New San Luis Obispo Courthouse

Partially Recirculated Initial Study/ Mitigated Negative Declaration

(State Clearinghouse No. 2025050800)

Prepared for:
Judicial Council of California

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Acronyms and Abbreviations

Abbreviation	Full Term
°F	degrees Fahrenheit
µg	microgram
µg/L	micrograms per liter
µg/m^3	micrograms per cubic meter
%V	percent by volume
A	
AB	Assembly Bill
ADMP	asbestos dust mitigation plan
AFY	acre-feet per year
APCD	Air Pollution Control District
APN	Assessor's Parcel Number
AST	aboveground storage tanks
ATCM	airborne toxic control measure
ATCR-TP	Archaeological and Tribal Cultural Resource Treatment Plan
B	
BACT	best available control technology
bgs	below ground surface
BMP	best management practice
BP	years before present
BSCC	Board of State and Community Corrections
C	
CAA	Clean Air Act (federal)
CAFE	Corporate Average Fuel Economy
CalARP	California Accidental Release Prevention
Cal. Code Regs., tit.	California Code of Regulations, Title
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards Code
Cal OES	California Governor's Office of Emergency Services
Cal/OSHA	California Occupational Safety and Health Administration
Cal Poly	California Polytechnic
Caltrans	California Department of Transportation
CAP	Clean Air Plan
CARB	California Air Resources Board

CBC	California Building Code
CCIC	Central Coast Information Center
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDOC	California Department of Conservation
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
cf	cubic feet
cfs	cubic feet per second
CFR	Code of Federal Regulations
CGS	California Geological Survey
CHL	California Historic Landmark
City	City of San Luis Obispo
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalents
COC	contaminant of concern
ComCat	Comprehensive Earthquake Catalog
Construction General Permit	General Permit for Storm Water Discharges Associated with Construction Activity
County	San Luis Obispo County
Court	Superior Court of San Luis Obispo County
CRHR	California Register of Historical Resources
CRPRs	California Rare Plant Ranks
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plan

D

dB	decibel
dBA	A-weighted decibel
DMG	Division of Mines and Geology
DPM	diesel particulate matter
DSA	Division of the State Architect
DTSC	California Department of Toxic Substances Control
DWR	California Department of Water Resources

E

EHS	Environmental Health Service
EIA	U.S. Energy Information Administration
EIR	environmental impact report
EO	Executive Order
ESA	Endangered Species Act
ESL	environmental screening level
EVA	emergency vehicle

F

F&G Code	California Fish and Game Code
Facilities Standards	Judicial Council's *2023 California Trial Court Facilities Standards*
FD	fire department
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHSZ	fire hazard severity zone
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
FTE	full-time-equivalent

G

GHG	greenhouse gas
GIS	geographic information system
gph	gallons per hour
gpm	gallons per minute
GPR	ground-penetrating radar
GPRS	Ground Penetrating Radar Systems, Inc.
gpy	gallons per year
GSA	groundwater sustainability agency
GSC	Groundwater Sustainability Commission
GSP	groundwater sustainability plan

H

H_2S	hydrogen sulfide
HAP	hazardous air pollutant
HASP	health and safety plan
HAZWOPER	Hazardous Waste Operations and Emergency Response
HCP	habitat conservation plan
HRC	hydrogen releasing compound
HSC	California Health and Safety Code
Hz	Hertz

I

IEPR	Integrated Energy Policy Report
IFC	International Fire Code
I/I	inflow and infiltration
in/sec	inches per second
IPac	Information for Planning and Conservation
IS	initial study
ITD	Information Technology Department

J

Judicial Council	Judicial Council of California

K

km	kilometers

L

lbs	pounds
LCCA	life cycle cost analysis
Ldn	day-night weighted sound level
LEA	Local Enforcement Agency
LEED	Leadership in Energy and Environmental Design
Leq	equivalent steady-state sound level
Lmax	maximum sound level during a given measurement period
Lmin	minimum sound level during a given measurement period
LOS	level of service
Lx	sound level exceeded during x percent of a given measurement period

M

MBTA	Migratory Bird Treaty Act
MCL	maximum contaminant level
MGD	million gallons per day
mi	miles
MLD	Most Likely Descendant
MM	Modified Mercalli scale
$MMTCO_2e$	million metric tons of carbon dioxide equivalent
MND	mitigated negative declaration
$MTCO_2e$	million tons of carbon dioxide equivalents
MWELO	State of California Model Water Efficient Landscape Ordinance

N

NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEHRP	National Earthquake Hazards Reduction Program
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NMFS	National Marine Fisheries Service
NO_2	nitrogen dioxide
NOA	naturally occurring asbestos
NOx	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places

O

O_3	ground-level ozone
OEHHA	California Office of Environmental Health Hazard Assessment
OPLA-PRP	Paleontological Resources Preservation, Omnibus Public Lands Act
OPR	State of California Governor's Office of Planning and Research
OSFM	Office of the State Fire Marshal
OSHA	Occupational Safety and Health Administration

P

Pb	lead
PBDB	Paleobiology Database
PCRs	post-construction requirements
PG&E	Pacific Gas and Electric Company
PM2.5	particulate matter of aerodynamic radius of 2.5 micrometers or less
PM10	particulate matter of aerodynamic radius of 10 micrometers or less
Porter-Cologne Act	Porter-Cologne Water Quality Control Act
ppm	parts per million
PPV	peak particle velocity
Proposed Project	New San Luis Obispo Courthouse Project
PST	Pacific Standard Time
Pub. Res. Code	Public Resources Code
PVC	polyvinyl chloride

Q

QA/QC	quality assurance/quality control

R

RCRA	Resource Conservation and Recovery Act of 1976
RMP	risk management plan
ROG	reactive organic gases
RPS	Renewables Portfolio Standard
RWQCB	Regional Water Quality Control Board

S

SB	Senate Bill
SCCAB	South Central Coast Air Basin
SHMA	Seismic Hazards Mapping Act
SLO	San Luis Obispo
SLOAPCD	San Luis Obispo County Air Pollution Control District
SLO Basin	San Luis Obispo Valley Basin
SLOFD	San Luis Obispo Fire Department
SLOPD	San Luis Obispo Police Department
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SMP	soil and bedrock management plan
SO_2	sulfur dioxide
SoCalGas	Southern California Gas
State	State of California
SVP	Society for Vertebrate Paleontology
SWPPP	Storm Water Pollution Prevention Plan
SWQDv	Stormwater Quality Design Volume
SWRCB	State Water Resources Control Board

T

TAC	toxic air contaminant
TPH	total petroleum hydrocarbons
TPHd	total petroleum hydrocarbons as diesel
TPHg	total petroleum hydrocarbons as gasoline
TPHmo	total petroleum hydrocarbons as motor oil
TSS	total suspended solids

U

UCERF3	Uniform California Earthquake Rupture Forecast Version 3
UCMP	University of California at Berkeley Museum of Paleontology

USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	underground storage tank
V	
VA	volt ampere
VdB	vibration velocity in decibels
VMT	vehicle miles traveled
VOC	volatile organic compound
W	
WDR	waste discharge requirement
WGCEP	Working Group on California Earthquake Probabilities
WQC	water quality certification
WRRF	Water Resource Recovery Facility

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1.0 Introduction to the Partially Recirculated IS/MND

The Judicial Council of California (Judicial Council) is recirculating portions of the Draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the New San Luis Obispo Courthouse Project (Proposed Project). The IS/MND was originally circulated for public review beginning on May 19, 2025, and the public review and comment period lasted until June 16, 2025. The Judicial Council received a comment letter from the City of San Luis Obispo (City) identifying issues that led to substantive changes to the Proposed Project. These comments are described in detail below.

In accordance with Section 15088.5 of the California Environmental Quality Act (CEQA) Guidelines, the Judicial Council has determined that the new information brought to light by the City merits recirculation of portions of the IS/MND. Specifically, the following portions of the IS/MND are being recirculated:

- Section 3.19, "Utilities and Service Systems"
- Section 3.21, "Mandatory Findings of Significance"
- References for Sections 3.19 and 3.21 in Chapter 4, *References*
- Appendix I, *New San Luis Obispo Courthouse Mitigation Monitoring and Reporting Program*

In addition, to facilitate review of the recirculated sections of the IS/MND, Chapter 2, *Project Description*, of the original IS/MND is being included in this partially recirculated document for reference only.

The recirculated portions of the IS/MND are presented in underline/strikeout (to indicate additions and ~~deletions~~) so that readers can see what is being changed from the original IS/MND. This Introduction chapter provides background on the comments received and the reasons for the recirculation as well as the process of public review of the partially recirculated IS/MND and the CEQA process going forward. The recirculated portions of the IS/MND then follow.

The partially recirculated IS/MND will be circulated for 30 days until October 3, 2025. **The Judicial Council requests that reviewers limit their comments to the revised portions of the IS/MND identified in this chapter.** The Judicial Council will only consider comments received on the recirculated portions of the IS/MND.

1.1 Comments Received on the IS/MND

The Judicial Council received one letter during the public review period for the IS/MND. The letter was submitted by the City of San Luis Obispo Community Development Department. As noted above, the City's comment letter raised new information that the Judicial Council determined warranted recirculation of portions of the IS/MND. These comments, as they relate to the recirculation[1], are discussed further below.

The City's comment letter included the following statement:

> ***Utilities and Service Systems***
>
> *11. Depending on the final design, the proposed Project's generation of wastewater is likely to exceed the capacity of the downstream wastewater collections system (sewer), requiring an off-site improvement. Based on conceptual plans and anticipated wastewater flows, the City anticipates that construction of a sewer main jumper will be required as a condition of the Project's sewer lateral connection to the City's sewer system. The jumper would be required to be constructed within Santa Rosa Street, between Marsh and Pacific Streets (approximately 350 linear feet). The Initial Study should address this off-site improvement, which would be designed by the State and approved by the City Utilities and Public Works Departments through the City's public improvement and encroachment permit processes.*

Following receipt of the City's comment letter, the Judicial Council contacted the City representative identified in the letter and Scott Collins, Assistant City Manager, to discuss the information regarding the need for off-site improvements to the sewer system and the City's letter overall. Based on the information provided during discussions between the Judicial Council and the City, as well as an evaluation of that information conducted by the project's architect and engineer, the Judicial Council determined that significant new information regarding potential impacts to the City's sewer system had been provided that merited recirculation of the IS/MND.

1.2 Reasoning for Recirculating Portions of the Draft IS/MND

1.2.1 Relevant CEQA Guidelines Sections

The Lead Agency must consider the comments it receives during the review period prior to adopting an MND. If these comments include substantial evidence that a potential environmental effect may occur despite the project revisions or mitigation measures

[1] Only the portions of the comment letter relating to the new information that is resulting in recirculation are summarized and discussed in this section.

included in the MND, the Lead Agency must either require further revisions to the project that would effectively avoid or mitigate that effect or, if that is not possible, prepare an EIR. (CEQA Guidelines Section 15074.1.) Under the first circumstance, the Governor's Office of Planning and Research (OPR) recommends that, although it is not explicitly required by CEQA, the Lead Agency recirculate the revised MND for review prior to acting on the project and adopting the MND. This ensures that the public will have been afforded the chance to review the new mitigation measures as well as the revised project (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337 and *Perley v. County of Calaveras* (1982) 137 Cal.App.3d 424). The proponent must have agreed to or must have made the additional project changes before the MND is recirculated.

In the case of the Proposed Project, the Judicial Council (the Lead Agency and project proponent) received comments from the City that contained substantial evidence that a potential environmental effect may occur and is proposing to adopt mitigation measures to address that potential environmental effect. The Judicial Council is not required to recirculate the MND under CEQA, but it is following the recommendation of OPR by providing the public with an opportunity to review the proposed mitigation measures and provide comments on whether those measures adequately mitigate the potential environmental effect that was identified by the City's comments on the MND.

1.2.2 New Information Provided by the City of San Luis Obispo

In reviewing the comments on the IS/MND submitted by the City, the Judicial Council determined that one of these comments contained new information indicating that the proposed project may contribute to a significant cumulative impact. Specifically, the City identified its intent to implement improvements to the sewer system downstream of the project site and stated that the Proposed Project would contribute to the need for those improvements. Because the Proposed Project would contribute to a significant cumulative impact, the analysis in the IS/MND has been revised.

As a result, the Judicial Council decided to recirculate limited portions of the IS/MND:

- Section 3.19, "Utilities and Service Systems";
- Section 3.21, "Mandatory Findings of Significance";
- Relevant sections of Chapter 4, *References*; and
- Appendix I, *New San Luis Obispo Courthouse Mitigation Monitoring and Reporting Program*.

1.3 Recirculation Process and Public Review of the Partially Recirculated IS/MND

The Judicial Council has decided to partially recirculate the IS/MND. Note that the partial recirculation only pertains to the new information described in this chapter and

does not address other portions of the IS/MND on which comments may have been received. Therefore, any further revisions to the IS/MND, unrelated to the recirculation, that may be deemed appropriate in response to comments received on the original IS/MND are not included herein. **The Judicial Council requests that public comment on this document be limited to the substantive new information provided in this document.**

In partially recirculating the IS/MND herein, the Judicial Council will follow all public noticing requirements typically required of an IS/MND, including notifying responsible agencies, trustee agencies, and other applicable federal, state, and local agencies. This will include posting of a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) on the Proposed Project website and emailing the NOI to individuals on the Proposed Project's email list. The Judicial Council will also submit a Notice of Completion (NOC) to the State Clearinghouse along with the partially recirculated IS/MND. The public review period for the partially recirculated IS/MND will be 30 days.

1.4 Submittal of Comments

The Judicial Council is recirculating portions of the IS/MND for a 30-day public review and comment period. The Judicial Council requests that review and comment on the partially recirculated IS/MND be limited to the revised portions of the IS/MND. The purpose of public circulation is to provide agencies and interested individuals with an opportunity to comment on or express concerns regarding the contents of the partially recirculated IS/MND.

Written comments concerning the partially recirculated IS/MND can be submitted at any time during the 30-day public review period. All comments must be received by 5:00 p.m. on October 3, 2025, as indicated in the NOI, directed to the name and address listed below:

Kim Bobic, Senior Project Manager
Judicial Council of California
2860 Gateway Oaks Drive, Suite 400
Sacramento, CA 95833-3509
Email: Kim.Bobic-T@jud.ca.gov

Submittal of written comments via e-mail (Microsoft Word or PDF format) would be greatly appreciated.

The original IS/MND for the Proposed Project and the partially recirculated IS/MND can be reviewed online at the following website:

https://courts.ca.gov/facilities/san-luis-obispo-county-new-san-luis-obispo-courthouse

2.0 Project Description

As noted in Chapter 1, *Introduction to the Recirculated IS/MND*, the project description for the New San Luis Obispo Courthouse Project (Proposed Project) is not substantially revised from the previous version. This chapter is included here exclusively for the convenience of the reader, to provide context for the revised analysis in Chapter 3, Section 3.19, "Utilities and Service Systems," and Section 3.21, "Mandatory Findings of Significance." The Judicial Council does not consider the project description to be part of the recirculation and will not accept comments on Chapter 2, *Project Description,* during the public review process.

