Project Title & No.: LFOA Inc. Industrial Conditional Use Permit / Coastal Development Permit ED19-092 (DRC2017-00057)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ 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.

☐ 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.

Cindy Chambers,	Cynthia Chambers Digitally signed by Cynthia Chambers DN: C=US, E=cchambers@co.slo.ca.us, O=County of San Luis Obispo, OU=Planning & Building, CN=Cynthia Chambers Date: 2020.02.13 16:20:49-08'00'	Planner III	February 13, 2020
Prepared by (Print)	Signature		Date
Lacey Minnick	Lacey Minnick Digitally signed by Lacey Minnick DN: C=US, E=lminnick@co.slo.ca.us, O=County of San Luis Obispo, OU=Planning and Building, CN=Lacey Minnick Reason: I have reviewed this document Date: 2020.02.13 16:57:23-08'00'	Supervising Planner	
Reviewed by (Print)	Signature		Date

Initial Study – Environmental Checklist

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The County Planning Department uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Planning Department, 976 Osos Street, Rm. 200, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. Project

DESCRIPTION: A request by Gary Bagnall for a Conditional Use Permit/Coastal Development Permit (CUP/CDP) to allow for the phased construction of approximately 140,000 square feet of industrial floor area in two metal buildings on a 9.11-acre parcel. The light-industrial warehouse facility would be comprised of two structures each containing three sub-buildings and be used for storage, re-packaging, and wholesale distribution of pet supplies. Construction would occur over two phases and would remove approximately 5.91 acres of eucalyptus trees and disturb approximately 7.97 acres of the 9.11-acre site. Offsite improvements include road widening along frontage of Winterhaven Way and Willow Road. The Willow Road widening includes area within the Coastal Zone. The proposed project is within the Industrial land use category and is located at 654 Winterhaven Way, at the northwest corner of Willow Road and Winterhaven in the Callender-Garrett Village Reserve, approximately 3.5 miles west of the community of Nipomo. The site is in the South County Inland Sub Area of the South County Planning Area, with offsite improvements extending into the South County Coastal Planning Area.

Phase I would include removing existing residential structures, removing approximately 2.50 acres of eucalyptus trees, grading the northern half of the site, constructing two sub-buildings totaling 46,500 square feet of floor area with associated driveway access and parking, and completing offsite improvements on the northern portion of Winterhaven Way. Phase II would include removing approximately 3.41 acres of eucalyptus trees, constructing four sub-buildings totaling 93,500 square feet of floor area with associated driveway access and parking, and completing improvements on the southern portion of Winterhaven Way and Willow Road. Phase I would result in approximately 18,500 cubic yards of cut and 17,300 cubic yards of fill, and Phase II would result in approximately 20,600 cubic yards of cut and 19,700 cubic yards of fill. Total earthwork is approximately 76,000 cubic yards of cut and fill.

Additional onsite improvements would include installing a new well and septic system, developing parking lots and driveways, planting landscaping, and constructing stormwater retention basins. Offsite improvements include utility upgrades with pole relocation, and road widening improvements along Willow Road and Winterhaven Way. Although the parcel is outside of the Coastal Zone, the property's Willow Road frontage abuts the Coastal Zone boundary extending over the Willow Road right-of-way, such that the project's required offsite improvements on Willow Road would require a Coastal Development Permit.

Initial Study – Environmental Checklist

ASSESSOR PARCEL NUMBER(S): 091-402-006

Latitude: 35º02'54" N **Longitude:** 120º35'13"W **SUPERVISORIAL DISTRICT #** 4

B. Existing Setting

Plan Area: South County **Sub:** South County Inland
South County Coastal **Comm:** Callender-Garret

Land Use Category: Industrial

Combining Designation: Coastal Appealable Zone

Parcel Size: 9.11 acres

Topography: Gently sloping

Vegetation: Coastal scrub; Eucalyptus trees

Existing Uses: Single-family residence(s)

Surrounding Land Use Categories and Uses:

North: Industrial; industrial uses & undeveloped

East: Residential Suburban; single-family residence(s)

South: Industrial; industrial uses & undeveloped

West: Industrial; residential industrial uses
single-family residence(s)

C. Environmental Analysis

The Initital Study Checklist provides detailed information about the environmental impacts of the proposed project and mitigation measures to lessen the impacts.

Initial Study – Environmental Checklist

I. AESTHETICS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:					
(a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
(c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

CEQA establishes that it is the policy of the state to take all action necessary to provide people of the state "with… enjoyment of aesthetic, natural, scenic and historic environmental qualities" (Public Resources Code Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project's potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic highways within the county. State Route ("SR") 1 is an Officially Designated State Scenic Highway and All American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary.

Initial Study – Environmental Checklist

The County of San Luis Obispo Inland Land Use Ordinance ("LUO") establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

The LUO also maps portions of the Salinas River Highway Corridor, the San Luis Obispo Highway Corridor, and the South County Highway Corridor to comply with County highway corridor design standards. These standards include but are not limited to setbacks from highway rights-of-way, guidelines for development along ridgelines, limitations on graded slopes, protection of landmark features, and standards for building height and color (LUO 22.10.095).

The County of San Luis Obispo LUO defines a Sensitive Resource Area ("SRA") combining designation that applies to areas having high environmental quality and special ecological or educational significance. These designated areas are considered visual resources by the County and the LUO establishes specific standards for projects located within these areas. These standards include but are not limited to set back distances from public viewpoints, prohibition of development that silhouettes against the sky, grading slope limitations, set back distances from significant rock outcrops, design standards including height limitations and color palette, and landscaping plan requirements.

In addition to policies set forth in the LUO, the County Conservation and Open Space Element ("COSE") provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The COSE provides a number of goals and policies to protect the visual character and identity of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways, retaining existing access to scenic vista points, and ensuring that new development in urban and village areas are consistent with the local character, identify, and sense of place.

The proposed project would be sited on a 9.1-acre parcel in rural south San Luis Obispo County on the Nipomo Mesa, approximately 2.5 miles east of the Pacific Ocean. The site is relatively flat, sloping from 0% to 9% towards the north, with an elevation ranging from 0 to 15 feet above mean sea level. The site is primarily populated with eucalyptus trees, poison oak, grasses, and ruderal vegetation. Historically, the site has been occupied by a single-family residence in the northeast section of the parcel. The project site and the parcels to the west, south, and immediate north are within the Industrial land use category, with Residential Suburban land uses to the east. Existing surrounding uses include a storage facility to the west; CAL FIRE Station No. 22, Recreational Vehicle ("RV") storage, and a recycling facility to the south (across Willow Road); custom packaged wastewater equipment manufacturing to the north; and rural residential parcels to the east (across Winterhaven Way). The interior of the site is almost entirely screened by a dense woodland of eucalyptus trees. The project site immediately abuts Willow Road/SR 1 to the south and is visible to drivers traveling east or west; however, this section of Willow Road/SR 1 is not a designated or eligible scenic highway.

Discussion

(a) Have a substantial adverse effect on a scenic vista?

While immediately visible from a public road, the project is not located within an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality displaying good aesthetic and compositional values that would be seen from key public viewpoints. The eucalyptus bordering the site are characteristic of similar landscaping and ornamental trees lining this section of Willow Road/SR 1 and other rural roads in the surrounding area. The project proposes to retain approximately 30 to 50 feet of the existing tree buffer of eucalyptus and would further enhance the border with native trees and landscaping. By maintaining a visual screen and by enhancing the existing eucalyptus buffer along Willow Road/SR 1, the project would not have a substantial adverse effect on a scenic vista; therefore, impacts would be *less than significant*.

(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The project would be located along a section of SR 1 that is not a designated or eligible state scenic highway. Implementation of the project would not damage scenic resources within a state scenic highway; therefore, there would be *no impact.*

(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The subject project site is uniquely characterized by a dense woodland of eucalyptus surrounded primarily by suburban residents to the north, west and east. Other uses to the south across Willow Road/SR 1 include CAL FIRE Station No. 20, RV storage, a recycling facility, and the Conoco Phillips Santa Maria Facility. Located within the Industrial land use category, the project would develop two light industrial facilities that would be used for storage, repackaging and wholesale distribution of pet supplies. Architecturally, the proposed structures would be designed to fit in with the rural character of the surrounding properties by incorporating sloped roofs with overhangs, articulated facades, metal siding, and muted red paint for an agricultural barn style. The site grading in Phase II would lower the building pad and parking along the Willow Road frontage between ten and twenty feet below the grade of the highway, reducing the building mass and screening parking from the highway corridor.

As discussed previously, the project proposes to remove eucalyptus trees, mostly within the interior portion of the parcel. Eucalyptus are non-native and are not considered a scenic resource. The eucalyptus trees located along Willow Road/SR 1 would be retained in a 30-foot-wide buffer for visual screening and for habitat enhancement. Additional landscaping would add native trees and shrubs to the existing eucalyptus buffer to remain, providing additional visual screening from Willow Road/SR 1. These proposed improvements are consistent with the existing setting and would not result in a noticeable difference in the views of the surrounding area. Implementation of the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings; therefore, impacts would be *less than significant*.

(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The project proposes to construct two light industrial facilities with operations occurring from 7:00 a.m. to 5.00 p.m. Building material would consist of metal siding with non-reflective, muted red paint. Standard security lighting may be used around the facility for safety; however, the project does not propose any evening or nighttime activities that would otherwise result in night lighting. Any outdoor lighting used would be subject to Section 22.10.060 of the LUO, requiring all exterior lighting be designed to minimize intensity and to be shielded to block the light source from the view of surrounding uses. Photovoltaic panels are proposed to be installed on the roofs but would be naturally screened by the eucalyptus trees and proposed landscaping. Adherence with the County's LUO for lighting and through natural screening, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and impacts would be *less than significant.*

Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Based on the site design, architecture, grading and landscaping, potential impacts to aesthetic resources would be less than significant and no mitigation measures would be necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

II. AGRICULTURE AND FORESTRY RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☒	☐
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☒	☐

Setting

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The County of San Luis Obispo Agriculture

Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county.

The California Department of Conservation's Farmland Mapping and Monitoring Program ("FMMP") produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered 'agricultural land'. Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The project is located in the Industrial land use category in a predominantly non-agricultural area with no current or historic agricultural activities occurring on the property or immediate vicinity. The project site is not within an Agriculture Preserve or under Williamson Act contract. The project is designated as Other Land by the FMMP. The project site is entirely underlain by Oceano sand (0 - 9 % slope), a nearly level to gently sloping sandy soil that is considered well drained. The soil is characterized as having a low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated (NRCS 2019).

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

Discussion

(a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Soils within the project development area are classified as Other Land pursuant to the FMMP. The site is currently occupied by a eucalyptus woodland and historically has not been used as farmland or supported agricultural activities. The site is within the Industrial land use category and is primarily surrounded by suburban development. Based on the site's FMMP classification as Other Land, the existing site conditions and historical uses, surrounding uses, and land use designation, the site is not suitable for future agricultural uses and *no impacts* associated with the conversion of Farmland to a non-agricultural would occur.

(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is within the Industrial land use category and does not include land within the Agriculture land use designation or land subject to a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts* would occur.

(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

The project site is within the Industrial land use category and does not include land use designations or zoning for forest land or timberland; *no impacts* would occur.

(d) Result in the loss of forest land or conversion of forest land to non-forest use?

The project site is currently covered with a non-native eucalyptus woodland that was established in the 1900s as part of a larger eucalyptus plantation. Historically, eucalyptus trees were planted throughout California as a renewable lumber source; however, eucalyptus is generally considered unsuitable for lumber and plantations have since ceased (see V. Cultural Resources). Prior to the eucalyptus trees being established, this area was primarily dominated by the coastal sage plant community. The project proposes to remove up to 5.91 acres of the 7.05-acre eucalyptus woodland, retaining just over an acre of trees along the Willow Road frontage and west property line. Impacts to biological resources resulting from the eucalyptus removal are discussed further in Section IV. Biological Resources. The eucalyptus woodland is not currently used for timber production and is not considered forest land as defined by Public Resources Code section 12220(g). The project would not result in the loss of forest land or conversion of forest land to non-forest use; therefore, impacts would be *less than significant.*

(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

As discussed previously, the project is located within the Industrial land use category and the proposed development would be consistent with the intended uses of the site. According to the FMMP, the site contains Other Land and historically the site has not been used as farmland or for agricultural purposes outside of the eucalyptus plantation and would not be suitable for future agricultural uses. The project does not propose any uses, activities, or improvements that would otherwise result in conversion of Farmland to a non-agricultural use or conversion of forest land to a non-forest use. Therefore, impacts would be *less than significant.*

Conclusion

The project would not directly or indirectly result in the conversion of farmland, forest land, or timber land to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. No significant impacts to agricultural resources would occur and no mitigation measures are necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

III. AIR QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐
(c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting

San Luis Obispo County is part of the South Central Coast Air Basin ("SCCAB"), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District ("SLOAPCD"). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California Air Resources Board ("CARB") is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act ("CCAA") of 1988. The State Department of Public Health established California Ambient Air Quality Standards ("CAAQS") in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The CARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter ("PM_{10}" and "$PM_{2.5}$"), ozone ("O_3"), nitrogen dioxide ("NO_2"), sulfate, carbon monoxide ("CO"), sulfur dioxide ("SO_2"), visibility reducing particles, lead ("Pb"), hydrogen sulfide ("H_2S"), and vinyl chloride.

The Federal Clean Air Act ("FCAA") later required the U.S. Environmental Protection Agency ("EPA") to establish National Ambient Air Quality Standards ("NAAQS") for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established

NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO_2, ozone, PM_{10} and $PM_{2.5}$, and SO_2.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides ("NOx"), reactive organic gases ("ROG"), greenhouse gases ("GHG") and diesel particulate matter ("DPM"), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants. The project would result in 7.97 acres of total site disturbance and require approximately 15,000 cubic yards of cut and 10,300 cubic yards of fill (a total of 25,300 cubic yards of earth work) for Phase I, and approximately 26,300 cubic yards of cut and 21,500 cubic yards of fill (a total of 47,800 cubic yards of earth work) for Phase II.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of project can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

General screening criteria is used by the SLOAPCD to determine the type and scope of air quality assessment required for a particular project (Table 1-1 in the APCD's CEQA Air Quality Handbook). These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within ten percent (10%) of exceeding the screening criteria.

Air Quality Monitoring

The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county.

In the county of San Luis Obispo, ozone and fine particulates (particulate matter of 10 microns in diameter or smaller; PM_{10}) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

County Clean Air Plan

The San Luis Obispo County 2001 Clean Air Plan ("CAP") is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM_{10}. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

Naturally Occurring Asbestos ("NOA") is identified as a toxic air contaminant by the California Air Resources Board ("CARB"). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. Main areas within the county known to have NOA include areas along the coast from Ragged Point to Nipomo, and near the Highway 41 and Highway 46 Junction in the eastern part of the county. The project is not located in an area that the APCD has identified as having potential for NOA.

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The project site is located in a moderately developed area and the nearest sensitive land uses to the project site would be single-family residential homes located approximately 150 feet to the east.

Discussion

(a) Conflict with or obstruct implementation of the applicable air quality plan?

The project would develop a new 140,895 square foot facility that would result in 7.97 acres of site disturbance over two separate phases. Phase I, as revised for avoidance of butterfly habitat impacts, would require approximately 18,500 cubic yards of cut and 17,300 cubic yards of fill (a total of 35,800 cubic yards of earthwork), and Phase 2 would require approximately 20,600 cubic yards of cut and 19,700 cubic yards of fill (a total of 40,300 cubic yards of earthwork). Phase 2 would not be implemented until Phase I has been completed, which would not occur within the same quarter.

Based on Table 2-1 and 2-2 of the APCD's CEQA Air Quality Handbook, estimated construction related emissions for each phase are as follows:

Table 1. Proposed project estimated construction emissions for Phase I.

Pollutant	Total Emissions Estimated	APCD Quarterly Threshold	Within Threshold?
ROG + NOx (combined)	2.04 tons	2.5 tons	Yes
Diesel Particulate Matter (DPM)	0.09 tons	0.13 tons	Yes
Fugitive Particulate Matter (PM_{10})	3 tons	2.5 tons	No

Table 2. Proposed project estimated construction emissions for Phase II.

Pollutant	Total Emissions Estimated	APCD Quarterly Threshold	Within Threshold?
ROG + NOx (combined)	2.29 tons	2.5 tons	Yes
Diesel Particulate Matter (DPM)	0.10 tons	0.13 tons	Yes
Fugitive Particulate Matter (PM_{10})	3 tons	2.5 tons	No

Both phases of the project would exceed the APCD's quarterly threshold of PM_{10} requiring **Mitigation Measure AIR-1** for fugitive dust control. In addition, Phase II of the project includes a substantial amount of offsite disturbance for right-of-way improvements and would potentially exceed the APCD's quarterly thresholds for combined ROG and NOx. Application of **Mitigation Measure AIR-2**, which has been designed to reduce NOx, ROG, and DPM emissions from construction equipment, will ensure that impacts are reduced to less than significant.

Operationally, the project would employ up to 80 employees from the region and receive approximately 4-6 truck deliveries per day, resulting in approximately 281 daily vehicle trips. Based on the relatively low volume of trips associated with the project and the type of activities proposed, operational impacts associated with the project would be minimal. Based on the SLOAPCD's Table 1-1 using the unrefrigerated warehouse land use, the project is expected be below the Bright-Line Threshold of 25 lbs/day of ROG + NO_x of operational emissions. In addition, the project is not located in an area that the APCD has identified as having potential for NOA. With implementation of **Mitigation Measure AIR-1** and **AIR-2**, construction related emissions would be minimized and the project would not conflict with or obstruct implementation of the applicable air quality plan, and the project would generally be consistent with the San Luis Obispo County CAP. Therefore, project impacts related to implementation of an air quality plan would be *less than significant with mitigation.*

(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

San Luis Obispo County is currently designated as non-attainment for ozone (in the eastern part of the county) and PM_{10}. Nipomo and the project vicinity experience some of the highest numbers of PM_{10} exceedances in the County, and project-related construction disturbances would further

contribute to existing PM_{10} exceedances. The project would not result in significant PM_{10} emissions during the operational phase of the project, as no operational components of the project require site disturbance; additionally, all site access and parking areas would be paved. New PM_{10} emissions associated with the proposed project would be almost entirely limited to temporary construction activities and short-term vehicle emissions. The project's cumulative contribution to regional PM_{10} exceedances is considered potentially significant. As discussed above, **Mitigation Measure AIR-1** has been identified to reduce fugitive dust and PM_{10} emissions during construction activities. Implementation of **Mitigation Measure AIR-1** would reduce potentially significant impacts resulting from cumulative net increases of pollutants. Therefore, impacts would be *less than significant with mitigation*.

