

# Appendix A

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Notice of Preparation and Response Letters

## NOTICE OF PREPARATION

**NOTICE IS HEREBY GIVEN** that the City of San Luis Obispo will serve as the Lead Agency, consistent with Section 15020 and 15021 of the California Environmental Quality Act (CEQA) Guidelines, in preparing an Environmental Impact Report (EIR) for the proposed **365 Prado Road Mixed Use Project** (the “proposed project”). The City is requesting your input on the scope and content of the environmental issues and alternatives to be evaluated in the EIR. Responsible agencies may need to use the EIR to be prepared by the City when considering permits or other approvals for the project, and trustee agencies should plan to review and comment on the EIR with respect to trust resources within their jurisdiction.

**PROJECT LOCATION:** The project site is located at 365 Prado Road in the southern central portion of the City of San Luis Obispo (City), San Luis Obispo County, California. The project site is identified as Assessor’s Parcel Number 053-441-006 which encompasses a total of 19.3 acres. The southern portion of the project site, which encompasses approximately 5.8 acres, is located within San Luis Obispo County Regional Airport Land Use Plan Safety Zone 2. The remainder of the Project Site is within Safety Zone 6. The project site is bordered to the south by the Chevron Tank Farm property that is currently undergoing remediation, to the east by a developed dog kennel and storage facilities, to the north by Prado Road and the Serra Meadows single-family residential subdivision, and to the west by the vacant 301 Prado Road property, which is approved for seven two-story structures consisting of approximately 160,000 square feet of office and industrial space. The General Plan designates the land use of the project site as Business Park (BP). The project site is within the Margarita Area Specific Plan (MASP) area and is zoned Business Park (BP) with a Specific Plan Area (SP) Overlay zone. Figure 1 shows the location of the project site within the city and Figure 2 shows an aerial view of the project site.

**PUBLIC REVIEW PERIOD:** This NOP is available for public review and comment pursuant to California Code of Regulations, Title 14, Section 15082(b). The 30-day public comment period during which the City of San Luis Obispo will receive comments on the NOP for the EIR begins March 4, 2025 and ends on April 3, 2025.

**PROJECT DESCRIPTION:** The 365 Prado Road Mixed-Use Project includes a General Plan Amendment to change the land use designation of the project site from Business Park (BP) to Services & Manufacturing (SM) and a Specific Plan Amendment to change the land use designation of the project site from Business Park (BP) to Service Commercial (C-S). The project would allow for mixed-use development on 19.3 acres, which would be comprised of 222 residential units, up to 100,000 square feet of service commercial space, a 1.29-acre privately maintained public park space, and associated street dedication. Figure 3 shows the project site plan.

**PUBLIC AGENCY APPROVALS:** The proposed project and related discretionary actions would require certification by the City of San Luis Obispo City Council. The Planning Commission would review the proposed project and make recommendations to the City Council.

**PROBABLE ENVIRONMENTAL EFFECTS:** The EIR will address the potential physical environmental effects of the proposed project for each of the environmental topics outlined in the CEQA Guidelines, Appendix G. The EIR will also address the cumulative impacts resulting from other past, present and reasonably foreseeable future projects. As of the date of this NOP and based on currently available information, it is anticipated that the proposed project may have potentially significant impacts in connection with Air Quality, Biological Resources, Cultural Resources, and Noise.

**COMMENTING ON THE SCOPE OF THE EIR.** The City welcomes agency and public input regarding environmental factors potentially affected (listed above) and project alternatives to be considered for evaluation. **All written comments will be considered and must be submitted by Thursday, April 3, 2025.**

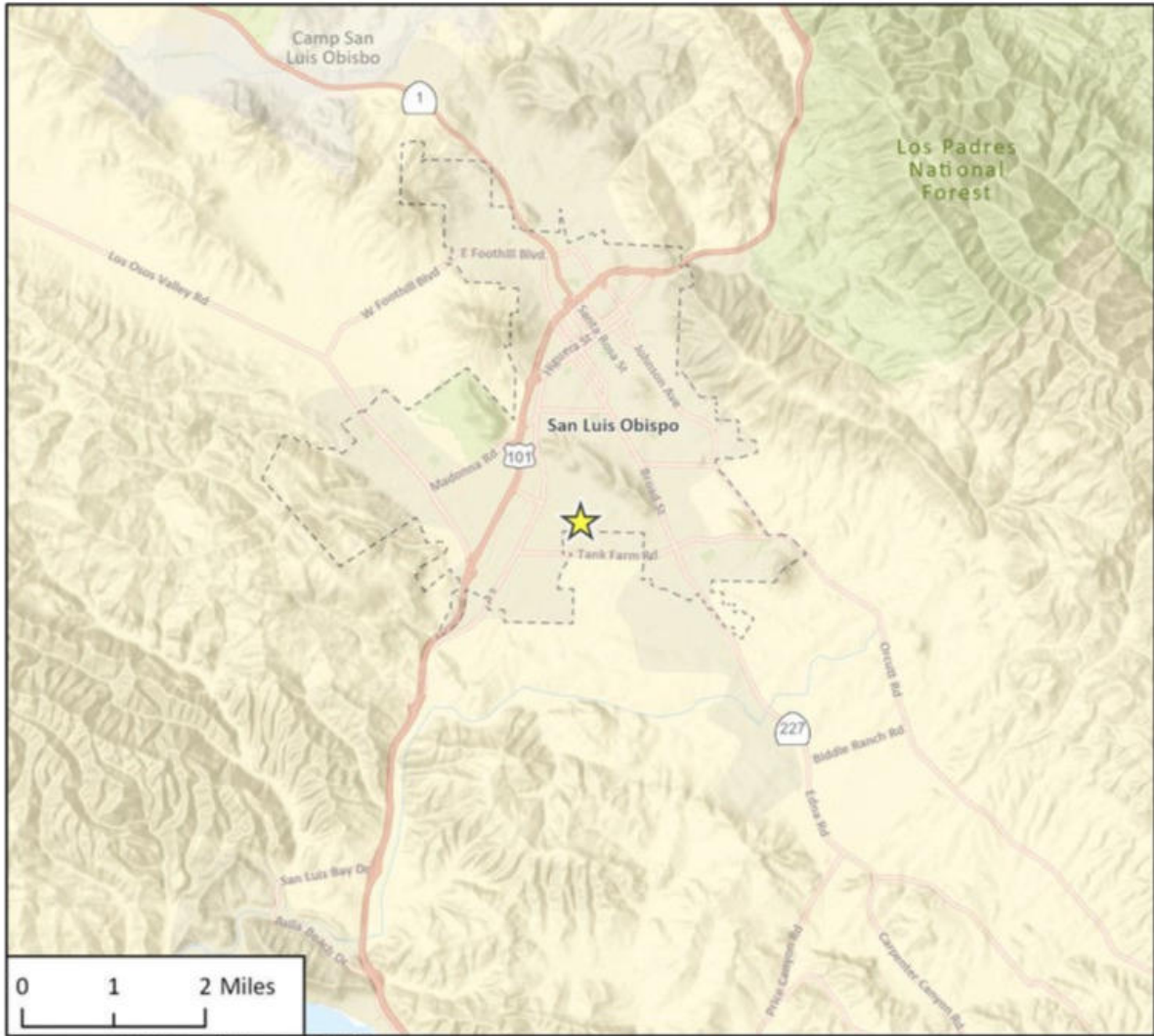
Please direct your written comments to:

