



New San Luis Obispo Courthouse

Final Initial Study / Mitigated Negative Declaration

Prepared for:
Judicial Council of California

OCTOBER 2025

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1.0 Introduction

This Final Initial Study / Mitigated Negative Declaration (Final IS/MND) has been prepared in accordance with Public Resources Code Section 21000 et seq., the California Environmental Quality Act (“CEQA”) and in accordance with the Guidelines for Implementation of CEQA (14 CCR 15000 et seq.) to evaluate the New San Luis Obispo Courthouse Project (Proposed Project) at a project level (CEQA Guidelines Section 15378). The Judicial Council of California (Judicial Council), as the lead agency under CEQA, will use this Final IS/MND, incorporating the IS/MND and the Partially Recirculated IS/MND, the comments received and applicable responses, the Mitigation Monitoring and Reporting Program (“MMRP”), and all other relevant information contained in the record for the Project when considering whether to approve the Project. This Final IS/MND meets CEQA content requirements by including a project description; descriptions of the existing environmental setting, potential environmental impacts, and mitigation measures for any potentially significant impacts.

1.1 Proposed Project

The Judicial Council has prepared this Final IS/MND to address the environmental effects of the Proposed Project, which 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.

1.2 Determination

Based on the analysis provided in this Final IS/MND, the Judicial Council finds that there is no substantial evidence that the Project with mitigation incorporated will have a significant effect on the environment. This Final IS/MND considers all public comments on the IS/MND and Partially Recirculated IS/MND and includes text edits that clarify or expand upon discussions in the IS/MND. These changes and additions to the IS/MND do not raise new, important issues related to significant impacts on the environment. The Judicial Council finds that the updated mitigation measure will more effectively reduce

potential resource impacts and that it will not cause any potentially significant effects on the environment.

Following partial recirculation, there were no additional modifications to the document that constitute a significant change or significant new information. Therefore, additional recirculation is not required.

1.3 Organization of this Document

This Final IS/MND has been prepared in accordance with the requirements of CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations [CCR] Section 15000 et seq.), and it includes the following:

- **Section 1:** An introduction to the Final IS/MND, including the Judicial Council's findings.
- **Section 2:** A summary of public and agency comments received on the IS/MND and Partially Recirculated IS/MND, including details on distribution and acknowledgement or responses to comments received.
- **Section 3:** Modifications to the IS/MND (none of which raise new, important issues related to significant impacts).

Appendices:

- **Appendix A. Initial Study/Mitigated Negative Declaration**
- **Appendix B. Partially Recirculated Initial Study/Mitigated Negative Declaration**

2.0 Public and Agency Comments

2.1 Distribution of the IS/MND

In accordance with the CEQA statutes and Guidelines, the IS/MND was circulated for the minimum period of 30 days for review and comment. The IS/MND was originally circulated for a 30-day public review beginning on May 15, 2025 and ending on June 13, 2025 and the 30-day state agency review period starting on May 19, 2025 and ending on June 17, 2025.

The Judicial Council received a comment letter from the City of San Luis Obispo (City) on the IS/MND identifying new information that, in accordance with CEQA Guidelines Section 15088.5, the Judicial Council determined merited recirculation of portions of the IS/MND. The Partially Recirculated IS/MND was circulated for 30 days, ending on October 3, 2025.

The IS/MND and the Partially Recirculated IS/MND were available for review at the Judicial Council office by scheduled appointment at 455 Golden Gate Avenue, San Francisco, CA 94102-3688 during business hours (Monday through Friday 8:00 a.m. to 4:30 p.m.). Both documents were also available for review at the San Luis Obispo Library at 955 Palm Street, San Luis Obispo, CA 93403 during regular business hours (varies by weekday). The IS/MND and the Partially Recirculated IS/MND were also available for review online at:

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

In addition, the IS/MND and the Partially Recirculated IS/MND were filed with the State Clearinghouse (No. 2025050800) and San Luis Obispo County Clerk. A public meeting was held for the Proposed Project on June 5, 2025.

2.2 Comments on the IS/MND

During the public review periods, responsible agencies and the public had an opportunity to provide written comments on the information contained within the IS/MND. These comments are included in the record and will be considered by the Judicial Council to determine whether approval should be granted for the Proposed Project. As stated in Section 15074(b) of the State CEQA Guidelines, prior to approving a project, the Lead Agency must consider the proposed IS/MND together with any comments received during the public review process. Consistent with Public Resources Code Section 21064.5, a project would only be approved if the Judicial Council finds that “there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.”

The Judicial Council received one comment letter during the IS/MND review period:

- City of San Luis Obispo Community Development submitted a letter dated June 12, 2025.