(c) Expose sensitive receptors to substantial pollutant concentrations?

The project site is located in a moderately developed area and the nearest sensitive land uses to the project site would be single-family residential homes located approximately 150 feet to the east. The project would result in temporary increases in air emissions, including emissions of fugitive dust (PM_{10}) and diesel-exhaust PM ("DPM") during project construction, and permanent increases in air emissions, including DPM, ROG, and NO_x, related to long-term vehicle trips. These pollutants are known to be hazardous to health, particularly when exposed to a sensitive receptor; therefore, due to the proximity of sensitive receptors near the new facility, this impact is considered potentially significant. Standard measures to reduce dust and DPM has been identified to reduce emissions of PM_{10} and DPM during construction activities. Implementation of **Mitigation Measures AIR-1** and **AIR-2** would reduce potentially significant impacts to *less than significant with mitigation*.

(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Odors from construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. The proposed project does not include any components or operational activities that would generate substantial odor or other emissions. Due to the temporary and intermittent nature of construction odors, the project would not result in other emissions affecting a substantial number of people; therefore, potential impacts would be *less than significant*.

Conclusion

The proposed project would implement standard SLOAPCD mitigation measures for fugitive dust and DPM suppression during construction activities. With incorporation of the mitigation detailed below, the project would result in less than significant impacts on Air Quality. See Exhibit B – Mitigation Summary for full text of mitigation measures.

Mitigation

AIR-1 **Reproduce PM10 measures for Dust Control** on plans, and implement measures throughout project construction.

AIR-2 **Reproduce Construction Equipment measures for reducing DPM** on plans and implement measures throughout construction.

Sources

See Exhibit A.

IV. BIOLOGICAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
(c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Setting

Sensitive Resource Area Designations

The County of San Luis Obispo Land Use Ordinance ("LUO") Sensitive Resource Area ("SRA") combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection.

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 ("FESA") provides legislation to protect federally listed plant and animal species. If there is no federal nexus (e.g., federal funding, federal permitting, or other federal authorization), impacts to federally listed species must be mitigated via FESA Section 10 with a Habitat Conservation Plan. The California Endangered Species Act of 1984 ("CESA") ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern ("SSC"). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the California Department of Fish and Wildlife ("CDFW") is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence to CESA-protected species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act ("MBTA") protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service ("USFWS"), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies. On April 11, 2018, the USFWS issued guidance on the M-Opinion affecting MBTA implementation. The M-Opinion concludes that the take of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds. The USFWS interprets the M-Opinion to mean the MBTA prohibitions on take apply when the purpose of the action is to take migratory birds, their eggs, or their nests. The USFWS coordinates with other agencies on migratory bird conservation, including CDFW.

California Fish and Game Code

California Fish and Game Code Section 3511 includes provisions to protect Fully Protected species, such as: (1) prohibiting take or possession "at any time" of the species listed in the statute, with few exceptions; (2)

stating that "no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to "take" the species; and (3) stating that no previously issued permits or licenses for take of the species "shall have any force or effect" for authorizing take or possession. The CDFW is unable to authorize incidental take of "fully protected" species when activities are proposed in areas inhabited by those species. Sections 3503 and 3503.5 of the Fish and Game Code state that it is unlawful to take, possess, or destroy the nest or eggs of any bird, with occasional exceptions. In addition, Section 3513 states that it is unlawful to take or possess any migratory bird as designated in the MBTA or any part of such migratory birds except as provided by rules and regulations under provisions of the MBTA.

Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers ("USACE") regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as "navigable waters of the U.S." that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act ("CWA"). Under the Clean Water Act and the 2015 Clean Water Rule, USACE regulates activities in waters that are jurisdictional by rule in all cases; jurisdictional by rule, as defined; and waters requiring a case-specific evaluation. Traditional navigable waters ("TNW"), interstate waters, the territorial seas, and impoundments of these waters are jurisdictional by rule. Tributaries and adjacent waters are jurisdictional by rule, if they meet certain definitions as defined in the 2015 Clean Water Rule. Waters such as vernal pools, coastal prairie wetlands, prairie potholes, waters that are within the 100-year flood plain of a TNW, and waters within 400 feet of the high tide line require a case specific evaluation to determine jurisdictional status.

The State Water Resources Control Board ("SWRCB") and nine Regional Water Quality Control Boards ("RWQCBs") regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit or fall under other federal jurisdiction and have the potential to impact waters of the State.

Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order to sustain biological resources.

Site Description

The mostly undeveloped site is primarily covered by a dense stand of eucalyptus trees with open areas of ruderal vegetation near the southeastern corner and northern-central portion of the property. The subject property also includes several abandoned structures in the northern half of the site that will be removed as part of the project. There are no wetlands, riparian areas, springs, streams, lakes, or marshes on or near the site. The closest drainage and riparian area are located approximately 3,000 feet north of the northern property line.

The eucalyptus woodland is comprised of a fairly dense plantation of blue gum trees (*Eucalyptus globulus*) over an understory of Eurasian grasses including ripgut brome (*Bromus diandrus*), long-flowered veldt grass (*Ehrharta longiflora*), and a diversity of other weeds. The eucalyptus woodland is part of a larger eucalyptus

plantation established in the 1900s and is the last remaining patch of gum trees associated with the original planting. The ruderal vegetation is mostly comprised of weedy annual forbs, such as stork's-bill (*Erodium botrys, E. cicutarium, E. moschatum*), Jersey cudweed (*Pseudognaphalium luteoalbum*), milk thistle (*Silybum mariamum*), and tumble mustards (*Sisymbrium altissimum*). Horticultural species are also present near the abandoned structures.

In April 2017, a Biological Study was prepared by biologist Vincent Scheidt (Scheidt 2017) to determine if the proposed project has the potential to impact biological resources. The study included a review of the California Natural Diversity Database ("CNDDB"), the California Native Plant Society ("CNPS") Electronic Inventory of Rare and Endangered Plants of California, and other studies to determine if sensitive species have the potential to occur. The study also included a spring botanical survey (conducted in March 2017) as well as a search for seasonally restricted sensitive animal species including monarch butterfly (*Danaus plexippus*).

The California overwintering population of monarch butterfly is a federal candidate species under the Federal Endangered Species Act and a Special Animal ("SA") by CDFW. Monarch butterflies require specific microclimatic conditions to survive the winter and are sensitive to any habitat modifications to their overwintering sites. Monarchs typically cluster in groves of eucalyptus trees; the project site contains an intact, if declining, eucalyptus grove proposed for removal. The study concluded that while most of the plant and animal species identified within the subject property are locally common, two monarch butterflies were observed, and the eucalyptus trees were identified as a possible overwintering site. At the request of the County, a follow up field survey in December 2018 prepared by Vincent Scheidt (Scheidt 2018) to further evaluate the presence or absence of overwintering monarch butterflies found that a single group of four trees was observed supporting multiple clusters of monarchs (Scheidt 2018). In response to this observation, additional surveys were conducted and a habitat assessment and management plan was prepared by a butterfly specialist from Althouse and Meade, Inc. (Althouse and Meade, Inc. 2019).

In response to finding that butterflies were active on the site, the project phasing and development plans were modified by the applicant to preserve the southern half of the grove and start with developing the northern half. This phasing and design change retains intact the area of woodland canopy containing the overwintering cluster of trees until additional monitoring data can be collected and offsite mitigation completed and verified, before the remaining portion of the overwintering grove is removed.

Discussion

(a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

The habitat assessment prepared by Althouse and Meade, Inc. evaluated site conditions and habitat suitability for monarch butterflies and determined that most of the eucalyptus trees on the project site are in poor health and show signs of severe drought stress and damage. Except for several trees bordering the perimeter of the project site, most of the trees have experienced extensive canopy loss. The canopy is crucial for moderating microclimates such as wind speed and temperature, and without an intact canopy the site provides less shelter for monarchs. Based on the two divergent data points from the 2017-2018 and 2018-2019 seasons, it is unclear how the site has historically been used by monarchs. The habitat assessment concluded that the project site would likely only be suitable for monarchs in mild weather conditions and it is unlikely that monarchs would remain at the site after typical winter conditions. Further canopy loss and habitat

degradation is almost certain to continue as the trees decline due to drought-related issues; it is unlikely that the site would remain suitable for overwintering monarchs in the long-term without management.

In December 2017, a survey for the presence or absence of monarchs was conducted and found that a single group of four adjacent eucalyptus trees centered in the southern half of the property were observed to support approximately 2,200 mature monarchs in 33 discrete clusters of varying sizes. Additional overwintering surveys were conducted in November and December of 2018, and documented only 25 and 21 overwintering monarchs, respectively. The decline in the overwintering monarch population is explained in part by the severe weather conditions during the second season (2018) surveys, where the population decreased significantly throughout the region. Areas that had well-managed sites with intact canopies generally showed less of a decline than those comprised of drought-impacted eucalyptus. However, two consecutive years with such disparate data points is insufficient to conclude that the site is, or is not, regularly utilized by monarchs.

The project proposes two phases of development that would result in the removal of approximately 5.91 acres of eucalyptus woodland. As originally proposed, Phase I would have removed the trees and developed the southern half of the site adjacent to Willow Road, where the monarch clusters were observed in 2017. Phase II was initially proposed on the northern half of the site where eucalyptus trees are located primarily around the edges with a large clearing in the center. In response to the 2018 overwintering survey and discussions with County staff regarding appropriate mitigation, the applicant has reversed the project phasing. Phase I development will avoid impacts to the overwintering grove by beginning development in the northern half and reducing the initial Phase I building footprint. The amended phasing, as shown in Table 3 below, will leave the southerly eucalyptus woodland where monarchs were observed intact, allowing for monitoring over several seasons while offsite mitigation is established. The re-phasing will allow further monitoring of the project site habitat area while allowing a portion of the project to go forward, avoiding a potentially significant impact before mitigation full implementation of habitat loss, is included in the recommended mitigation measures under BIO-1. Table 1, below, compares proposed phasing.

Table 3 – Project Revisions for Monarch Impact Avoidance

Original Phasing		**Revised Phasing to Avoid Impacts**	
Phase I	Phase II	Phase I	Phase II
Southern half of site along Willow Road, used by Monarchs	Northern half of site, not utilized by Monarchs	Northern half of site, not utilized by Monarchs	Southern half of site along Willow Road, used by Monarchs
Buildings A-1 to A-3, associated landscaping	Buildings B-1 to B-3, associated landscaping	46,500 sf building (B1-B2); temporary oversized basin, associated nectar landscaping	93,300 sf - building B3 & A1-A3; a reduced final basin, associated nectar landscaping
Water tanks, well & fire pump, septic	Septic for Ph II structure	Water tanks, well & fire pump, septic	Septic for Ph II structure
All off-site road Improvements to Willow & Winterhaven		Winterhaven Way frontage improvements, right-turn lane on SR-1	Remaining CalTrans road improvements to Willow Road, south Winterhaven Way

Mitigation Measure BIO-1 would limit potential impacts to monarch butterfly during tree removal, and **Mitigation Measure BIO-2** would provide a tiered set of measures to conserve, protect, and enhance habitat for overwintering monarch butterflies. The measures include data collection and monitoring to evaluate successful completion or identify a need for additional measures.

In addition, the eucalyptus trees could provide important habitat for a wide range of nesting birds and raptors. Ground disturbing activities and tree removal could result in potentially significant impacts to nesting birds and raptors protected under the California Fish and Game Code. **Mitigation Measure BIO-03** has been identified to reduce potential impacts to nesting birds and raptors to less than significant.

One approach to mitigate the loss of the 5.91 acres of monarch habitat would conserve an equal amount of replacement habitat that has a known overwintering population and that is not currently under conservation. Under this mitigation scenario, new habitat would be placed into conservation easement with supporting endowment; once implemented, no additional mitigation for the project would be required. However, this approach is potentially infeasible due to a lack of identified and comparably-sized existing locations with the necessary criteria: 1) where monarchs are currently roosting, 2) on land that is not in conservation, and 3) where the landowner is amenable to a conservation easement. This mitigation measure, identified as BIO-2.1, is included as an option and may be considered as part of a package of mitigation measure in the event that a smaller site may be identified.

Given that full, direct comparable replacement mitigation is potentially infeasible, an alternative approach features a tiered array of options that in combination will mitigate the loss of habitat through direct and indirect support for monarchs. With the project re-phasing to preserve the onsite overwintering habitat as part of the tiered program, mitigation will include offsite enhancement to create new overwintering habitat, financial support for educational programs, onsite landscaping (beginning with Phase I) designed to support monarch feeding, and monitoring of both the project and enhancement sites for another two to three seasons. Prior to tree removal in Phase II, if the off-site enhanced area is not used by butterflies, and the project's on-site trees are being used, then additional mitigation would be required to complete the program. This additional mitigation would be in the form of a fee paid to an agency or non-governmental entity that already supports an existing monarch population for ongoing management of that population and its associated overwintering grove of trees. Alternatively, if a suitable site is identified with an existing monarch population that can be conserved as described above, an easement could serve for this final measure.

The project would be required to implement **Mitigation Measures BIO-1** through **BIO-3**, which would conserve, protect, and enhance habitat for overwintering monarch butterflies, and provide for monarch research or education, as well as provide avoidance measures for nesting birds and raptors. With mitigation implemented in conjunction with the applicant's revised phasing, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Therefore, impacts would be reduced to *less than significant with mitigation.*

(b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

The proposed project site does not contain riparian habitat and is primarily dominated by eucalyptus trees with two smaller areas that consist of ruderal disturbed habitats; neither of these vegetation communities are considered sensitive. The project site is not within the Coastal Zone except for the area of offsite road improvements on Willow Road/Highway 1, which does not contain Ecologically Sensitive Habitat Areas ("ESHA") as defined by the Local Coastal Plan ("LCP"). The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. Therefore, impacts would be *less than significant.*

(c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Biological Study concluded that the project site does not support any wetlands or drainages and does not contain waters or wetland features on or near the project site that would be subject to state or federal jurisdiction. The closest drainage with riparian habitat is located approximately 3,000 feet north of the northern property line in conjunction with Black Lake Canyon. The project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; therefore, *no impacts* would occur.

(d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

As discussed above, the project site is located in an area that has a relatively high concentration of monarch butterfly overwintering sites, in part due to the eucalyptus plantations that were historically widespread throughout the Nipomo Mesa. The project site does provide overwintering habitat for monarch butterfly, and **Mitigation Measures BIO-1** and **BIO-2** have been identified to reduce potential impacts to monarch butterfly habitat to less than significant.

The project area does not support any surface water resources, migratory corridors, or nursery sites. The California Essential Habitat Connectivity Project was queried for Essential Habitat Connectivity, which are the best available data describing important areas for maintaining connectivity between large blocks of land for wildlife corridor purposes (CDFW 2019). These important areas are referred to as Essential Connectivity Areas. Essential Connectivity Areas are only intended to be a broad-scale representation of areas that provide essential connectivity. The project site does not fall within an Essential Connectivity Area. For the purposes of this analysis, it is reasonable to assume that, due to the extent of development and disturbance onsite and in surrounding areas, and the limited size of the project area, the project site is not located within or adjacent to a wildlife corridor or nursery site. With implementation of **Mitigation Measures BIO-1** and **BIO-2**, the proposed project would not significantly restrict the movement of any native resident or migratory fish or wildlife species, or established native resident or migratory wildlife corridors, or the use of native wildlife nursery sites; therefore, potential impacts would be *less than significant with mitigation.*

(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project is located in the South County Planning Area and is subject to Callender-Garrett Village Standards (LUO 22.108.020) regarding the removal of eucalyptus trees along SR 1. Specifically, the ordinance requires that a buffer of trees be retained adjacent to the highway right-of-way. Eucalyptus may be removed unless they provide a visual character benefit or provide monarch butterfly habitat that warrants further protection. If eucalyptus trees are removed, then removed trees should be replaced with native trees, and older mature "landmark" eucalyptus should be retained where possible.

The project proposes two phases of development that would result in removing approximately 5.91 acres of eucalyptus woodland. Phase I would first develop the northern half of the site, followed by Phase II that would develop the remaining southern portion of the site. As discussed previously, the Phase II portion contains trees where monarch butterflies were previously observed and would be subject to **Mitigation Measures BIO-1 and BIO-2** requirements prior to being developed. Upon full build-out of the project, approximately 1.15 acres of eucalyptus would remain on the south and southwest borders of the parcel at Willow Road/SR 1. These on-site perimeter trees are larger, healthier specimens that would continue to offer shelter for monarch butterflies and would provide a visual buffer to screen the project from Willow Road/SR 1. The project also proposes additional tree plantings of coast live oak and Monterey cypress that would further provide monarch butterfly habitat and screening benefits.

The project is also subject to additional right-of-way ("ROW") improvements which include road widening along Willow Road/SR 1 in front of the parcel. All of the proposed highway road improvements would be confined to the right-of-way. While the applicant is not proposing to remove any of the eucalyptus trees located within the right-of-way, the trees have been identified by Caltrans for potential removal to improve sightlines and drainage in the roadway corridor. The ROW tree removal, if required by CalTrans, would be performed as part of the Phase II frontage improvements after mitigation has been completed. Consistent with LUO 22.108.020, the project would retain a visual and habitat buffer along Willow Road/SR 1 and would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, impacts would be *less than significant.*

(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The project does not overlap with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plans. Therefore, the project would not conflict with any approved local, regional or state habitat conservation plans and *no impact* would occur.