City of San Luis Obispo  
Community Development Department  
Rachel Cohen, AICP, Principal Planner  
919 Palm Street  
San Luis Obispo, California 93401  
[rcohen@slocity.org](mailto:rcohen@slocity.org)

#### **ATTACHMENTS**

Figure 1	Regional Location
Figure 2	Project Location
Figure 3	Conceptual Project Site Plan

Figure 1 Regional Location



- ★ Project Location
- San Luis Obispo City Limit

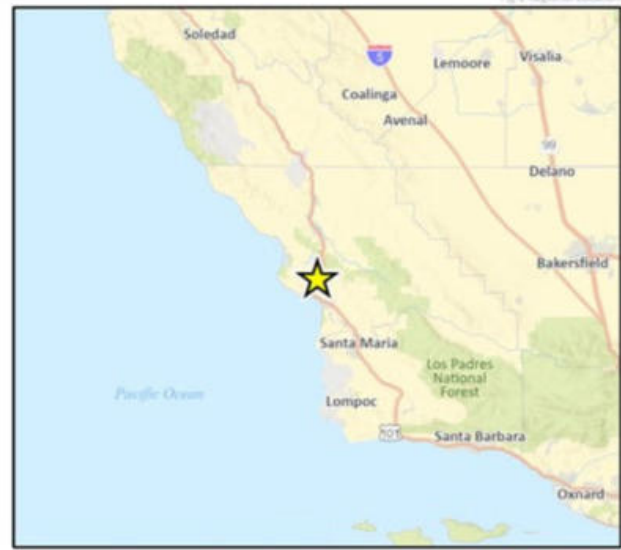
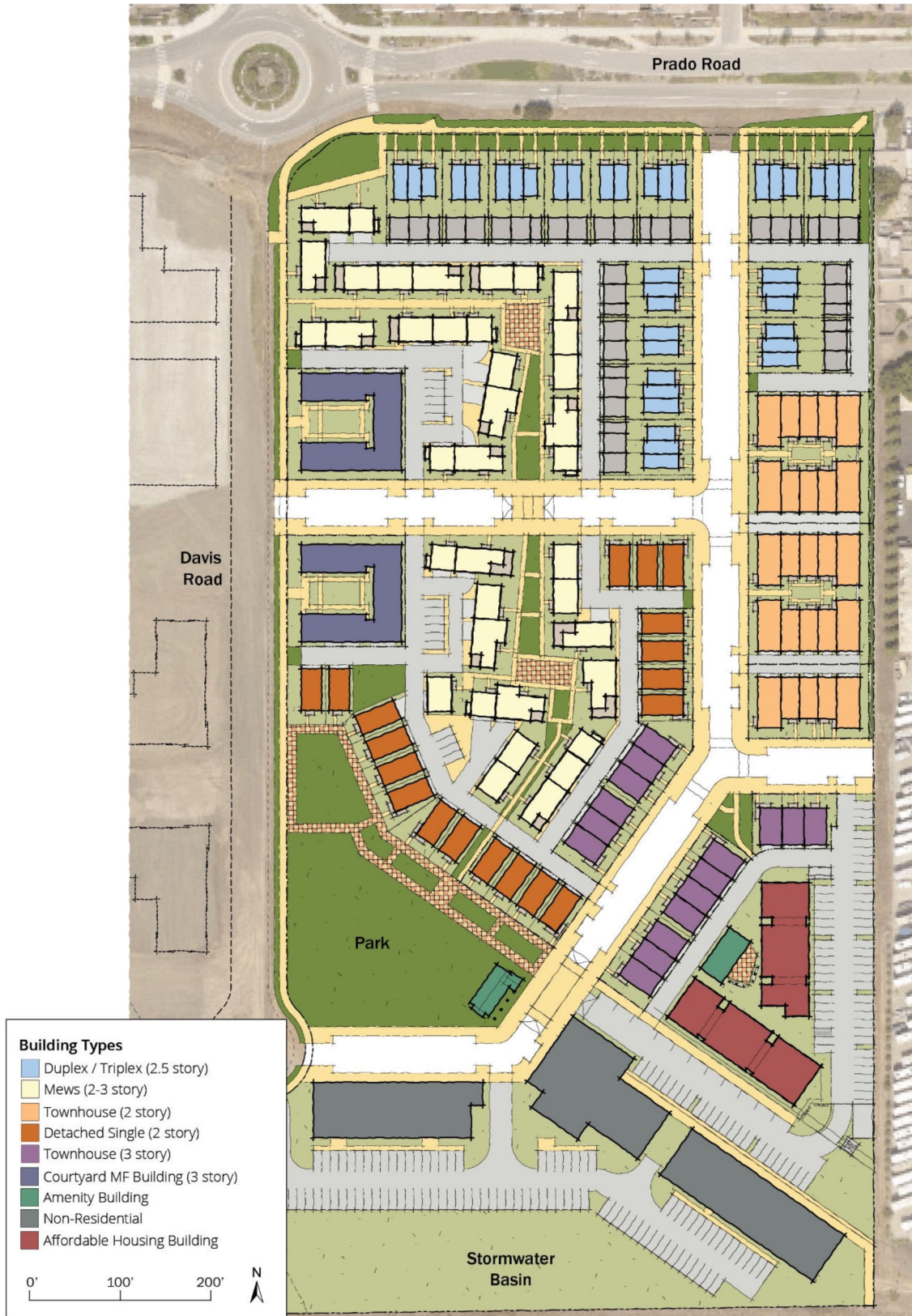