Following receipt of the City's comment letter, the Judicial Council met with the City representative identified in the letter and Scott Collins, Assistant City Manager, to generally discuss the City's letter and specifically gather further information regarding the need for off-site improvements to the sewer system. Based on the information provided, 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 portions of the IS/MND.

2.3 Comments on the Partially Recirculated IS/MND

During the recirculation public review period, responsible agencies and the public had an opportunity to provide written comments on the information contained within the Partially Recirculated IS/MND.

The Judicial Council received no comments during the Partially Recirculated IS/MND review period.

3.0 Modifications to the IS/MND

This section of the Final IS/MND documents changes and additions made to the IS/MND to clarify or add information. This includes the additional information provided in Section 2 in response to comments. Only paragraphs, tables, or figures wherein text was deleted or added are included in this section. The symbol “[...]” denotes where text is skipped between other text that contains edits. Deleted text is marked as ~~strikeout~~ (example), and new text is marked as underlined (example). Table and section references included in the following text refer to respective items from the IS/MND.

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“Acronyms and Abbreviations” (page v)

[...]	
cf	cubic feet
<u>cfs</u>	<u>cubic feet per second</u>
CFR	Code of Federal Regulations
[...]	
G	
GHG	greenhouse gas
GIS	geographic information system
<u>gph</u>	<u>gallons per hour</u>
<u>gpm</u>	<u>gallons per minute</u>
<u>gpy</u>	<u>gallons per year</u>
GPR	ground-penetrating radar
[...]	
I	
IEPR	Integrated Energy Policy Report
IFC	International Fire Code
<u>I/I</u>	<u>Inflow and Infiltration</u>
<u>I/I Constrained Area</u>	<u>Wastewater Collection System Peak Wet Weather Capacity Constrained Area Due to Inflow and Infiltration</u>
in/sec	inches per second
[...]	
S	
SB	Senate Bill
SCCAB	South Central Coast Air Basin
<u>Sewer</u>	<u>Wastewater Collection System</u>

SHMA	Seismic Hazards Mapping Act
[...]	
SO ₂	sulfur dioxide
<u>SoCalGas</u>	<u>Southern California Gas Company</u>
State	State of California
[...]	

Chapter 2, Project Description

Section 2.4.1, “Proposed Project Facilities” (page 2-13)

Electricity

Electrical service [...] 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.

Section 3.11, “Land Use and Planning”

b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Less than Significant) (page 3-120)

[...] Although the Proposed Project may exceed ~~applicable~~ the City’s development standards such as height restrictions, the Downtown Concept Plan in particular anticipates that the block containing the Proposed Project would be the site of a multi-story county office building with parking (City of San Luis Obispo 2017).

Section 3.19, “Utilities and Service Systems”

Section 3.19.2, “Environmental Setting” [...] (page 3-172)

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).

[...]

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).

Section 3.19.3, "Discussion of Checklist Responses (page 3-173)

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 1,015² 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.

[...]

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 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 be 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*.

Section 3.19.4, “Mitigation Measures” (page 3-175)

~~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.

Section 3.21, “Mandatory Findings of Significance”***b. Cumulative Impacts (Less than Significant with Mitigation)*** (page 3-184)***[...] 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
<i>Planning Review</i>		
466 Dana Waterman Village	466 Dana Street	Residential development consisting of 20 affordable residences on the property of the Rosa Butrón Adobe.
<u>Rossi Development³</u> <i>(Yet to be posted to website as of June 25, 2025)</i>	<u>1111 Higuera Street</u>	<u>Residential development of multiple residences.</u>
<i>Building Submittal</i>		
<u>SLO Repertory Theatre</u>	<u>888 Morro Street</u>	<u>Development of a two-story, 23,344-square-foot commercial space for the SLO Repertory Theater.</u>
<i>Building Review</i>		
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.
<u>Motel Inn</u>	<u>Easternmost end of Higuera Street</u>	<u>Revised design of the historic Motel Inn. Development consists of 83 hotel rooms, 27 bungalow guestroom buildings, and hotel amenities.</u>

³ 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.
<i>Under Construction</i>		
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.
<u>1422 Monterey Street, Building 1</u>	<u>1422 Monterey Street</u>	<u>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.</u>
<u>1422 Monterey Street, Building 2</u>	<u>1422 Monterey Street</u>	<u>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.</u>
<u>1422 Monterey Street, Triplex</u>	<u>1422 Monterey Street</u>	<u>Part of phased 1422 Monterey Street Development. Development consists of three affordable units.</u>

[...]

Analysis of Cumulative Impacts (page 3-186)

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*.

Appendix A

Initial Study/Mitigated Negative Declaration

Available at:

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

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Appendix B

Partially Recirculated Initial Study/ Mitigated Negative Declaration

Available at:

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

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