Conclusion

The project would result in the removal of up to 5.91 acres of eucalyptus woodland that has been documented to provide overwintering habitat for monarch butterflies. **Mitigation Measures BIO-1** and **BIO-2** have been developed to limit potential impacts to monarch butterfly during tree removal, and to further conserve, protect, and enhance their overwintering habitat. In addition, **Mitigation Measure BIO-3** would reduce potential impacts to nesting birds and raptors during site disturbance. Implementation of **Mitigation Measures BIO-1** through **BIO-3** would reduce impacts to biological resources to less than significant. The tiered mitigation program is summarized in Table 2, below.

Mitigation (See Exhibit B for full text of measures):

Measures			Requirements
BIO-1			Revise project phasing to build north side first (Phase I) with reduced bldg footprint to avoid habitat loss on southern area. Monitor onsite habitat for 3 years for overwintering use, prior to Phase II. Avoid tree removal during fall-winter, and conduct pre-construction monarch surveys, prior to each phase.
BIO-2			Tiered-Approach Mitigation
	BIO-2.1		Locate an existing overwintering area not in conservation, and put into conservation at 1:1 with endowment. This option may be infeasible due to lack of suitable sites. If County-approved at 1:1 offset (5.91) acres, no further mitigation required. May be used at less than 1:1 to offset unsuccsessful mitigation under BIO-2.2.b, in conjunction with BIO-2.2.b(3).
	BIO-2.2	a. On-Site	Incorporate nectar plantings into project site landscaping to feed migrating butterflies; retain large trees at perimeter and add additional native trees. Monitor landscaping for monarch use.
		b. Off-Site	(1) Direct Off-Site: Habitat Enhancement of a comparable site not in use by monarchs, but within an existing conservation area. Create/enhance overwintering conditions in existing woodland, monitor for 3 years to verify success under identified criteria.
			(2) Indirect - Program Funding: Fund an identified & County-approved monarch educational or research program at $2,000/acre for a total of $11,820. May be divided into 2 payments, prior to PH I and PH II.
			(3) Off-Site funding in support of monarch population habitat, in the event that BIO-2.2.b is unsuccessful. Funding of $4,000 per acre - up to $23,640, paid to an entity currently supporting and managing an existing overwintering monarch population and habitat.
BIO-3			Biologist to conduct nesting bird surveys prior to tree removal and construction in each phase.

Sources

See Exhibit A.

V. CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☒	☐
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Setting

San Luis Obispo county possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

As defined by CEQA, a historical resource includes:

1. A resource listed in or determined to be eligible for listing in the California Register of Historical Resources ("CRHR").
2. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

Pursuant to CEQA, a resource included in a local register of historic resources or identified as significant in an historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

The County of San Luis Obispo LUO Historic Site ("H") combining designation is applied to areas of the county to recognize the importance of archeological and historic sites, structures important to local, state, or national history. Standards are included regarding minimum parcel size and permit processing requirements for parcels with an established structure and Historic Site combining designation. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the Land Use Element (LUO 22.14.080).

California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (circa [ca.] 9000–6000 B.C.), Archaic Period (6000 B.C.–A.D. 500), and Emergent Period (A.D. 500–Historic Contact). The Archaic is further divided into Lower (6000–3000 B.C.), Middle (3000–1000 B.C.), and Upper (1000 B.C.–A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

San Luis Obispo county was historically occupied by two Native American tribes, the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

The COSE identifies and maps known cultural and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native America, or cultural significance. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site.

Historically, the subject property was part of a larger eucalyptus plantation established in the Nipomo Mesa by the Los Berros Forest Company in the early 1900s. Eucalyptus trees were widely planted throughout the region during this time period for timber commercial uses; however, by the second half of the twentieth century, it was realized that eucalyptus could not provide quality timber as originally envisioned. Subsequently new plantings ceased, and the removal of eucalyptus became widespread to make way for new construction during the first part of the twenty-first century (Carr 2012). Currently, many of the eucalyptus that once dominated the landscape are gone; however, eucalyptus line much of this portion of SR 1 and are present throughout the Callender-Garret area.

In 1995, a single-family residence, home office, pump house, and RV storage were established in the northeast section of the site and are proposed to be removed as part of the project. There are no other structures or historical resources on the subject property.

A Phase 1 Archaeological Report was prepared for the project site which included a records search at the Central Coast Information Center ("CCIC") at the University of California, Santa Barbara and a pedestrian surface survey. The records search indicates whether there are known cultural resources located within or near the project area. This included a query of the California Historical Resources Information System ("CHRIS") for resources listed on or determined eligible for listing on the National Register of Historical Place ("NRHP"), the California Register of Historic Resources ("CRHR"), California State Historical Landmarks, California State Points of Historical Interest, and historic building surveys within or near the project area. The CCIC records search data concluded that there are no previously identified historic or archaeological resources within the project area. A pedestrian survey was conducted and concluded that there are no known archaeological resources within the project area (Hoover; 2017).

Discussion

(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

The CCIC records search data confirmed that the project site does not contain, nor is located near, any historic resources identified in the NRHP or the CRHR. The eucalyptus trees within the project site are a remnant of the original plantation that covered much of the region until the 1960s and is the largest remaining patch of trees associated with this planting. Subsequent development surrounding the project has redefined the modern cultural landscape, and the proposed project would be consistent with the current surrounding uses, setting, and underlying land use designation. The County has not officially designated and does not recognize the eucalyptus plantation as a historical resource as defined by CEQA; however, the Callender-Garrett Village planning standards (LUO 22.108.020) describe the tree's visual character benefits and potential for monarch butterfly habitat. While the project would remove eucalyptus trees associated with the historical plantation, the majority of the trees are already in decline from prolonged drought. The project site would retain and enhance the healthiest and most defining trees, primarily along the highway corridor, that would continue to provide visual screening and monarch butterfly habitat consistent with the Callender-Garrett Village planning standards. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource and impacts would be *less than significant*.

(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Based on results of the CCIC records search and a pedestrian field survey, there are no known archaeological resources within or near the proposed project area. However, in the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required. This section requires that, in the event archaeological resources are encountered during project construction, construction activities cease, and the County Department of Planning and Building be notified of the discovery. Therefore, impacts would be *less than significant.*

(c) Disturb any human remains, including those interred outside of dedicated cemeteries?

There are no known sites containing human remains within or near the project areas and there is a low probability of significant archaeological resources in the project area. However, project excavations have the potential to encounter previously unidentified human remains in the form of burials or isolated bones and bone fragments. If human remains are exposed during construction, construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by State law. The County's Coroner and Sheriff Department shall be notified immediately to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains. If the remains are determined to be Native American, the Coroner will notify the NAHC and the remains will be treated in accordance with Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, impacts related to the disturbance of human remains would be reduced to *less than significant.*

Conclusion

Based on the results of a Phase 1 Archaeological Report and pedestrian survey of the site, there are no known historic or archaeological resources within or near the project site, and the probability of discovering unknown human remains is very low. In the event of united discovery of archaeological resources or human remains, the project would be required to implement LUO Section 22.10.040, the State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. Therefore, potential impacts to cultural resources be less than significant and no mitigation measures would be necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

VI. ENERGY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

Setting

Pacific Gas & Electric Company ("PG&E") is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

The County has adopted a Conservation and Open Space Element ("COSE") that establishes goals and policies that aim to reduce vehicle miles traveled, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. This element provides the basis and direction for the development of the County's EnergyWise Plan ("EWP"), which outlines in greater detail the County's strategy to reduce government and community-wide greenhouse gas emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

The EWP established the goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020." In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory, 2006.

The California Building Code ("CBC") contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on

environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities ("SEFs"). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

The project is located within the Renewable Energy Area combining designation. The project's energy demand would be principally supplied by PG&E. The project also proposes to install rooftop photovoltaic panels.

Discussion

(a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

The project proposes the development of a 140,000 square-foot light industrial facility for wholesale distribution of pet supplies. In addition, the project proposes to incorporate low-impact design elements around the facility and would also install photovoltaic panels on the roof to further offset energy consumption. Construction of the building would be required to adhere to Title 24 of the California Energy Code and CBC energy efficiency building standards. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Operationally, the project would employ up to 80 employees, five days a week, for the purpose of wholesale distribution. The project does not propose any activities (e.g., manufacturing) that would inherently be energy consumptive and the proposed uses are similar to other light industrial uses. As such, there are no unusual project characteristics during construction or throughout operation that would result in an inefficient, wasteful use, or unnecessary consumption of energy resources. Therefore, impacts would be *less than significant.*

(b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The project would be located within the County's Renewable Energy Area combining designation, which is an area identified as favorable for renewable energy production but this designation does not preclude the development of the site for other uses. The project's proposed use would be consistent with site's underlying land use designation and is consistent with the anticipated development for the area. As such, the project does not propose a use or activity that would otherwise conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, *no impacts* would occur.

Conclusion

No significant impacts related to Energy resources were identified; therefore, no mitigation measures are necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

VII. GEOLOGY AND SOILS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
	(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	(ii) Strong seismic ground shaking?	☐	☐	☒	☐
	(iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	(iv) Landslides?	☐	☐	☐	☒
(b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

Setting

The Alquist-Priolo Earthquake Fault Zoning Act ("Act") is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point, Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County's Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code ("CBC") currently requires structures to be designed to resist a minimum seismic force resulting from ground motion.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. The project is located in an area with low potential for liquefaction.

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is being impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide

activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is located in an area with low potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. According the Natural Resources Conservation Service ("NRCS"), Oceano sand (0 - 9 % slope) underlying the site is characterized as having a low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to poor filtering capabilities. However, a Geotechnical Engineering Report prepared by Earth Systems Pacific (Earth Systems Pacific 2017) characterize the soils onsite as being highly erodible.

The County LUO identifies a Geologic Study Area ("GSA") combining designation for areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate. This report is then required to be evaluated by a geologist retained by the County. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault trace within an Earthquake Fault Zone (LUO 22.14.070).

The County Conservation and Open Space Element (COSE) identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils.

Discussion

(a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

(a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

The nearest fault is the inactive Oceano fault located approximately 1.25 miles east of the project site and the nearest potentially capable fault is the Santa Maria River fault located approximately 4 miles to the east. Based on the Alquist-Priolo Earthquake Fault Zone Maps and information available from the California Department of Conservation's website, the project site is not located within an identified Alquist-Priolo Earthquake Hazard Zone. A Geotechnical Engineering Report prepared by Earth Systems Pacific (Earth Systems Pacific 2017) provided recommendation for site preparation, grading, and foundations. In addition, the proposed project would be subject to professional engineering and construction standards and the CBC requirements to ensure buildings are constructed to withstand the magnitude of earthquakes that could potentially occur in the project area. The project would not expose people or structures to the rupture of any known active faults, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. Therefore, potential *impacts would be less than significant*.

(a-ii) Strong seismic ground shaking?

San Luis Obispo County is located in a geologically complex and seismically active region. The project site is located in an area with moderately high potential for seismic activity, ground shaking, and seismic settlement. However, based on geotechnical report prepared for the project, the potential for seismically induced settlement of dry sand to occur at the site is considered to be low. The geotechnical report provides recommendations for site preparation, grading, and foundations. Incorporation of the preliminary geotechnical recommendations as well as professional engineering standards and CBC requirements would ensure the project is designed to adequately address potential seismic-related impacts. Therefore, potential impacts would be *less than significant.*

(a-iii) Seismic-related ground failure, including liquefaction?

The geotechnical report prepared for the project determined that due to the lack of shallow groundwater, the potential for liquefaction to occur at the site is considered low. The geotechnical report provides recommendations for site preparation, grading, and foundations. Incorporation of the preliminary geotechnical recommendations as well as professional engineering standards and CBC requirements would ensure the project is designed to adequately address potential liquefaction-related impacts. Therefore, potential impacts would be *less than significant*.

(a-iv) Landslides?

According to the County's General Plan Safety Element and Landslide Hazards overlay map, the proposed project site is located in an area with low potential for landslides. Additionally, the project area is relatively flat surrounded by gentle topography absent of significant geologic features. The proposed project is not located in an area prone to landslides and would not expose people or structures to landslides risks; therefore, *no impacts* would occur.

(b) Result in substantial soil erosion or the loss of topsoil?

The project proposes to remove up to 5.91 acres of eucalyptus trees, resulting in approximately 7.97 acres of site disturbance. Site improvements would involve clearing, grading, and the development of two light industrial facilities with associated access and parking. The greatest potential for onsite erosion to occur would be during the initial site preparation and grading during construction. A geotechnical engineering report prepared for the project identified the soils on the property to be highly erodible and provided recommendations during site preparation and grading for surface soil stabilization. In addition, a Stormwater Control Plan ("SWCP") and Drainage Analysis have been prepared for the site and provides design requirements and source control measures that would reduce the potential for erosion or siltation. The project would also be required to prepare a Stormwater Pollution Prevention Plan ("SWPPP") and implement Best-Management Practices ("BMPs") that are designed to further prevent soil erosion during construction. The project proposes to incorporate new landscaping as well as retention basins, bioswales, and other Low-Impact Development ("LID") treatments that would help prevent soil erosion. Incorporation of the design requirements and recommendations provided in the geotechnical report, the SWCP, the Drainage Analysis, as well as using LID techniques and implementing BMPs provided in the SWPPP, the project would not result in substantial erosion or siltation on- or off-site. Therefore, impacts would be *less than significant*.

(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

The geotechnical report prepared for the project determined that the majority of the soils excavated at the site would be acceptable for compacted fill; however; a significant amount of organic material is present within the upper 6 to 12 inches of the soil. These upper soils are loose and are subject to settlement; however, the borings performed during the geotechnical investigation indicated that below 1 to 15 feet, the soils are generally medium dense to very dense. The geotechnical report provides recommendations for site preparation, grading, and foundations including over-excavation, scarification, moisture conditioning, and compaction of the upper soils in the building and the surface improvement areas to provide more uniform soil moisture and density. Incorporation of the preliminary geotechnical recommendations as well as professional engineering standards and CBC requirements would ensure the project is designed to adequately address potential impacts related to unstable geologic units. Therefore, potential impacts would be *less than significant.*

(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Based on the geotechnical report, site soils were generally determined to not be expansive and no special measures with respect to expansive soils were recommended. Incorporation of the preliminary geotechnical recommendations as well as professional engineering standards and CBC requirements would ensure the project is designed to adequately address potential impacts related to expansive soils. Therefore, potential impacts would be *less than significant.*

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The project proposes the installation of a septic system which includes the construction of a drainage field under the parking lot to remove contaminates from the water released from an on-site sewer tank before being released as grey water for recharging the groundwater. The geotechnical engineering report concluded that sub-surface drainage would not result in effluent appearing in surface water or on adjacent lands and percolation tests further substantiated that the soil would be suitable for the system type proposed. Therefore, the project site contains soils capable of adequately supporting the use of the proposed septic tank, and *no impacts* would occur.

(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project area is underlain with late Pleistocene dune sand, which has low potential to contain significant paleontological resources. There are no known unique paleontological resources or unique geological features located within the project sites and the area has a low potential for encountering important fossils. Therefore, impact would be *less than significant*.

Conclusion

The project does not propose any activities that would directly or indirectly cause potential substantial adverse effects associated with unstable soil conditions or geologic hazards. No paleontological resources are known to occur within the project area and no mitigation measures are necessary.

Mitigation

None necessary

Sources

See Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas ("GHG") emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO_2/year ("MT CO2e/yr") is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bight Line Threshold of 1,150 Metric Tons of CO_2/year. Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

Under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation.

In October 2008, CARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by AB 32. This initial Scoping Plan contained the main strategies to be implemented in order to achieve the target emission levels identified in AB 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, and the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

ARB is required by current law, including Assembly Bill 32 ("AB32"), Senate Bill 32 ("SB32"), and Executive Order ("EO") S-3-05, to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent reduction of 1990 levels by 2030, and an 80 percent reduction of 1990 levels by 2050. The

initial Scoping Plan was first approved by CARB on December 11, 2008 and is updated every five years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030-2035) on the road to reaching the 2050 goals. The most recent update released by CARB is the *2017 Climate Change Scoping Plan*, which was released in November 2017. The *2017 Climate Change Scoping Plan* incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

The County Energy Wise Plan ("EWP"; 2011) identifies changes that could occur in the County as a result of climate change, provides an inventory of GHG emissions in the County, and establishes a GHG emissions forecast and reduction targets for the County. This plan identifies strategies to reduce the county's GHG emissions by 15% below the baseline year of 2006 by the year 2020. This goal is consistent with Assembly Bill 32. The inventory denotes municipal and community-wide emissions caused by a range of activities in 2006, including transportation, waste, agriculture, energy, and aircraft-related activities. The EWP includes an Implementation Program that provides a strategy for action with specific measures and steps to achieve the identified GHG reduction targets=including, but not limited to, the following:

- Encourage new development to exceed minimum Cal Green requirements;
- Require a minimum of 75% of nonhazardous construction and demolition debris generated on site to be recycled or salvaged;
- Continue to implement strategic growth strategies that direct the county's future growth into existing communities and to provide complete services to meet local needs;
- Continue to increase the amount of affordable housing in the County, allowing lower-income families to live closer to jobs and activity centers, and providing residents with greater access to transit and alternative modes;
- Reduce potable water use by 20% in all newly constructed buildings by using the performance method provided in the California Green Building Code;
- Require use of energy-efficient equipment in all new development;
- Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index of 10 for high-slope roofs and 68 for low-slope roofs; and
- Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities.

In 2016 the County published the EnergyWise Plan 2016 Update, which describes changes and modifications to the EWP. These modifications include a summary of the progress made toward implementing measures in the 2011 EWP, overall trends in energy use and emissions since the baseline year of the inventory (2006), and the addition of implementation measures intended to provide a greater understanding of the County's emissions status.

Discussion

(a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Construction activities, such as site preparation, site grading, on-site heavy-duty construction vehicles, equipment hauling materials to and from the project site, and motor vehicles transporting the construction crew would produce combustion emissions from various sources. During

construction of the proposed project, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

Operational emissions from the project would mostly be from energy use and vehicle trips. The project design includes several energy-conservation measures to reduce energy consumption including the installation of photovoltaic panels. Based on the SLOAPCD's Table 1-1 using the unrefrigerated warehouse land use, the project is expected be below the Bright-Line Threshold of 1,150 MT CO2e/yr. The project would be within the SLOAPCD's Bright-Line Threshold, and by further incorporating energy conservation measures, potential long-term operational GHG impacts would be *less than significant*.