Figure 2 Project Location



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Additional data provided by the City of San Luis Obispo 2024 and the County of San Luis Obispo 2024.

Figure 3 Conceptual Project Site Plan



Source: Opticos Design Inc., 2024

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

<b>SCH #</b>
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**Project Title:** 365 Prado Road Mixed-Use ProjectLead Agency: City of San Luis ObispoContact Person: Rachel Cohen, AICP, Principal PlannerMailing Address: 919 Palm StreetPhone: (805) 781-7574City: San Luis ObispoZip: 93401County: San Luis Obispo County**Project Location:** County: San Luis Obispo County City/Nearest Community: San Luis ObispoCross Streets: Prado Road and Serra Meadows Road Zip Code: 93401Longitude/Latitude (degrees, minutes and seconds): 35 ° 15 ' 10 " N / 120 ° 39 ' 41 " W Total Acres: 19.3Assessor's Parcel No.: 053-441-006

Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: U.S. 101, SR 227Waterways: San Luis Obispo CreekAirports: San Luis Obispo County AirportRailways: Amtrak

Schools: \_\_\_\_\_

**Document Type:**

CEQA:  NOP  Draft EIR NEPA:  NOI Other:  Joint Document  
 Early Cons  Supplement/Subsequent EIR  EA  Final Document  
 Neg Dec (Prior SCH No.) \_\_\_\_\_  Draft EIS  Other: \_\_\_\_\_  
 Mit Neg Dec Other: \_\_\_\_\_  FONSI \_\_\_\_\_

**Local Action Type:**

General Plan Update  Specific Plan  Rezone  Annexation  
 General Plan Amendment  Master Plan  Prezone  Redevelopment  
 General Plan Element  Planned Unit Development  Use Permit  Coastal Permit  
 Community Plan  Site Plan  Land Division (Subdivision, etc.)  Other: \_\_\_\_\_

**Development Type:**

Residential: Units 222 Acres 13.4  
 Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  Transportation: Type \_\_\_\_\_  
 Commercial: Sq.ft. 10,000 Acres 5.8 Employees \_\_\_\_\_  Mining: Mineral \_\_\_\_\_  
 Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  Power: Type \_\_\_\_\_ MW \_\_\_\_\_  
 Educational: \_\_\_\_\_  Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_  
 Recreational: \_\_\_\_\_  Hazardous Waste: Type \_\_\_\_\_  
 Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_  Other: Storage: 90,000 Sq.ft.

**Project Issues Discussed in Document:**

Aesthetic/Visual  Fiscal  Recreation/Parks  Vegetation  
 Agricultural Land  Flood Plain/Flooding  Schools/Universities  Water Quality  
 Air Quality  Forest Land/Fire Hazard  Septic Systems  Water Supply/Groundwater  
 Archeological/Historical  Geologic/Seismic  Sewer Capacity  Wetland/Riparian  
 Biological Resources  Minerals  Soil Erosion/Compaction/Grading  Growth Inducement  
 Coastal Zone  Noise  Solid Waste  Land Use  
 Drainage/Absorption  Population/Housing Balance  Toxic/Hazardous  Cumulative Effects  
 Economic/Jobs  Public Services/Facilities  Traffic/Circulation  Other: \_\_\_\_\_

**Present Land Use/Zoning/General Plan Designation:**

Business Park (BP) with a Specific Plan Area (SP) Overlay zone

**Project Description:** (please use a separate page if necessary)

The 365 Prado Road Mixed-Use Project includes a General Plan Amendment to change the land use designation of the project site from Business Park (BP) to Services & Manufacturing (SM) and a Specific Plan Amendment to change the land use designation of the project site from Business Park (BP) to Service Commercial (C-S). The project would allow for mixed-use development on 19.3 acres, which would be comprised of 222 residential units, up to 100,000 square feet of service commercial space, a 1.29-acre privately maintained public park space, and associated street dedication.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # <u>3</u>
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # <u>4</u>	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	
<input type="checkbox"/> Native American Heritage Commission	

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### Local Public Review Period (to be filled in by lead agency)

Starting Date March 4, 2025 Ending Date April 3, 2025

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### Lead Agency (Complete if applicable):

Consulting Firm: <u>Rincon Consultants, Inc.</u>	Applicant: <u>Martinelli Prado, LLC</u>
Address: <u>1530 Monterey Street, Suite D</u>	Address: <u>465 Crestmont Drive</u>
City/State/Zip: <u>San Luis Obispo, CA 93401</u>	City/State/Zip: <u>San Luis Obispo, CA 93401</u>
Contact: <u>Chris Bersbach, Senior Supervising Planner</u>	Phone: _____
Phone: <u>(805) 547-0900</u>	

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Signature of Lead Agency Representative:  Date: 3/4/2025

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
(559) 243-4005  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



April 3, 2025

Rachel Cohen, AICP, Principal Planner  
San Luis Obispo County Community Development Department  
919 Palm Street  
San Luis Obispo, California 93401  
(805) 781-7574  
[rcohen@slocity.org](mailto:rcohen@slocity.org)

**Subject: 365 Prado Road Mixed-Use Project Martinelli Prado, LLC (053-441-006)**  
**Notice of Preparation (NOP)**  
**SCH No.: 2025030124**

Dear Rachel Cohen:

The California Department of Fish and Wildlife (CDFW) received a NOP to prepare a Draft Environmental Impact Report (DEIR) from San Luis Obispo County pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

### **CDFW ROLE**

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish and Game Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802).

