrading, including removal of existing materials and replacement with structural fill. For fill placed on slopes, this would likely entail excavation of keyways, benches, and installation of drains. Use of geogrid reinforcing may be appropriate. Structural mitigation is another potential solution. Depending upon the characteristics of the fill, retaining structures founded in underlying competent material may be applicable to specific situations. Types of appropriate retaining structures could include post and lagging walls, possibly anchored; gravity walls, mechanically stabilized earth walls, or cantilevered walls augmented with tie-back anchors. In the commercial area, drainage measures beneath and surrounding the pool shall be incorporated into its design.

50. **GEO/mm-9 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall address the impact of grading of steep slopes, including the potential for instability of natural and proposed slopes and shall provide recommendations for appropriate grading programs, including criteria for maximum slope heights and angles. Where buildings are to be constructed on steep slopes, development of suitable foundation systems and criteria for their design shall be included in the report. Potential mitigation measures shall include, but not be limited to removal of additional material and extending grading operations beyond the slope area to temporarily or permanently reduce slope gradients, use of geogrid reinforcement, or temporary shoring. Types of foundations appropriate for building construction on steep slopes may include driven piles, drilled caissons, or conventional foundations extended to bear in competent material.

Implement Port Master Plan Final Program EIR mitigation measures G-1, G-2 (as listed above in Condition of Approval number 45), G-5, G-6, G-7, and G-8:

G-5 In areas where cuts are planned, the stability of the proposed slopes shall be evaluated by the project geologist. This study shall be conducted as part of the final design, as the depths of the cuts must be known to accurately assess their impact upon slope stability. In the event that the slopes in their planned configurations prove unstable, there are several potential mitigation measures. These potential measures include flattening of the proposed slopes to a stable configuration, overcutting the slopes and rebuilding them as stable, compacted

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fit, and possibly structural applications, such as retaining walls, caissons, driven piles, and installation of geogrid reinforcement.

G-6 The project geotechnical engineer shall conduct sufficient exploration of the existing fill during final project design to render an opinion regarding the suitability of the fill materials use, the degree of compaction, the settlement characteristics, and the strength of the fill materials. The stability and settlement potential of the fill, following the proposed grading shall also be assessed. If the results of this analysis indicate the existence of unstable soil materials, slope instability, inadequate compaction or excessive settlement potential, this situation shall be mitigated by project grading.

G-7 The placement of fill over cut slopes is specifically addressed in the Uniform Building Code; the potential for slope failure can be readily mitigated by proper grading techniques in accordance with the Uniform Building Code.

G-8 Slopes which involve new fill material over existing fill will require assessment by the project geotechnical engineer or geologist. Recommendations shall be developed as to the best method of mitigation. Such measures could include excavation of the cut slope and rebuilding the entire slope as a compacted fill, possibly utilizing drains and/or geogrid reinforcement. Recommendations from this shall be incorporated into the geotechnical engineering investigation or geologic study as part of the final project design.

51. **GEO/mm-10 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a geotechnical engineering report prepared by a qualified geotechnical engineer. The report shall conform to §§1803.1 through 1803.6, J104.3, and J104.4 of the 2013 CBC, or the applicable edition at the time of project design/construction. The report shall include assessment of the expansive properties of the soil, and provide recommendations for mitigation. Appropriate mitigation shall include, but not be limited to, such measures as deeper footings in combination with preserving or augmenting the soil moisture, and use of a layer of nonexpansive material beneath slabs. There are a number of other options available, including caissons and grade beams, post-tensioned slab foundations, conventionally reinforced mat foundations, and deep nonexpansive pads. Deepening of curbs between pavement and bioswales, increasing the separation distance between pavement and bioswales, or other LID infiltration features may be recommended to reduce the potential for expansive soil damage.

Implement Port Master Plan Final Program EIR mitigation measures G-1 and G-2 (as listed above in Condition of Approval number 45.)

52. **GHG/mm-1 Upon application for construction permits**, the Harbor District or their designee shall submit construction plans incorporating LEED certifiable construction measures and additional elements to reduce GHG emissions including, but not limited to, the following:
- Provide pedestrian-friendly features to make walking more convenient, comfortable, and safe, including appropriate signage and crosswalk(s).
 - Provide good access to/from the development for pedestrians, bicyclists, and transit users.
 - Incorporate outdoor electrical outlets to encourage the use of electric appliances and tools.