(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The proposed project would include several energy and water conservation measures to further limit and reduce energy consumption and would not generate significant additional long-term vehicle trips or mobile-source emissions. The project would not conflict with the control measures identified in the CAP or other state and local regulations related to GHG emissions and renewable energy. The project would have no impact on plans and policies adopted for the purpose of reducing GHG emissions and no mitigation is necessary. Therefore, impacts would be *less than significant.*

Conclusion

The proposed project would not result in a significant adverse impact related to Greenhouse Gases. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

IX. HAZARDS AND HAZARDOUS MATERIALS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

Initial Study – Environmental Checklist

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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?	☐	☐	☒	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Setting

The Hazardous Waste and Substances Site ("Cortese") List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's ("DTSC's") Envirostor database tracks DTSC cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination,

such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank ("LUST") sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The project is located in a High Fire Hazard Severity Zone with an estimated response time of approximately 0-5 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire in this document.

The County also has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan, Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and the Tsunami Response Plan.

Based on a search of the DTSC's Envirostor database and the SWRCB's Geotracker system, there are no environmental cleanup sites on or near the proposed project site. The nearest known cleanup site is located approximately 0.50 miles southwest and is associated with the Phillips 66 Refinery – Santa Maria Facility, and has been classified as inactive since 12/31/2015. The project is not located within 2 miles of any public airport or private airstrip; the nearest airport is the Oceano County Airport, located approximately 4 miles northwest of the project site. There are no schools located within 0.25 mile of any of the proposed project.

Discussion

(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The project consists of approximately 140,000 square feet of industrial floor area in two new buildings for storage and wholesale pet supplies. Manufacturing activities are not proposed, and the proposed facility would receive products manufactured at other facilities. The proposed activities would be limited to receiving, repackaging, and shipping pet supplies. Construction of the proposed project is anticipated to require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Temporary storage containers (bulk above-ground storage tanks, 55-gallon drums, sheds/trailers, etc.) may be used by the project contractor for equipment refueling and maintenance purposes during construction. The transport, use, handling, and disposal of hazardous materials during construction would be pursuant to local, state, and federal regulations to minimize risk and exposure. Operation of the proposed project would not require routine transport, use, or disposal of hazardous materials. Any hazardous substances associated with the project would continue to be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials; therefore, impacts would be *less than significant*.

(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?

During the construction period, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the lack of sensitive resources in the project vicinity, limited nature and duration of construction activities, and the small volume and low concentration of materials that would be utilized during construction. No hazardous materials would be permanently stored on site. The contractor would be required to use standard construction controls and safety procedures, which would avoid and minimize the potential for accidental release of such substances into the environment and mitigate impacts in the event of a spill or accidental release. Standard construction practices would be implemented such that any materials released are appropriately contained and remediated as required by local, state, and federal law. Therefore, potential impacts related to an accidental release of hazardous materials would be *less than significant*.

(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There are no schools located within 0.25 mile of the proposed project. The proposed project would not emit hazardous emissions or handle acutely hazardous materials, substance or waste; however, during construction, road paving materials, oils, lubricants, fuels, and other hazardous materials may be used. Given the limited building footprint and duration of construction activities, and the distance to the nearest school, potential impacts would be *less than significant*.

(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project sites do not overlay a landfill or hazardous material site. Based on a review of the DTSC's EnviroStor database and the SWRCB's Geotracker system on May 29, 2019, the new facilities would not be located in an area that includes any known hazardous material storage or cleanup sites. The proposed facility is not on a site that is on a list of hazardous materials site pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment related to disturbance in a hazardous materials site. Therefore, *no impacts* would occur.

(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The proposed facility is not located near any public airports or County designated Airport Review Areas. The closest public airport is the Oceano County Airport, located approximately 4 miles northwest of the facility. The proposed project would not result in a safety hazard related to airport operations, flight patterns, or other airport uses or resources that would create a safety hazard for people residing or working in the project area. Therefore, *no impacts* would occur.

(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. During short-term construction activities including the associated roadway improvements, partial road closures may be required along Willow Road/SR 1 and Winterhaven Way; however, individual access to properties neighboring the new facility would be maintained during all construction activities. Additionally, in the event of partial lane closures, sufficient alternative routes exist near the facility and the project would not interfere or result in inadequate emergency access. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be *less than significant*.

(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

According to the County's General Plan Safety Element and Fire Hazard Severity Zones overlay map, the project site is within a high fire hazard severity zone and the 0- to 5-minute emergency response time zone. The project would be located on a relatively flat, undeveloped parcel containing eucalyptus trees and would be surrounded by suburban development including CAL FIRE San Luis Obispo County Fire Station 22 located directly across the street. The project would be developed and built to include modern fire code standards including fire sprinklers. In addition, the project has prepared a Fire Protection Plan that includes a schematic of the fire water delivery system consisting of fire water storage tanks, fire pump, underground water supply, hydrants, fire department connections, etc. The project would be built using modern fire codes, located near a CAL FIRE station, and would not be sited in location that would expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, impacts would be *less than significant.*

Conclusion

The proposed project would not result in significant adverse impacts to Hazards and Hazardous Materials. The limited nature and duration of disturbance substantially reduces and avoids the potential for significant effects related to hazardous material contamination, emergency evacuation, and fire risk. Therefore, potential impacts would be less than significant, and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

X. HYDROLOGY AND WATER QUALITY

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
	(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	(iv) Impede or redirect flood flows?	☐	☐	☒	☐
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Initial Study – Environmental Checklist

Setting

The RWQCB has established Total Maximum Daily Load ("TMDL") thresholds for waterbodies within the County. A TMDL establishes the allowable amount of a particular pollutant a waterbody can receive (i.e., waste water, silt or toxic substances) on a regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and measures to achieve the allowable amount of pollutant loading. Section 303(d) of the Clean Water Act ("CWA") requires states to maintain a list of bodies of water that are designated as "impaired". A body of water is considered impaired when a particular water quality objective or standard is not being met.

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States are typically identified by the presence of an Ordinary High Water Mark ("OHWM") and connectivity to traditional navigable waters or other jurisdictional features. CWA Section 404 requires a permit for these activities under separate regulations by the U.S. Army Corps of Engineers (USACE) and U.S. Environmental Protection Agency (EPA) unless the activity is exempt from Section 404 regulation (e.g. certain farming and forestry activities).

The Central Coast RWQCB's Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but no limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The project is located in the Nipomo Mesa Water Conservation Area, underlain by the Santa Maria Groundwater Basin. Water for urban uses in the County is obtained from either surface impoundments such as Santa Margarita Lake, Whale Rock, and Lopez reservoirs, or from natural underground basins (aquifers). In October 2015, the County Board of Supervisors adopted a resolution which established the Countywide Water Conservation Program ("CWWCP") in response to the declining water levels in the Nipomo Mesa sub-basin of the Santa Maria Groundwater Basin, Los Osos Groundwater Basin, and the Paso Robles Groundwater Basin ("PRGWB"). A key strategy of the CWWCP is to ensure that all new construction or new or expanded agriculture will be required to offset its predicted water use by reducing existing water use on other properties within the same water basin. Each of the three groundwater basin areas have specific policies that apply.

The County LUO dictates which projects are required to prepare a drainage plan, including any project that would, for example, change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent. Preparation of a drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing.

The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Initial Study – Environmental Checklist

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must enroll for coverage under the State Water Resources Control Board's Construction General Permit. The Construction General Permit ("CGP") requires the preparation of a Stormwater Pollution Prevention Plan ("SWPPP") to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, agricultural discharges regulated by the State or Regional Water Board, and projects exempted under the State or Regional Water Board. Projects that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by the San Luis Obispo County Codes.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in flood plains are subject to Federal Emergency Management Act ("FEMA") regulations. The County Land Use Ordinance designates a Flood Hazard ("FH") combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements. These requirements include, but are not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation.

The project area is located in the Estero Bay Hydrologic Unit, in the Arroyo Grande Hydrologic Area, and in the and the Nipomo Mesa Hydrologic Sub-Area – Hydrologic Unit Number 310.32. The proposed project is located within an undefined watershed, approximately 2.5 miles east of the Pacific Ocean and approximately 11 miles below the Lopez Lake Dam. The USGS Oceano, California 7.5-minute quadrangle shows the nearest blue-line channel is Black Lake Canyon, located approximately 0.60 miles north. The FEMA Flood Insurance Rate Maps ("FIRM") indicate that there are no floodplains present within the proposed facility which is mapped entirely within Flood Zone X. The project is in a Stormwater Management Area and Pre-Construction Stormwater Inspection Area. The project is located in the Nipomo Mesa Water Conservation Area and is subject to the Countywide Water Conservation Program. The project is underlain by the Santa Maria Groundwater Basin, which underlies more than 280 square miles in the southwestern corner of San Luis Obispo County and the northwestern corner of Santa Barbara County. The project site is not located in the County's mapped dam inundation area.

Discussion

(a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The proposed project is located within the jurisdiction of the Central Coast Regional Water Quality Control Board ("CCRWQCB") and would be required to comply with all regulatory requirements designed to minimize and control discharges to surface and ground water. The project would require onsite grading and the removal of vegetation, which could result in the erosion of onsite soils and sedimentation during heavy wind or rain events. The project proposes over one-acre of disturbance, requiring a state Construction General Permit and a SWPPP, which would include BMPs

to control the discharge of pollutants into local surface water drainages. In addition, a Storm Water Control Plan ("SWCP") has also been prepared for the project and identifies source control measures to prevent potential non-stormwater discharges. The project also proposes retention basins, bioswales, and other LID treatments to control stormwater on site. By incorporating LID treatments and source control measures identified in the SWCP, as well compliance with the CCRWQCB discharge requirements and BMPs identified in the SWPPP, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Therefore, potential impacts would be *less than significant*.

(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The project is in the Nipomo Mesa Water Conservation Area and is subject to the Countywide Water Conservation Program, requiring all new construction to install water-efficient plumbing fixtures. The project would also be required offset new water use at a 1:1 ratio through the purchase of water offset credits prior to construction permit issuance. Water to the site would be provided by an on-site well, which would be metered and recorded monthly per LUO 19.07.042. The project proposes to store, re-package, and sell wholesale pet products; and at full capacity, the project would employ up to 80 full-time employees. These activities are not considered water-intensive, and the largest water consumption use would be restrooms. Participation in the Countywide Water Conservation Program would minimize water consumption through water efficient plumbing, metering, and offsets. As such, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Therefore, impacts would be *less than significant*.

(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

(c-i) Result in substantial erosion or siltation on- or off-site?

The project proposes to remove up to 5.91 acres of eucalyptus trees, resulting in approximately 7.97 acres of disturbance. Site improvements would involve clearing, grading, and the development of two light industrial facilities with associated access and parking. The greatest potential for onsite erosion to occur would be during the initial site preparation and grading during construction of both phases. A geotechnical report prepared for the project identified the soils on the property to be highly erodible and provided recommendations during site preparation and grading for surface soil stabilization. In addition, a SWCP and Drainage Analysis have been prepared for the site and provides design requirements and source control measures that would reduce the potential for erosion or siltation. The project would also be required to prepare a SWPPP and implement BMPs that are designed to further prevent soil erosion during construction. The project proposes to incorporate new landscaping as well as retention basins, bioswales, and other LID treatments that would help prevent soil erosion. Through incorporation of the design requirements and recommendations provided in the geotechnical report, the SWCP, the Drainage Analysis, as well as LID techniques and implementing BMPs provided in the SWPPP, the project would not result in substantial erosion or siltation on- or off-site. Therefore, impacts would be *less than significant*.

(c-ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

This project is located in a designated Storm Water Management area and would result in more than 2,500 square feet (sf) of net impervious area. As such, the project is subject to the CCRWQCB's Central Coast Post-Construction Requirements, which mandates that the project must meet performance requirements for site design, water quality treatment, runoff retention, peak management, and other special circumstances. The project has been designed to include a stormwater retention basin that would retain all site run-off to a 50-year volume. Additional storm drain facilities have also been designed to include drop inlets, storm drainpipes, and vegetative and concrete swales to collect and convey stormwater runoff from the site. A Drainage Analysis prepared for the project concludes that the onsite drainage facilities have been adequately designed to handle the required flows per the CCRWQCB's Central Coast Post-Construction Requirements. In addition, the SWCP prepared for the project provides additional design requirements and source control measures to further manage onsite runoff. Based on the project's design to include retention basins, bioswales, and other LID techniques that meet the CCRWQCB's Central Coast Post-Construction Requirements, and by adhering to design requirements and source control measures outlined in the SWCP and Drainage Analysis, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, impacts would be *less than significant*.

(c-iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

As discussed above, the project has been designed to include retention basins, bioswales, and other LID techniques that would meet the CCRWQCB's Central Coast Post-Construction Requirements. In addition, the Drainage Analysis prepared for the project confirmed that the onsite drainage facilities have been adequately designed to handle the required flows. Based on the capacity and design of the proposed stormwater facilities, and adherence to design requirements outlined in the Drainage Analysis (Triad/Holmes Associates 2017), the project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, impacts would be *less than significant*.

(c-iv) Impede or redirect flood flows?

The project is predominantly covered with eucalyptus woodland and other upland features and does not contain any streams, rivers, or other hydrological features. The project is not located within the County's Flood Hazard combining designation and there are no mapped floodplains present within the proposed site. The project would result in the construction of two new facilities and the removal of eucalyptus trees. The project has been designed to adequately manage stormwater through retention basins, bioswales, and other LID techniques, and does not proposes any activities that would impede or redirect flood flows. Therefore, impacts would be *less than significant*.

(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project is located in an upland area on the Nipomo Mesa, approximately 2.5 miles east of the Pacific Ocean and approximately 11 miles below the Lopez Lake Dam. The nearest blue-line channel is Black Lake Canyon, located approximately 0.60 miles north. The project is not located within the County's Flood Hazard combining designation and there are no mapped floodplains present within

the proposed site. According to the Department of Conservation's San Luis Obispo County Tsunami Inundation Map (Oceano Quadrangle), the project is not within a tsunami inundation area. As such, the project is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation. Therefore, *no impacts* would occur.

(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

As discussed previously, the project has been designed to comply with all CCRWQCB's regulatory requirements, including the Water Quality Control Plan for the Central Coast Basin. The project would participate in the Countywide Water Conservation Program to further minimize groundwater consumption. The project does not propose any activities that would otherwise conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, *no impacts* would occur.

Conclusion

The new facility would not be located in proximity to any surface water bodies and would not affect quantity or quality of groundwater. The project does not propose alterations to existing water courses or other significant alterations to existing drainage patterns at the project site. The new facility is not within the 100-year flood zone and would not substantially increase impervious surfaces. The proposed project would not result in a significant adverse impact related to Hydrology and Water Quality and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Physically divide an established community?	☐	☐	☒	☐
(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?	☐	☐	☐	☒

Initial Study – Environmental Checklist

Setting

The LUO was established to guide and manage the future growth in the County in accordance with the General Plan, to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands, to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses, and to protect and enhance significant natural, historic, archeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the County General Plan.

The County Land Use Element (LUE) provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic grown principles to define and focus the county's pro-active planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within.

The second part of the inland LUE contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply "areawide", in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County's unincorporated inland urban and village areas.

Discussion

(a) Physically divide an established community?

The proposed facility would be located in the Nipomo Mesa in areas surrounded by suburban residential and industrial uses. The project immediately abuts SR 1 and would be accessed from Winterhaven Way, which also provides access to a suburban neighborhood. The project would be required to make frontage road improvements to Winterhaven Way in both phases; at completion, new turn lanes on SR 1 to and from Winterhaven would be established. The project does not propose improvements or new uses that would physically divide the surrounding rural community. Therefore, impacts would be *less than significant*.

(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?

The project proposes to establish two new light industrial facilities on a 9.11-acre parcel within the Industrial land use category in the Callender-Garrett Village Reserve in Nipomo. The site is in the South County Inland Sub Area of the South County Planning Area, with offsite improvements extending into the South County Coastal Planning area. Improvements within the South County Coastal Planning area require Coastal Development Permit approval and consistency with the County's Local Coastal Plan. The proposed use is consistent with the existing land use designation and no changes to the zoning or general plan designation are being proposed. The project has been designed to comply with the County's Land Use Ordinance (for the respective areas located within Inland and Coastal area), and does not propose a use or activity that would 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. Therefore, *no impacts* would occur.

Conclusion

The proposed project would not result in a significant adverse impact related to Land Use and Planning. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XII. MINERAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
(b)	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Setting

The California Surface Mining and Reclamation Act of 1975 ("SMARA") requires that the State Geologist classify land into mineral resource zones ("MRZ") according to the known or inferred mineral potential of the land (Public Resources Code Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey 2011a):

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- **MRZ-2:** Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.

- **MRZ-3:** Areas containing known or inferred aggregate resources of undetermined significance.

The County of San Luis Obispo LUO provides regulations for development in delineated Energy and Extractive Resource Areas ("EX") and Extractive Resource Areas ("EX1"). The EX combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The state geologist has designated a mineral resource area of statewide or regional significance pursuant to PRC Sections 2710 et seq. (SMARA); and,
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County Land Use Element from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Discussion

(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

According the County's General Plan Land Use Element and the EX combining designation overlay, there are no known mineral resources in the project area. Future extraction of mineral resources is very unlikely due to the location of the facilities within the Callender-Garrett Village area. *No impacts* to known mineral resources would occur.

(b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

As discussed above, there are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. *No impacts* would occur.

Conclusion

No impacts to Mineral Resources would occur as a result of the project, and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

XIII. NOISE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
(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?	☐	☐	☒	☐
(b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
(c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Setting

The San Luis Obispo County Noise Element of the General Plan provides a policy framework for addressing potential noise impacts in the planning process. The purpose of the Noise Element is to minimize future noise conflicts. The Noise Element identifies the major noise sources in the county (highways and freeways, primary arterial roadways and major local streets, railroad operations, aircraft and airport operations, local industrial facilities, and other stationary sources) and includes goals, policies, and implementation programs to reduce future noise impacts. Among the most significant polices of the Noise Element are numerical noise standards that limit noise exposure within noise-sensitive land uses, and performance standards for new commercial and industrial uses that might adversely impact noise-sensitive land uses.