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, activities evaluated in the Plan may be subject to CDFW's lake

Rachel Cohen, AICP, Principal Planner  
San Luis Obispo County  
April 3, 2025  
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and streambed alteration regulatory authority (Fish and Game Code, § 1600 et seq.). Likewise, to the extent implementation of the Plan as proposed may result in “take” as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

**Fully Protected Species:** CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research,
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock, or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Additionally, specified types of infrastructure projects may be eligible for an Incidental Take Permit (ITP) for unavoidable impacts to fully protected species if certain conditions are met (see Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the Project planning process if an ITP may be pursued for the Project.

**Nesting Birds:** CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

**Unlisted Species:** Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Martinelli Prado, LLC

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**Objective:** The Project proposes a General Plan Amendment to change the land use designation of the Project site from Business Park (BP) to Services & Manufacturing (SM) and a Specific Plan Amendment to change the land use designation of the Project site from Business Park (BP) to Service Commercial (C-S). The Project would allow for mixed-use development on 19.3 acres, which would be comprised of 222 residential units, up to 100,000 square feet of service commercial space, a 1.29-acre privately maintained public park space, and associated street dedication.

The residential component of the Project would include 222 units located on the northern portion of the Project site, which is in ALUP Safety Zone 6. Of the 222 units, 174 would be either two or three stories and would emphasize housing types such as duplexes, triplexes, townhomes, new homes, detached single family homes, and courtyard flats ranging in size from approximately 630 square feet to 2,200 square feet. The remaining 48 units would be affordable housing rental units ranging in size from approximately 500 square feet to 1,000 square feet.

The southern portion of the Project site is in ALUP Safety Zone 2, which limits residential development to 0.1 dwelling units per acre. In practice, because of the small area of this portion of the site, no residential development would be allowed. In this area, the Project would construct up to 100,000 square feet of building area, including 90,000 square feet of mini storage uses in a two-story building and 10,000 square feet of flex space intended for neighborhood serving restaurant or retail uses, and/or office space in a one-story building. These uses on this portion of the Project site would be required to be consistent with the allowable uses within the Service Commercial (C-S) zone as well as occupancy and employee density restrictions established in the ALUP for Safety Zone 2.

**Location:** The Project is located on 365 Prado Rd, San Luis Obispo, within Assessor's Parcel Number (APN) 053-441-006.

**Timeframe:**

Phase 1: Phase 1 is anticipated to be completed within 36 months for the for-sale portion of the Project (12 months for site preparation and 24 months for completion and sale of the 89 residential units). Phase 1 would include the development of approximately 5.03 acres of residential uses for 89 for-sale units in the northern portion of the Project site, along with development of public roads, the offsite sewer, the initial portion of the onsite storm drainage system, and the storm drainage for Davis Road.

Phase 2: Phase 2 is anticipated to be completed in 48 months (12 months for site preparation and 30-36 months for completion of occupancy of the 85 for-sale residential units). The 48-unit affordable housing Project is anticipated to be completed within 60 months after the start of Phase 2, but no later than the completion of Phase 3.

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Phase 2 would include the development of approximately 5.83 acres for residential uses for 85 or-sale units and 48 affordable rental units in the central portion of the Project site, along with development of the 1.29-acre park. Phase 2 would also involve the completion of Davis Road, additional internal public streets, and completion of the offsite shared-use path connection to Innovation Way. During Phase 2 the site for the 48-unit affordable housing portion of the Project would be provided with public utilities and street access and transferred to the Housing Authority of the City of San Luis Obispo (HASLO).

Phase 3: Construction of the Phase 3 commercial property is anticipated to occur within 36 months following completion of Phases 1 and 2. Phase 3 would include the development of approximately 3.65 acres for 100,000 square feet of commercial uses in the southern portion of the site that is in ALUP Safety Zone 2.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist San Luis Obispo County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.

Based on a review of the Project description, a review of California Natural Diversity Database (CNDDDB) records, and the surrounding habitat, the Project site is within the geographic range of several special-status species, including: the State fully protected golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*); the State candidate western burrowing owl (*Athene cunicularia hypugaea*) and Crotch's bumble bee (*Bombus crotchii*); the State species of special concern and federally threatened southwestern pond turtle (*Actinemys pallida*) and California red legged frog (*Rana draytonii*); the State species of special concern American badger (*Taxidea taxus*), and the State special animal and federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*).

Additionally, the Project site is within the geographic range of several special-status plant species including, but not limited to, the California Rare Plant Rank (CRPR) 1B.2 Betty's dudleya (*Dudleya abramsii* ssp. *bettinae*), the CRPR 1B.3 Brewer's spineflower (*Chorizanthe breweri*), the CRPR 1B.2 chaparral ragwort (*Senecio aphanactis*), the CRPR 1B.1 Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) and Hoover's button-celery (*Eryngium aristulatum* var. *hooveri*), the CRPR 1B.1 Irish Hills monkeyflower (*Erythranthe serpentinicola*), the CRPR 1B.2 Miles' milk-vetch (*Astragalus didymocarpus* var. *milesianus*), the CRPR 1B.1 mouse-gray dudleya (*Dudleya abramsii* ssp. *murina*), and the CRPR 1B.2 most beautiful jewelflower

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(*Stephanthus albidus ssp. peramoenus*), San Luis mariposa-lily (*Calochortus obispoensis*), and San Luis Obispo owl's clover (*Castilleja densiflora var. obispoensis*).