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- d. Provide shade tree planting in parking areas to reduce evaporative emissions from parked vehicles. Design shall provide 50% tree coverage within 10 years of construction using low ROG emitting, low maintenance, native, drought resistant trees.
 - e. No wood burning appliances in the campground manager residence, hotel/motel units, or cabins.
 - f. Incorporate traffic calming modifications to project roads that reduce vehicle speeds and encourage pedestrian and bicycle travel.
 - g. Provide onsite housing for employees (campground manager).
 - h. Implement on-site circulation design elements in parking areas to reduce vehicle queuing and improve the pedestrian environment.
 - i. Provide employee lockers and showers (one shower and five lockers for every 25 employees is recommended).
 - j. If feasible, trusses for south-facing portions of roofs shall be designed to handle dead weight loads of standard solar-heated water and photovoltaic panels. If feasible, roof design shall include sufficient south-facing roof surface, based on structures size and use, to accommodate solar panels. For south facing roof pitches, the closest standard roof pitch to the ideal average solar exposure shall be used, if feasible.
 - k. Increase the building energy rating by 20% above Title 24 requirements. Measures used to reach the 20% rating cannot be double-counted.
 - l. Plant drought tolerant, native shade trees along southern exposures of buildings to reduce energy used to cool buildings in the summer.
 - m. Utilize green building materials (materials that are resource efficient, recycled, and sustainable) and available locally, to the maximum extent feasible.
 - n. Install high efficiency heating and cooling systems.
 - o. Orient buildings to be aligned north/south to reduce energy used to cool buildings in the summer, to the maximum extent feasible.
 - p. Design buildings to include roof overhangs that are sufficient to block the high summer sun, but not the lower winter sun, from penetrating south-facing windows (passive solar design), to the maximum extent feasible.
 - q. Use high efficiency water gas or solar water heaters.
 - r. Utilize built-in energy efficient appliances where applicable.
 - s. Utilize double-paned windows where applicable.
 - t. Utilize low energy streetlights, where applicable.
 - u. Utilize energy efficient interior lighting.
 - v. Install door sweeps and weather stripping if more efficient doors and windows are not available.
 - w. Install energy-reducing programmable thermostats, where applicable.
 - x. Use roofing material with a solar reflectance value meeting the EPA/DOE Energy Star® rating to reduce summer cooling needs, to the maximum extent feasible. Implementation of this measure shall avoid creation of glare visible from public roads and areas.
 - y. Provide and require the use of battery powered or electric landscape maintenance equipment to the maximum extent feasible.
 - z. Provide secure on-site bicycle storage, lockers, or racks.
 - aa. Implement a “no idling” program for heavy-duty diesel vehicles, including signage and citations.
53. **GHG/mm-2 Prior to issuance of construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall include building efficiency

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improvements with construction permit applications and/or secure SLOAPCD approved off-site reductions in GHG emissions to ensure that GHG emissions to not exceed the SLOAPCD thresholds. Off-site mitigation may include, but not be limited to, the following measures, as approved by the County of San Luis Obispo Environmental Coordinator and SLOAPCD:

- a. Payment of off-site mitigation fees, as approved by the SLOAPCD and the Carl Moyer grant program;
- b. Develop or improve park-and-ride lots;
- c. Retrofit existing homes in the project area with APCD-approved natural gas combustion devices;
- d. Retrofit existing homes in the project area with energy-efficient devices;
- e. Retrofit existing businesses in the project area with energy-efficient devices;
- f. Construct satellite worksites;
- g. Fund a program to buy and scrap older, higher emission passenger and heavy-duty vehicles.
- h. Replace/repower transit buses;
- i. Replace/repower heavy-duty diesel school vehicles (i.e. bus, passenger or maintenance vehicles);
- j. Fund an electric lawn and garden equipment exchange program;
- k. Retrofit or repower heavy-duty construction equipment, or on-road vehicles;
- l. Install bicycle racks on transit buses;
- m. Purchase Verified Diesel Emission Control Strategies (VDECS) for local school buses, transit buses or construction fleets;
- n. Install or contribute to funding alternative fueling infrastructure (i.e. fueling stations for CNG, LPG, conductive and inductive electric vehicle charging, etc.);
- o. Fund expansion of existing transit services;
- p. Fund public transit bus shelters;
- q. Subsidize vanpool programs;
- r. Subsidize transportation alternative incentive programs;
- s. Contribute to funding of new bike lanes;
- t. Install bicycle storage facilities; and,
- u. Provide assistance in the implementation of projects that are identified in city or county Bicycle Master Plans.