The Judicial Council of California (Judicial Council) is the administrative arm of the judicial branch of the State of California (State). The Judicial Council's responsibilities include implementation of the Trial Court Facilities Act of 2002, the landmark legislation that shifted the governance of courthouses from California counties to the State. Following the Trial Court Facilities Act of 2002, the Judicial Council conducted a survey to assess the physical condition of California's courthouses. The survey showed that 90 percent of the courthouses need improvements to protect the safety and security of the public, litigants, jurors, and families who are served by California courts. In October 2008, the Judicial Council identified "Immediate and Critical Need" courthouse projects in an effort to prioritize future courthouse construction and renovation. The Immediate and Critical Need projects were located in 34 counties across the state.

The New San Luis Obispo Courthouse Project (Proposed Project) is one of the Immediate and Critical Need courthouse projects identified by the Judicial Council. The Proposed Project would involve construction of a new approximately 145,000-square-foot, five-story, modern and secure courthouse and would consolidate court operations within the city of San Luis Obispo. The Proposed Project would replace the existing Courthouse Annex building, built in 1982 and owned by San Luis Obispo County (County). That building has been evaluated and rated at a seismic risk level V, defining the courthouse as a Federal Emergency Management Agency (FEMA) P-154 rating of Very-High-Risk seismically deficient building. In addition, the Proposed Project would reunite court administrative staff offices that have been divided into off-site locations at 1070 Palm Street and 999 Monterey Street because of space limitations. The Proposed Project site totals approximately 1.43 acres of land consisting of a County-owned property at 1144 Monterey Street and extending north to include a portion of the Montereypalm Alley, the westerly lane of Toro Street, and a residential property at 969 Toro Street.

The historic 1940 courthouse building located at 976 Osos Street is a County-owned building solely utilized by the County and separate from the Judicial Council and the

Superior Court of San Luis Obispo (Court). That facility is not part of the Proposed Project, and no aspect of the Proposed Project would affect operations at the Osos Street facility.

2.1 Background and Need for the Project

The Court occupies eight buildings in San Luis Obispo County that house court operations, with facilities located in the cities of San Luis Obispo, Grover Beach, and Paso Robles. The Court uses a centralized service model for criminal courts in San Luis Obispo County, with all criminal court operations located in the Courthouse Annex (1050 Monterey Street/1035 Palm Street, San Luis Obispo). Civil and family court operations are decentralized between the Courthouse Annex and the Paso Robles Courthouse (901 Park Street, Paso Robles). Additional small claims cases are heard at the Grover Beach Branch Courthouse (214 South 16th Street, Grover Beach). Traffic court is decentralized, with operations in the Grover Beach Branch Courthouse, Paso Robles Courthouse, and the Veterans Memorial Building (801 Grand Avenue, San Luis Obispo). Administrative functions are housed in the Courthouse Annex with staff offices overflowing into facilities at 1070 Palm Street (Judicial Council owned) and 999 Monterey Street (leased) in San Luis Obispo. Most juvenile justice cases (in-custody juveniles) take place at the Juvenile Services Center (1065 Kansas Avenue, San Luis Obispo) adjacent to the County's Juvenile Hall facility, and most juvenile protection cases (out-of-custody juveniles) occur at the Courthouse Annex. No in-custody juveniles appear at the Courthouse Annex.

The existing Courthouse Annex building, located at 1050 Monterey Street, is the main courthouse in San Luis Obispo County, with 12 courtrooms handling all case types and jury services for county-wide jury trials. Of the approximate 112,000-square-foot Courthouse Annex building complex (owned and managed by the County), the Court occupies 40,867 net square feet of court-exclusive space, or 49.74 percent of the building as a whole. The County's remaining 50.26 percent of the building is occupied by County District Attorney, Sheriff Civil, County Probation, County Planning and Public Works, and County General Services Lease space. The *2019 Prioritization for Capital Outlay Projects Report, Courthouse Needs Assessment for the Superior Court of San Luis Obispo County* (Judicial Council 2019) found that the Court-occupied areas of the Courthouse Annex are overcrowded and have functional and security issues such as undersized courtrooms with inefficient layouts; undersized entrance security screening area; and non-compliance with accessibility standards. Because the County holds the title for the Courthouse Annex, the Judicial Council may not renovate or expand the property without the cooperation and collaboration of the County.

Once construction of the Proposed Project is completed, the Court would relocate from the existing 12-courtroom Courthouse Annex to the new 12-courtroom courthouse of approximately 145,000 square feet on as much as 1.43 acres. After completion of the new San Luis Obispo Courthouse at the Proposed Project site, the court would also vacate the

two non-State-owned facilities: The Courthouse Annex would be offered to the County and the lease at 999 Monterey Street would be terminated. The disposition of the State-owned property at 1070 Palm Street has not been determined.

2.2 Project Purpose and Objectives

The purpose of the Proposed Project is to decommission an existing 12-courtroom FEMA P-154 High Risk Seismic Facility (Courthouse Annex); relocate it to a new 12-courtroom courthouse; and consolidate court operations from three facilities (Courthouse Annex, 1070 Palm Street, and 999 Monterey Street) into one location. Implementation of the Proposed Project would relieve overcrowding, improve security and operational efficiency, and provide the Court with a facility that meets current courthouse space and safety standards. The new courthouse would have improved functionality for Court operations compared to current conditions. Improvements would include separate internal circulation zones for staff, public, and in-custody individuals; adequate space for visitor security screening and queuing in the entrance area; attorney-client conference and interview rooms; improved public service, including an adequately sized and climate-controlled self-help area; appropriately sized jury assembly area to accommodate a typical jury pool size; improved case processing and courtroom safety with courtrooms designed to current standards and accessibility requirements; and adequate staff work stations and meeting spaces.

The Proposed Project would contribute to meeting the Judicial Council's strategic plan Goal VI: "Branch wide Infrastructure for Service Excellence," by providing the Court with the facilities required to carry out the Judiciary's constitutional functions. In addition, the Proposed Project would support the Judicial Council's commitment to Goal I: "Access, Fairness, and Diversity"; Goal IV: "Enhancing the Quality of Service and Justice Provided to the Public"; and Goal VII: "Adequate, Stable, and Predictable Funding for a Fully Functioning Branch."

The Judicial Council has identified the following objectives of the Proposed Project:

- Replace the existing, inadequate and obsolete facility with a sustainable, safe, and accessible courthouse that meets the Judicial Council's *California Trial Court Facilities Standards*, improving the public's access to justice and enhancing public services;
- Relieve the current space shortfall and increase security at Superior Court buildings in San Luis Obispo County;
- Consolidate court operations from three buildings into one location;
- Align courthouse spaces and organization with Judicial Council space standards;
- Avoid future expenditures for deferred maintenance and security system upgrade associated with the continued use of older facilities; and

- Decommission the use of the Courthouse Annex, a FEMA P-154-rated Very-High-Risk seismically deficient building, from service as a courthouse.

The Judicial Council's proposed courthouse design would be required to conform to the principles of the 2023 Facilities Standards (Judicial Council 2023a). These principles include the following:

- Court buildings shall reflect the dignity of the law and the stability of the judicial system.
- Court buildings shall be responsive to local context, geography, climate, and setting.
- Court buildings shall be a reflection of the importance of the activities within the courthouse, with adequate spaces that are planned and designed to be adaptable with changes in judicial practice.
- Court buildings shall be designed and constructed in consideration of the economics of their operation and maintenance.
- Court buildings shall provide a sustainable, safe, and accessible environment.
- Court buildings shall be designed and constructed utilizing technical excellence in building systems.

2.3 Project Location and Setting

The Judicial Council is proposing to construct and operate a new courthouse within the city of San Luis Obispo. The Proposed Project would require the acquisition of land from the County, a private property owner, and the City of San Luis Obispo (City). The two parcels identified for the Proposed Project are located in downtown San Luis Obispo, in San Luis Obispo County (Figures 2-1, 2-2, and 2-3). The main portion of the proposed project site (Assessor's Parcel Number [APN] 002-326-021) is a 1.36-acre site located at 1144 Monterey Street, on the west corner of Toro Street and Monterey Street, that is currently owned by the County. The site would be squared-up and expanded slightly by the City permanently closing a portion of Montereypalm Alley on the north side of the parcel and one lane of Toro Street along the eastern frontage of the parcel. The partial alley closure and reduction of Toro Street to a one-way vehicle lane is necessary to create a 25-foot setback between the building and vehicles for security and safety reasons; two directions of bicycle movement and a pedestrian sidewalk will continue.

To similarly establish a 25-foot vehicle setback at the Monterey Street building face, on-street parking fronting the project site on Monterey Street will be removed, allowing the development of a protected westbound bicycle lane to be constructed in its place consistent with the City's Active Transportation Plan. A second privately owned residential property (APN 002-326-012) at 969 Toro Street, immediately north of Montereypalm Alley and adjacent to the closed portion, has also been identified to be

acquired. The residential structure would be demolished to provide an additional site buffer, surface parking for court-owned vehicles and unoccupied sheriff transport vans and may provide an alternative vehicular access for Judges into the secure parking within the new courthouse building rather than utilizing Toro Street. Both parcels, combined with the alley and partial Toro Street closures, result in a proposed project site area of approximately 1.43 acres. The Proposed Project site is located one block from the existing Courthouse Annex and 1070 Palm Street and two blocks from 999 Monterey Street.

The County-owned parcel at 1144 Monterey Street is occupied primarily by the San Luis Obispo County Parks and Recreation Department and County Public Works Facilities Maintenance and Management with minor use by the Court for records storage. Two paved parking areas are present on site. The westerly parking area is used by multiple county departments: County Administration, Central Services, Human Resources, Planning, Assessor, Probation, County Counsel, and Information Technology Department. The easterly parking area is used by Parks and Recreation staff, the public, outside departments visiting downtown county offices, and Public Works fleet vehicles. The existing building, which would be demolished, is approximately 15,780 gross square feet and consists of a basement used for records storage and a first and second floor used for government offices. The building also includes, adjacent to Montereypalm Alley, several automotive service bays and offices used by Public Works.

While the Judicial Council is not subject to local land use regulations[1] the use of the property for the Proposed Project is consistent with the City of San Luis Obispo's (City's) General Plan; see Section 3.11, "Land Use and Planning," for more information. The City's General Plan designates the Monterey Street parcel as General Retail and Special Focus Area #2, Upper Monterey and the Toro Street parcel as Office. The zoning designations are C-R Retail Commercial and Office, respectively. In addition, the City Council adopted Resolution No. 11437 on July 18, 2023, expressing support for the downtown area as the preferred location for the project site, and the County Board of Supervisors adopted Resolution No. 2023-164 expressing support for the Judicial Council's acquisition of the site at 1144 Monterey Street.

The surrounding land uses include commercial businesses (a bail bonds facility and a medical office) directly west of the project site facing Santa Rosa Street and, across Santa Rosa Street, the existing courthouse and County District Attorney's office; single- and multi-family residential buildings north of Montereypalm Alley, some of which double as

[1] A State agency is immune from local regulations unless the Legislature expressly waives immunity in a statue or the California Constitution. (*City of Malibu v. Santa Monica Mountains Conservancy* (2002) 98 Cal.App.4th 1379, 1383.)

offices; social service organization offices and restaurants to the east across Toro Street; and commercial buildings on the south side of Monterey Street.

Figure 2-1
Project Vicinity

Project Location

N

0 5
Miles

MONTROSE ENVIRONMENTAL

New San Luis Obispo Courthouse Project

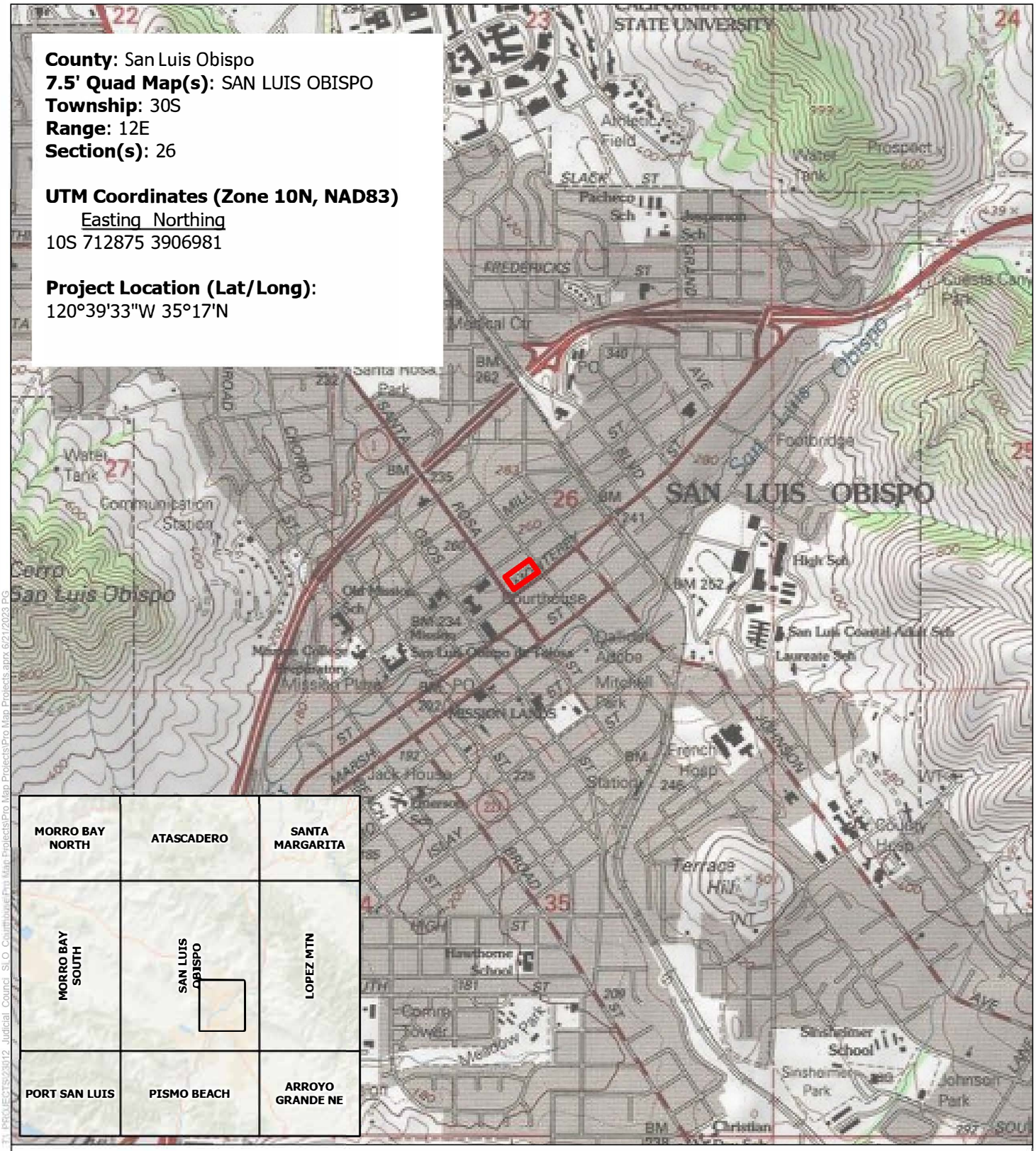


Figure 2 2
Project Location

Proposed Project Site
USGS Quad Index

N

0 0.25 0.5
Miles

MONTROSE ENVIRONMENTAL

New San Luis Obispo Courthouse Project

N

0 125 250 500 Feet

Proposed Project Site

Roads

Figure 2-3
Proposed Project Site

MONTROSE ENVIRONMENTAL

New San Luis Obispo Courthouse Project

2.4 Project Components

2.4.1 Proposed Project Facilities

The Proposed Project would involve demolition of two buildings and construction of a new 12-courtroom (four large courtrooms and eight multipurpose courtrooms) courthouse of approximately 145,000 square feet using a design-build delivery method. The building would have five floors and a shielded mechanical area on the roof. The existing topography exhibits approximately 14 feet of fall across the north-south direction of the site, placing the top of the fifth-floor parapet at approximately 84 feet above ground level along Monterey Street and 70 feet adjacent to Montereypalm Alley. The shielded mechanical area on the roof would be stepped back from the building perimeter to an approximate height of 74 feet above the adjacent Montereypalm Alley.