Noise sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools – preschool to secondary, college and university, specialized education and training
- Health care services (hospitals)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums
- Hotels and motels

- Bed and breakfast facilities
- Outdoor sports and recreation
- Offices

All sound levels referred to in the Noise Element are expressed in A-weighted decibels ("dB"), which is the sound level obtained by using the A-weighting filter of a sound level meter. A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

The County LUO noise standards are subject to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. on weekdays, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. Noise associated with agricultural land uses (as listed in Section 22.06.030), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

The project would be located directly adjacent to Willow Road/ SR 1, with the nearest sensitive receptors located approximately 150 feet east.

The County of San Luis Obispo LUO establishes acceptable standards for exterior and interior noise levels and describe how noise shall be measured. Exterior noise level standards are applicable when a land use affected by noise is one of the sensitive uses listed in the Noise Element. Exterior noise levels are measured from the property line of the affected noise-sensitive land use.

Table 3. Maximum allowable exterior noise level standards(1)

Sound Levels	Daytime 7 a.m. to 10 p.m.	Nighttime (2)
Hourly Equivalent Sound Level (L_{eq}, dB)	50	45
Maximum level, dB	70	65

(1) When the receiving noise-sensitive land use is outdoor sports and recreation, the noise level standards are increased by 10 db.

(2) Applies only to uses that operate or are occupied during nighttime hours

Discussion

(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?*

The project site is located in a moderately developed area and the nearest noise sensitive land uses to the project site would be single-family residential homes located approximately 150 feet to the east. The primary external noise source is SR 1, located immediately south of the project. Short-term construction and operational impacts were evaluated in an acoustic analysis prepared by 45dB Acoustics (45dB Acoustics 2018) to determine if the proposed use would meet or exceed applicable state and local noise restrictions and regulations.

The acoustic analysis determined that short-term noise impacts could occur during construction activities from either the transport of workers and movement of construction materials to and from the project site, or from the noise generated onsite during ground clearing/excavation, grading, and

building construction activities. The greatest noise impacts to the nearby residential homes are anticipated to occur during the simultaneous construction of the new parking lot and the first project building. Under a worst-case scenario, the nearest sensitive receptors would experience a noise level of 46 dBA Leq and 52 dBA Lmax, which are below the maximum allowable exterior noise level standards.

Operational activities include on-site traffic patterns, parking and loading/unloading, as well as roof-mounted heating/ventilation/air conditioning ("HVAC") systems used for interior climate control. The HVAC systems would be expected to use Variable Refrigerant Flow ("VRF"), which are known for quiet operation of the outdoor components, compressors and condensers. Exhaust air from the building would be through acoustically-lined exhaust ducts and louvers at low fan speeds. Sounds levels measured at a distance of 10 feet from these units is less than 50 dBA. Based on these results, the acoustic analysis determined that the project would not result in the 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. Therefore, impacts would be *less than significant.*

(b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

The acoustic analysis performed for the project evaluated potential short-term construction vibration impacts from using equipment. The primary sources of vibration during construction would be from a large bulldozer, which would produce a vibration level of 0.089 Peak Particle Velocity ("PPV") or 87 Vibration Velocity Level ("VdB") at 25 feet. It is anticipated that the vibration levels caused by a large bulldozer operating on the eastern edge of the project site at the nearest home will be around 0.02 inches per second PPV or 81 VdB, which is below the 0.2 inch per second or 94 VdB vibration threshold. Therefore, construction-related vibration is not expected to create a significant impact. Operationally, vibration levels are anticipated to be less than the human threshold of perception. Vibration levels within the project site would be limited in nature and not expected to travel further than 25 feet. The project as designed would not result in the exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. Therefore, impacts would be *less than significant*.

(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The nearest airport to the project is the Oceano County Airport, located approximately 4 miles northwest. The project is not located within the vicinity of a private airstrip or an airport land use plan or within two miles of a public airport or public use airport, and the project would not expose people residing or working in the project area to excessive noise levels. Therefore, *no impact* would occur.

Conclusion

The proposed project would not result in a significant adverse impact related to Noise. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XIV. POPULATION AND HOUSING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Setting

The County of San Luis Obispo General Plan Housing Element recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The Housing Element includes an analysis of vacant and underutilized land located in urban areas that are suitable for residential development and considers zoning provisions and development standards to encourage development of these parcels. These parcels are categorized into potential sites for very low- and low-income households, moderate-income households, and above moderate-income households.

The County's Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships ("HOME") Program and the Community Development Block Grant ("CDBG") program, which provides limited financing to projects relating to affordable housing throughout the county.

Discussion

(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project proposes to develop a new light-industrial facility for storage, re-packaging, and wholesale distribution of pet supplies. At full build-out, it is anticipated that the project would employ up to 80 employees, Monday through Friday, from 7:00 a.m. to 5:00 p.m. It is anticipated that the project would use workers from the local labor pool and the scale and scope of the project would not have the capacity to substantially induce unplanned population growth within the area. Therefore, impacts would be *less than significant*.

(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project would be located in an area designated for industrial uses and would be surrounded by other light industrial and suburban residential uses. Previous uses on the site include a single-family residence that has since been abandoned; the structures remaining would be removed. The subject parcel is not zoned for residential uses, and development of the project would not preclude future residential development in surrounding residential areas. In addition, the project would be subject to an inclusionary housing fee to provide local funding for affordable housing. Based on the existing land use designation and historical use of the project site, the project would not displace a substantial number of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, impacts would be *less than significant*.

Conclusion

The proposed project would not result in a significant adverse impact related to Population and Housing. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XV. PUBLIC SERVICES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	Fire protection?	☐	☐	☒	☐
	Police protection?	☐	☐	☒	☐
	Schools?	☐	☐	☐	☒

Initial Study – Environmental Checklist

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection ("CAL FIRE"), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time State employees operate the County Fire Department, supplemented by as many as 100 State seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 State inmate fire fighters. County Fire/CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. County Fire/CAL FIRE has 24 fire stations located throughout the county. The project would be served by County Fire Station #22 - Mesa, located directly across the street from the project site.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conduct proactive law enforcement activities, and perform initial investigations of crime. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest office is in Oceano, located approximately 6 miles north. San Luis Obispo County has a total 0f 10 school districts that currently enrolls approximately 34,000 students in over 75 schools. The project area is within the Lucia Mar Unified School District.

Public facilities fees, park impact or "Quimby" fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Recreation Element.

A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to the serve new development, including fire protection, law enforcement, schools, parks, and roads.

Initial Study – Environmental Checklist

Discussion

(a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection?
The proposed project would develop a new light industrial facility in a suburban area within the Nipomo Mesa adjacent to Willow Road/SR 1. The nearest County Fire/CAL FIRE facility is the San Luis Obispo County Fire Station 22, located on Willow Road/ SR 1 directly across from the project, with a response time of 0- to 5-minutes. Construction activities may slightly increase fire risk during construction; however, the project does not propose a use or any operational activities that would generate substantial long-term increases in demand for fire protection or other emergency services. The project would be developed and built to include standard building codes including fire sprinklers. In addition, the project has prepared a Fire Protection Plan that includes a schematic of the fire water delivery system consisting of fire water storage tanks, fire pump, underground water supply, hydrants, fire department connections, etc. Based on the nature of the proposed project, proximity to the nearest County Fire/CAL FIRE Station, standard building requirements for fire suppression, and the Fire Protection Plan, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities. Therefore, potential impacts would be *less than significant*.

Police protection?
The project site would continue to be served by the San Luis Obispo County Sheriff, with the nearest office located approximately 6 miles away at 1681 Front Street in Oceano. The project does not propose a new use or activity that would require additional police services above what is normally provided for similar commercial developments. The proposed project would not result in a significant increase in demand for police protection; therefore, potential impacts would be *less than significant*

Schools?
There is no new housing associated with the project and employees would be likely sourced from the local labor pool. Therefore, the project would not directly impact nearby schools and would not result in the generation of additional school children or create an increase in demand for additional school capacity. Therefore, *no impacts* would occur.

Parks?
The project does not extend through any public parks or recreational areas; however, the County's Parks and Recreation Element identifies a future trail that would traverse the subject parcel along Willow Road/ SR 1. In anticipation of a new future public trail, the project proposes to dedicate a 25-foot right-of-way easement along Willow Road/ SR 1. No new recreational facilities are proposed as part of the project, and any improvements associated with the new trail would happen as part of a separate project conducted by the County. Therefore, the project would not result in an increase in population and would not place any new or increased demand on existing local or regional park and recreation facilities. Construction of the project would not displace any existing or known proposed recreational facilities. Therefore, *no impacts* related to public park and recreational facilities would occur.

Other public facilities?
The project would result in negligible operational impacts and potential construction related effects would be predominantly limited to the existing right-of-way along Willow Road/ SR 1. The project would not directly or indirectly affect other public facilities in the project vicinity. The proposed project would not directly or indirectly induce population growth in the area and would not increase demand on public facilities as a result of the project. No expansion of County facilities or emergency services would be required. Therefore, *no impacts* to other public facilities would occur.

Conclusion

The proposed project would not result in a significant adverse impact related to Public Services. Therefore, no mitigation measures are necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XVI. RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Setting

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The project itself is suburban, offering few recreational facilities within the immediate vicinity. The

Initial Study – Environmental Checklist

Oceano Dunes State Vehicular Recreation Park, Pismo State Beach, Nipomo Regional Park, and the Blacklake Golf Resort are the nearest recreational facilities to the project.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Recreation Element.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

Discussion

(a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

The project proposes a light industrial facility that would store, re-package, and sell pet supplies. Operation would occur 7:00 a.m. to 5:00 p.m., Monday through Friday, and employ up to 80 employees at full build-out. No new housing is associated with the project and it is anticipated that the new employees would be sourced from the local labor pool. The overall scope and scale of the project would not have the capacity to induce population growth and would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, impacts would be *less than significant*.

(b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The County's Parks and Recreation Element identifies several large trails that would connect numerous communities throughout the County. Included is the Juan Bautista de Anza National Historic Trail, which would follow SR 1 south from Oceano and traverse the subject parcel along Willow Road/ SR 1 before terminating at the County line near the Santa Maria River. In anticipation of a new future public trail, the project proposes to dedicate a 25-foot right-of-way easement along Willow Road/ SR 1. No new recreational facilities are proposed as part of the project, and any improvements associated with the new trail would happen as part of a separate project. As such, the project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, impacts would be *less than significant*.

Conclusion

No significant impacts to Recreational resources would occur and no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XVII. TRANSPORTATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
(b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
(c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
(d)	Result in inadequate emergency access?	☐	☐	☒	☐

Setting

The County of San Luis Obispo Land Use and Circulation Element ("LUCE") establishes goals, objectives, and policies to be implemented throughout the unincorporated area of the county.

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county.

In 2013, Senate Bill 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research ("OPR") to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and

adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of Senate Bill 743 and identified vehicle miles traveled ("VMT") per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA. Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The San Luis Obispo Council of Governments ("SLOCOG") holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency ("RTPA"), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation Plan ("RTP"), programming of state funds for transportation projects, and the administration and allocation of transportation development act funds required by state statutes. As the Metropolitan Planning Organization ("MPO"), SLOCOG is also responsible for all transportation planning and programming activities required under federal law. This includes development of long-range transportation plans and funding program, and the section and approval of transportation projects using federal funds.

The 2019 RTP, which is scheduled for adoption in June 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the metropolitan region and creates a framework for project priorities. As the MPO for the region, SLOCOG represents and works with the County of San Luis Obispo as well as the Cities within the county in facilitating the development of the RTP.

The County Department of Public Works establishes bicycle paths and lanes in coordination with the RTP, which outlines how the region can establish an extensive bikeway network. County bikeway facilities are funded by state grants, local general funds, and developer contributions. The RTP also establishes goals and recommendations to develop, promote, and invest in the public transit systems, rail systems, air services, harbor improvements, and commodity movements within the county in order to meet the needs of transit-dependent individuals and encourage the increasing use of alternative modes by all travelers that choose public transportation. Local transit systems are presently in operation in the cities of Morro Bay and San Luis Obispo, and in South County offering service to Grover Beach, Arroyo Grande, Pismo Beach, and Oceano. Dial-a-ride Systems provide intra-community transit in Morro Bay, Atascadero, and Los Osos. Inter-urban systems operate between the City of San Luis Obispo and South County, Los Osos, and the North Coast.

The County LUCE establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations.

The proposed project is located approximately 4 miles south of Oceano and 6 miles west of Nipomo at the northwest corner of the intersection of Willow Road/ SR 1 and Winterhaven Way. Access into and out of the site would be provided by two new 30-foot driveways onto Winterhaven Way. No direct access would occur from Willow Road/SR 1. At full build-out, it is anticipated that the project would employ up to 80 employees, Monday through Friday, from 7:00 a.m. to 5:00 p.m. The site is estimated to have 4-6 truck deliveries per day, including shipping and receiving. The use primarily involves receiving, warehousing, repackaging and/or light assembly and shipping products for wholesale distribution.

SR 1 is a north-south minor arterial highway facility that traverses along coastal California and serves as the principal inter-regional auto and truck travel route that connects San Luis Obispo County (and other portions of the Central Coast) with the San Francisco Bay Area to the north and the Los Angeles urban basin to the south. Current traffic counts indicate that SR 1 carried approximately 7,400 average annual daily traffic trips ("AADT") between Oso Flaco Lake Road and Halcyon Road in 2017. Within San Luis Obispo

County, SR 1 provides major connections between and through several cities and communities. Willow Road is a two-lane east-west major collector facility that connects to SR 1 and US 101. Willow Road serves as a major collector facility for the local roads in the area and is part of SR 1 between Guadalupe Road and the Phillips 66 refinery. Willow Road primarily serves single-family housing, light industrial and limited recreational and agricultural uses. Winterhaven Way is a 26' wide local road that extends from SR1 north to Callender Road. This unstriped road acts as the eastern boundary of the proposed project. The facility features a looped internal driveway with two yield-controlled driveway access points onto Winterhaven Way to be constructed with Phase I. Most of the project traffic will utilize Winterhaven Way southward to access SR 1; however, a small percentage (approximately 5%) will travel north on Winterhaven Way to connect to Callender Road (major collector) and other local roads that circulate within the study area.

In the project vicinity, there is an Existing Class III Bikeway Route that follows State Route 1 between Guadalupe and Oceano. There is also an Existing Class II Bikeway Lane that begins at Willow Road (approximately 1 mile east of the project site) and extends beyond US 101. This Existing Class II Bikeway Route intersects at Pomeroy Road where another Existing Class II Bikeway Route is located that runs south on Pomeroy Road with a Proposed Class II Bikeway to the north of Pomeroy Road.

San Luis Obispo Regional Transit Authority (RTA) provides intercommunity public transportation throughout San Luis Obispo County and extends into Santa Barbara County to the south. RTA Route 10 (San Luis Obispo to Santa Maria), travels along the US 101 but does not stop within close proximity of the project site. This is the nearest public transit service offered by any transit agency in the County.

A Traffic Impact Analysis Report ("TIA") prepared by Omni-Means/GHD ("Omni-Means/GHD 2018"), identified and assessed potential impacts that could result from the proposed project. The Traffic Impact Analysis Report was updated and revised by GHD in October, 2019 ("GHD, 2019") to evaluate the revised project phasing. With the phases reversed, a reduced Phase I building proposed on the northern half of the site would improve the northern frontage portion of Winterhaven Way, and the southeast frontage wrapping onto Willow Road to provide a right-turn lane on Willow Road in the first phase. After butterfly habitat mitigation is established and Phase II is allowed to go forward, the applicant would construct all of the required roadway improvements for project build-out on Willow Road and Winterhaven, with Phase II. This includes the intersection with Winterhaven Way, widening and lane improvements on Willow Road, and relocation of PG&E utility poles and utilities. The TIA was based on the existing conditions of the site, the proposed floor area under the revised phasing, and the proposed use; it included trip generation calculations, peak-hour traffic volumes, average daily traffic, target level-of-service, queuing, and a turn lane warrant analysis for several scenarios. A cumulative impact analysis was also conducted using traffic volume forecasts prepared by local and regional agencies.

Discussion

(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The traffic analysis report used two trip generation analysis methodologies to determine the best case and worst-case scenarios of potential trips generated by development of the site. The operational analysis used the existing Zoo-Med site that currently operates in the City of San Luis Obispo with an approximate floor area of 140,000 square feet with 87 full-time employees. Under this scenario, the project is anticipated to result in 281 daily trips and 48 PM peak hour trips. An alternative analysis using a floor area analysis based on the Caltrans ITE Trip Generation manual estimated that at full build-out, the project would result in 982 daily trips and 152 PM peak hour

trips. Under direction of the County and Caltrans, this scenario was used for the cumulative conditions analysis to evaluate maximum potential impacts.

The first phase of the project would construct 46,500 square feet of industrial buildings on the northern half of the site, along with associated parking, a looped driveway with two point of access on Winterhaven Way and construct onsite water storage and wastewater systems. The south portion of the site and Willow Road frontage would remain undisturbed while offsite butterfly mitigation is completed. Upon completion of butterfly mitigation and monitoring as described in Mitigation Measures BIO-1 and BIO-2 and authorization for tree removal on the southern portion of the site, Phase II would construct the remaining four sub-buildings totaling 93,500 square feet, and would complete all of the roadway improvements on south Winterhaven and Willow Road to complete the project. A County Encroachment Permit will be required for the improvements and driveway connections to Winterhaven Way, outside of CalTrans jurisdiction.

Based on the results of the TIA analysis, at buildout the project would increase traffic trips along Willow Road/SR 1 and Winterhaven Way, with the greatest impacts occurring when both eastbound and westbound vehicles turn off of Willow Road/SR 1 onto Winterhaven Way. As part of **Mitigation Measure TR-1**, the project would be required to make shoulder widening improvements along SR 1 and install new eastbound and westbound turn lanes with a minimum storage of 100 feet. Development of the roadway improvements would reduce potential impacts to SR 1 for vehicles turning onto Winterhaven Way.