54. **HAZ/mm-1 Upon application for grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall submit a RWQCB-approved SWPPP. The SWPPP and final grading and construction plans shall identify equipment and materials staging areas, and include measures to contain and remediate accidental spills and leaks. During construction, equipment, staging, and storage areas shall be inspected daily. The SWPPP shall be implemented during construction.

Implement Port Master Plan Final Program EIR mitigation measures HAZ-1 and HAZ-3:

HAZ-1 The use, transport, storage and disposal of hazardous materials on all Harbor District property shall be carried in accordance with the provisions of all applicable federal, State and local laws and regulations.

HAZ-3 Grading shall either be performed during the dry season or will be subject to specific erosion control measures to prevent erosion of the soil and possible transport of contaminated soils into off-site watercourses.

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55. **HAZ/mm-2 Prior to issuance of grading and construction permits** from the County of San Luis Obispo, the Harbor District or their designee shall prepare and submit the following plans, which shall be reviewed and approved by CAL FIRE:
- a. Written Fire Safety Plan in compliance with California Fire Code Chapter 4 Emergency Planning and Preparedness;
 - b. Building and construction plans incorporating fire prevention and suppression measures consistent with the complete California Fire and Building Code, California Fire and Building Code Chapter 7A Ignition Resistant Construction in Wildland Urban Interface Areas, National Fire Protection Association standards, the California Fire Code, and the California Electrical Code;
 - c. Hazardous Materials Business Plan;
 - d. Site access and addressing standards to the satisfaction of CAL FIRE;
 - e. Operational fire water system, fire water storage tanks, and hydrants designed and located to the satisfaction of CAL FIRE; and,
 - f. A fuel reduction/vegetation management plan to be implemented for the life of the project.
56. **HAZ/mm-3 Prior to construction**, an operational water system and established access roads shall be installed pursuant to California Fire Code Section 501.4. Use of spark arresters, provision of adequate clearance around welding operations, smoking restrictions, and onsite extinguishers are required.

Implement Port Master Plan Final Program EIR mitigation measures PS-8, PS-9, PS-10, and PS-11:

PS-8 All water mains and fire hydrants shall provide required fire flows and shall be constructed in accordance with the specifications of the California Fire Code and CDF/San Luis Obispo County Fire Department. or other applicable standards.

PS-9 Where determined by the Harbor District, plans for new development shall be reviewed by the CDF/San Luis Obispo County Fire Department to insure that building materials, access, brush clearance and water storage capacity provide adequate fire protection to the proposed project.

PS-10 Prior to the approval of any site plans for development areas adjacent to open space, a Fuel Reduction Plan shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval. This Fuel Reduction Plan will provide for an acceptable level of risk in accordance with California Department of Forestry standards. Fuel reduction can be achieved through a gradual transition from native vegetation into irrigated landscape/building areas of the project. This fuel reduction program shall also establish parameters for the percent, age, extent, and nature of native plant removal necessary to achieve the accepted fire prevention standards required to protect human lives and property, while preserving as much natural habitat as possible.

PS-11 The Harbor District or its designated assignee shall be responsible for maintenance of Fuel Reduction Zones where required of new development. Maintenance agreements shall be submitted to the County of San Luis Obispo and the California Department of Forestry for approval.