As stated above, the courthouse would be designed and constructed in accordance with the current version of the Judicial Council's adopted Facilities Standards (Judicial Council 2023a). The Facilities Standards have been used by the Judicial Council to formulate the Project Description, inform the public regarding the Judicial Council's intent for the Proposed Project, and inform the analysis of the Initial Study. Compliance with the Facilities Standards is a primary objective of the Proposed Project and is evaluated in this IS/MND as an element of the project.

The Facilities Standards reflect best practices and successful solutions for basic components of the trial court buildings and form the basis for design and construction of functional, durable, maintainable, efficient, and secure contemporary court facilities. The Proposed Project would incorporate sustainability measures throughout its design, construction, operation, and maintenance; comply with the Nonresidential Mandatory Measures of the current version of the CalGreen code as well as the current version of the California Energy Code requirements; and achieve a minimum Silver certification level under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program.

Figure 2-4 is a conceptual site plan and Figure 2-5 shows conceptual site sections for the Proposed Project.

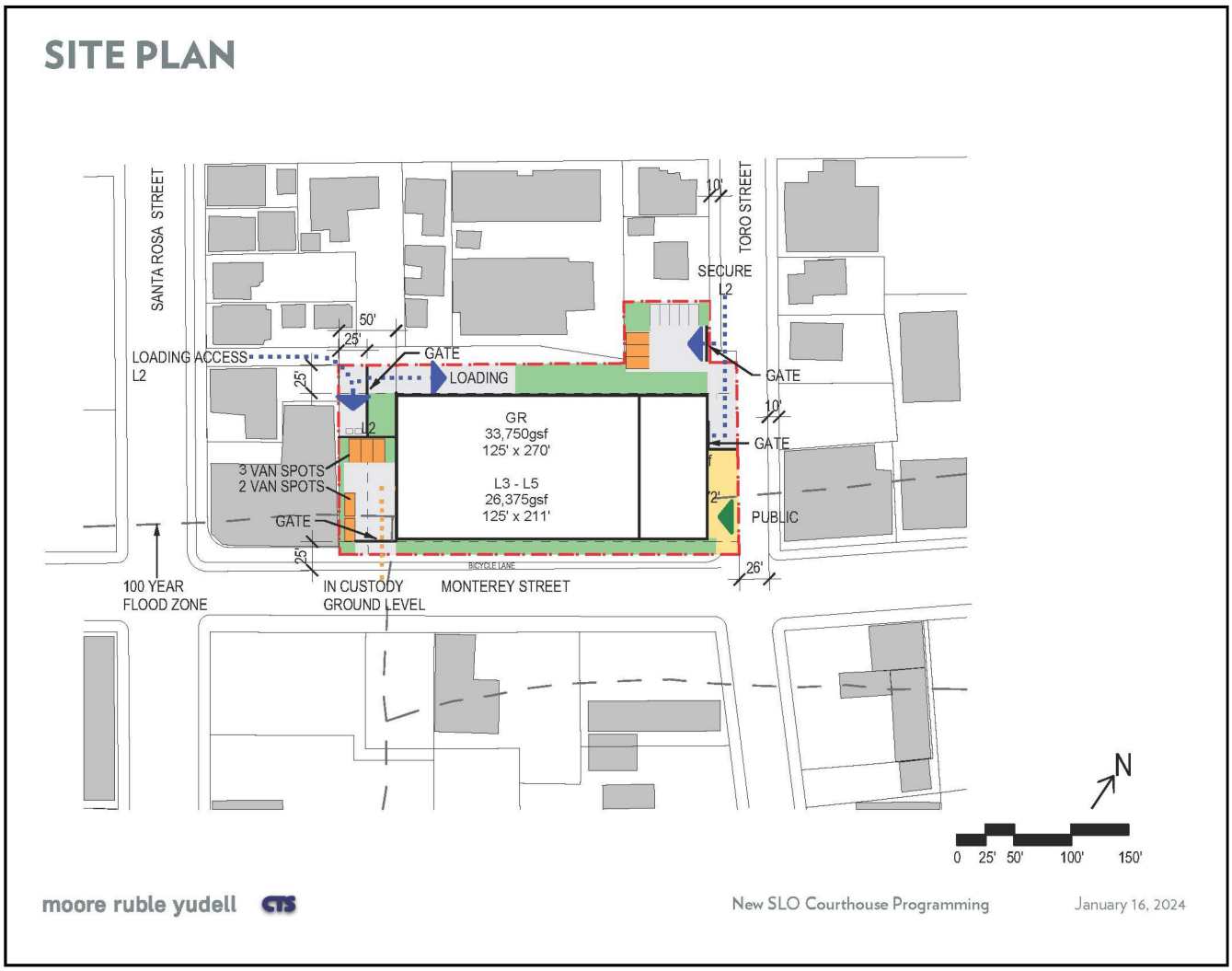
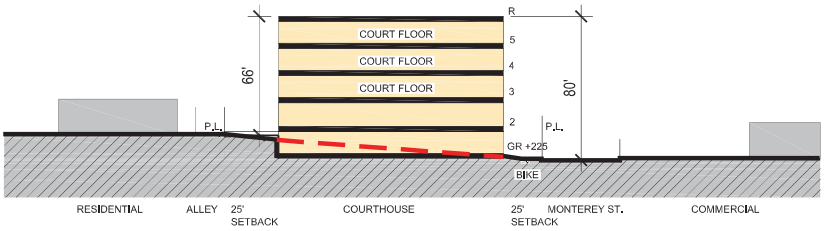


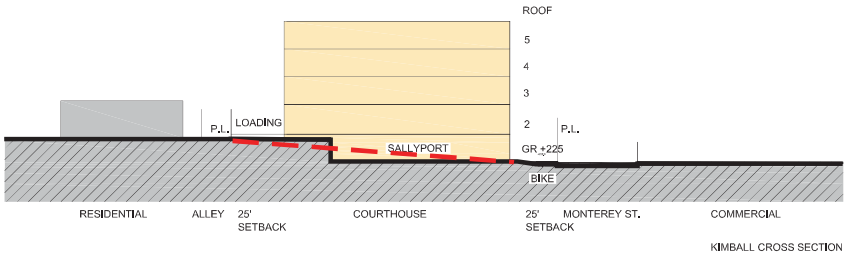
Figure 2-4. Conceptual Site Plan

SITE SECTIONS

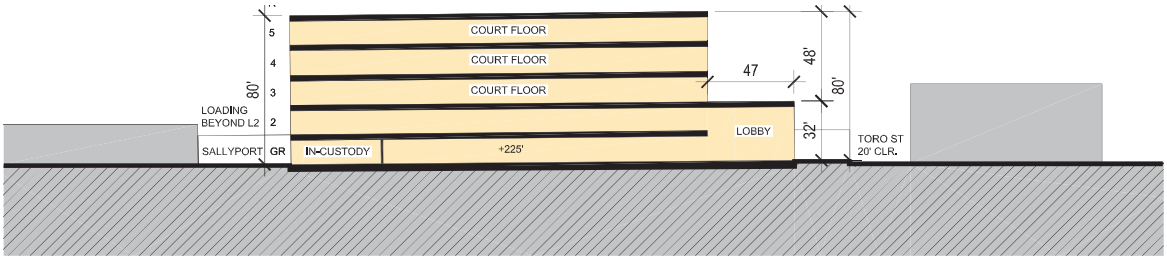
Not to Scale



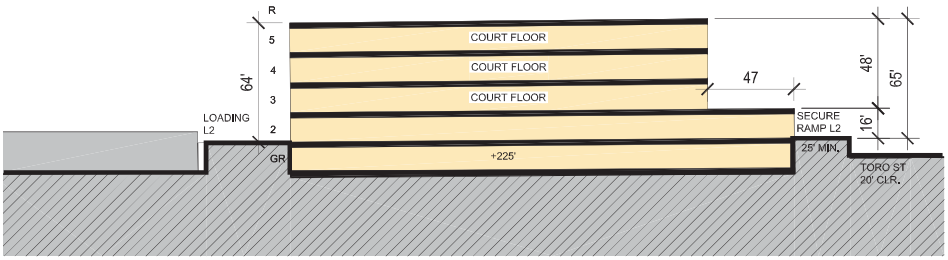
A SECTION THROUGH LOADING



B SECTION THROUGH LOADING



C **LONGITUDINAL SECTION THROUGH SALLYPORT**



D LONGITUDINAL SECTION THROUGH SECURE RAMP

SOURCE: Moore Ruble Yudell, July 2023

Figure 2-5
Courthouse Sections

The courthouse would contain the following component areas (Judicial Council 2023b):

- Public area, including lobby and security screening
- 12 courtrooms (four large and eight multipurpose)
- Judges' chambers and courtroom support
- Court operations
- Clerk's office
- Family Court services
- Self Help area
- Administration and Information Technology
- Jury services
- Sheriff area
- Central in-custody holding area, including vehicle and pedestrian sallyports
- Building Support areas

Parking and Access

The project would include 17 secured parking spaces within the building: 15 for judicial officers and two for executive staff. Juror, public, and staff parking would continue to be available at the City's public parking garages at 812 Palm Street, 919 Palm Street, and 680 Monterey Street, as currently being utilized for the existing downtown courthouse facilities within a block of the new courthouse location. The project site is also three blocks from the City's transit center, which provides access to all nine city bus routes and regional bus service to other cities within the county.

The Proposed Project site would have vehicle access from three locations: one on Monterey Street for in-custody transport vehicles into a secured and gated perimeter; a second from Toro Street for judicial staff into the secured parking within the building; and a third from Montereypalm Alley for service deliveries and waste pick-up. Service deliveries to the courthouse are infrequent and occur periodically during the year and no more than once a month. To allow for waste management truck pick-up and directional vehicle turnaround on the alley, a vehicular area would be incorporated into the service area design. The public entrance would be located at the southeast corner of the building, at the intersection of Monterey and Toro Streets. Daily mail and package deliveries would be made through the public entrance to allow screening and scanning prior to entering the courthouse.

Additionally, vehicle access would continue to the privately owned residential property at 969 Toro Street with the area used as surface parking for court-owned vehicles and unoccupied sheriff transport vans. This area may also provide an alternative vehicular access for judges into the secure parking area within the new courthouse building rather than utilizing Toro Street.

Stormwater

Site-generated stormwater management would comply with the stormwater management requirements of the City, which are set by the California Central Coast Regional Water Quality Control Board and are identified as post-construction requirements. The primary goal of post-construction requirements is to ensure that regulated projects reduce pollutant discharges to the maximum extent practicable and prevent stormwater discharges from causing or contributing to a violation of receiving water quality standards. The Proposed Project site would have an estimated net impervious area of approximately 50,694 square feet, requiring it to meet the City's peak management post-construction requirements for stormwater treatment and 2-year and 10-year detention management volumes. The Proposed Project would implement measures to comply with these requirements.

Potable Water

Potable water would be supplied by the City via a new connection to an existing 10-inch water line in Monterey Street.

Based on conceptual engineering estimates of the number of daily occupants and operating days per year, the baseline indoor water use is calculated at 300,000 gallons per year. Should the facility use a cooling tower and depending upon the equipment type and cycles of concentration, the mechanical water use could be twice the indoor amount, resulting in an estimated total indoor domestic and mechanical water use of approximately 900,000 gallons per year.

Landscaping would cover approximately 12,000 square feet of the proposed site and would primarily consist of plants that have low and medium water use characteristics. The maximum applied water allowance, as stated in the State of California Model Water Efficient Landscape Ordinance (MWELO), is estimated at 130,734 gallons, and the estimated total landscaping water use is below that allowance at 125,533 gallons (Pamela Burton & Company Landscape Architecture 2023). To help reduce the amount of project-related landscape water, the following best management practices (BMPs) would be implemented, consistent with the Judicial Council's Water Conservation Policy (Judicial Council 2015):

- Turf or grass would not be installed at the Proposed Project site.
- Landscape areas would include California native and climate-appropriate, drought-tolerant plants and trees, if feasible.
- Most landscape irrigation would be point-source drip with the use of high-efficiency, low-precipitation-rate sprays in any bioretention areas.

Wastewater

It is anticipated that wastewater collected from the Proposed Project site would be piped to the lower portion of the site on Monterey Street and connected to a 15-inch polyvinyl chloride (PVC) pipe in Monterey Street. Wastewater would be conveyed to the City's treatment plant.

Electricity

Electrical service would be provided by Central Coast Community Energy across Pacific Gas and Electric Company (PG&E) distributed infrastructure. For the building's approximately 145,000 gross square feet, electrical demand/use is estimated at 24 volt amperes (VA) per square foot or requiring a 480V/5000A service.

Natural Gas

Natural gas would be provided by Southern California Gas (SoCalGas). The current natural gas service to the existing building at 1144 Monterey would be replaced by a new connection to either the existing 2-inch main line in Monterey Street or the 2-inch main line in Toro Street.

2.4.2 Operations and Maintenance

In general, operations at the new facility would be similar to operations at the three dispersed existing sites. The Court operates Monday – Friday 8:00 a.m. to 5:00 p.m., except on Judicial Council holidays. Juror call may not occur every day, but when called, an average of 200 jurors are called to arrive at 8:00 a.m. and a second call of 200 jurors may be called at 12:00 p.m. No more than 150 jurors would be assembled at any given time. The juror call frequency is directly related to the number and type of jury trials that are being held. It would be unusual to be selecting a jury for more than one courtroom simultaneously, and typically there would be no more than two jury trial proceedings occurring on any given day.

The building would have a single entry point for the public and Court employees where security screening would occur. Judicial officers and senior administrators, totaling no more than 17 individuals, would park in the secure parking area within the building and access the building and their work areas through a separate, private internal circulation zone. In-custody defendants would arrive from the county jail in vans by 7:30 a.m. for morning appearances or by 1:00 p.m. for afternoon appearances and would depart the courthouse similarly at the conclusion of their proceeding. In-custody defendants may also arrive at the courthouse in vehicles from the California Department of Corrections and Rehabilitation's California Men's Colony or California Department of State Hospitals' Atascadero State Hospital. All in-custody transport vehicles arriving at the courthouse would enter a visually screened and physically secured vehicle staging area from Monterey Street. Vehicle access to the courthouse proper would be through an enclosed secure vehicle sallyport within the building where in-custody defendants would be transferred from the vehicle through a secondary pedestrian sallyport and into the

courthouse's central holding area, operated and controlled by the county Sheriff. All gates, vehicle entrances, and pedestrian doors within the building would be operated through the courthouse's secured detention control room. In-custody defendants would be temporarily held in cells according to their classification and gender. These defendants would be moved by sheriff officers to individual courtrooms for arraignment and court proceedings through a separate detention-only circulation zone that never connects to or crosses either the public or private circulation zones of the building. Central Holding would serve only in-custody adults; all proceedings for in-custody juveniles (juvenile justice cases) would continue to take place at the Juvenile Services Center at 1065 Kansas Avenue, not at this new courthouse facility.