The traffic analysis evaluated impacts to five road segments and six intersections using a Level of Service (LOS) threshold of C per Caltrans' target for LOS on State Highways and the County of San Luis Obispo's LOS threshold for rural areas. Under the existing and proposed project condition, all road segments would continue to operate at acceptable service levels. However, the traffic study concluded that under the existing conditions, two intersections are currently operating at unacceptable service levels. Under the proposed project scenario, these two intersections are forecasted to continue to operate at unacceptable service levels, with the project further adding to a degraded service level. The traffic analysis also evaluated a cumulative full build-out impact scenario and determined that both the intersections and road segments evaluated would continue to experience degraded LOS.

The project is located within the South County Road Impact Fee Area 1 and is subject to a road impact fee. The traffic report identifies several improvements for a cumulative build-out scenario, and evaluated whether these improvements are included in the regional fee program. If the proposed improvement is included in the regional fee program, payment of the road impact fee would be adequate to mitigate traffic-related impacts. If the proposed improvement is not within the regional-fee program, the traffic report provides a pro-rata share for contributions towards future road improvements. **Mitigation Measure TR-2** would require the applicant to pay the required road impact fees as designated by the regional Road Impact Fee ("RIF") program or per the pro-rata share contribution provided in the traffic analysis, depending on the type of improvement that is proposed.

As discussed above, an existing Class III Bikeway Route is identified along the segment of Willow Road/SR 1 that traverses the subject property. Class III Bikeway Routes are considered a right-of-way designated by signs and are not exclusive paths or lanes entirely dedicated to bicycles. As part of the proposed improvements described in **Mitigation Measure TR-1**, shoulder widening would occur along Willow Road/SR 1 in front of the project site. During construction, short-term impacts

could affect north/west bound bicyclists. However, these improvements are intended to provide additional safety along Willow Road/SR 1, and would not result in long term impacts to bicycle facilities. In addition, the County has identified the segment along Willow Road/ SR 1 as potentially being developed for the Juan Bautista de Anza National Historic Trail, which follows SR 1 south from Oceano to the County line near the Santa Maria River. In anticipation of a new future public trail, the project proposes to dedicate a 25-foot public right-of-way easement along Willow Road/ SR 1. Improvements associated with this trail would occur under a separate project; however, these improvements would result in a beneficial impact on bicycle facilities by upgrading the bikeway class.

The traffic analysis report concluded that with implementation of **Mitigation Measure TR-1** and payment of all required road impact fees per **Mitigation Measure TR-2**, the project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Therefore, impacts would be *less than significant with mitigation.*

(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (impacts based on Vehicle Miles Traveled or "VMT")?

CEQA Guidelines section 15064.3 does not apply until July 1, 2020 and the County has not elected to be governed by the provisions of this section in the interim. Therefore, this threshold does not apply. It is anticipated that the project would add approximately 281 new daily trips, with employees commuting from various locations around the County. As discussed above, the project would result in additional vehicle trips and contribute to a degraded LOS, and therefore would be required to make road improvements per **Mitigation Measure TR-1** and **TR-2.** Because the County has not yet established regional thresholds for VMT, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). Therefore, impacts would be *less than significant.*

(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

As discussed above, the project would increase the volume of trips within the project vicinity and as a result would be required to make roadway improvements per **Mitigation Measure TR-1**. These improvements include shoulder widening and new turn lanes, which improve the overall safety and traffic conditions at the project site. Permitting would be under CalTrans and all improvements including the intersection of Willow Road and Winterhaven Way will be designed to meet State highway standards. With implementation of **Mitigation Measure TR-1**, the project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Therefore, impacts would be *less than significant*.

(d) Result in inadequate emergency access?

The project may result in partial road closures during short-term construction activities; however, individual access to properties neighboring the new facility will be maintained during all construction activities. Additionally, in the event of partial lane closures, sufficient alternative routes exist near the project site and the project would not interfere or result in inadequate emergency access. Therefore, impacts would be *less than significant.*

Conclusion

As part of **Mitigation Measures TR-1** and **TR-2**, the project would be required to make several roadway improvements including shoulder widening and the development of new eastbound and westbound turn lanes on Highway 1. In addition, the project would also be required to pay road impacts fees. Therefore, impacts to traffic would be less than significant with mitigation.

Mitigation: (See Exhibit B for full measures)

TR-1 Requires the applicant to submit plans to County Public Works for highway road improvements that satisfy CalTrans requirements for shoulder width, westbound and eastbound deceleration lanes.

TR-2 Requires the applicant to pay all required road impact fees pay per the regional fee program, or the pro-rata contribution provided by the Traffic Impact Analysis prepared for the project.

Sources

See Exhibit A.

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object 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), or	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Setting

Approved in 2014, Assembly Bill 52 (AB 52) added tribal cultural resources to the categories of resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

1) Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
    b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of California Public Resources Code Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes may have expertise with regard to their tribal history and practices, AB 52 requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe regarding the potential for adverse impacts on tribal cultural resources as a result of a project. Consultation may include discussing the type of environmental review necessary, the presence and/or significance of tribal cultural resources, the level of significance of a project's impacts on the tribal cultural resources, and available project alternatives and mitigation measures recommended by the tribe to avoid or lessen potential impacts on tribal cultural resources.

The County of San Luis Obispo (the CEQA Lead Agency) provided notification to Native American tribes affiliated with the project area pursuant to AB 52; no formal requests for consultation were received. In addition, a Phase 1 Archaeological Report and pedestrian survey was conducted for the site and produced negative findings.

Initial Study – Environmental Checklist

Discussion

(a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

(a-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)?*

The proposed project does not contain any known tribal cultural resources that have been listed or are 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). Therefore*, no impacts* to listed or eligible tribal cultural resources would occur.

(a-ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

The Phase 1 Archaeological Report, the pedestrian survey, and notification to affiliated tribes per AB 52 concluded that there are no known sensitive tribal cultural resources in the project area. However, in the unlikely event resources are uncovered during grading activities, LUO Section 22.10.040 (Archaeological Resources) requires that, in the event archaeological resources are encountered during project construction, construction activities cease, and the County Planning Department be notified of the discovery. If human remains are exposed during construction, construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by State law. The County's Coroner and Sheriff Department shall be notified immediately to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains. If the remains are determined to be Native American, the Coroner will notify the NAHC and the remains will be treated in accordance with Public Resources Code Section 5097.98. Adherence to LUO Section 22.10.040, the State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, potential impacts to tribal cultural resources would be *less than significant*.

Conclusion

The proposed project would not result in a significant adverse impact related to Tribal Cultural Resources. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XIX. 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, 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?	☐	☐	☒	☐

Setting

The County Public Works Department provides water and/or sewer services for specific County Service Areas ("CSAs") that are managed through issuance of water/sewer "will serve" letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the County rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0

acre or more must enroll for coverage under the State Water Resources Control Board's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the City of San Luis Obispo, Chicago Grade Landfill, located near the community of Templeton, and Paso Robles Landfill, located east of the City of Paso Robles. The project's solid waste needs would be served by South County Sanitary.

Discussion

(a) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

The existing property is currently served by an onsite well. The project proposes to employ up to 80 employees at full build-out which would require that the facility be on a public water system. A Feasibility Report prepared by Tartaglia Engineering (Tartaglia Engineering 2018) evaluated if an existing public water system was available to serve the project and concluded that the project site falls outside the physical, geographical, and geopolitical boundaries of all existing public water systems and mutual water companies. Base on the number of anticipated employees and proposed use, the appropriate water service to the project would be a Non-Transient Non-Community Water System ("NTNCWS"). A NTNCWS is public water system that is not part of a community water system and regularly supplies water to at least 25 of the same people at least six months per year, but not year-round. NTNCWS are commonly used for schools, factories, and office buildings.

Domestic consumption would be limited to serving the needs of the employees using water for the restroom and breakrooms and average daily consumption is anticipated to be very low. The water system would not service residential units and no humans are solely dependent on the water for daily life needs, and a service interruption would not be catastrophic. Water would also be used for landscape irrigation, and as with domestic consumption, and service interruption would not be catastrophic. However, the project would be required to provide adequate water for onsite fire protection. To accommodate the onsite water needs, the project proposes to install two 70,000-gallon fire protection water tanks and one 10,000-gallon domestic water tank on the western portion of the site.

The project also proposes the installation of a new septic system and drainage field under the parking lot for each building. A geotechnical engineering report and percolation test prepared by Earth Systems Pacific (Earth Systems Pacific 2017) confirmed that site conditions are suitable for the proposed system.

Development of the proposed NTNCWS and the septic systems would be confined to the footprint of the proposed development and would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities, further requiring construction of which could cause significant environmental effects. Therefore, impacts would be *less than significant.*

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

Water to the project would be provided by an onsite well and stored in two 70,000-gallon fire protection water tanks and one 10,000-gallon domestic water tank. The capacity of the tanks was determined based on amount of water needed for fire protection services compared to the amount

of well water available. A well test was performed for the project determined that the well is capable of 350 gallons per minute, which is adequate to serve the project and the proposed uses including domestic water consumption, landscape irrigation, and fire protection. Based on the proposed use and type of water system proposed, an interruption to service would not be catastrophic and the fire tank systems have been adequately sized in the event of a fire. Daily consumption is anticipated to be very low and no new foreseeable development is anticipated outside of what is currently being proposed. Based on the current well capacity and relatively low consumption of water, the project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. Therefore, impacts 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?*

As discussed above, the project proposes to install a new septic system and drainage field and would not require the use of a wastewater treatment provider outside of periodic maintenance associated with pumping the septic tanks. Because water would be managed onsite, the project would not 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. Therefore, impacts 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?*

Most of the solid waste associated with project would occur during the initial construction which may include excavated soils, demolition debris, and other construction materials associated with new development. Operationally, the project proposes to store, re-package, and distribute pet supplies, which would result in the generation of some solid waste, primarily in the form of packaging materials such as plastics and cardboard. The project does not propose manufacturing and there are no hazardous materials associated with the operations. Solid waste generated from the site would be consistent with other similar light-industrial and commercial facilities. Sanitary services would be provided by South County Sanitary and waste would be disposed of at the Cold Canyon Landfill. The Cold Canyon Landfill currently has a capacity of 1,650 tons per day and an estimated remaining capacity of 14,500,000 cubic yards. Currently, the estimated closure date for this landfill is December 31, 2040 (CalRecycle 2019), and therefore, has adequate permit capacity to serve the project. Based on proposed use and the existing capacity of landfill serving the project, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, and would not otherwise impair the attainment of solid waste reduction goals. Therefore, impacts would be *less than significant*.

(e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

As discussed above, solid waste associated with the project would similar to that of other light-industrial or commercial uses. The project does not propose any uses or activities that would otherwise result in the generation of solid waste conflict with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts would be *less than significant*.

Conclusion

The proposed project would not result in a significant adverse impact related to Utilities and Service System. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XX. WILDFIRE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
(c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
(d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Setting

In central California, the fire season usually extends from roughly May through October, however, recent events may indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones ("FHSZ") are defined by the California Department of Forestry and Fire Protection ("CALFIRE") based on the presence of fire-prone vegetation, climate, topography, assets at risk

(e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the County have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County, from Monterey County in the north to Santa Barbara County in the south. The Moderate Hazard designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has "fire weather" is less than in high or very high fire severity zones. The project is located within a State Responsibility Area on land designated as a High Fire Hazard Severity Zone.

The County Emergency Operations Plan ("EOP") addresses several overall policy and coordination functions related to emergency management. The EOP includes the following components:

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;
- Outlines the integration of assistance that is available to local jurisdictions during disaster situations that generate emergency response and recovery needs beyond what the local jurisdiction can satisfy;
- Specifies the direction, control, and communications procedures and systems that will be relied upon to alert, notify, recall, and dispatch emergency response personnel, alert the public, protect residents and property, and request aid/support from other jurisdictions and/or the federal government;
- Identifies key continuity of government operations; and
- Describes the overall logistical support process for planned operations.

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread.

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. Implementation strategies for this policy include identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

The County 's Emergency Operations Plan outlines the emergency measures that are essential for protecting the public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information and protective actions. The EOP also addresses policy and coordination related to emergency management.

Initial Study – Environmental Checklist

Discussion

(a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The project is located off of Willow Road/SR 1 and is accessed from Winterhaven Way. In addition to the development of the 140,000 square foot light industrial facility, the project would also be required to make road improvements along Willow Road/ SR 1. During short-term construction activities including the associated roadway improvements, partial road closures may be required along Willow Road/SR 1 and Winterhaven Way; however, individual access to properties neighboring the new facility will be maintained during all construction activities. Additionally, in the event of partial lane closures, sufficient alternative routes exist near the project site and the project would not interfere or result in inadequate emergency access. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan and impacts would be *less than significant.*

(b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

The project and proposed facilities would be developed on a relatively flat parcel partially containing a eucalyptus grove. The project is primarily surrounded by suburban development including County Fire/CAL FIRE San Luis Obispo County Fire Station 22 located directly across from the project. The project is not located near a slope or in an area subject to prevailing winds or other factors that would otherwise significantly exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, impacts would be *less than significant.*

(c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The proposed project would be required to make additional roadway improvements in the right-of-way along Willow Road/SR 1 and Winterhaven Way; however, these improvements are not necessary for the maintenance of the associated infrastructure and would not exacerbate fire risk or that would result in temporary or ongoing impacts to the environment. The project would not require vegetation management, the construction of fuel breaks, emergency access roads, or other infrastructure that may adversely affect the environment. Therefore, *no impacts* would occur.

(d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The project would be located on a relatively flat, undeveloped parcel containing eucalyptus trees and would be surrounded by suburban development including CAL FIRE Station 22 located directly across the street. The project would not be sited in location that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, *no impacts* would occur.

Conclusion

The project is located within a State Responsibility Area on land designated as a High Fire Hazard Severity Zone. However, the proposed project and associated activities would not result in a significant adverse impact related to Wildfire. Therefore, no mitigation is necessary.

Mitigation

No mitigation is necessary.

Sources

See Exhibit A.

XXI. 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 plant 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?	☐	☒	☐	☐

Initial Study – Environmental Checklist

Discussion

(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 plant 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?*

The proposed project would not substantially degrade or threaten the quality of the environment, habitat, or populations of any fish or wildlife species, or important examples of California history or prehistory. Potential adverse effects to the environment associated with the project primarily include the potential to impact overwintering habitat for monarch butterfly and migratory birds. Potential impacts to air quality, paleontological resources, and transportation were also evaluated. Mitigation measures have been proposed to prevent or reduce all potential impacts to less than significant; therefore, potential impacts would be *less than significant with mitigation*. Refer to Section 3. Air Quality, Section 4. Biological Resources; and Section 12. Transportation, for additional information.

(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)?*

When project impacts are considered along with, or in combination with other impacts, the project-related impacts may be significant. Potential cumulative impacts of the proposed project have been analyzed within the discussion of each environmental resource area above. As identified above, the project has the potential to result in potentially significant cumulative impacts related to Air Quality, Biology, and Transportation. Air Quality mitigation is included that would reduce cumulative impacts resulting from PM_{10}, DPM, ROG, and NO_x emissions to less than significant. Mitigation measures are also identified to reduce cumulative impacts to monarch butterfly as a result of cumulative habitat loss. A cumulative build-out scenario was evaluated in the Traffic Impact Analysis and determined that future improvements may be required. The project would be subject to the South County Road Impact Fee program and the final road impact fee would be assessed by the County based on the type of improvements being proposed. With implementation of Mitigation Measures AIR-1 through AIR-2, BIO-1 through BIO-3, and TR-1 through TR-2, cumulative impacts would be *less than significant with mitigation*.

(c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Environmental effects of the project would not directly or indirectly result in any substantial adverse effects on human beings; this impact would be *less than significant*.

Conclusion

Based on implementation of mitigation measures identified in each of the sections above, all potential impacts associated with the construction and operation of the proposed project would be mitigated to less than significant levels.

Initial Study – Environmental Checklist

Mitigation

See Exhibit B.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

Exhibit A - Initial Study References and Agency Contacts

The County Planning Department has contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
☒	County Public Works Department	**In File****
☒	County Environmental Health Services	**In File****
☐	County Agricultural Commissioner's Office	**Not Applicable**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☐	Air Pollution Control District	**Not Applicable**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**Not Applicable**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**In File****
☒	CA Department of Transportation	**In File****
☐	Community Services District	**Not Applicable**
☒	Other County Building Division	**In File****
☒	Other County Parks	**In File****

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County Documents

☒ Coastal Plan Policies
☒ Framework for Planning (Coastal/Inland)
☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
- ☒ Agriculture Element
- ☒ Conservation & Open Space Element
- ☐ Economic Element
- ☐ Housing Element
- ☒ Noise Element
- ☒ Parks & Recreation Element/Project List
- ☒ Safety Element

☒ Land Use Ordinance (Inland/Coastal)
☒ Building and Construction Ordinance
☒ Public Facilities Fee Ordinance
☐ Real Property Division Ordinance
☐ Affordable Housing Fund
☐ Airport Land Use Plan
☒ Energy Wise Plan
☒ South County Area Plan/South County sub area and South County Coastal Area Plan
☐ Design Plan
☐ Specific Plan
☐ Annual Resource Summary Report
☐ Circulation Study

Other Documents

☒ Clean Air Plan/APCD Handbook
☐ Regional Transportation Plan
☒ Uniform Fire Code
☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ Archaeological Resources Map
☒ Area of Critical Concerns Map
☒ Special Biological Importance Map
☒ CA Natural Species Diversity Database
☒ Fire Hazard Severity Map
☒ Flood Hazard Maps
☐ Natural Resources Conservation Service Soil Survey for SLO County
☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
☐ Other

Initial Study – Environmental Checklist

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

Althouse and Meade, Inc. 2019. Habitat Management Plan for 654 Winterhaven Way. April 2019.

California Department of Conservation. 2009. Tsunami Inundation Map for Emergency Planning. Available at: http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/SanLuisObispo. Accessed on: July 17, 2019.

California Department of Conservation. 2016. Farmland Mapping and Monitoring Program. Available at: http://maps.conservation.ca.gov/dlrp/ciftimeseries/. Accessed on: July 17, 2019.