## **Golden Eagle**

The Project site is within the known geographic range of golden eagle (GOEA) and there are several documented occurrences of GOEA within the Project vicinity (CDFW 2025). Additionally, based on aerial imagery and a review of the Project vicinity, the Project site contains suitable foraging habitat for the species, and suitable nesting habitat may be present within the Project's vicinity. As such, CDFW recommends that a qualified biologist conduct focused GOEA surveys as part of the biological studies conducted in support of the DEIR. To avoid Project related impacts to this species, CDFW recommends incorporating survey methods outlined in the Protocol for the Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations guidelines (USFWS 2010).

In addition to conducting GOEA surveys, CDFW recommends the DEIR include the following measures:

### **Recommended Mitigation Measure 1: Golden Eagle Surveys**

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project activities, CDFW recommends that additional surveys, following the methods outlined in the Protocol for the Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations guidelines (USFWS 2010), be repeated the survey season immediately prior to initiation of Project activities.

### **Recommended Mitigation Measure 2: Golden Eagle Avoidance Buffer**

If surveys indicate the presence or potential presence of GOEA nesting territories within ½-mile of the Project site, CDFW recommends a minimum no-disturbance buffer of ½ mile be delineated around active nests of GOEA until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. CDFW advises to not allow reductions in no-disturbance buffer size for GOEA or any fully protected bird species absent a compelling biological or ecological reason to do so. In the event that GOEA are detected during surveys, consultation with CDFW is warranted to discuss Project implementation and take avoidance.

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### **White-tailed Kite**

This State fully-protected species occurs in the vicinity of the Project site. The Project site is within the known geographic range of white-tailed kite (WTKI) and there are several documented occurrences of WTKI within the Project vicinity (CDFW 2025). Additionally, based on aerial imagery and a review of the Project vicinity, the Project site contains suitable foraging habitat for the species, and suitable nesting habitat may be present within the Project's vicinity. As such, CDFW recommends that a qualified biologist conduct focused WTKI surveys, within a ½-mile buffer, as part of the biological studies conducted in support of the DEIR.

In addition to conducting WTKI surveys, CDFW recommends the DEIR include the following measures.

#### **Recommended Mitigation Measure 3: White-tailed Kite Surveys**

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project activities, CDFW recommends that a qualified biologist conduct focused WTKI surveys, within a ½-mile buffer, the survey season immediately prior to initiation of Project activities.

#### **Recommended Mitigation Measure 4: White-tailed Kite Avoidance Buffer**

CDFW recommends a minimum no-disturbance buffer of ½ mile be delineated around active nests of WTKI until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. CDFW advises to not to allow reductions in no-disturbance buffer size for WTKI or any fully protected bird species absent a compelling biological or ecological reason to do so. In the event that WTKI are detected during surveys, consultation with CDFW is warranted to discuss Project implementation and take avoidance.

### **Western Burrowing Owl**

The Project site is within the known geographic range of western burrowing owl (BUOW), and, based on aerial imagery, it appears that suitable BUOW habitat may be present with the Project site. The California Fish and Game Commission (FGC) approved BUOW as a candidate for listing as a protected species under CESA on October 10, 2024, and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, §§ 2074.2 & 2085). As such, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys

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following the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) as part of the biological studies conducted in support of the DEIR.

In addition to conducting focused surveys for BUOW, CDFW recommends the DEIR include the following:

**Recommended Mitigation Measure 5: BUOW Preconstruction Surveys**

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project activities, CDFW recommends that additional surveys, following the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) be repeated the survey season immediately prior to the initiation of Project activities.

**Recommended Mitigation Measure 6: BUOW Avoidance Buffer**

Should a BUOW or known BUOW den (active or inactive) be detected, either during preconstruction surveys or Project activities, CDFW recommends that no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), be implemented prior to and during any ground-disturbing activities. CDFW also recommends that these buffers be implemented for both wintering and breeding BUOW.

**Recommended Mitigation Measure 7: BUOW Take Authorization**

If a BUOW or known BUOW den (active or inactive) is detected, and the no-disturbance buffers outlined in the 2012 Staff Report on Burrowing Mitigation are not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

**Crotch's Bumble bee**

The Project site is within the range of Crotch's bumblebee (CBB). CBB are known to inhabit areas of grasslands and scrub that contain requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, and these habitat elements appear to be present within the Project site. As such, CDFW recommends that a qualified biologist conduct a habitat assessment to assess Project related impacts to CBB. CDFW also recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023).

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In addition to conducting CBB surveys, CDFW recommends the DEIR include the following measures:

**Recommended Mitigation Measure 8: CBB Surveys**

If potentially suitable habitat is identified, CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023).

**Recommended Mitigation Measure 9: CBB Avoidance**

If CBB is detected, then CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

**Recommended Mitigation Measure 10: CBB Take Authorization**

If take cannot be avoided, CDFW recommends acquiring an ITP pursuant to Fish and Game Code Section 2081(b), prior to initiating ground-disturbing activities.

**Southwestern Pond Turtle**

The Project site is within the known geographic range of southwestern pond turtle (WPT), and, based on aerial imagery, it appears that suitable WPT dispersal habitat may be present with the Project site. WPT utilize nesting, overwintering, dispersal, and basking habitat that includes streams, ponded areas, irrigation canals, and riparian and upland habitats. WPT are known to nest in the spring or early summer within 100 meters of a water body, although nest sites as far away as 500 meters have also been reported (Thomson et al. 2016). As such, CDFW recommends that a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support WPT as part of the biological studies conducted in support of the DEIR. If surveys indicate the presence or potential presence of WPT, consultation with the CDFW is recommended for guidance on the development of mitigation measures such as take avoidance, minimization, and mitigation.