Staffing and Occupancy

The new facility would be staffed by 174 full-time-equivalent (FTE) employees; no new employees would be generated by the Proposed Project. As shown in Table 2-1, occupancy of the building would include employees, officers, in-custody defendants, jurors, and other members of the public. The maximum estimated occupancy on a busy day may be as much as 615 persons.

Table 2-1. Estimated Maximum Daily Occupancy for New San Luis Obispo Courthouse

Personnel Category	Daily Occupancy	Total
Court Employees	146	
Sheriff Deputies	22	
Weapons Detection Staff (private security firm)	6	
Subtotal Courthouse Staff		174
In-custody Defendants (average)	51	
Jurors (peak assembly room capacity)	150	
Other Public Visitors*	240	
Subtotal Visitors		441
Total Occupancy		**615**

*Estimated to average 20 visitors per courtroom.

Source: Judicial Council 2023c.

2.4.3 Construction

Construction activities would take place between the hours of 7:00 a.m. and 7:00 p.m. during weekdays, with approval from the State required for nighttime or weekend work. Construction would occur in as many as three phases in alignment with the Office of the State Fire Marshal's permitting guide and as outlined in **Table 2-2**.

Table 2-2. Construction Phases and Schedule

Construction Phase	Start Date	End Date
Building Demolition	April 2027*	December 2027
Phase 1: Site work, underground utilities, foundations	January 2028	July-September 2028
Phase 2: Building construction	November 2028	September 2030

* Demolition may instead begin along with Phase 1 site work at contractor's discretion.

Source: Judicial Council 2023c

Prior to site redevelopment activities, the Judicial Council and its contractors would notify the Central Coast Regional Water Quality Control Board and County Environmental Health Services that a change in land use and redevelopment activities are planned, providing the necessary statements and documentation regarding the potential for residual soil and groundwater contamination that may underlie the property. The existing County-owned building, parking area, residential structure, and vegetation that occupy the proposed Project site would be demolished before or concurrent with Phase 1 site work (see Table 2-2). Any existing monitoring wells on the site would be abandoned in accordance with County Environmental Health Services requirements. The resulting materials would either be recycled or hauled off site to an appropriate landfill or transfer facility.

Due to the confined nature of the downtown site, limited staging would be accommodated on site and most likely would occur on the residential parcel. The design-build contractor would need to utilize a combination of "just-in-time" delivery of materials and a supplemental staging area, if needed. The construction perimeter would be secured with chain-link fencing. Construction activities would include grading, excavation, framing, installation of building systems, and architectural coatings. Excavation operations at the site would export material to an offsite location and replace, import engineered fill, and compact as required on site. Construction equipment necessary for site preparation would include a grader, dozer, loader/backhoe, dump trucks, compactor, compressor/jack hammer, and water truck. During building construction, equipment would include a tower crane, forklifts, a loader/backhoe, a temporary generator, compressors, concrete trucks, and paving equipment.

2.5 Project Approvals

The Judicial Council is the lead agency for the Proposed Project and is acting as the judicial branch of the State of California. Accordingly, local government land use planning and zoning regulations do not apply to the Proposed Project. However, the Judicial Council considers county and/or city policies and guidelines, as appropriate, to ensure the Proposed Project would be consistent with the site's character and surroundings.

The Judicial Council is responsible for certifying the California Environmental Quality Act document and approving the Proposed Project.

The Proposed Project would disturb an area greater than one acre. Therefore, a National Pollutant Discharge Elimination System Permit from the Central Coast Regional Water Quality Control Board and preparation of a Storm Water Pollution Prevention Plan would be required.

3.0 Environmental Checklist

The following two sections of the IS/MND – Section 3.19, "Utilities and Service Systems," and Section 3.21, "Mandatory Findings of Significance" – have been revised based on new information provided by the City about the wastewater collection system. The Judicial Council has determined that this new information merits recirculation of those portions of the IS/MND. The changes are indicated in underline/strikeout (to indicate additions and ~~deletions~~) to assist the reader in reviewing the new information.

Environmental Factors Potentially Affected

The environmental factors checked below would potentially be affected by the Proposed Project, as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☒ Air Quality
- ☒ Biological Resources
- ☒ Cultural Resources
- ☐ Energy
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☒ Hazards and Hazardous Materials
- ☒ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☒ Noise
- ☐ Population/Housing
- ☒ Public Services
- ☐ Recreation
- ☒ Transportation
- ☒ Tribal Cultural Resources
- ☒ Utilities/Service Systems
- ☒ Wildfire
- ☒ Mandatory Findings of Significance

Determination

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of sources of information cited in this document, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site.

On the basis of this initial evaluation:

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

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

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.

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

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

Signature Jennifer Chappelle **Date** 8/27/2025

Jennifer Chappelle, Risk Manager
Judicial Council of California

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the Project:				
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☒	☐	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

3.19.1 Regulatory Setting

Federal Laws, Regulations, and Policies

The following federal regulations are applicable to utilities and service systems in relation to the Proposed Project.

Clean Water Act. The CWA was originally enacted in 1948 and has been amended numerous times, with significant expansions in 1972 and 1977. The CWA's main objectives are to maintain and restore the chemical, physical, and biological integrity of waters through the authorization of standards. Authority for the implementation and enforcement of the CWA lies primarily with the USEPA and its delegated state and local agencies.

State Laws, Regulations, and Policies

The following state laws, regulations, and policies are applicable to utilities and service systems in relation to the Proposed Project.

California Integrated Waste Management Act of 1989. The California Integrated Waste Management Act of 1989, enacted through AB 939 and modified by subsequent legislation, required all California cities and counties to implement programs to reduce, recycle, and compost at least 50 percent of wastes by 2000 (Pub. Res. Code Section 41780). Later legislation mandated that the 50 percent diversion requirement be achieved every year. A jurisdiction's diversion rate is the percentage of its total waste that is diverted from disposal through reduction, reuse, and recycling programs. The state, acting through the California Integrated Waste Management Board, determines compliance with this mandate. Per capita disposal rates are used to determine if a jurisdiction's efforts are meeting the intent of the act.

Assembly Bill 341, Solid Waste Diversion. Effective July 1, 2012, California's Commercial Recycling Bill (AB 341) established a policy goal for California that at least 75 percent of solid waste generated be source-reduced, recycled, or composted by 2020. The bill is intended to reduce GHG emissions by diverting recyclable materials and expand the opportunity for increased economic activity and green industry job creation. AB 341 is a statewide policy goal rather than a city or county jurisdictional mandate.

2023 California Trial Court Facility Standards (Facilities Standards). The Judicial Council's Facilities Standards requires that new court facilities comply with the current version of the CALGreen Nonresidential Mandatory Measures, the current version of the California Energy Code, and current LEED Silver criteria. In addition, it specifies compliance requirements and goals related to construction waste and waste management:

l. Plan for recycling of materials during construction, demolition, and occupancy. Develop specifications for construction recycling; require contractors to develop a construction waste management plan that identifies waste minimization and recycling strategies. The construction project shall, at minimum, meet the mandatory waste diversion rates specified in CALGreen at the time of project permitting.

m. Provide collection bins for public refuse and recyclable and organic materials on each floor, as well as a staging area for materials collection.

Court Facilities: Water Conservation Policy. In 2015, the Judicial Council adopted a water conservation policy (Judicial Council 2015) that provides water conservation best practices for both capital projects and existing courthouse facilities. The following practices would be incorporated into the design of the Proposed Project:

1. Water Conservation During Construction.
    a. Capital projects required to remove groundwater (dewater) during construction excavation should make best efforts to recycle or reuse the groundwater collected, if feasible.
    b. Non-potable water should be used for dust control activities, if feasible.
2. Plumbing Fixtures.
    a. Capital projects should install plumbing fixtures that meet or, if possible, exceed the April 2014 California Energy Commission (CEC) or California Green Code standards, whichever are most stringent, if feasible.
3. Landscaping.
    a. Landscaping design that does not include turf/grass should be considered, if feasible.
    b. Landscaped areas should include indigenous and climate-appropriate, drought-tolerant plants and trees, if feasible.
4. Irrigation Systems.
    a. Irrigation systems should target systems using drip and microsprayers only if feasible.
    b. Irrigation systems should include an automated "smart" controller, if feasible.
    c. Irrigation systems should include a water meter, or submeter, separate from building supply, if feasible.
5. Onsite Water Management.
    a. Onsite storm water management practices, where feasible given site limitations, should include water retention basins or other practices to recharge groundwater through natural percolation.

Local Laws, Regulations, and Policies

The Judicial Council, acting as the judicial branch of State government, is not subject to local land use regulations; however, the Judicial Council, as lead agency, considers local policies in evaluating whether the Proposed Project's impacts would be significant. The following local laws, regulations, and policies are applicable to utilities and service systems in relation to the Proposed Project.

City of San Luis Obispo Water and Wastewater Element. The Water and Wastewater Element of the City of San Luis Obispo General Plan provides the following policies and implementation measures relevant to utilities and service systems that are applicable to the Proposed Project:

> 5.2.5 Paying for Water for New Development. New development shall pay its proportionate or "fair share" for water supplies, expanded treatment and distribution system capacity and upgrades.

3.19.2 Environmental Setting

Water

The City of San Luis Obispo invests in multiple water sources to meet water supply needs. Sources include Whale Rock Reservoir, Salinas Reservoir, Nacimiento Reservoir, recycled water, and historic groundwater wells which are kept on stand-by (City of San Luis Obispo 2024). Together these can potentially provide approximately 10,000 acre-feet per year, significantly exceeding the current annual water use requirement of around 4,700 acre-feet per year (City of San Luis Obispo 2024). Further, proactive planning, equipment upgrades and diversifying water sources should allow the City to handle future periods of inadequate rainfall (City of San Luis Obispo 2024).

Sewer

The Water Resource Recovery Facility (WRRF) treats all of the sewage within the City of San Luis Obispo, approximately 4.5 million gallons a day (City of San Luis Obispo 2024e). The facility design and permitted flow is 5.4 million gallons per day (MGD), with estimated flows during wet weather events exceeding 11 MGD (Central Coast Regional Water Quality Control Board 2024). Instantaneous peak flows exceeding 20 MGD are not uncommon during storm events. The increased flow during wet weather events is a direct result of inflow and infiltration (I/I) occurring in the wastewater collection system when groundwater or rainwater flows into the sewer system, either through a direct connection or from seepage through cracked laterals, leaky pipe joins, and/or deteriorated manholes. The WRRF is designed for an average dry-weather flow of 5.1 MGD. The City has established programs to decrease I/I through replacement of damaged or leaking sewer laterals.

The City's wastewater collection system is primarily a gravity flow system, with wastewater lift stations and pressurized force mains where gravity flow is not feasible due to the topography. The collection system is comprised of over 148 miles of main line, nine lift stations, and various other assets. Capacity-constrained areas, where the existing sewer system infrastructure (pipelines) cannot accommodate additional wastewater flow, are identified in the City's General Plan Water and Wastewater Management Element (City of San Luis Obispo 2024f, 2024g).

Stormwater

In the City of San Luis Obispo, stormwater and wastewater (sewer) systems are completely separate, and stormwater runoff which makes its way to storm drains receives no treatment or processing but flows directly to local creeks and the ocean (City of San Luis Obispo 2024d). The San Luis Obispo Public Works Department conducts storm drain replacement and maintenance, cleaning is conducted by wastewater collections staff, and inspections are performed by a storm cleaning crew (City of San Luis Obispo 2024c).

Solid Waste

The City of San Luis Obispo contracts residential and commercial waste, recycling, and organics collection services with San Luis Garbage (City of San Luis Obispo 2024a). All organic waste is directed to the Kompogas facility to the south of the City and even further south are located Cold Canyon Materials Recovery Facility and Cold Canyon Landfill, where recycling and landfill materials are taken, both of which are owned and operated by Waste Connections, the parent company of San Luis Garbage (City of San Luis Obispo 2024b). The Cold Canyon Landfill can accept up to 1,650 tons per day and has a remaining capacity of approximately 13 million tons as of August 2020 (CalRecycle 2019).

Electricity and Natural Gas

Electrical service would be provided by Central Coast Community Energy across Pacific Gas and Electric Company distributed infrastructure. Natural gas service would be provided by Southern California Gas Company (SoCalGas).

3.19.3 Discussion of Checklist Responses

***a. Require the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental effects* (~~No Impact~~ Less than Significant with Mitigation)**

The Proposed Project site is served by existing utilities, and there is a planned like-for-like replacement under the proposed configuration. ~~There would be *no impact*.~~ Expansion of water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunication facilities is not expected to be required; however, the City has provided information that the increased wastewater flow potentially generated by the Proposed Project, which is located in the sub-basin G sewer shed, may further affect an already deficient section of the downstream wastewater collection system (sewer) at the Marsh Street bridge creek crossing between Santa Rosa and Osos Streets.

In the year 2000, the City replaced the sewer main adjacent to the Proposed Project site with a 15-inch polyvinyl chloride (PVC) pipe that has a capacity, when running 95% full and considering a roughness factor of 0.013, of 2.84 cubic feet per second (cfs) or 1,274.6 gallons per minute (gpm). Should a larger capacity 24-inch PVC pipe be alternatively installed, considering the same roughness factor, the 24-inch pipe would have a capacity, when running 95% full, of 9.94 cfs or 4,461 gpm – 3.5 times the capacity of the existing 15-inch PVC pipe.

The wastewater flow generated by the Proposed Project has been calculated at 8,105 gallons per hour (gph)[1]. Subtracting the calculated wastewater flow of the existing building of 1,015[2] gph from the estimated flow results in an increase in wastewater flow by the Proposed Project of 7,090 gph. The City has acknowledged that there is not necessarily a capacity issue with the existing 15-inch PVC pipe, but rather an issue with a lack of velocity during increased flows when the sewer system is inundated by I/I during wet weather (storm) events.

The Proposed Project site is located outside of the City's published 2016 Wastewater Collection System Peak Wet Weather Capacity Constrained Areas Due to Inflow and Infiltration ("I/I Constrained Area") (City of San Luis Obispo 2016). Although the Proposed Project is not described in this report, the Project would nevertheless contribute to the wastewater collection system upstream of the I/I Constrained Area, and specifically to the deficient Marsh Street bridge creek crossing section. The increase in wastewater flow generated by the Proposed Project would further exacerbate the deficient wet weather condition in which the area is unable to handle the increased I/I flows, causing sewer flow to back up to manholes.

The Proposed Project would neither create this existing deficiency in the City's wastewater collection system nor be the sole contributor to it. However, the Judicial Council acknowledges that the Proposed Project would additionally impact the present deficient condition and would pay its proportionate or "fair share" to allow the City to address the problem at the identified section of the City's wastewater collection system and implement the appropriate upgrade. **Mitigation Measure USS-1 (Pay Project's "Fair Share" of Wastewater Collection System [Sewer] Upgrade)** would address the potential cumulative impact by making a one-time payment to the City proportionate to the project's increase in wastewater flow to the sewer collection system. The payment by the Judicial Council would cover the Proposed Project's share of the cost for the City's relocation or construction of new or expanded wastewater collection facilities – that is, to upgrade the collection system to address the downstream service level deficiency. This

[1] Wastewater flow rate calculated based on a gross building area of 133,000 square feet, excluding the building's garage and sallyport. Considering the estimated 900,000 gpy of project water use, the annual average wastewater generation has been estimated at 855,000 gpy. This annual wastewater flow would result in a daily average of 2,702 gpd; a maximum peak flow of 5,403 gpd utilizing a peaking factor of "2"; and a peak hourly flow of 8,105 gallons per hour (gph) utilizing a peaking factor of "3."