California Department of Forestry and Fire Protection (CalFire). 2007. State Responsibility Areas (SRA). Available at: http://frap.fire.ca.gov/projects/sra_mapping/. Accessed on: July 17, 2019.

California Department of Fish and Wildlife (CDFW). 2019. California Natural Diversity Database (CNDDB). Accessed on: July 17, 2019.

California Environmental Protection Agency (CalEPA). 2019. Cortese List Data Resources. Available at: https://calepa.ca.gov/sitecleanup/corteselist/. Accessed on August 28, 2018.

California Department of Toxic Substance Control. 2018. Envirostor. Available at: https://www.envirostor.dtsc.ca.gov/public/. Accessed on: July 17, 2019.

California Department of Transportation (Caltrans). 2019. Caltrans GIS Data – Aviation. Available at: http://www.dot.ca.gov/hq/tsip/gis/datalibrary/. Accessed on: July 17, 2019.

California State Water Resources Control Board (SWRCB). 2019. GeoTracker. Available at: https://geotracker.waterboards.ca.gov/. Accessed on: July 17, 2019.

CalRecycle. 2019. Facility/Site Summary Details: Cold Canyon Landfill, Inc. (40-AA-0004). Available at: http://www.calrecycle.ca.gov/SWFacilities/Directory/40-AA-0004/Detail/. Accessed on: July 17, 2019.

Carr, Paula. 2012. Historical Study Report for Sheridan Road Left-Turn Channelization Project. California Department of Transportation District 5. July 2012.

County of San Luis Obispo (County). 2018. Land Use View: Agricultural-Williamson Act Available at: https://gis.slocounty.ca.gov/sites/luview.htm. Accessed on: July 17, 2019.

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Exhibit B - Mitigation Summary

The applicant has agreed to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

AIR-1 **Upon application for construction and/or encroachment permits**, all required PM_{10} measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

a. Reduce the amount of the disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period shall be implemented. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible;

c. All dirt stock pile areas shall be sprayed daily or covered with tarps or other dust barriers, as needed;

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities;

e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;

g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials shall be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;

j. Installation of wheel washers or other devices to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets shall be implemented, or trucks and equipment shall be washed prior to leaving the site;

k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;

l. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Engineering & Compliance Division prior to the start of any grading, earthwork, or demolition.

AIR-2 **Prior to issuance of grading or construction permits in any phase**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

Construction Equipment

a. Maintain all construction equipment in proper tune according to manufacturer's specifications;

b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or oxides of nitrogen exempt area fleets) may be eligible by proving alternative compliance;

f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;

h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible;

i. Electrify equipment when feasible;

j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

Table 1, below, provides a summary of the Biological Mitigation Measures and graphically displays the "tiered approach" to monarch butterfly mitigation as detailed in Mitigation Measures BIO-2 and BIO-3 below.

TABLE 1: Monarch Butterfly Mitigation Summary

	Measures			Requirements
BIO-1	BIO-1			Revise project phasing to build north side first (Phase I) with reduced bldg footprint to avoid habitat loss on southern area. Monitor onsite habitat for 3 years for overwintering use, prior to Phase II. Avoid tree removal during fall-winter, and conduct pre-construction monarch surveys, prior to each phase.
BIO-2	BIO-2			Tiered-Approach Mitigation
BIO-2.1		BIO-2.1		Locate an existing overwintering area not in conservation, and put into conservation at 1:1 with endowment. This option may be infeasible due to lack of suitable sites. If County-approved at 1:1 offset (5.91) acres, no further mitigation required. May be used at less than 1:1 to offset unsuccsessful mitigation under BIO-2.2.b, in conjunction with BIO-2.2.b(3).
BIO-2.2.a		BIO-2.2	a. On-Site	Incorporate nectar plantings into project site landscaping to feed migrating butterflies; retain large trees at perimeter and add additional native trees. Monitor landscaping for monarch use.
BIO-2.2.b.(1)			b. Off-Site	(1) Direct Off-Site: Habitat Enhancement of a comparable site not in use by monarchs, but within an existing conservation area. Create/enhance overwintering conditions in existing woodland, monitor for 3 years to verify success under identified criteria.
BIO-2.2.b.(2)				(2) Indirect - Program Funding: Fund an identified & County-approved monarch educational or research program at $2,000/acre for a total of $11,820. May be divided into 2 payments, prior to PH I and PH II.
BIO-2.2.b.(3)				(3) Off-Site funding in support of monarch population habitat, in the event that BIO-2.2.b is unsuccessful. Funding of $4,000 per acre - up to $23,640, paid to an entity currently supporting and managing an existing overwintering monarch population and habitat.
BIO-3	BIO-3			Biologist to conduct nesting bird surveys prior to tree removal and construction in each phase.

BIO-1 **Prior to building permit submittal for Phase I:** The applicant shall revise project phasing to begin with the northern portion of the site as Phase I, avoiding the southern portion containing the overwintering area of the site until Phase II, after mitigation can be established. **During construction,** tree removal and site disturbance for Phase I development shall be avoided during the monarch butterflies' fall and winter migration (late October through February) to the greatest extent feasible. If tree or vegetation removal or site disturbance is necessary during the monarch butterflies' fall and winter migration, a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on the site for overwintering. If roosting clusters of monarch butterflies are detected, Phase I development shall be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on site for overwintering. Phase II development shall be subject to the same procedures identified above, after the necessary requirements identified in Mitigation Measure BIO-2 have been met.

BIO-2 **Prior to tree removal or Building Permit submittal of Phase II (southern half of parcel):** The applicant must execute and satisfy mitigation of project impacts to monarch butterfly, as outlined in three different mitigation options provided under this measure. BIO-2.1, BIO-2.2 (which includes BIO-2.2.a, and BIO-2.2.b.1 to BIO-2.2.b.3), and BIO-2.3 are designed to conserve, protect, and enhance monarch butterfly overwintering habitat in a tiered approach. BIO-2.1 would completely mitigate the project impacts but may prove to be infeasible. If that is the case, then BIO-2.2.a and

BIO-2.2.b.1 and 2.2.b.2 are required to be implemented and monitored, prior to initiation of any Phase II activities. In the event that after implementation, direct off-site habitat replacement under Mitigation BIO-2.2.a is unsuccessful in meeting the necessary requirements, the applicant shall be subject to BIO-2.3 (or may elect to use BIO-2.1) prior to the development of Phase 2. Success criteria of Bio-2.2a is based on monitoring, as outlined below.

1. *Mitigation BIO-2.1* would require the applicant to conserve an equal amount of habitat being removed by Phase 2 of the project with habitat that has a known overwintering population of monarch butterflies and that is not currently in conservation. **Prior to issuance of construction permits or any site disturbance associated with Phase 2**, the applicant shall provide to the County Department of Planning evidence that a conservation easement and management agreement has been recorded between the landowner and a land trust or government agency. The easement and agreement shall both conserve habitat and provide for a management plan of the habitat in perpetuity. The conserved habitat shall be located in the central portion of coastal California (i.e., Ventura to Monterey).

   Phase I tree removal and development can be implemented prior to completion of *Mitigation BIO-2.1*; however, Phase II cannot be implemented until conservation is completed. Site monitoring for monarch activity is required until successful completion of *Mitigation BIO-2.1*. The easement shall be coordinated and approved by the County Department of Planning and Building prior to issuance of a Notice of Proceed for Phase II development. Under *Mitigation BIO-2.1,* no additional mitigation would be required for implementation of full 1:1 conservation.

2. *Mitigation BIO-2.2*: TIERED PROGRAM: Requires the applicant to implement each of the following mitigations (a-c) identified in the mitigation plan prepared by Althouse and Meade, Inc. (2019):

   a. On-site Mitigation: MONARCH-SUPPORTIVE LANDSCAPING

   The project shall incorporate in the project design flowering shrubs to provide nectar sources and tree plantings along the perimeter to provide potential roosting habitat. Landscaping and tree species shall be consistent with the species identified in the Althouse and Meade, Inc. mitigation plan (2019) and have an establishment period of at least three years before Phase II construction.

   Prior to establishing the on-site landscaping and before issuance of construction permits, the applicant shall provide a preliminary landscape and habitat maintenance plan to the County Department of Planning and Building for review and approval. The landscape plan shall identify the location, quantity, and species of proposed plantings. The plan shall demonstrate water conservation measures and irrigation efficiency as identified in Chapter 22.16 of the Land Use Ordinance. The habitat maintenance plan shall detail irrigation, pruning, and fertilization timing and methods to ensure the success and health of the plantings. **Prior to issuance of Phase I construction permits** the applicant shall demonstrate execution of a contract with a qualified professional for the purpose of managing the landscape to ensure success. Plantings shall achieve a minimum annual survivorship rate of 75% of the total plants initially planted

during the first year. New plantings may be required so that survivorship is at least 75% after the three-year establishment period.

The on-site landscaping shall be included in the area of required butterfly monitoring, performed by a qualified biologist to document monarch use of the nectar planting. Plants shall be monitored when flowers or leaves are present and plant survivorship can easily be determined. Monitoring shall be performed for a minimum of three years. Upon establishment of Phase II landscaping, plants shall be monitored for one additional year after installation for butterfly nectar feeding use.

After approval of the landscape and maintenance plan, the applicant shall implement the landscape and maintenance plan **in perpetuity**. Within 30-days of completion of the annual monitoring and at the completion of monitoring after three years, a monitoring report shall be submitted to the County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful implementation of the mitigation.

b. Off-site Mitigation: DIRECT (1), AND INDIRECT (2), PLUS ALTERNATE BACKUP (3)

Off-site mitigation includes both "direct" off-site mitigation that entails offsite habitat enhancement to create overwintering sites at a property located less than a mile from the project site and "indirect" off-site mitigation would require funding an education-based program which would provide benefits to local monarchs via either habitat creation, community education, or research.

(1) Direct Off-site Mitigation

Direct off-site habitat enhancement shall take place on suitable existing woodland property, already in conservation, that is not currently known to be used by monarch. The establishment monitoring period for the direct off-site habitat enhancement shall be a minimum of three years prior to initiation of Phase II At this time, the applicant has identified the Choin property (075-351-018), a eucalyptus grove owned and managed by the Land Conservancy of San Luis Obispo County (LCSLOC), located 0.9 miles northeast of the Project Site at the southern terminus of Zenon Way above Black Lake Canyon. If this property is not utilized, the applicant shall identify an alternate site.

Prior to establishing the direct off-site habitat enhancement area and before issuance of Phase I construction permits, the applicant shall provide to the Department of Planning and Building an agreement related to monarch butterfly habitat enhancement on the selected property. The agreement shall include a Habitat Enhancement Plan that details the site characteristics, location and size of the habitat enhancement area, proposed enhancement methods including new plantings, a long-term maintenance program, responsible parties, and prohibited activities. The enhancement plan shall be prepared by a qualified biologist with specialized knowledge and experience of monarch butterfly and shall be reviewed and approved by the County Department of Planning and Building and the property owner. It shall include reasonable assurance that no future projects would interfere with the long-term success of the monarch

habitat enhancement efforts. The habitat enhancement area shall be located within a contiguous 6-acre area to mitigate for the 5.91 acres of eucalyptus impacted by the project.

The applicant, in agreement with the landowner, shall contract with a qualified butterfly professional for the purpose of monitoring the success of the enhancement. The monitoring contract shall include a requirement that the monitor conduct an annual site visit and assessment of the enhancement success for a period of three years.

After approval of the habitat enhancement plan, the applicant shall in agreement with the landowner shall implement the habitat enhancement plan. Within 30-days of completion of the annual monitoring and at the completion of monitoring at three years, a monitoring report shall be submitted to the County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful implementation of the mitigation.

Success criteria for the on-site and direct off-site mitigation implementation of *BIO-2.2.a* and *2.2.b(1) and 2.2.b(2)*:

Following the three-year monitoring period for on-site landscaping, overwintering area, and off-site enhancement area, and submission of annual monitoring reports to the County Department of Planning and Building, successful implementation of this mitigation shall be determined as follows:

(1) If monarchs are NOT using the project's Phase II overwintering site for the three-year monitoring period, then Phase 2 of the project may proceed with no further mitigation. The nectar landscape is deemed successful if any monarchs are observed feeding within two years of monitoring following initial installation.

(2) If monarchs are observed using the enhanced offsite area for overwintering, even if also using the project site, then Phase II may proceed with no further mitigation.

(3) If monarchs continue to use the project site for overwintering, with or without feeding, but not the enhancement site, then the applicant shall implement either *BIO-2.2.b.(3) or BIO-2.1*, or a combination of these, before Phase II may proceed.

(2) Indirect: Program Funding Mitigation

Prior to issuance of Phase I construction permits: This mitigation is required in addition to the off-site enhancement under *BIO-2.2.b(1)*, and prior to Phase I. Program funding mitigation requires the applicant to identify a suitable educational program or research project in support of monarch butterflies. **Prior to issuance of Phase I construction permits,** the applicant shall select a program and provide the proposal, along with information regarding how the funds will support monarchs, to County Planning for approval. The program shall identify an existing or proposed educational or research project conducted by a non-profit or educational entity. Upon County agreement, provide evidence

to the County Department of Planning and Building that funds have been provided to the selected program at a ratio of $2,000 per acre impacted (5.91 acres), for a total amount of $11,820. At the applicant's discretion, the funding can be paid over two consecutive years in equal parts, with the first 50% required prior to issuance of grading or construction permits for Phase I, and the balance paid in full prior to initiation of Phase II tree removal.

(3) Alternate Mitigation: MITIGATION FEE:

Measure *BIO-2.2.b(3)* is an **alternative mitigation in the event that 2.2.b(1) is unsuccessful after a minimum of three years of monitoring.** This measure requires the applicant to identify a known California monarch overwintering site in conservation and provide funding commensurate to project impacts for ongoing management of that population and its associated overwintering grove of trees. This measure is only required if the offsite habitat enhancement mitigation is not used by monarchs, *and* monarchs continue to use the project site habitat in Phase II for overwintering during the monitoring period. This measure may not be used in lieu of the requirements of 2.2.b.1 and 2.2.b.2 as a stand-alone mitigation.

Prior to Phase II tree removal or issuance of construction permits for Phase II, the applicant shall provide evidence to the County Department of Planning and Building that funds have been provided in full to a land trust, non-profit, or government agency that provides management of an existing monarch overwintering site population. Funding shall be required at a ratio of $4,000 per acre impacted (5.91 acres), for a total amount of $23,640. Identification of the overwintering site shall be done in coordination with the County Department of Planning and Building. Once the overwintering site is identified and evidence of payment of funds is provided, then Phase II may proceed following approval by the Environmental Coordinator.

BIO-3 **Prior to issuance of construction permits or tree removal in any phase,** the applicant shall demonstrate to the County Department of Planning and Building that a qualified biologist has been retained to conduct nesting bird surveys. **Within one week prior to any tree removal, site preparation, ground-disturbance, and related construction activities**, a qualified biologist shall conduct a nesting bird survey and verify that migratory birds are not nesting in the site. If Staff determines that tree removal will be conducted outside of nesting season, this condition may be waived.

If nesting activity is detected, the project shall be modified via the use of protective buffers, delaying construction activities, and other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act ("MBTA") and/or California Fish and Game Code

The qualified biologist shall document any active nests and submit a letter report to the County Department of Planning and Building documenting compliance with this measure, **within 30-days of survey completion.**

Initial Study – Environmental Checklist

TR-1 **At the time of application for construction permits for each phase**, the applicant shall submit project plans by a Registered Civil Engineer that show the following improvements:

Phase 1: Street plan and profile for widening Winterhaven Way to:

a. Widen to complete the project frontage to a County standard A-1 rural road section, within necessary dedicated right-of-way easements.

b. Constructing two new site access driveway approaches in accordance with County Public Improvement Standard B-1a driveways for rural roadways, and A-5 sight distance standards.

c. The intersection of Winterhaven and State Route 1 shall be designed and constructed in substantial conformance with Caltrans Encroachment Permit Standards for Public Road Intersections (California Highway Design Manual Figure 405.7 or equivalent), within necessary dedicated right-of-way, for that portion of the intersection fronting the property. The design shall be approved concurrently by County Public Works and Caltrans.

Phase 2: Street plan and profile for widening State Route 1 to:

a. Widen to complete the project frontage to Caltrans standards, within necessary dedicated right-of-way easements.

b. Prepare a conceptual plan and profile for the purpose of determining the correct crest vertical curve for State Route 1. Dedicated right-of-way easements must include sufficient right-of-way to accommodate the future vertical road alignment.

c. Construct center left turn lane channelization improvements at Winterhaven Way with a minimum storage length of 100 feet including westbound right turn lane with a minimum storage length of 100 feet in accordance with California Highway Design Manual, Chapter 400, within necessary dedicated right-of-way easements.

TR-2 **Prior to issuance of construction permits**, the applicant shall pay all required road impact fees pay per the regional fee program or the pro-rata contribution provided by the Traffic Impact Analysis prepared for the project.

FEBRUARY 7, 2020
REVISED:

DEVELOPER'S STATEMENT & MITIGATION MONITORING/REPORTING PROGRAM FOR LFOA, INC. (ZOO-MED) INDUSTRIAL PROJECT ED19-092 (DRC2017-00057)

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Per Public Resources Code Section 21081.6 the following measures also constitute the mitigation monitoring and/or reporting program that will reduce potentially significant impacts to less than significant levels. These measures will become conditions of approval (COAs) should the project be approved. The Lead Agency (County) or other Responsible Agencies, as specified in the following measures, is responsible to verify compliance with these COAs.

Project Description:

A request by Gary Bagnall for a Conditional Use Permit/Coastal Development Permit (CUP/CDP) to allow for the phased construction of approximately 140,000 square feet of industrial floor area in two metal buildings on a 9.11-acre parcel. The light-industrial warehouse facility would be comprised of two structures each containing three sub-buildings and be used for storage, re-packaging, and wholesale distribution of pet supplies. Construction would occur over two phases and would remove approximately 5.91 acres of eucalyptus trees and disturb approximately 7.97 acres of the 9.11-acre site. Offsite improvements include road widening along frontage of Winterhaven Way and Willow Road. The Willow Road widening includes area within the Coastal Zone. The proposed project is within the Industrial land use category and is located at 654 Winterhaven Way, at the northwest corner of Willow Road and Winterhaven in the Callender-Garrett Village Reserve, approximately 3.5 miles west of the community of Nipomo. The site is in the South County Inland Sub Area of the South County Planning Area, with offsite improvements extending into the South County Coastal Planning Area.