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### **California Red-Legged Frog**

The Project site is within the known geographic range of California red-legged frog (CRLF) and there are several documented occurrences of CRLF within the Project vicinity (CDFW 2025). Additionally, based on aerial imagery and a review of the Project vicinity, the Project site contains suitable upland habitat for the species, and suitable breeding habitat may be present within the Project's vicinity to the south and west. As such, CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site and the immediate surrounding vicinity contain habitat suitable to support CRLF as part of the biological studies conducted in support of the DEIR.

In addition to conducting a habitat assessment for CRLF, CDFW recommends the DEIR include the following:

#### **Recommended Mitigation Measure 11: CRLF Surveys**

CDFW recommends that a qualified biologist conduct focused surveys for CRLF within areas of suitable habitat adjacent to or within the Project site 48-hours prior to initiating Project activities (two night surveys immediately prior to construction or as otherwise required by USFWS in accordance with the "Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog" (USFWS 2005) to determine if CRLF are within or adjacent to the Project site.

#### **Recommended Mitigation Measure 12: CRLF Avoidance**

If any CRLF are found during preconstruction surveys or at any time during Project activities, CDFW recommends avoidance whenever possible via delineation and observance of a 50-foot no-disturbance buffer around CRLF and their burrows. If CRLF are observed on the Project site, CDFW also recommends that Project activities in the immediate vicinity cease, allowing individuals to leave the Project site on their own accord. Finally, CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). When ground-disturbing activities must take place between November 1 and March 31, CDFW recommends a qualified biologist monitor Project activities daily for CRLF.

### **American Badger**

The Project site is within the known geographic range of American badger (AMBA) (CDFW 2025). AMBA occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that support fossorial rodent prey populations (i.e., ground squirrels, pocket gophers, etc.) (Zeiner et. al 1990). Based on

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aerial imagery, most of the Project site contains suitable habitat for AMBA denning and foraging. As AMBA have the potential to den and/or forage within the Project site, CDFW recommends that a qualified biologist assess the presence/absence of AMBA by conducting a focused field survey in all areas of potentially suitable habitat as part of the biological studies conducted in support of the Draft EIR.

In addition to conducting a habitat assessment for AMBA, CDFW recommends the DEIR include the following:

**Recommended Mitigation Measure 13: American Badger Surveys**

CDFW recommends that a qualified biologist conduct focused surveys for AMBA and their requisite habitat features (dens) immediately prior to ground-disturbance activities.

**Recommended Mitigation Measure 14: American Badger Avoidance**

Avoidance of AMBA whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed.

**Vernal Pool Fairy Shrimp**

The Project site is within the known geographic range of vernal pool fairy shrimp (VPFS), there are several documented occurrences of VPFS directly adjacent to the Project site (CDFW 2025), and suitable wetland habitat is present within the surrounding grassland/wetland complexes to the south and east of the Project. Additionally, suitable aquatic and grassland habitats may also be present within the Project site. As such, CDFW recommends a qualified biologist conduct a habitat assessment to determine if the Project site contains suitable habitat to support VPFS as part of the biological studies conducted in support of the DEIR. If suitable habitat is determined to be present within the Project site, CDFW recommends that a qualified biologist conduct protocol level surveys in accordance with the USFWS “Survey Guidelines for the Listed Large Branchiopods” (USFWS 2017) as part of the biological studies conducted in support of the DEIR. These surveys would need to be conducted at the appropriate time of year to determine the existence and extent of VPFS. If through surveys it is determined that branchiopods are occupying or have the potential to occupy the Project site, coordination with CDFW is recommended well in advance of any Project activities to determine appropriate avoidance and minimization measures including adequate implementation of no-disturbance buffers. Additionally, consultation with USFWS may be necessary to minimize the potential for federal “take” and/or mitigate for potential impacts.

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## **Special-status Plants**

The Project site is within the geographic range of Betty's dudleya, Brewer's spineflower, chaparral ragwort, Congdon's tarplant, Hoover's button-celery, Irish Hills monkeyflower, Miles' milk-vetch, mouse-gray dudleya, most beautiful jewelflower, San Luis mariposa-lily, and San Luis Obispo owl's clover, and these species were documented within the grassland and wetland habitats surrounding the Project site. As the Project site may contain suitable habitat for special-status plant species, including the species mentioned above, CDFW recommends that the Project site(s) be surveyed for special-status plants within areas of suitable habitat by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities" (CDFW 2018) as part of the biological technical studies conducted in support of the DEIR. This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period.

In addition to conducting special-status plant surveys, CDFW recommends the DEIR include the following:

### **Recommended Mitigation Measure 15: Focused Surveys**

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project activities, CDFW recommends that the Project site be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities" (CDFW 2018) immediately prior to initiation of Project activities. This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

### **Recommended Mitigation Measure 16: Special-Status Plant Avoidance**

CDFW recommends special-status plant species be avoided whenever possible by delineation and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

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### **Recommended Mitigation Measure 17: Special-Status Plant Take Authorization**

If a State-listed plant species is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization would need to occur through issuance of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), or Fish and Game Code section 1900 and California Code of Regulations, title 14, section 786.9, subdivision (b).

### **EDITORIAL NOTES AND SUGGESTIONS**

#### **Lake and Streambed Alteration**

Based on a review of aerial imagery, it appears that multiple streams may be present within the Project site and Project vicinity. Project activities that substantially change the bed, bank, and channel of any river, stream, or lake are subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation); (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. Any "river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial and may include those that are highly modified such as canals and retention basins.

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts to lakes or streams, a subsequent CEQA analysis may be necessary for LSAA issuance. For information on notification requirements, please refer to CDFW's website (<https://wildlife.ca.gov/Conservation/LSA>) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593.

#### **Artificial Lighting**

Installation of outdoor artificial night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication, determining when to begin foraging, thermoregulation behavior, and migration (Longcore and Rich 2004, Miller 2006, Nightingale et al. 2006, Perry et al. 2008, Stone et al. 2009). Phototaxis, a phenomenon which results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004). Project activities could result in disruption of wildlife behavior, inadvertent injury, or mortality.