[2] Wastewater flow rate calculated based on an existing gross building area of 11,220 square feet, excluding the building's garage, carport, and basement storage areas. Utilizing the 2024 annual water usage of 89,999 gpy provided by the City, the annual average wastewater generation has been estimated at 84,550 gpy. This annual wastewater flow would result in a daily average of 338 gpd; a maximum peak flow of 676 gpd utilizing a peaking factor of "2"; and a peak hourly flow of 1,015 gph utilizing a peaking factor of "3."

impact, which is described in more detail in Section 3.21, "Mandatory Findings of Significance," item (c), would be ***less than significant with mitigation***.

***b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years* (Less than Significant)**

The Proposed Project would require minimal amounts of water during demolition and construction activities (e.g., for dust control). This water may be obtained from water trucks or municipal sources and would not necessitate the construction of new or expanded water facilities.

The Proposed Project would increase demand at the proposed relocation site, as it would be a larger development than the existing county-owned building and residential dwelling on-site. As discussed in Chapter 2, *Project Description*, total annual water use for the Proposed Project (both indoor use and landscaping) is estimated at approximately 1,025,533 gallons per year. This would represent approximately 3.14 acre-feet per year. As discussed above, the City of San Luis Obispo has a potential capacity of 10,000 acre-feet per year, and currently uses around 4,700 acre-feet per year (City of San Luis Obispo 2024). Therefore, the Proposed Project would represent an increase of approximately 0.066 percent and would not exceed typically available water supplies. The City has also worked to ensure water availability is reliable even during periods of drought.

Overall, the Proposed Project would not result in the need to construct new or expanded water or wastewater facilities. Therefore, this impact would be ***less than significant.***

***c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments* (Less than Significant)**

As discussed above, the City of San Luis Obispo has a separate stormwater and wastewater system. Stormwater flows directly to creeks from stormwater drains while wastewater is treated at the WRRF.

As discussed in Chapter 2, *Project Description*, the baseline indoor water use during courthouse operations – occurring Monday-Friday and approximately 250 days per year – is 300,000 gpy. Combined with the estimated mechanical water use of 600,000 gpy, depending on the type of equipment used, and operating 24 hours per day/seven days per week, the total domestic and mechanical water use ~~could~~ is estimated to be approximately 900,000 ~~gallons per year~~gpy, ~~and~~ with an average of ~~2,466 gallons per day~~ 2,844 gpd. Based on the City's metered water consumption records for 1144 Monterey Street, in 2024 the property used 89,012 gpy, an average of 356 gpd based on a 250-days-per-year operation. Subtracting the current facilities' water consumption from the estimated water consumption of the Proposed Project results in an average increased water usage of 2,488

gpd. Assuming that total is ultimately directed to the wastewater system, this would be an approximately 0.055 percent increase to the approximately 4.5 million gallons processed daily by the WRRF, and it would therefore not exceed the WRRF permitted flow limits as discussed above. ~~Furthermore, the Proposed Project would be replacing an existing development; consequently, the overall amount of increased water demand would be relatively minor and within wastewater treatment providers' existing capacity.~~ Therefore, this impact would be ***less than significant.***

d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Less than Significant)

Project demolition activities could generate substantial quantities of solid waste. In accordance with Facilities Standards, a construction waste management plan would be developed by contractors prior to beginning work on the Proposed Project. This plan would meet the minimum waste diversion requirements of CALGreen at the time of permitting and is intended to provide for recycling of materials from demolition through to construction and into occupancy. Presently, CALGreen mandates that projects "recycle and/or salvage for reuse a minimum 65% of the nonhazardous C&D debris generated during the project" (CalRecycle 2025).

While there are no specific figures available estimating the total solid waste which would be generated by construction, site excavation could generate approximately 9,200 cubic yards of soil export (excluding soil re-used on site), and demolition could generate approximately 3,945 cubic yards of waste (MRY 2023). Should all of this material be unable to be recycled and instead be sent to the landfill, it would not exceed the existing landfill capacity which, as discussed above, as of 2020 had 13 million tons of capacity remaining.

During operation, while the amount of solid waste generated by the site will likely increase, the scale of the increase would not approach the landfill capacity of 1,650 tons per day. As described above, the construction waste management plan would also identify recycling strategies for building occupation, reducing the amount of waste generated. As required by the Facilities Standards, the Proposed Project would comply with the current version of the CALGreen Nonresidential Mandatory Measures, the current version of the California Energy Code, current LEED Silver criteria, and requirements and goals related to construction waste and waste management. Therefore, waste generated by the Proposed Project during construction and operation would be managed appropriately and in accordance with applicable federal, state, and local regulations related to solid and hazardous waste management. Therefore, this impact would be ***less than significant***.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste **(Less than Significant)**

Materials resulting from demolition of the existing County-owned building, parking area, residential structure, and vegetation that occupy the Proposed Project site would be recycled or hauled off site to an appropriate landfill or transfer facility in accordance with applicable statutes and regulations, including CALGreen. Excavation operations at the site would export material to an offsite location in compliance with federal and state requirements. Adequate solid waste storage areas will be incorporated at the Proposed Project building and site design. Operational solid waste would continue to be removed by the City's waste collection services in a manner similar to that of the current courthouse site which is in compliance with all federal, state, and local statues and regulations. The impact would be ***less than significant.***

3.19.4 Mitigation Measures

~~None required.~~

Mitigation Measure USS-1: Pay Project's "Fair Share" of Wastewater Collection System (Sewer) Upgrade

The Judicial Council shall make a one-time payment to the City of San Luis Obispo, representing the mutually agreed to amount of the Project's proportionate "Fair Share" to upgrade the downstream wastewater collection system (sewer) to better accommodate increased Inflow and Infiltration flows in an already deficient portion of the City's sewer system. The Project's "Fair Share" will be calculated based on its proportionate share of total wastewater contribution to the downstream wastewater collection system. The City of San Luis Obispo shall be responsible for the design and construction of any future upgrades to the off-site sewer downstream wastewater collection system.

3.21 Mandatory Findings of Significance

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

3.21.1 Discussion of Checklist Responses

a. Effects on environmental quality, fish or wildlife, and historic resources (Less than Significant with Mitigation)

Environmental Quality

As described in Sections 3.1 through 3.20 of this environmental checklist, the Proposed Project has the potential for significant impacts on various environmental resources that could degrade the quality of the existing environment.

As discussed in Section 3.3, construction of the proposed project could result in air quality impacts related to a cumulatively considerable net increase of criteria pollutants, ROG and NOx. Mitigation Measure AQ-1 would reduce this impact to less than significant with mitigation through reducing VOC emissions that would contribute to an exceedance of ROG and NOx thresholds during construction.

As discussed in Section 3.9, project construction could create a significant hazard through transport, use, or disposal of hazardous materials; the accidental but reasonably foreseeable upset and accident conditions that could release hazardous materials; the emission of hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. These impacts would be reduced to a less-than-significant level with implementation of Mitigation Measure HAZ-1, which would reduce this impact to less than significant with mitigation by requiring measures to reduce risk of release; Mitigation Measure HAZ-2, requiring environmental measures during project construction; and Mitigation Measure TR-1, development of a construction traffic management plan.

As discussed in Section 3.10, construction of the Proposed Project would involve ground disturbance associated with demolition and excavation, which loosen soils and could result in erosion and sedimentation. Implementation of Mitigation Measure HAZ-1 would ensure that hazardous materials releases during construction are avoided/minimized to the extent feasible, and that impacts on surface water or groundwater quality is minimized in the event such releases do occur. Mitigation Measure HAZ-2 would require preparation of an SMP, compliance with hazardous materials and asbestos regulations and procedures, and appropriate disposal of groundwater encountered during excavation.

As discussed in Section 3.20, should the construction period coincide with an emergency, construction could result in delays and contribute to temporary impairment of an emergency response plan or evacuation plan. Mitigation Measure TR-1 would ensure that a construction traffic management plan would be implemented.

Wildlife Habitat and Populations; Rare and Endangered Species

As discussed in Section 3.4, the potential exists for disturbance and tree removal during demolition, excavation, and construction activities to have significant impacts on nesting birds protected under the MBTA. Implementation of Mitigation Measure BIO-1 would require nesting bird surveys before the beginning of construction and avoidance of nesting birds.

California History and Prehistory

As described in Section 3.5, the area is known to be sensitive for both Native American pre-contact sites, and post-contact sites dating to the Mission era. As a result, the area appears sensitive for buried archaeological resources that could be determined eligible for the CRHR/NRHP if they are uncovered by Project activities. Although there is no evidence that human remains are present within the Proposed Project site, there remains the possibility that human remains could be discovered during excavation activities. Therefore, this impact would have the potential to significantly impact cultural resources. Implementation of Mitigation Measures CR-1, CR-2, CR-3, and TCR-1 would reduce the

impacts to less than significant with mitigation by requiring cultural resources sensitivity training and monitoring; preparation of an ATP; implementing appropriate response protocols in case of discovery of human remains; and requiring that any Native American human remains encountered are treated with the respect and care required by the consulting tribes.

Conclusion

As identified in this IS/MND and described above, the impact on environmental quality, fish or wildlife, and historic resources would be ***less than significant with mitigation.***

b. Cumulative Impacts (Less than Significant with Mitigation)

A cumulative impact refers to the combined effect of "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). Cumulative impacts reflect "the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time" (CEQA Guidelines Section 15355[b]).

Lead agencies may use a "list" approach to identify related projects or may base the identification of cumulative impacts on a summary of projections in an adopted general plan or related planning document (CEQA Guidelines Section 15130[b]), also known as the "projection" approach. This document utilizes a combination of the list and projection approaches. Project contributions to regional cumulative impacts (air quality, GHG emissions) are evaluated using the projection approach, while Project contributions to localized cumulative impacts (biological resources, noise and vibration, transportation, utilities and service systems) are evaluated using the list approach.

General Plan Projections

The Land Use Element of the City's General Plan (City of San Luis Obispo 2014) describes the anticipated population and employment numbers through the 2035 planning horizon. The General Plan anticipates growth in population, jobs, and non-residential square footage between 2010 and 2035, as shown in Table 3-14.

Table 3-14. Growth Anticipated by the City of San Luis Obispo General Plan

Growth Category	2010	2020	2035	Percent Growth
Population	43,937	45,969	48,550	10%
Jobs	33,000	36,900	42,400	30%
Non-residential development (square feet)	18,150,000*	20,295,000	23,320,000	28%

*Estimated based on number of jobs

Source: City of San Luis Obispo 2014

Operationally, the Proposed Project involves relocation of an existing facility to a nearby property with no expansion of staffing or public use. Therefore, the Proposed Project is accounted for in the General Plan growth projections.

List of Cumulative Projects

Projects with the potential to contribute to the same cumulative impacts as the Proposed Project would likely be within close geographic proximity to the project area, except for certain resources (e.g., air quality, GHG emissions). The City's planning department website (City of San Luis Obispo 2024) was consulted to determine projects that could combine with the Proposed Project to yield cumulative impacts together with information provided to the Judicial Council during meetings on June 25 and July 15, 2025. The projects likely to have impacts similar to and in combination with the Proposed Project are listed in Table 3-15.

Table 3-15. Cumulative Projects in San Luis Obispo

Project/Planning Status	Location	Description
Planning Review		
466 Dana Waterman Village	466 Dana Street	Residential development consisting of 20 affordable residences on the property of the Rosa Butrón Adobe.
Rossi Development[1] *(Yet to be posted to website as of June 25, 2025)*	1111 Higuera Street	Residential development of multiple residences.
Building Submittal		
SLO Repertory Theatre	888 Morro Street	Development of a two-story, 23,344-square-foot commercial space for the SLO Repertory Theater.
Building Review		
~~Marsh and Chorro Mixed Use~~	~~Corner of Marsh Street and Chorro Street~~	~~Mixed-use project consists of seven-story structure with approximately 30,000 square feet of commercial/office space and 50 residential units.~~
~~Olive Mixed Use~~	~~Olive Street west of Santa Rosa Street; north of US 101~~	~~Development of a four-story mixed-use project consisting of approximately 3,500 square feet of commercial space, and 15 residential units.~~
Motel Inn	Easternmost end of Higuera Street	Revised design of the historic Motel Inn. Development consists of 83 hotel rooms, 27 bungalow guestroom buildings, and hotel amenities.

[1] Project information provided by City planning department during meeting with the Judicial Council on June 25, 2025.

Project/Planning Status	Location	Description
~~1422 Monterey Street, Building 1~~	~~1422 Monterey Street~~	~~Part of the phased 1422 Monterey Street development. Development consists of 45 affordable units and a portion of 4,366 square feet of commercial space.~~
~~1422 Monterey Street, Building 2~~	~~1422 Monterey Street~~	~~Part of the phased 1422 Monterey Street development. Development consists of 55 affordable units and a portion of 4,366 square feet of commercial space.~~
~~1422 Monterey Street, Triplex~~	~~1422 Monterey Street~~	~~Part of phased 1422 Monterey Street Development. Development consists of three affordable units.~~
Under Construction		
~~Peach Street Commons~~	~~Peach Street between Toro Street and Santa Rosa Street~~	~~Development of five new two-story, single-family residences, being added to a site with five existing.~~
Cultural Arts District Parking Structure	888 Morro Street	Development project consisting of a five-story public parking garage and 23,334 square feet of commercial space for the SLO Rep Theatre.
1422 Monterey Street, Building 1	1422 Monterey Street	Part of the phased 1422 Monterey Street development. Development consists of 45 affordable units and a portion of 4,366 square feet of commercial space.
1422 Monterey Street, Building 2	1422 Monterey Street	Part of the phased 1422 Monterey Street development. Development consists of 55 affordable units and a portion of 4,366 square feet of commercial space.
1422 Monterey Street, Triplex	1422 Monterey Street	Part of phased 1422 Monterey Street Development. Development consists of three affordable units.

The cumulative projects identified in Table 3-15 are commercial and/or residential development projects in the general vicinity of the Proposed Project site. Each of these projects could result in environmental impacts similar to those of the Proposed Project. Operationally, the Proposed Project involves relocation of an existing facility to a nearby property with no expansion of staffing or public use. Design of the Proposed Project would result in some changes to traffic patterns; however, none of the cumulative projects would rely exclusively on roadways affected by the Proposed Project design.

Analysis of Cumulative Impacts

As discussed in Section 3.19, the City has provided information that the increased wastewater flow potentially generated by the Proposed Project, which is located in the sub-basin G sewer shed, may further affect an already deficient section of the downstream wastewater collection system (sewer) at the Marsh Street bridge creek crossing between Santa Rosa and Osos Streets. The Proposed Project would generate increased flow to the City's wastewater collection system that is currently being routed to an existing 15-inch PVC pipe located in Monterey Street. The Motel Inn and multiple phases of the 1422 Monterey Street development are also located in the Upper Monterey area (upstream of the Proposed Project site) and served by the same 15-inch PVC sewer main. Additionally, the City informed the Judicial Council that a proposed project at 1111 Higuera Street would also be assessed for impact to the same existing deficiency. Each of these projects would exacerbate the existing deficiencies in the City's downstream wastewater collection system. This is a significant cumulative impact to which the Proposed Project would make a cumulatively considerable contribution.

