Letter 2

COMMENTOR: Andy Mutziger, Air Pollution Control District (APCD), County of San Luis Obispo

DATE: September 22, 2003

RESPONSES:

Response 2A:

Table 4.2-1 has been updated. See page 4 in Section 3.0. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2B:

Table 4.2-2 has been updated. See page 4 in Section 3.0. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2C:

The discussion regarding the APCD significance thresholds on page 4.2-5 of the Draft EIR has been revised. See page 4 in Section 3.0.

Response 2D:

The commentor recommends that a mitigation measure that allows for density bonuses to be granted to developers be included to encourage denser development and reduce vehicle miles traveled. The Draft EIR includes proposed General Plan policies that would act as mitigation measures to reduce the potential impacts to a less than significant level. The proposed General Plan includes mixed use development, higher densities spread through the City, and other opportunities for providing additional density, including second units. These would appear to fulfill the intent of the commentor.

Response 2E:

The commentor recommends that mitigation be included in the form of a Policy Action Item that encourages buildings that will allow telecommuting, teleconferencing, and telelearning wiring/cabling to reduce vehicle trips. The Draft EIR currently contains General Plan policies that serve as mitigation measures to reduce potential impacts to a less than significant level. The recommendation for additional mitigation has been conveyed to the City Council but is not necessary to fulfill the requirements of this CEQA document.

Response 2F:

The commentor recommends revising mitigation in the form of a Policy Action Item to include specific construction equipment requirements to reduce construction based fugitive dust emissions. The Draft EIR currently contains General Plan policies that serve as mitigation
measures to reduce potential impacts to a less than significant level. The City refers all individual development projects that require environmental review to the APCD for their comment and to ensure that the project complies with APCD standards and state laws regarding air pollution.

Response 2G:

The commentor recommends adding an Action Item that requires projects that involve grading to comply with the State Air Resources Board Air Toxics Control Measure (ATCM). The Draft EIR includes proposed General Plan policies that serve as mitigation measures to reduce potential impacts to a less than significant level. The City refers all individual development projects that require environmental review to the APCD for their comment and to ensure that the project complies with APCD standards and state laws regarding air pollution.

Response 2H:

The commentor recommends adding an Action Item that requires the City to provide incentives for “green” projects. The Draft EIR currently contains General Plan policies that serve as mitigation measures to reduce potential impacts to a less than significant level. The recommendation for additional action items will be considered by the City Council prior to adoption of the General Plan but is not necessary to fulfill the requirements of this CEQA document.

Response 2I:

The commentor recommends adding an Action Item that requires the City to encourage residential projects that eliminate cul-de-sac and dead-end streets. The Draft EIR currently includes General Plan policies that serve as mitigation measures to reduce potential impacts to a less than significant level. From a practical standpoint, this issue is best addressed on a project-by-project basis, implementing the recommendations of the accompanying traffic analysis. The recommendation for additional action items will be considered by the City Council prior to adoption of the General Plan but is not necessary to fulfill the requirements of this CEQA document.

Response 2J:

The commentor recommends that Action Item 10 under Policy CE-1A be renumbered to Action Item 2. The Action Item numbers in each section of the Draft EIR correspond to their numbers in Appendix B “General Plan Update Draft Goals, Policies, and Action Items.”

The commentor also recommends that the Action Item be revised to include telework, teleconferencing, and telelearning options. The Draft EIR includes General Plan policies that serve as mitigation measures to reduce potential impacts to a less than significant level. The recommendation for additional action items will be considered by the City Council prior to adoption of the General Plan but is not necessary to fulfill the requirements of this CEQA document.
Response 2K:

See first part of response 2J.

Response 2L:

The commentor recommends revising the language of Air Quality Impact AQ-2 to specify that the “operational” air quality impacts of individual projects will depend upon characteristics of the projects. The impact language is correct in the Draft EIR because it is referring to all air quality impacts.

Response 2M:

The commentor challenges the designation of Impact AQ-2 as Class III, less than significant, and recommends that it be changed to Class II, significant but mitigable. Impact AQ-2 refers to the air quality impacts of individual projects. The significance of project-specific impacts cannot be determined at this time because they depend on the characteristics of the individual projects. General impacts projects will be reduced to a less than significant level by the implementation of policies already contained in the Clean Air Plan (CAP) and mitigation described for other impacts.

Response 2N:

The commentor recommends making changes to the text of the Air Quality section to account for the changes to Impact AQ-2 and the District’s NOx and ROC thresholds. Changes to Impact AQ-2 have not been made. See response 2M. The discussion of NOx and ROC thresholds has been revised. See page 5 in of Section 3.0.

Response 2O:

The second sentence in the first paragraph under Air Quality Impact AQ-3 has been modified accordingly. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2P:

The last sentence in the first paragraph under Air Quality Impact AQ-3 has been modified accordingly. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2Q:

The first sentence in the second paragraph under Air Quality Impact AQ-3 has been modified accordingly. This revision does not affect the environmental analysis contained in the Draft EIR.
Response 2R:

The third paragraph under Air Quality Impact AQ-3 has been modified accordingly. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2S:

The discussion under Mitigation Measure AQ-3a has been modified accordingly. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2T:

Mitigation Measure AQ-3a has been modified accordingly. This revision does not affect the environmental analysis contained in the Draft EIR.

Response 2U:

The commentor recommends additional refinement of Impact AQ-3. The Draft EIR includes proposed General Plan policies that serve as mitigation measures to reduce potential impacts to a less than significant level. This language will be considered by the City Council prior to adoption of the General Plan but is not necessary to fulfill the requirements of this CEQA document.

Response 2V:

The commentor recommends that Mitigation Measure AQ-3(b) be modified. The mitigation measure as stated in the Draft EIR is more strict in that it requires best available control technology for construction equipment (CBACT) to be applied “during any proposed construction” whether it exceeds the APCD threshold or not and that CBACT be applied “based on APCD standards.” The City refers all individual development projects that require environmental review to the APCD for their comment and to ensure that the project complies with APCD standards and state laws regarding air pollution. The recommendation for additional mitigation will be considered by the City Council prior to adoption of the General Plan but is not necessary to fulfill the requirements of this CEQA document.

Response 2W:

The commentor recommends that Mitigation Measure AQ-3(c) be placed before Mitigation Measure AQ-3(b). The order to mitigation measures does not have any bearing on their importance or implementation.