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CDFW recommends that the DEIR for the Project include an analysis of the impacts of artificial lighting on biological resources and incorporate enforceable mitigation measures to decrease the impacts of artificial outdoor lighting on wildlife species. Potentially feasible mitigation measures include motion sensitive lighting; mounting light fixtures as low as possible to minimize light trespass; use of light fittings that direct and confine the spread of light downward; and use of long-wavelength light sources. In addition, CDFW recommends that lighting not be installed in ecologically sensitive areas (e.g., streams, wetlands, and habitat used by special-status species, such as nesting/roosting sites and riparian corridors) and the use of the white/blue wavelengths of the light spectrum be avoided.

### **CNDDDB**

Please note that the CNDDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special-status species are present at or near the Project site.

### **Cumulative Impacts**

CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts are recommended to be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area should also be identified and mapped for each resource being analyzed and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

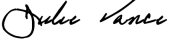
### **CONCLUSION**

CDFW appreciates the opportunity to comment on the NOP to assist in identifying and mitigating this Project's impacts on biological resources.

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More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please see the enclosed, Attachment 1, Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Evelyn Barajas-Perez, Environmental Scientist, at (805) 503-5738 or [evelyn.barajas-perez@wildlife.ca.gov](mailto:evelyn.barajas-perez@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

ATTACHMENT

ec: CESA [R4CESA@wildlife.ca.gov](mailto:R4CESA@wildlife.ca.gov)

CDFW LSA/1600/ [R4LSA@wildlife.ca.gov](mailto:R4LSA@wildlife.ca.gov)

Steve Henry/ FWS [steve\\_henry@fws.gov](mailto:steve_henry@fws.gov)

State Clearinghouse  
Governor's Office of Planning and Research  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

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## REFERENCES

- California Department of Fish and Game. 2012. Staff report on burrowing owl mitigation. California Department of Fish and Game, Sacramento, California, USA.
- California Department of Fish and Wildlife. 2018. Protocols for surveying and evaluating impacts to special-status native plant populations and sensitive natural communities. California Department of Fish and Wildlife. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act (CESA) candidate bumble bee species. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2025. Biogeographic information and observation system. <<https://www.wildlife.ca.gov/Data/BIOS>>. Accessed 25 March 2025.
- Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. *Frontiers in Ecology and the Environment*, 2:191–198.
- Miller, M. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor*, 108:130–139.
- Nightingale, B., T. Longcore, and C. Simenstad. 2006. Artificial night lighting and fishes. Pages 257–276 in C. Rich and T. Longcore, editors. *Ecological consequences of artificial light at night*. Island Press, Washington, D.C., USA.
- Perry, G., B. Buchanan, R. Fisher, M. Salmon, and S. Wise. 2008. Effects of night lighting on urban reptiles and amphibians. Chapter 16 in: *Urban Herpetology: Ecology, Conservation and Management of Amphibians and Reptiles in Urban and Suburban Environments*. J. C. Mitchell, R. E. Jung Brown and B. Bartholomew (ed.). *Herpetological Conservation*, 3:211-228.
- Stone, E., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology*, 19:1123–1127.
- Thomson, R., A. Wright, and H. Shaffer. 2016. California amphibian and reptile species of special concern. California Department of Fish and Wildlife and University of California Press: 186-191.
- U.S. Fish and Wildlife Services. 2005. Revised guidance on site assessment and field surveys for the California red-legged frog. Sacramento, California, USA.

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U.S. Fish and Wildlife Service. 2010. Golden eagle inventory and monitoring protocols; and other recommendations. Division of Migratory Bird Management, Arlington, Virginia, USA.

Zeiner, D., W. Laudenslayer, Jr., K. Mayer, and M. White. 1990. California's Wildlife. Volumes I-III *in* California Department of Fish and Game, editor. California Department of Fish and Wildlife, Sacramento, California, USA.

**Attachment 1**

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE  
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM  
(MMRP)**

**PROJECT: 365 Prado Road Mixed-Use Project Martinelli Prado, LLC**

**SCH No.: 2025030124**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
<b>Golden Eagle (GOEA)</b>	
<b>Recommended Mitigation Measure 1:</b> GOEA Survey	
<b>White-tailed Kite (WTKI)</b>	
<b>Recommended Mitigation Measure 3:</b> WTKI Surveys	
<b>Burrowing Owl (BUOW)</b>	
<b>Recommended Mitigation Measure 5:</b> BUOW Preconstruction Surveys	
<b>Recommended Mitigation Measure 7:</b> BUOW Take Authorization	
<b>Crotch's Bumble Bee (CBB)</b>	
<b>Recommended Mitigation Measure 8:</b> CBB Surveys	
<b>Recommended Mitigation Measure 10:</b> CBB Take Authorization	
<b>California Red-legged Frog (CRLF)</b>	
<b>Recommended Mitigation Measure 11:</b> CRLF Surveys	
<b>American Badger (AMBA)</b>	
<b>Recommended Mitigation Measure 13:</b> AMBA Surveys	
<b>Special-status Plants</b>	
<b>Recommended Mitigation Measure 15:</b> Focused Surveys	
<b>Recommended Mitigation Measure 17:</b> Special-status Plant Take Authorization	
<i>During Construction</i>	
<b>Golden Eagle</b>	
<b>Recommended Mitigation Measure 2:</b> Golden Eagle Avoidance Buffer	
<b>White-tailed Kite</b>	

<b>Recommended Mitigation Measure 4:</b> White-tailed Kite Avoidance Buffer	
<b>Burrowing Owl (BUOW)</b>	
<b>Recommended Mitigation Measure 6:</b> BUOW Avoidance Buffer	
<b>Crotch's Bumble Bee</b>	
<b>Recommended Mitigation Measure 9:</b> CBB Avoidance	
<b>California Red-legged frog (CRLF)</b>	
<b>Recommended Mitigation Measure 12:</b> CRLF Avoidance	
<b>American Badger (AMBA)</b>	
<b>Recommended Mitigation Measure 14:</b> AMBA Avoidance	
<b>Special-Status Plant Avoidance</b>	
<b>Recommended Mitigation Measure 16:</b> Special-status Plant Avoidance	

## California Department of Transportation

CALTRANS DISTRICT 5  
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415  
(805) 549-3101 | FAX (805) 549-3329 TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



April 3, 2025

SCH #2025030124  
SLO/101/26.875

Rachel Cohen, AICP  
Principal Planner  
City of San Luis Obispo  
919 Palm Street  
San Luis Obispo, CA 93401

### **Re: 365 Prado Road Mixed-Use Project – Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR)**

Dear Ms. Cohen:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 365 Prado Road Mixed-Use Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the March 2025 NOP.