In determining the appropriate "Fair Share" that each new upstream development contributing to the existing deficiency would be required to pay, the City intends to consider the potential cumulative impacts from all new development upstream of the affected sewer, as compared to the existing conditions. Any potential contribution to the significant cumulative impact to the affected sewer would be reduced to a less-than-significant level following payment of the appropriate "Fair Share" contribution by a new development project. Mitigation Measure USS-1 in Section 3.19 would ensure that the Proposed Project would pay its "fair share" and the Proposed Project's contribution to the significant cumulative impact would be reduced to less than considerable.

Construction-related impacts of the Proposed Project would be temporary and would be reduced to less-than-significant levels with mitigation identified in Sections 3.1 through 3.20. None of the cumulative projects are near enough to the Proposed Project site to result in a significant cumulative impact related to construction activities. As a result, the Proposed Project would not have incremental impacts that are individually limited but considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The impact is less than significant.

Conclusion

~~Operationally, the Proposed Project involves relocation of an existing facility to a nearby property with no expansion of staffing or public use. Design of the Proposed Project would result in some changes to traffic patterns; however, none of the cumulative projects would rely exclusively on roadways affected by the Proposed Project design. None of the cumulative projects are near enough to the Proposed Project site to result in a significant cumulative impact related to construction activities.~~ As ~~a result~~ identified in this IS/MND and described above, with implementation of mitigation measures identified in Sections 3.1 through 3.20, the Proposed Project would not have incremental impacts that are individually limited but considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The impact would be ***less than significant with mitigation***.

c. Effects on Human Beings

As discussed in Sections 3.9, 3.15, and 3.17, project construction could cause temporary interruptions in access on Toro Street. However, Mitigation Measure TR-1 would reduce the impact to less than significant with mitigation by requiring that contractors prepare and implement a construction traffic management plan to manage traffic flow during construction and ensure adequate emergency access.

As discussed in Section 3.17, project construction has potential to interfere with the flow of traffic, resulting in a traffic hazard and impeding emergency access. Implementation of Mitigation Measure TR-1 would reduce the impact to less than significant with mitigation by requiring preparation of and adherence to a construction traffic management plan

Conclusion

As identified in this IS/MND and described above, impacts on human beings would be ***less than significant with mitigation***.

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This chapter provides information for all references cited in the Partially Recirculated IS/MND.

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New San Luis Obispo Courthouse

Partially Recirculated Mitigation Monitoring and Reporting Program

Prepared for:
Judicial Council of California

SEPTEMBER 2025

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Table

Mitigation Monitoring and Reporting Program for the New San Luis Obispo Courthouse Project I-3

Acronyms and Abbreviations

AB	Assembly Bill
ADMP	Asbestos Dust Mitigation Plan
ATCM	Airborne Toxic Control Measure
ATCR-TP	Archaeological and Tribal Cultural Resource Treatment Plan
BMP	best management practice
CAP	Clean Air Plan
CARB	California Air Resources Board
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CRHR	California Register of Historical Resources
dBA	A-weighted decibels
DPR	California Department of Parks and Recreation
EHS	Environmental Health Service
GIS	geographic information system
HAZWOPER	Hazardous Waste Operations and Emergency Response
I/I Constrained Area	Wastewater Collection System Peak Wet Weather Capacity Constrained Areas Due to Inflow and Infiltration
IS/MND	Initial Study/Mitigated Negative Declaration
Judicial Council	Judicial Council of California
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendant
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program

NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	Native American Heritage Commission
NO_X	oxides of nitrogen
NRHP	National Register of Historic Places
OSFM	Office of the State Fire Marshall
OSHA	Occupational Safety and Health Administration
PCR	post-construction requirements
Project	New San Luis Obispo Courthouse Project
RCRA	Resource Conservation and Recovery Act
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SLOAPCD	San Luis Obispo Air Pollution Control District
SMP	soil and bedrock management plan
SWPPP	stormwater pollution prevention plan
VdB	vibration velocity in decibels
VOC	volatile organic compound
WDRs	waste discharge requirements

Appendix I
Mitigation Monitoring and Reporting Program – New San Luis Obispo Courthouse Project

1.0 Partially Recirculated Mitigation Monitoring and Reporting Program

As described in Chapter 1, *Introduction to the Partially Recirculated IS/MND,* portions of the original IS/MND are being recirculated to disclose additional information provided by the City of San Luis Obispo. This Environmental Mitigation Monitoring and Reporting Program (MMRP) is included in the recirculation to disclose an additional mitigation measure has been provided in "Utilities and Service Systems." As with the remainder of the partially recirculated IS/MND, **the Judicial Council requests that reviewers limit their comments to the revised portions of the MMRP.**

1.1 California Environmental Quality Act Requirement

Where a California Environmental Quality Act (CEQA) document has identified significant environmental effects, Public Resources Code Section 21081.6 requires adoption of a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval to mitigate or avoid significant effects on the environment."

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required of the New San Luis Obispo Courthouse Project (Project or proposed Project), as set forth in the Initial Study/Mitigated Negative Declaration (IS/MND).

The Judicial Council of California (Judicial Council) is the lead agency that must adopt the MMRP for development and operation of the Project. This report will be kept on file with the Judicial Council, 455 Golden Gate Avenue, San Francisco, CA 94102.

1.2 Purpose of Mitigation and Monitoring and Reporting Program

The intent of the MMRP is for the effective implementation and enforcement of adopted mitigation measures. The MMRP is intended to be used by the Judicial Council staff, construction contractors, and others responsible for Project implementation.

This document identifies the individual mitigation measures, the party responsible for monitoring implementation of the measure, the timing of implementation, and space to confirm implementation of the mitigation measures.

1.3 Roles and Responsibilities

The Judicial Council will oversee monitoring and documenting the implementation of mitigation measures. The Judicial Council or its construction contractor is responsible for fully understanding and effectively implementing all of the mitigation measures contained within this MMRP. Certain mitigation measures may require coordination with one or more other public agencies in implementing mitigation measures specified herein.

1.4 Support Documentation

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the project file with this MMRP and shall be made available to the public upon request. This MMRP will be kept on file at:

Judicial Council of California
455 Golden Gate Avenue
San Francisco, CA 94102

Air Quality

Impact	Mitigation Measure	Implementation Responsibility / Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Conflict with or obstruct implementation of the applicable air quality plan. The Proposed Project is consistent with all of the measures outlined in the San Luis Obispo Air Pollution Control District's (SLOAPCD's) Clean Air Plan (CAP). SLOAPCD considers a project that would exceed any of its CEQA thresholds of significance as being inconsistent with its air quality plans. The Proposed Project exceeds the thresholds of significance for reactive organic gas (ROG) emissions, but with implementation of **Mitigation Measure (MM) AQ-1**, the ROG emissions would be reduced below the thresholds of significance and be ***less than significant with mitigation***. **Impact b. Cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area.** The Proposed Project's daily criteria air pollutant emissions during construction and operation exceed the applicable thresholds for ROG and oxides of nitrogen (NOx). With implementation of **fugitive dust best management practices (BMPs) and MM AQ-1**, the impact on air quality from emissions of criteria pollutants would be ***less than significant with mitigation.***	**AQ-1: Use Low VOC Paints and Coatings** To reduce ROG and NOx emissions below the SLOAPCD threshold during construction activities, the Judicial Council shall ensure that the contractor uses low volatile organic compound (VOC) paint for coating the building interior and exterior with a VOC content of 50 grams per liter or less.	**Implementation:** The Judicial Council and its contractor(s). 1. Prepare and implement a plan identifying the specific low VOC paints and coatings, or a range of acceptable low VOC options, to be used for the Project and during construction. 2. Ensure that all bid, contract documents and specifications have incorporated the requirements of the Low VOC Usage Plan. **Timing:** 1. Duration of the Project and prior to the start of construction. 2. During construction.	**Monitoring:** The Judicial Council and its contractor(s) shall: 1. Ensure the Low VOC Usage Plan identifying the specific low VOC paints and coatings, or a range of acceptable low VOC options is prepared. 2. Ensure contractor compliance with the low VOC usage plan.	**Plan** Initial: _____ Date: _____ **Low VOC Usage Plan Verified** Initial: _____ Date: _____	Incomplete

Biological Resources

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species. As described in Appendix B, no special-status species are anticipated to be present at the site due to existing development and low habitat value. The Proposed Project site contains potentially suitable nesting habitat within trees and shrubs within the urban environment for many avian species protected by the Migratory Bird Treaty Act (MBTA). Demolition activities may require tree removal, and noise and disturbance associated with construction of the proposed Project could adversely affect nesting birds in adjacent areas to the point of nest abandonment and/or failure. Because the potential loss of an active bird nest during construction would potentially violate protections under the MBTA, such an impact is considered potentially significant. Implementation of **MM BIO-1** would minimize impacts to nesting birds protected by the MBTA by requiring nesting bird surveys and establishment of non-disturbance buffers around active raptor nests. Therefore, impacts to nesting birds protected by the MBTA would be ***less than significant with mitigation***.	**BIO-1: Conduct Nesting Bird Survey** A pre-construction nesting bird survey should be conducted by a qualified biologist, within 7 days prior to the initiation of proposed Project related activities. If proposed Project related activity is stopped for more than 14 days during the nesting season, a pre-construction survey should be conducted prior to the re-start of proposed Project activities. If active nests of birds protected by the MBTA are located, an appropriate avoidance buffer determined by the qualified biologist will be established within which no work activity would be allowed which would impact these nests. The avoidance buffer will be established by the qualified biologist on a case-by-case basis based on the species and site conditions. Larger buffers may be required depending upon the status of the nest and the project related activities occurring in the vicinity of the nest. The buffer area(s) should be closed to all construction personnel and equipment until juveniles have fledged and/or the nest is inactive. A qualified biologist will confirm that breeding/nesting is complete, and the nest is no longer active prior to removal of the buffer. If work within a buffer area cannot be avoided, then a qualified biologist will be present to monitor all proposed Project activities that occur within the buffer. The biological monitor will evaluate the nesting avian species for signs of disturbance and will have the ability to stop work in the vicinity of the nest.	**Implementation:** The Judicial Council and its contractor(s). **Timing:** Prior to the start of construction and during construction, if needed. Complete preconstruction surveys no more than 7 days prior of start of construction activities. Preconstruction surveys shall be repeated if construction activities lapse for more than 14 days. If construction activities are completed outside of the nesting season (February 1 to August 31), no additional measures are required to avoid adverse effects on nesting birds.	The Judicial Council and its contractor(s) shall schedule work outside of nesting birds' season. When construction activities must occur ding the nesting season, the Judicial Council and their contractor(s) shall: 1. Retain a qualified biologist to conduct preconstruction surveys, or subsequent surveys if work is stopped for more than 14 days. 2. If nesting birds are detected, biologist shall establish and maintain suitable avoidance buffers around work activities. 3. Ensure the biologist notifies the contractor when it is safe to resume work activities within the buffer. 4. Ensure that biologist monitors work activities if work within the established buffer cannot be avoided.	**Surveys** Initial: _____ Date(s): ____	Incomplete

Cultural Resources

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact b. Adverse change in the significance of an archaeological resource. No archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, have been identified within the Project area; however, the fully developed character of the Proposed Project site precluded a pedestrian archaeological survey, and cultural materials may be buried at the location. Furthermore, the area is known to be sensitive for both Native American pre-contact sites, and post-contact sites dating to the Mission era. As a result, the area appears sensitive for buried archaeological resources that could be determined eligible for the California Register of Historical Resources (CRHR) / National Register of Historic Places (NRHP) if they are disturbed by Project construction activities. If archaeological resources are inadvertently discovered that are determined eligible for listing in the CRHR/NRHP, and Proposed Project activities would affect them in a way that would render them ineligible for such listing, a significant impact would result. Implementation of **MM CR-1** and **CR-2** would ensure that the Proposed Project would treat eligible archaeological resources in a manner that would reduce impacts to archaeological resources to ***less than significant with mitigation.***	**CR-1: Provide Cultural Resources Sensitivity Training and Monitoring** A cultural resources sensitivity training program shall be provided to all construction personnel who will be active on the Proposed Project site during ground-disturbing or excavation activities. The training will be developed and conducted by a qualified archaeologist meeting the U.S. Secretary of Interior guidelines for professional archaeologists and a compensated representative from each consulting Native American tribe(s) that chooses to participate. The training will be provided once to each worker before they begin ground-disturbing activities and shall be documented in the training records. The training program will include relevant information regarding sensitive cultural resources, including applicable regulations, protocols for avoidance, and the consequences of violating the relevant State laws and regulations. The worker cultural resources awareness program also will describe appropriate avoidance and minimization measures for resources that have the potential to be on the Proposed Project site and will outline what to do and whom to contact if any potential archaeological or tribal cultural resources, Ancestors, or cultural items are encountered. The program will underscore the requirement for confidentiality and culturally appropriate treatment of any inadvertent discoveries that are of significance to California Native American tribes. All ground-disturbing activities will be monitored by a compensated representative from the consulting Tribe(s) and a qualified archaeologist. If any pre-contact Native American or historic-era archaeological resources or tribal cultural resources are	**Implementation:** The Judicial Council and its contractor(s). 1. Retain a qualified archaeologist meeting the U.S. Secretary of Interior guidelines. 2. All workers participating in ground disturbing activities to receive cultural resources awareness training. 3. If any cultural resources are discovered, halt construction immediately within 50 feet of the find, and contact the Judicial Council. **Timing:** Prior to ground disturbing activities and during construction, if necessary. Construction within 50 feet of the finds may not be resumed until clearance is given by the Judicial Council.	The Judicial Council and its contractor(s) shall: 1. Ensure final construction drawings and/or specifications have included cultural resources mitigation. 2. All ground disturbing activities monitored by a qualified archaeologist and a representative from the consulting tribe(s). 3. If any discoveries of archaeological finds are uncovered during construction, stop the work within 50 feet of the resource to allow evaluation and address properly in accordance with the mitigation measure.	**Training Plan** Initial: _____ Date: _____ **Training** Initial: _____ Date: _____ **Documentation, if required** Initial: _____ Date: _____	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
	exposed during construction, work will stop within 50 feet of the resource and be redirected to allow for recordation, including of measurements, and geographic information system (GIS) data. Tribal monitors shall determine whether photography of Native American archaeological and tribal cultural resources is appropriate. Under no circumstances will human remains be photographed. Historic-era resources will be photographed by the archaeologist monitor. Archaeological and Tribal Monitors will be responsible for identifying cultural, archaeological, and tribal cultural resources if they are inadvertently discovered during ground disturbance. Tribal cultural knowledge will be taken into consideration when assessing whether a resource is a tribal cultural resource. If cultural materials are unearthed, the monitors will have the authority to immediately halt work within the buffer zone to allow 48 hours for the on-site archaeological monitors and Tribal monitors to inspect and assess the materials, determine whether additional analysis of the find is warranted, and if construction can proceed inside the buffer zone without further analysis.				
Impact b. Adverse change in the significance of an archaeological resource. No archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, have been identified within the Project area; however, the fully developed character of the Proposed Project site precluded a pedestrian archaeological survey, and cultural materials may be buried at the location. Furthermore, the area is known to be sensitive for both Native American pre-contact sites, and post-contact sites	**CR-2: Prepare and Implement an Archaeological and Tribal Cultural Resources Treatment Plan** The Judicial Council will work with the consulting Tribe(s) to develop an Archaeological and Tribal Cultural Resource Treatment Plan (ATCR-TP). The ATCR-TP will provide protocols for treatment of identified archaeological and tribal cultural resources in the disturbance area during project construction. The ATCR-TP will include protocols for the following:	**Implementation:** The Judicial Council and its contractor(s). 1. Work with the consulting Tribe(s) to develop an ATCR-TP to define protocols for the treatment of archaeological and tribal cultural resources in the event they are encountered during construction. 2. Comply with the ATC-TP. **Timing:**	The Judicial Council and its contractor(s) shall: 1. Ensure final construction drawings and/or specifications have included cultural resources mitigation. 2. All activities outlined in the ATCR-TP will be conducted under the direction of the qualified archaeologist meeting the *Secretary*	**ATCR-TP (Plan)** Initial: _____ Date: _____ **Documentation, if required** Initial: _____ Date: _____	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
dating to the Mission era. As a result, the area appears sensitive for buried archaeological resources that could be determined eligible for the CRHR/NRHP if they are disturbed by Project construction activities. If archaeological resources are inadvertently discovered that are determined eligible for listing in the CRHR/NRHP, and Proposed Project activities would affect them in a way that would render them ineligible for such listing, a significant impact would result. Implementation of **MM CR-1** and **CR-2** would ensure that the Proposed Project would treat eligible archaeological resources in a manner that would reduce impacts to archaeological resources to ***less than significant with mitigation.***	• Avoidance of identified historical resources and tribal cultural resources where feasible; • Avoidance or preservation in place, where feasible given the limitations of the project site, shall be the preferred methods of addressing inadvertent discoveries of cultural, archaeological, or tribal cultural resources; • Protocols for respectful treatment of cultural resources identified during monitoring activities, as well as Native American human remains and cultural items; • Monitoring during construction by an archaeologist and Tribal monitor(s); • Responsibilities and coordination with the consulting Native American Tribes; • Determination of a safe and secure place for storage of artifacts; and • Curation of recovered historic-era materials that are not associated with Native American tribes, and culturally appropriate storage and repatriation of Native American resources, including compliance with applicable California and Federal law. The ATCR-TP will address treatment for both Native American archaeological resources and tribal cultural resources, as well as Native American human remains, culturally affiliated items and grave goods, if any are found, and post-contact resources. In collaboration with consulting Tribes, all activities outlined in the ATCR-TP will be conducted under the direction of individuals who meet the professional qualification standards in *Archaeology and Historic Preservation, Secretary of Interior's Standards and Guideline* (Federal Register, Volume 48, No. 190, September 29, 1983).	Prior to ground disturbing activities and during construction.	*of Interior's Standards and Guideline.* 3. Cultural resources, including tribal cultural resources, identified during construction will be assessed for eligibility for listing in the NRHP/CRHR in accordance with the mitigation measure. Native American resources will be recorded at the direction of the Tribal monitor(s) and will be photographed only with their permission. Native American human remains will never be photographed 4. If resources are determined to be eligible to the NRHP/CRHR and cannot be avoided or preserved in place, data recovery shall be required. Data collection which impacts tribal cultural resources or Native American human remains, grave goods, or cultural items will be done only with the written consent of the consulting Tribe(s). 5. Any Native American human remains, cultural items, or grave goods that are subject to the NAGPRA will be returned to the		