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57. **HYD/mm-1 Prior to occupancy** of the proposed project, the Harbor District or their designee shall develop a Sea Level Rise Adaptation Plan including, but not limited to, the Harbor District's (or their designee's) ongoing documentation of high tide elevation levels and coastal storms, the future removal of structures and features as a result of sea level rise and associated coastal hazards including erosion and slope stability, and indicators that the lower facility amenities may be compromised by sea level rise (i.e., wave action overtops and floods Avila Beach Drive and erodes the road cut adjacent to the project site). The initial plan, and subsequent revisions based on actual conditions, shall be submitted to the County of San Luis Obispo Environmental Coordinator for review and approval.
58. **N/mm-1** The use of personal generators shall be prohibited within all recreational vehicle (RV), hotel, cabin, and car/tent campsites.
59. Implement Port Master Plan Final Program EIR mitigation measures N-1, N-2, N-3, and N-4:
- N-1 All construction equipment shall be in proper operating condition and fitted with factory standard silencing features.
 - i. A haul route plan shall be prepared for review and approval by the Harbor District.
 - ii. Whenever practical, the noisiest construction operations shall be scheduled to occur together in the construction program to avoid continuous periods of noise generation. Scheduling of noisier construction activities shall also take advantage of summer sessions and other times when classes are not in session.
 - iii. Project construction activities that generate noise in excess of 60 dB at the project site boundary shall be limited to the hours of 7 a.m. to 6 p.m.
 - N-2 All large construction equipment will be equipped with "critical" grade noise mufflers. Noise level reductions associated with the use of "critical" rather than "stock" grade mufflers can be as high as 5 dBA. Engines will also be tuned to insure lowest possible noise levels.
 - N-3 Detailed noise analyses shall be prepared when grading plans are developed to fully determine the need and extent of temporary and/or permanent noise barriers. Final noise barrier heights shall be determined with final grading plans indicating lot locations, trailer setbacks, and precise pad elevations are developed. The barriers may consist of a berm, wall, or a combination berm and wall. Walls should not contain holes or gaps, and should be constructed of slumpstone or other masonry material.
 - N-4 Equipment lay-down areas, staging areas or those areas that are reserved for testing and repairing of construction equipment shall be located as far away from sensitive receptors.
60. **TR/mm-1 Prior to construction**, the Harbor District or their designee shall prepare a Construction Traffic Mitigation Plan for review and approval by County Public Works. The Plan shall be implemented during construction, and shall include, but not be limited to, the following elements:

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- a. Description of construction activities, including equipment lists and project schedule, including estimated start and end dates and working hours;
 - b. Name of on-site construction manager;
 - c. Identification of the work area, truck route(s), and staging areas in relation to cross streets, including all distances and dimensions;
 - d. Traffic control plan, including: all temporary traffic control devices including signs and delineators; use of construction staff to manage or direct traffic; measures to reduce truck and equipment queuing on County streets; and safety measures for vehicles, pedestrians, bicyclists, and construction workers;
 - e. Avoidance of peak traffic hours based on consultation with the County Public Works Department.
61. **TR/mm-2 Prior to operation** of the proposed project, the Harbor District or their designee shall prepare a Traffic Monitoring Plan for the review and approval of the County Public Works Department. The Monitoring Plan shall identify appropriate methodologies and timeframes for conducting onsite turning movement counts, determination of capacity and trip generation resulting from the proposed project, and identification of a threshold for implementation of a left turn lane if feasible.
62. **TR/mm-3** In the event a left-turn lane is required to be constructed, the Harbor District or their designee shall submit grading and construction plans for review and approval by County Public Works. The plan shall include the following measures and elements:
- a. A Transportation Management Plan including measures to divert vehicle, bicyclist, and pedestrian traffic safely around the project area;
 - b. Biological Resources Monitoring Plan including the presence of a qualified biological monitor during grading and construction activities and worker training;
 - c. Cultural Resources Monitoring Plan including the presence of an archaeological monitor during initial ground disturbance and worker training;
 - d. Erosion and Sedimentation Control Plan and SWPPP consistent with County Coastal Zone Land Use Ordinance and RWQCB standards and regulations.
63. **TR/mm-4 For the life of the project**, a clear sight triangle of at least 300 feet of stopping sight distance, and 440 feet of intersection sight distance shall be maintained at each access approach to Avila Beach Drive. This shall be achieved through long-term management of vegetation and limitations on parking on Avila Beach Drive.