#### **Project Understanding**

The applicant is proposing to construct a mixed-use development on a 19.3-acre parcel that includes 222 residential units, up to 100,000 square feet of service commercial space, and a 1.29-acre park located at 365 Prado Street. Access will be located off Prado Road and a newly constructed Davis Road. Currently, the project site land use designation is Business Park (BP) and will require a General Plan Amendment and Specific Plan Amendment to change the land use designations applicable to the project.

#### **Travel Demand Analysis**

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Vehicle Miles Traveled (VMT) analysis for land use projects, please review [Caltrans' Transportation Impact Study Guide](#). Caltrans looks forward to viewing the VMT analysis in the DEIR when it is available.

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Thank you again for including Caltrans in the environmental review process. If you have any questions or need further clarification on the items discussed above, please contact me at (805) 888-1508 or email [christopher.bjornstad@dot.ca.gov](mailto:christopher.bjornstad@dot.ca.gov).

Sincerely,

*Christopher Bjornstad*

Chris Bjornstad  
Associate Transportation Planner  
Local Development Review Coordinator

April 4, 2025

Rachel Cohen, AICP, Principal Planner  
Community Development Department  
919 Palm Street  
San Luis Obispo, California 93401

Dear Ms. Cohen:

On behalf of the California Air Resources Board (CARB) staff, I am writing in response to the Notice of Preparation (NOP) for the 365 Prado Road Mixed-Use Project. CARB supports the State's long-term climate goals by engaging with local jurisdictions and lead agencies as they evaluate the greenhouse gas (GHG) impacts of new development during the California Environmental Quality Act (CEQA) process.

Specifically, CARB is interested in encouraging new residential and mixed-use development to demonstrate consistency with the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan).<sup>1</sup> As noted in Appendix D, Local Actions, of the Scoping Plan (Appendix D), "Local government efforts to reduce greenhouse gas (GHG) emissions within their jurisdiction are critical to achieving the State's long-term climate goals."

The 365 Prado Road Project is located in the southern central portion of the City of San Luis Obispo on a 19.3-acre site. The site is undeveloped land bordered to the north and east by developed parcels, a property to the south undergoing remediation, and to the west by a vacant property. The Project would include a General Plan Amendment to change the land use designation to Services and Manufacturing and a Specific Plan Amendment to change the site to Service Commercial. The Project would allow for mixed-use development on 19.3 acres and would consist of 222 residential units and up to 100,000 square feet of service commercial space. The Project would also include a 1.29-acre public park space.

When assessing GHG impacts in the Environmental Impact Report (EIR) to be prepared for this Project, CARB recommends that the evaluation include a robust discussion of the Project's consistency with the recommendations in Appendix D. Appendix D identifies three priority areas for local government actions. These areas represent GHG reduction opportunities over which local governments have the most authority, as well as having the highest potential for meaningful GHG reductions. These three priority areas are:

- Reduction in vehicle miles traveled (VMT)
- Transportation electrification
- Building decarbonization

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<sup>1</sup> [2022 Scoping Plan | California Air Resource Board](#)

Table 3 of Appendix D recommends a combination of key project attributes that have a demonstrated ability to reduce GHG from residential and mixed-use development in each priority area. CARB suggests that the GHG analysis in the EIR examines the project's implementation of these project attributes. These attributes promote a broad range of transportation alternatives, compact development patterns, energy efficiency, and incorporate equity and environmental justice.

Since the Project will occur in an undeveloped area that does not currently have access to transit, CARB recommends that the analysis pay special attention to how the Project will encourage non-auto transportation options to reduce VMT and GHG, including a discussion of how any future planned transit will coordinate with the City's existing transit system.

We encourage the City of San Luis Obispo, in its role as a lead agency evaluating the Project's EIR, to ensure that the Project is consistent with SLOCOG's SCS and promotes sustainable regional growth.

If the environmental analysis finds the Project's GHG impacts to be significant and unavoidable, CARB recommends that the Project's sponsors mitigate those impacts following the mitigation hierarchy in Appendix D. This hierarchy suggests prioritizing on-site design measures to mitigate any GHG impacts. To the extent that the Project has not incorporated the attributes in Table 3 of Appendix D, implementing these measures into the Project design is a recommended approach for mitigating emissions.

After opportunities for on-site mitigation are exhausted, Appendix D recommends off-site GHG-reduction measures in the vicinity of the Project, and finally non-local off-site GHG reduction measures. If mitigation is pursued through the purchase of carbon-offset credits, Appendix D recommends prioritizing credits that originate in the same air basin as the project, or if none exist within the air basin, credits that originate in California.

CARB appreciates the opportunity to provide early feedback to the City of San Luis Obispo on the upcoming environmental review for the 365 Prado Road Project. CARB hopes that this feedback will help the City adequately assess any project-related GHG impacts. Additionally, CARB hopes that the recommendations in Appendix D of the Scoping Plan will be useful as the City works to achieve its climate goals.

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April 4, 2025  
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If you have any questions about this letter or would like to meet with CARB staff, please feel free to contact Pedro Peterson at [Pedro.Peterson@arb.ca.gov](mailto:Pedro.Peterson@arb.ca.gov).

Sincerely,

*Annalisa Schilla*

Annalisa Schilla, Assistant Division Chief, Sustainable Transportation and Communities Division

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