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
	New cultural resources (i.e., those that have not been identified or recorded previously), including tribal cultural resources, identified during construction will be assessed for eligibility for listing in the NRHP/ CRHR. Evaluation efforts will involve archival research, archaeological fieldwork, and Tribal consultation and coordination. Fieldwork methodologies will be tailored to the location, circumstance, and nature of the find. Therefore, it may be appropriate to use mechanical trenching techniques, controlled excavation units, or block exposures, shovel sampling explorations, or any combination of these approaches. All newly identified historic-era resources will be thoroughly mapped, photographed, located through GIS, and recorded on California Department of Parks and Recreation (DPR) 523 forms. Native American resources will be recorded at the direction of the Tribal monitor(s) and will be photographed only with their permission. Native American human remains will never be photographed. If resources are determined to be eligible to the NRHP/CRHR and cannot be avoided or preserved in place during construction, data recovery shall be required. Data recovery may involve archaeological excavation or detailed recordation on DPR 523 forms. Data collection which impacts tribal cultural resources or Native American human remains, grave goods, or cultural items will be done only with the written consent of the consulting Tribe(s). Any Native American human remains, cultural items, or grave goods that are subject to the California Native American Graves Protection and Repatriation Act (NAGPRA) will be returned to the designated Most Likely Descendant's (MLD's) Tribe, which will be compensated for reasonable repatriation costs. Alternately, the Judicial Council will provide an appropriate and secure location to repatriate recovered items, preferably on the		designated Most Likely Descendant's Tribe. Alternately, the Judicial Council will provide an appropriate and secure location to repatriate recovered items, preferably on the Proposed Project site. No laboratory analysis or destructive data analysis of Native American belongings will be permitted without the express written permission of the designated Most Likely Descendant's Tribe.		

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
	Proposed Project site. No laboratory analysis or destructive data analysis of Native American belongings will be permitted without the express written permission of the designated MLD's Tribe.				
Impact c. Disturbance of any human remains, including those interred outside of formal cemeteries. There is no evidence that human remains are present within the Proposed Project site. Although the Proposed Project site has been previously disturbed by prior development, there remains the possibility that human remains could be discovered during excavation activities. Implementation of **MM CR-3** would ensure that the Proposed Project would not result in any substantial adverse effects on human remains uncovered during the course of construction would reduce potential impacts on human remains to ***less than significant with mitigation.***	**CR-3: Implement Response Protocol for the Unanticipated Discovery of Human Remains** Consistent with the California Health and Safety Code and the California Native American Historical, Cultural, and Sacred Sites Act, if suspected human remains are found during project construction, all work shall be halted within 50 feet of the finds, and the San Luis Obispo County coroner shall be notified to determine the nature of the remains. The coroner shall examine all discoveries of suspected human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The NAHC shall then assign an MLD to serve as the main point of Native American contact and consultation. Following the coroner's findings, the MLD, in consultation with the Judicial Council, shall determine the ultimate treatment and disposition of the remains in accordance with the Burial Treatment Plan discussed in Mitigation Measure TCR-1. *Refer additionally to "Tribal Cultural Resources" below*	**Implementation:** The Judicial Council and its contractor(s). **Timing:** During construction and human remains are found. *Refer additionally to "Tribal Cultural Resources" below*	The Judicial Council and its contractor(s) shall: 1. Ensure final construction drawings and/or specifications have included cultural resources mitigation. 2. Excavation on the project site is halted within a minimum radius of 50 feet of discovered human remains and contact the County coroner. 3. Confirm that any discoveries of human remains are evaluated and addressed properly in accordance with the mitigation measure. 4. Provide clearance for construction activities to resume once appropriate. 5. Work with the MLD to ensure that remains are removed to a safe and secure place and treated with dignity and respect, if encountered. *Refer additionally to "Tribal Cultural Resources" below*	**Plan Submittal** Initial: _____ Date: _____	Incomplete

Hazards and Hazardous Materials

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The Proposed Project would require demolishing all structures and clearing the site to bare soil; excavation/ trenching; and hauling of soil, debris, and material on- and offsite. Project construction would require the routine transfer, use, storage, or disposal of hazardous materials (e.g., fuel, oil, and lubricants) used during typical construction activities and specifically soil and groundwater that may be contaminated. Implementation of **MM HAZ-1** would reduce the potential for exposure to contaminated soil during transport. **MM HAZ-2** would require preparation of an SMP, compliance with hazardous materials and asbestos regulations and procedures, and appropriate disposal of groundwater encountered during excavation. Operation of the Proposed Project would not result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. With implementation of these measures, this impact would be ***less than significant with mitigation***. **Impact b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.** Proposed Project operation and maintenance activities would use minor amounts of hazardous materials (e.g.,	**HAZ-1: Implement Hazardous Materials Spill Prevention and Containment Measures** The following measures shall be implemented prior to and during construction and shall be incorporated into Proposed Project plans and specifications: • All equipment shall be inspected by the contractor for leaks prior to the start of construction and regularly throughout Project construction. Leaks from any equipment shall be contained and the leak remedied before the equipment is again used on the site. • BMPs for spill prevention shall be incorporated into Project plans and specifications and shall contain measures for secondary containment and safe handling procedures. • A spill kit shall be maintained on site throughout all construction activities and shall contain appropriate items to absorb, contain, neutralize, or remove hazardous materials stored or used in large quantities during construction. • Project plans and specifications shall identify construction staging areas and designated areas where equipment refueling, lubrication, and maintenance may occur. Areas designated for refueling, lubrication, and maintenance of equipment shall be approved by the Judicial Council. • In the event of any spill or release of any chemical or wastewater during construction, the contractor shall immediately notify the Judicial Council. • Hazardous substances shall be handled in accordance with Title 22 of the California Code of Regulations, which	**Implementation:** The Judicial Council and its contractor(s). 1. Comply with all listed measures. **Timing:** Prior to the start of construction and during construction.	The Judicial Council and its contractor(s) shall: 1. Ensure final construction drawings and/or specifications have included all listed measures. 2. Ensure all listed measures are complied with.	**Plan Submittal** Initial: _____ Date: _____	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
fuel, oil) associated with equipment that may be used for routine cleaning and vehicle maintenance. With implementation of **MM HAZ-1** and **HAZ-2**, this impact would be ***less than significant with mitigation.*** **Impact c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.** The Proposed Project site is located 0.1 mile north of SLO Classical High School. As described in item (a) above, the potential for the Proposed Project to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. With the implementation of **MM HAZ-1** and **HAZ-2,** the risk of exposure to hazardous emissions, materials, substances, or waste within 0.25 mile of a school would be reduced to ***less than significant with mitigation***.	prescribes measures to appropriately manage hazardous substances, including requirements for storage, spill prevention and response and reporting procedures.				
Impact a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. the Proposed Project would require demolishing all structures and clearing the site to bare soil; excavation/ trenching; and hauling of soil, debris, and material on- and offsite. Project construction would require the routine transfer, use, storage, or disposal of hazardous materials (e.g., fuel, oil, and lubricants) used during typical construction activities and specifically soil and groundwater that may be contaminated. Implementation of **MM HAZ-1** would reduce the potential for exposure to	**HAZ-2: Implement Recommendations from the Phase II Environmental Site Assessment** The Judicial Council shall ensure that the following recommendations from the Phase II Environmental Site Assessment are incorporated into Proposed Project plans and specifications and are implemented prior to and during construction: • A soil and bedrock management plan (SMP) shall be prepared prior to the start of construction to provide the appropriate mitigation measures to handle and dispose of soil and bedrock during construction. The SMP should include the necessary procedures to protect human health and the environment from the concentrations in	**Implementation:** The Judicial Council and its contractor(s). 1. Implement the SMP to measure specifications. 2. Prepare and implement an ADMP to measure specifications. 3. Prepare and implement a HASP. 4. Dispose of any and all excavated Class I Non-RCRA soil at an appropriate hazardous waste disposal facility.	The Judicial Council and its contractor(s) shall: 1. Ensure the preparation and implementation of an SMP to measure specifications. 2. Ensure the implementation of the ADMP and that it is submitted and approved by SLOAPCD before the start of the project.	**Central Coast RWQCB and San Luis Obispo County EHS Notification** Initial: _____ Date: _____ **SMP** Initial: _____ Date: _____ **ADMP** Initial: _____	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
contaminated soil during transport. **MM HAZ-2** would require preparation of an SMP, compliance with hazardous materials and asbestos regulations and procedures, and appropriate disposal of groundwater encountered during excavation. With implementation of these measures, this impact would be ***less than significant with mitigation***. **Impact b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.** Proposed Project operation and maintenance activities would use minor amounts of hazardous materials (e.g., fuel, oil) associated with equipment that may be used for routine cleaning and vehicle maintenance. With implementation of **MM HAZ-1** and **HAZ-2**, this impact would be ***less than significant with mitigation.*** **Impact c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.** The Proposed Project site is located 0.1 mile north of SLO Classical High School. As described in item (a) above, the potential for the Proposed Project to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. With the implementation of MM HAZ-1 and HAZ-2, the risk of exposure to hazardous emissions, materials, substances, or waste within 0.25 mile of a school would be reduced to ***less than significant with mitigation***.	soil that exceed hazardous waste criteria as well as contingency measures to address the potential for residual petroleum hydrocarbon contamination or underground storage tank (UST) related subsurface features based on the site history. • Soil near borings B-9, EB-3, and EB-5 that is excavated for off-site disposal during construction activities is required to be handled as Class I non-Resource Conservation and Recovery Act (RCRA) hazardous waste and disposed of at an appropriate hazardous waste disposal facility. Throughout the rest of the site, soil and bedrock can likely be handled and disposed of as Class II non-hazardous material at a regulated landfill disposal facility. • During construction and grading activities, the project shall comply with the California Air Resources Board (CARB) Asbestos Airborne Toxic Control Measure (ATCM), which is Title 17 of the California Code of Regulations (17 CCR) Section 93105, for Construction, Grading, Quarrying, and Surface Mining Operations. Prepare and implement an Asbestos Dust Mitigation Plan (ADMP) prior to the start of construction and grading activities, which should be submitted and approved by SLOAPCD before the start of the project. • A detailed health and safety plan (HASP) that outlines the health and safety measures to be implemented during the Project to protect workers, visitors, and the public from the elevated concentrations in the subsurface shall be prepared. The HASP should recommend training as required by the Occupational Safety and Health Administration (OSHA) Standard Hazardous Waste	5. Groundwater encountered during construction in quantities that require its removal from the subsurface, shall be properly discharged to the sanitary sewer under permit with the local public works agency or sanitation district and in accordance with their required pre-treatment and acceptance criteria prior to discharge. 6. Specify and install a waterproofing product directly beneath the new building's foundation and concrete slab that shall also protect against VOCs and vapor intrusion. The waterproofing product shall include appropriate diffusion coefficient testing data to support its use as a VOC vapor barrier membrane to mitigate potential vapor intrusion. 7. Notify the Central Coast RWQCB and San Luis Obispo County EHS prior to any redevelopment activities. The RWQCB and San Luis Obispo County EHS may require additional sampling and testing or further remediation to address the environmental impacts beneath the site. **Timing:** Prior to the start of construction and during construction.	3. Comply with the CARB ATCM which is Title 17 CCR Section 93105, for Construction, Grading, Quarrying, and Surface Mining Operations. and ensure the implementation of a HASP. 4. Ensure final construction drawings and/or specifications have included all listed measures, including specification and installation of the required waterproofing and VOC vapor barrier membrane product. 5. Ensure that contaminated soil and ground water are handled, treated and disposed of in accordance with the mitigation measure.	Date: _____ **HASP** Initial: _____ Date: _____ **Training, if required:** Initial: _____ Date: _____ **Plan Submittal** Initial: _____ Date: _____ **Hazardous Material Waste Manifest:** Initial: _____ Date: _____ **Discharge Permit, if required** Initial: _____ Date: _____	

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
	Operations and Emergency Response (HAZWOPER) guidelines in accordance with Section 1910.120 of 29 Code of Federal Regulations (CFR). The HASP will evaluate the specific personal hygiene protocols and if personal air monitoring is required for workers. • If groundwater is encountered during construction in quantities that require its removal from the subsurface, it shall be properly discharged to the sanitary sewer under permit with the local public works agency or sanitation district. The local permitting agency will determine what amount of pre-treatment will be required prior to discharge based on their acceptance criteria. • The waterproofing product that is installed directly beneath the new building's foundation and concrete slab shall also protect against VOCs and vapor intrusion. The waterproofing product shall include appropriate diffusion coefficient testing data to support its use as a VOC vapor barrier membrane to mitigate potential vapor intrusion. • The Regional Water Quality Control Board (RWQCB) and San Luis Obispo County Environmental Health Service (EHS) must be notified prior to any redevelopment activities. The RWQCB and San Luis Obispo County EHS may require additional sampling and testing or further remediation to address the environmental impacts beneath the site.				
Impact f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Proposed Project would involve permanently closing a portion of Montereypalm Alley and removing one	**TR-1: Develop and Implement a Construction Traffic Management Plan** *See "Transportation" below.*	**Implementation:** The Judicial Council and its contractor(s). 1. Prepare and implement a construction traffic management plan.	The Judicial Council and its contractor(s) shall: 1. Ensure compliance with the construction traffic management plan.	**Plan** Initial: _____ Date: _____ **Plan Implemented**	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
vehicle lane of Toro Street to allow a single direction of vehicle traffic along the east side of the parcel. Additionally, the use of surrounding streets by construction equipment and hauling trucks accessing the site could interfere with emergency access, creating a potentially significant impact. This impact is described in more detail in "Transportation," item (a). The implementation of construction traffic control measures identified in **MM TR-1** would address the potential impact and be ***less than significant with mitigation.***		2. Comply with all traffic management plan measures during construction. **Timing:** Prior to the start of construction and during construction.		Initial: _____ Date: _____	

Hydrology and Water Quality

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Violate any water quality standards, waste discharge requirements (WDRs), or otherwise substantially degrade water quality. Construction of the Proposed Project would involve ground disturbance associated with demolition and excavation, which would loosen soils and could result in erosion and sedimentation. A stormwater pollution prevention plan (SWPPP) would be required because the Proposed Project would involve more than 1 acre of ground disturbance. The implementation of **MM HAZ-1** would require spill containment and impacts on surface water or groundwater quality would be minimized in the event spills do occur. Implementation of **MM HAZ-2** would require preparation of an SMP, compliance with hazardous materials and asbestos regulations and procedures, and appropriate disposal of groundwater encountered during excavation. Operation would require implementation	**HAZ-1: Implement Hazardous Materials Spill Prevention and Containment Measures** **HAZ-2: Implement Recommendations from the Phase II Environmental Site Assessment** *See "Hazards and Hazardous Materials" above.*	**Implementation:** The Judicial Council and its contractor(s). *Refer to "Hazards and Hazardous Materials" MM HAZ-1 and HAZ-2 above.* **Timing:** Prior to the start of construction and during construction.	The Judicial Council and its contractor(s) shall: *Refer to "Hazards and Hazardous Materials" MM HAZ-1 and HAZ-2 above.*	*Refer to "Hazards and Hazardous Materials" above.*	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
of peak stormwater management measures identified in the City's Peak Management Post Construction Requirements (PCRs). Implementation of these federal, State, regional, and local requirements and mitigation measures would ensure that the impact would be ***less than significant with mitigation***. **Impact e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.** The potential for the Proposed Project to violate water quality standards or WDRs or otherwise substantially degrade water quality is described in item (a) above. With implementation of the City's Peak Management PCRs, SWPPP-required BMPs, and **MMs HAZ-1** and **HAZ-2**, the impact of the Proposed Project with regard to water quality control plan compliance would be reduced to ***less-than-significant level with mitigation***.					

Noise

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. Project would generate noises associated with construction activities (e.g., grading and excavation activities) that would temporarily increase noise levels and would cease once construction is complete. The nearest sensitive receptors are residences located adjacent to the	**NOI-1: Implement Construction Noise Reduction Measures** 1. To the extent feasible, contractor shall restrict the operation of noise-generating equipment to 7:00 a.m.–7:00 p.m., Monday through Friday, with approval from the Judicial Council required for nighttime or weekend work. 2. Temporary sound barriers should be installed when construction equipment is operating within 60 feet of an adjacent property containing buildings.	**Implementation:** The Judicial Council and its contractor(s). 1. Comply with noise reduction measures to measure specifications. **Timing:** Prior to the start of construction and during construction.	The Judicial Council and its contractor(s) shall: 1. Ensure final construction drawings and/or specifications have included all listed measures. 2. Ensure compliance with all noise reduction measures to measure specifications.	**Plan Submittal** Initial: _____ Date: _____ **Construction Related Noise Reduction Strategies Implemented** Initial: _____ Date: _____	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Proposed Project site at 12 Montereypalm Alley and 959 Toro Street. Equipment operating in the middle of the Proposed Project site would not exceed the significant threshold for construction noise of 90 A-weighted decibels (dBA). When the equipment is operating near the edges of the Proposed Project site, the impact to sensitive receptors could be potentially significant especially for the residences located adjacent to the Proposed Project site. Implementation of **MM NOI-1** will reduce the impact to ***less than significant with mitigation***.	3. All noise-producing project equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed "package" equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise-control features that are readily available for those types of equipment. 4. Mobile noise-generating equipment and machinery shall be shut off when not in use.				
Impact b. Generation of excessive groundborne vibration or groundborne noise levels. The nearby residential buildings are of older construction and may be susceptible to vibration damage if construction equipment operates within 36.3 feet. While this would only possibly occur for equipment operating at the very far edge of the Proposed Project site, the impact would be significant. Occupants of buildings adjacent to the Proposed Project site may be within the noise annoyance threshold of 80 vibration velocity in decibels (VdB). **MM NOI-2** will be implemented and reduce the impact to ***less than significant with mitigation***.	**NOI-2: Minimize Construction Noise Vibration.** The contractor shall implement the following measures to minimize vibration noises to nearby sensitive receptors. • Monitor adjacent residential buildings at 959 Toro Street and 12 Montereypalm Alley for vibration damage. • Route heavily loaded trucks away from residential streets if possible. Select streets with the fewest homes if no alternatives are available. • To the extent possible, operate earth-moving equipment on the Proposed Project site as far away from vibration-sensitive sites as possible. • Phase construction activities such that vibration-intensive activities do not occur at the same time. • Avoid nighttime activities.	**Implementation:** The Judicial Council and its contractor(s). 1. Comply with noise reduction measures to measure specifications. **Timing:** During construction.	The Judicial Council and its contractor(s) shall: 1. Ensure compliance with all noise reduction measures to measure specifications.	**Construction Related Noise Reduction Strategies Implemented** Initial: _____ Date: _____	Incomplete

Public Services

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a.ii. Result in adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities. – Police Protection. The Proposed Project would not increase the population as a result of new housing; therefore, the Proposed Project would not require additional police department staffing to maintain its officer-to-population service ratio. Increased traffic associated with demolition and construction may result in an increased possibility of traffic incidents, which would result in additional calls to law enforcement. Implementation of **MM TR-1** would require a construction traffic management plan that would reduce the impact to ***less than significant with mitigation***.	**TR-1. Develop and Implement a Construction Traffic Management Plan.** *See "Transportation" below.*	**Implementation:** The Judicial Council and its contractor(s). 1. Prepare and implement a construction traffic management plan. 2. Comply with all traffic management plan measures during construction. **Timing:** Prior to the start of construction and during construction.	The Judicial Council and its contractor(s) shall: 1. Ensure compliance with the construction traffic management plan.	**Plan** Initial: _____ Date: _____ **Plan Implemented** Initial: _____ Date: _____	Incomplete

Transportation

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Conflict with applicable circulation plans, ordinances, or policies and applicable congestion management programs. The Proposed Project would involve demolition of the existing County-owned property at 1144 Monterey Street and residential property at 969 Toro Street. Following demolition, construction of the new courthouse would occur at 1144 Monterey Street and extend north to include a portion of	**TR-1. Develop and Implement a Construction Traffic Management Plan.** The Judicial Council shall require that the construction contractor develop and implement a construction traffic management plan for the Proposed Project site. The plan will clearly identify how access for emergency vehicles will be maintained to and around the site during construction. The plan will also describe how access and circulation for pedestrians,	**Implementation:** The Judicial Council and its contractor(s). 1. Prepare and implement a construction traffic management plan. 2. Comply with all traffic management plan measures during construction.	The Judicial Council and its contractor(s) shall: 1. Ensure compliance with the construction traffic management plan.	**Plan** Initial: _____ Date: _____ **Plan Implemented** Initial: _____ Date: _____	Incomplete

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Montereypalm Alley, the southbound westerly lane of Toro Street, and the residential property. Activities taking place during the demolition/construction phase would likely have short-term impacts to the surrounding transportation system. This may include additional truck traffic, temporary street closures, partial lane closures, and/or traffic detours. Implementation of **MM TR-1** would reduce the potential for conflict with circulation plans, ordinances or policies or applicable congestion management programs to ***less than significant with mitigation***. Operation of the courthouse would involve some modifications to traffic circulation in the immediate vicinity of the site; final site design review together with the City's Resolution No. 11437 committing to work with the Judicial Council in this regard would avoid potential conflicts with circulation plans, ordinances or policies or applicable congestion management programs. **Impact d. Inadequate emergency access.** Project-related construction activities would obstruct, modify, and/or delay emergency access to and around the site. Implementation of **MM TR-1**, described in item (a) above, would reduce the impact to ***less than significant with mitigation.*** Courthouse operations would be subject to local Fire Department and Office of the State Fire Marshall review and approvals, therefore, confirming to maintain acceptable emergency access.	cars, cyclists, and transit will be maintained around the site during construction.	**Timing:** Prior to the start of construction and during construction.			

Tribal Cultural Resources

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 … with cultural value to a California Native American tribe, and that is: **i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).** **ii. A resource determined by the lead agency to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.** No tribal cultural resources were identified at the Proposed Project site by any of the tribes who are consulting with the Judicial Council pursuant to Assembly Bill (AB) 52. Nevertheless, buried Native American materials, including human remains, that would be considered tribal cultural resources could be exposed during Project construction. Implementation of **MMs CR-1 through CR-3** and **TCR-1** would ensure that impacts on tribal cultural resources would be ***less than significant with mitigation.***	**CR-1: Provide Cultural Resources Sensitivity Training and Monitoring** **CR-2: Prepare and Implement an Archaeological and Tribal Cultural Resources Treatment Plan** **CR-3: Implement Response Protocol for the Unanticipated Discovery of Human Remains** *See "Cultural Resources" above.* **TCR-1: Prepare a Burial Treatment Plan** The Judicial Council shall work in collaboration with consulting Native American tribes to develop a Burial Treatment Plan prior to the onset of construction, which will establish protocols for treating Native American human burials, should they be found during Project construction. Under these protocols, the responsibility for identifying ancestral burials and funerary objects would fall to the Native American MLD named by the Native American Heritage Commission. The treatment plan will take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, and final disposition of the human remains and associated or unassociated funerary objects.	**Implementation:** The Judicial Council and its contractor(s). 1. Prepare a Burial Treatment plan. 2. Should Native American human burial be found during Project construction, implement all Burial Treatment Plan protocols. *Refer additionally to "Cultural Resources" MMs CR-1, CR-2, and CR-3 above.* **Timing:** Prior to ground disturbing activities and during construction. During construction and Native American human remains are found.	The Judicial Council and its contractor(s) shall: *Comply with "Cultural Resources" MMs CR-1, CR-2, and CR-3 above and:* 1. Ensure final construction drawings and/or specifications have included tribal cultural resources mitigation. 2. Comply with all Burial Treatment Plan protocols during construction.	**Training Plan** Initial: _____ Date: _____ **Training** Initial: _____ Date: _____ **ATCR-TP (Plan)** Initial: _____ Date: _____ **Plan Submittal** Initial: _____ Date: _____ **Documentation, if required** Initial: _____ Date: _____	Incomplete

Utilities and Service Systems

Impact	Mitigation Measure	Implementation Responsibility/Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Require the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental effects. Although the existing 15-inch sewer main serving the project site has sufficient capacity to accommodate the increased flow of the proposed project and the project site is located outside of the City's published 2016 Wastewater Collection System Peak Wet Weather Capacity Constrained Areas Due to Inflow and Infiltration ("I/I Constrained Area"), the downstream sewer collector within the I/I Constrained Area is unable to handle flows during storm events, causing sewer flow to back up to manholes. **MM USS-1** would contribute proportionate funds representing the project's increase in wastewater flow to the sewer collection system through a one-time payment by the Judicial Council to contribute to the City upgrading the collection system to address the deficient downstream service level. This impact would be ***less than significant with mitigation***.	**USS-1. Pay Project's "Fair Share" of Wastewater Collection System (Sewer) Upgrade** The Judicial Council shall make a one-time payment to the City of San Luis Obispo, representing the mutually agreed to amount of the Project's proportionate "Fair Share" to upgrade the downstream wastewater collection system (sewer) to better accommodate increased Inflow and Infiltration flows in an already deficient portion of the City's sewer system. The Project's "Fair Share" will be calculated based on its proportionate share of total wastewater contribution to the downstream wastewater collection system. The City of San Luis Obispo shall be responsible for the design and construction of any future upgrades to the off-site sewer downstream wastewater collection system.	**Implementation:** The Judicial Council. **Timing:** Following State Public Works Board's approval of the proposed project site for acquisition from the County of San Luis Obispo and prior to conclusion of Site Acquisition project activities.	The Judicial Council shall make a one-time payment to the City of San Luis Obispo.	**Fee Payment** Initial: _____ Date: _____	Incomplete

Wildfire

Impact	Mitigation Measure	Implementation Responsibility/ Timing	Monitoring Responsibility	Verified Implementation	Status
Impact a. Substantially impair an adopted emergency response plan or emergency evacuation plan. The Proposed Project is located at the intersection of Monterey Street, a well-used local road, and Toro Street. Project construction would require the use of both streets for construction workers and equipment to access the site. Should the construction period coincide with an emergency, construction could result in delays and contribute to temporary impairment of an emergency response plan or evacuation plan. **MM TR-1** would ensure that a plan for management of construction traffic would be implemented and help to minimize potential impacts and maintain adequate traffic flow and access for emergency vehicles. This impact would be ***less than significant with mitigation.***	**TR-1. Develop and Implement a Construction Traffic Management Plan** *See "Transportation" above.*	**Implementation:** The Judicial Council and its contractor(s). 1. Prepare and implement a construction traffic management plan. 2. Comply with all traffic management plan measures during construction. **Timing:** Prior to the start of construction and during construction.	The Judicial Council and its contractor(s) shall: 1. Ensure compliance with the construction traffic management plan.	**Plan** Initial: _____ Date: _____ **Plan Implemented** Initial: _____ Date: _____	Incomplete

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