Mitigation Measures:

The applicant has agreed to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

AIR-1 **Upon application for construction and/or encroachment permits**, all required PM_{10} measures shall be shown on applicable grading or construction plans and made applicable during grading and construction activities, as described below.

a. Reduce the amount of the disturbed area where possible;

b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period shall be implemented.

Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water shall be used whenever possible;

c. All dirt stock pile areas shall be sprayed daily or covered with tarps or other dust barriers, as needed;

d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil-disturbing activities;

e. Exposed ground areas that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;

f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the San Luis Obispo County Air Pollution Control District;

g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;

h. Vehicle speed for all construction vehicles shall not exceed 15 miles per hour on any unpaved surface at the construction site;

i. All trucks hauling dirt, sand, soil, or other loose materials shall be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;

j. Installation of wheel washers or other devices to control tracking of mud and dirt onto adjacent roadways where vehicles enter and exit unpaved roads onto streets shall be implemented, or trucks and equipment shall be washed prior to leaving the site;

k. Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible. Roads shall be pre-wetted prior to sweeping when feasible;

l. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the San Luis Obispo County Air Pollution Control District's limit of 20% opacity for greater than 3 minutes in any 60-minute period, and to prevent transport of dust off-site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the San Luis Obispo County Air Pollution Control District Engineering & Compliance Division prior to the start of any grading, earthwork, or demolition.

AIR-2 **Prior to issuance of grading or construction permits in any phase**, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

Construction Equipment

a. Maintain all construction equipment in proper tune according to manufacturer's specifications;

b. Fuel all off-road and portable diesel-powered equipment with California Air Resources Board-certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);

c. Use diesel construction equipment meeting the California Air Resources Board's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

d. Use on-road heavy-duty trucks that meet the California Air Resources Board's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

e. Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g., captive or oxides of nitrogen exempt area fleets) may be eligible by proving alternative compliance;

f. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;

g. Diesel idling shall be avoided to the greatest extent feasible throughout the duration of construction activities. No idling in excess of 5 minutes shall be permitted as described above;

h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors whenever possible;

i. Electrify equipment when feasible;

j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,

k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.

Monitoring: Compliance with AIR-1 and AIR-2 will be verified by the Department of Planning and Building prior to issuance of grading and construction permits.

Table 1, below, provides a summary of the Biological Mitigation Measures and graphically displays the "tiered approach" to monarch butterfly mitigation as detailed in Mitigation Measures BIO-2 and BIO-3 below.

TABLE 1: Monarch Butterfly Mitigation Summary

	Measures			Requirements
BIO-1	BIO-1			Revise project phasing to build north side first (Phase I) with reduced bldg footprint to avoid habitat loss on southern area. Monitor onsite habitat for 3 years for overwintering use, prior to Phase II. Avoid tree removal during fall-winter, and conduct pre-construction monarch surveys, prior to each phase.
BIO-2	BIO-2			Tiered-Approach Mitigation
BIO-2.1		BIO-2.1		Locate an existing overwintering area not in conservation, and put into conservation at 1:1 with endowment. This option may be infeasible due to lack of suitable sites. If County-approved at 1:1 offset (5.91) acres, no further mitigation required. May be used at less than 1:1 to offset unsuccsessful mitigation under BIO-2.2.b, in conjunction with BIO-2.2.b(3).
BIO-2.2.a		BIO-2.2	a. On-Site	Incorporate nectar plantings into project site landscaping to feed migrating butterflies; retain large trees at perimeter and add additional native trees. Monitor landscaping for monarch use.
BIO-2.2.b.(1)			b. Off-Site	(1) Direct Off-Site: Habitat Enhancement of a comparable site not in use by monarchs, but within an existing conservation area. Create/enhance overwintering conditions in existing woodland, monitor for 3 years to verify success under identified criteria.
BIO-2.2.b.(2)				(2) Indirect - Program Funding: Fund an identified & County-approved monarch educational or research program at $2,000/acre for a total of $11,820. May be divided into 2 payments, prior to PH I and PH II.
BIO-2.2.b.(3)				(3) Off-Site funding in support of monarch population habitat, in the event that BIO-2.2.b is unsuccessful. Funding of $4,000 per acre - up to $23,640, paid to an entity currently supporting and managing an existing overwintering monarch population and habitat.
BIO-3	BIO-3			Biologist to conduct nesting bird surveys prior to tree removal and construction in each phase.

BIO-1 **Prior to building permit submittal for Phase I:** The applicant shall revise project phasing to begin with the northern portion of the site as Phase I, avoiding the southern portion containing the overwintering area of the site until Phase II, after mitigation can be established. **During construction,** tree removal and site disturbance

for Phase I development shall be avoided during the monarch butterflies' fall and winter migration (late October through February) to the greatest extent feasible. If tree or vegetation removal or site disturbance is necessary during the monarch butterflies' fall and winter migration, a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees on the site for overwintering. If roosting clusters of monarch butterflies are detected, Phase I development shall be postponed until after the overwintering period or until a qualified biologist determines monarch butterflies are no longer utilizing the trees on site for overwintering. Phase II development shall be subject to the same procedures identified above, after the necessary requirements identified in Mitigation Measure BIO-2 have been met.

Monitoring: Compliance with BIO-1 will be verified by the Department of Planning and Building prior to issuance of tree removal, grading and construction permits.

BIO-2 **Prior to tree removal or Building Permit submittal of Phase II (southern half of parcel):** The applicant must execute and satisfy mitigation of project impacts to monarch butterfly, as outlined in three different mitigation options provided under this measure. BIO-2.1, BIO-2.2 (which includes BIO-2.2.a, and BIO-2.2.b.1 to BIO-2.2.b.3), and BIO-2.3 are designed to conserve, protect, and enhance monarch butterfly overwintering habitat in a tiered approach. BIO-2.1 would completely mitigate the project impacts but may prove to be infeasible. If that is the case, then BIO-2.2.a and BIO-2.2.b.1 and 2.2.b.2 are required to be implemented and monitored, prior to initiation of any Phase II activities. In the event that after implementation, direct off-site habitat replacement under Mitigation BIO-2.2.a is unsuccessful in meeting the necessary requirements, the applicant shall be subject to BIO-2.3 (or may elect to use BIO-2.1) prior to the development of Phase 2. Success criteria of Bio-2.2a is based on monitoring as outlined below.

1. *Mitigation BIO-2.1* would require the applicant to conserve an equal amount of habitat being removed by Phase 2 of the project with habitat that has a known overwintering population of monarch butterflies and that is not currently in conservation. **Prior to issuance of construction permits or any site disturbance associated with Phase 2**, the applicant shall provide to the County Department of Planning evidence that a conservation easement and management agreement has been recorded between the landowner and a land trust or government agency. The easement and agreement shall both conserve habitat and provide for a management plan of the habitat in perpetuity. The conserved habitat shall be located in the central portion of coastal California (i.e., Ventura to Monterey).

   Phase I tree removal and development can be implemented prior to completion of *Mitigation BIO-2.1*; however, Phase II cannot be implemented until conservation is completed. Site monitoring for monarch activity is required until successful completion of *Mitigation BIO-2.1*. The easement agreement shall be coordinated and approved by the County Department of Planning and Building prior to issuance of a Notice of Proceed for Phase II development. Under *Mitigation BIO-2.1,* no additional mitigation would be required for implementation of full 1:1 conservation.

2. *Mitigation BIO-2.2*: TIERED PROGRAM: Requires the applicant to implement each of the following mitigations (a-c) identified in the mitigation plan prepared by Althouse and Meade, Inc. (2019):

   a. On-site Mitigation: MONARCH-SUPPORTIVE LANDSCAPING

   The project shall incorporate into the landscape design flowering shrubs to provide nectar sources and tree plantings along the perimeter to provide potential roosting habitat. Landscaping and tree species shall be consistent with the species identified in the Althouse and Meade, Inc. Habitat Management Plan (May 2019) and have an establishment period of at least two years before initiating Phase II construction.

   Prior to establishing any on-site landscaping and before issuance of construction permits for Phase I, the applicant shall provide a preliminary landscape and habitat maintenance plan to the County Department of Planning and Building for review and approval. The landscape plan shall identify the location, quantity, and species of proposed plantings. The plan shall demonstrate water conservation measures and

irrigation efficiency as identified in Chapter 22.16 of the Land Use Ordinance. The habitat maintenance plan shall detail irrigation, pruning, and fertilization timing and methods to ensure the success and health of the plantings. **Prior to issuance of Phase I construction permits** the applicant shall demonstrate execution of a contract with a qualified professional for the purpose of managing the landscape to ensure success. Plantings shall achieve a minimum annual survivorship rate of 75% of the total plants initially planted during the first year. New plantings may be required so that survivorship is at least 75% after the three-year establishment period.

The on-site landscaping shall be included in the area of required butterfly monitoring, performed by a qualified biologist to document monarch use of the nectar planting. Plants shall be monitored when flowers or leaves are present and plant survivorship can easily be determined. Monitoring shall be performed for a minimum of three years. Upon establishment of Phase II landscaping, plants shall be monitored for one additional year after installation for butterfly nectar feeding use.

After approval of the landscape and maintenance plan, the applicant shall implement the landscape and maintenance plan **in perpetuity**. Within 30-days of completion of the annual monitoring and at the completion of monitoring after three years, a monitoring report shall be submitted to the County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful implementation of the mitigation.

b. Off-site Mitigation: DIRECT (1), AND INDIRECT (2), PLUS ALTERNATE BACKUP (3)

Off-site mitigation includes both "direct" off-site mitigation that entails offsite habitat enhancement to create overwintering sites at a property located less than a mile from the project site and "indirect" off-site mitigation would require funding an education-based program which would provide benefits to local monarchs via either habitat creation, community education, or research.

(1) Direct Off-site Mitigation

Prior to issuance of construction permits for Phase I, direct off-site habitat enhancement shall take place on suitable existing woodland property, already in conservation, that is not currently known to be used by monarch. The establishment monitoring period for the direct off-site habitat enhancement shall be a minimum of three years prior to initiation of construction in Phase II. At this time, the applicant has identified the Choin property (075-351-018), a eucalyptus grove owned and managed by the Land Conservancy of San Luis Obispo County (LCSLOC), located 0.9 miles northeast of the Project Site at the southern terminus of Zenon Way above Black Lake Canyon. If this property is not utilized, the applicant shall identify an alternate site and follow the same requirements.

Prior to establishing the direct off-site habitat enhancement area and before issuance of Phase I construction permits, the applicant shall provide to the Department of Planning and Building an agreement related to monarch butterfly habitat enhancement on the selected property. The agreement shall include a Habitat Enhancement Plan that details the site characteristics, location and size of the habitat enhancement area, proposed enhancement methods including new plantings, a long-term maintenance program, responsible parties, and prohibited activities. The enhancement plan shall be prepared by a qualified biologist with specialized knowledge and experience of monarch butterfly and shall be reviewed and approved by the County Department of Planning and Building and the property owner. It shall include reasonable assurance that no future projects would interfere with the long-term success of the monarch habitat enhancement efforts. The habitat enhancement area shall be located within a contiguous 6-acre area to mitigate for the 5.91 acres of eucalyptus impacted by the project.

The applicant, in agreement with the landowner, shall contract with a qualified butterfly professional for the purpose of monitoring the success of the enhancement. The monitoring contract shall include a requirement that the monitor conduct an annual site visit and assessment of the enhancement success for a period of three years.

After approval of the habitat enhancement plan, the applicant shall in agreement with the landowner shall implement the habitat enhancement plan. Within 30-days of completion of the annual monitoring and at the completion of monitoring at three years, a monitoring report shall be submitted to the County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful implementation of the mitigation.

Success criteria for the on-site and direct off-site mitigation implementation of *BIO-2.2.a* and *2.2.b(1) and 2.2.b(2)*:

Following the three-year monitoring period for on-site landscaping, overwintering area, and off-site enhancement area, and submission of annual monitoring reports to the County Department of Planning and Building, successful implementation of this mitigation shall be determined as follows:

i. If monarchs are NOT using the project's Phase II overwintering site for the three-year monitoring period, then Phase 2 of the project may proceed with no further mitigation. The nectar landscape is deemed successful if any monarchs are observed feeding within two years of monitoring following initial installation.

ii. If monarchs are observed using the enhanced offsite area for overwintering, even if also using the project site, then Phase II may proceed with no further mitigation.

iii. If monarchs continue to use the project site for overwintering, with or without feeding, but not the enhancement site, then the applicant shall implement either *BIO-2.2.b.(3) or BIO-2.1*, or a combination of these, before Phase II may proceed.

(2) Indirect: Program Funding Mitigation

Prior to issuance of Phase I construction permits: This mitigation is required in addition to the off-site enhancement under *BIO-2.2.b(1)*, and prior to Phase I. Program funding mitigation requires the applicant to identify a suitable educational program or research project in support of monarch butterflies. **Prior to issuance of Phase I construction permits,** the applicant shall select a program and provide the proposal, along with information regarding how the funds will support monarchs, to County Planning for approval. The program shall identify an existing or proposed educational or research project conducted by a non-profit or educational entity. Upon County agreement, provide evidence to the County Department of Planning and Building that funds have been provided to the selected program at a ratio of $2,000 per acre impacted (5.91 acres), for a total amount of $11,820. At the applicant's discretion, the funding can be paid over two consecutive years in equal parts, with the first 50% required prior to issuance of grading or construction permits for Phase I, and the balance paid in full prior to initiation of Phase II tree removal.

(3) Alternate Mitigation: MITIGATION FEE:

Measure *BIO-2.2.b(3)* is an **alternative mitigation in the event that 2.2.b(1) is unsuccessful after a minimum of three years of monitoring.** This measure requires the applicant to identify a known California monarch overwintering site in conservation and provide funding commensurate to project impacts for ongoing management of that population and its associated overwintering grove of trees. This measure is only required if the offsite habitat enhancement mitigation is not used by monarchs, *and*

monarchs continue to use the project site habitat in Phase II for overwintering during the monitoring period. This measure may not be used in lieu of the requirements of 2.2.b.1 and 2.2.b.2 as a stand-alone mitigation.

Prior to Phase II tree removal or issuance of construction permits for Phase II, the applicant shall provide evidence to the County Department of Planning and Building that funds have been provided in full to a land trust, non-profit, or government agency that provides management of an existing monarch overwintering site population. Funding shall be required at a ratio of $4,000 per acre impacted (5.91 acres), for a total amount of $23,640. Identification of the overwintering site shall be done in coordination with the County Department of Planning and Building. Once the overwintering site is identified and evidence of payment of funds is provided, then Phase II may proceed following approval by the Environmental Coordinator.

BIO-3 **Prior to issuance of construction permits or tree removal in any phase,** the applicant shall demonstrate to the County Department of Planning and Building that a qualified biologist has been retained to conduct nesting bird surveys. **Within one week prior to any tree removal, site preparation, ground-disturbance, and related construction activities**, a qualified biologist shall conduct a nesting bird survey and verify that migratory birds are not nesting in the site. If Staff determines that tree removal will be conducted outside of nesting season, this condition may be waived.

If nesting activity is detected, the project shall be modified via the use of protective buffers, delaying construction activities, and other methods designated by the qualified biologist to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act ("MBTA") and/or California Fish and Game Code

The qualified biologist shall document any active nests and submit a letter report to the County Department of Planning and Building documenting compliance with this measure, **within 30-days of survey completion.**

Monitoring: Compliance with BIO-2 and BIO-3 will be verified by the Department of Planning and Building prior to issuance of tree removal, grading and construction permits.

TR-1 **At the time of application for construction permits for each phase**, the applicant shall submit project plans by a Registered Civil Engineer that show the following improvements:

Phase 1: Street plan and profile for widening Winterhaven Way to:

a. Widen to complete the project frontage to a County standard A-1 rural road section, within necessary dedicated right-of-way easements.

b. Constructing two new site access driveway approaches in accordance with County Public Improvement Standard B-1a driveways for rural roadways, and A-5 sight distance standards.

c. The intersection of Winterhaven and State Route 1 shall be designed and constructed in substantial conformance with Caltrans Encroachment Permit Standards for Public Road Intersections (California Highway Design Manual Figure 405.7 or equivalent), within necessary dedicated right-of-way, for that portion of the intersection fronting the property. The design shall be approved concurrently by County Public Works and Caltrans.

Phase 2: Street plan and profile for widening State Route 1 to:

a. Widen to complete the project frontage to Caltrans standards, within necessary dedicated right-of-way easements.

b. Prepare a conceptual plan and profile for the purpose of determining the correct crest vertical curve for State Route 1. Dedicated right-of-way easements must include sufficient right-of-way to accommodate the future vertical road alignment.

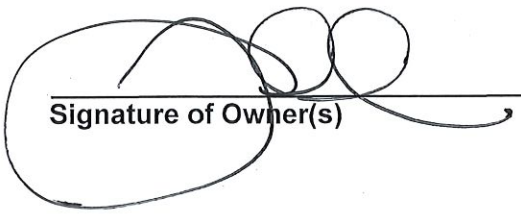
c. Construct center left turn lane channelization improvements at Winterhaven Way with a minimum storage length of 100 feet including westbound right turn lane with a minimum storage length of 100 feet in accordance with California Highway Design Manual, Chapter 400, within necessary dedicated right-of-way easements.

TR-2 **Prior to issuance of construction permits for each phase,** the applicant shall pay all required road impact fees pay per the regional fee program or the pro-rata contribution provided by the Traffic Impact Analysis prepared for the project.

Monitoring: Compliance with TR-1 and TR-2 will be verified by County Public Works, in conjunction with CalTrans and County Department of Planning and Building, prior to issuance of grading and construction permits. All required offsite elements shall be shown on plans in substantial conformance with the development plans submitted on December 23, 2019 and accepted for processing. Construction of required improvements will be verified by County Planning, Public Works and/or CalTrans as applicable.

Implementation Agreement:

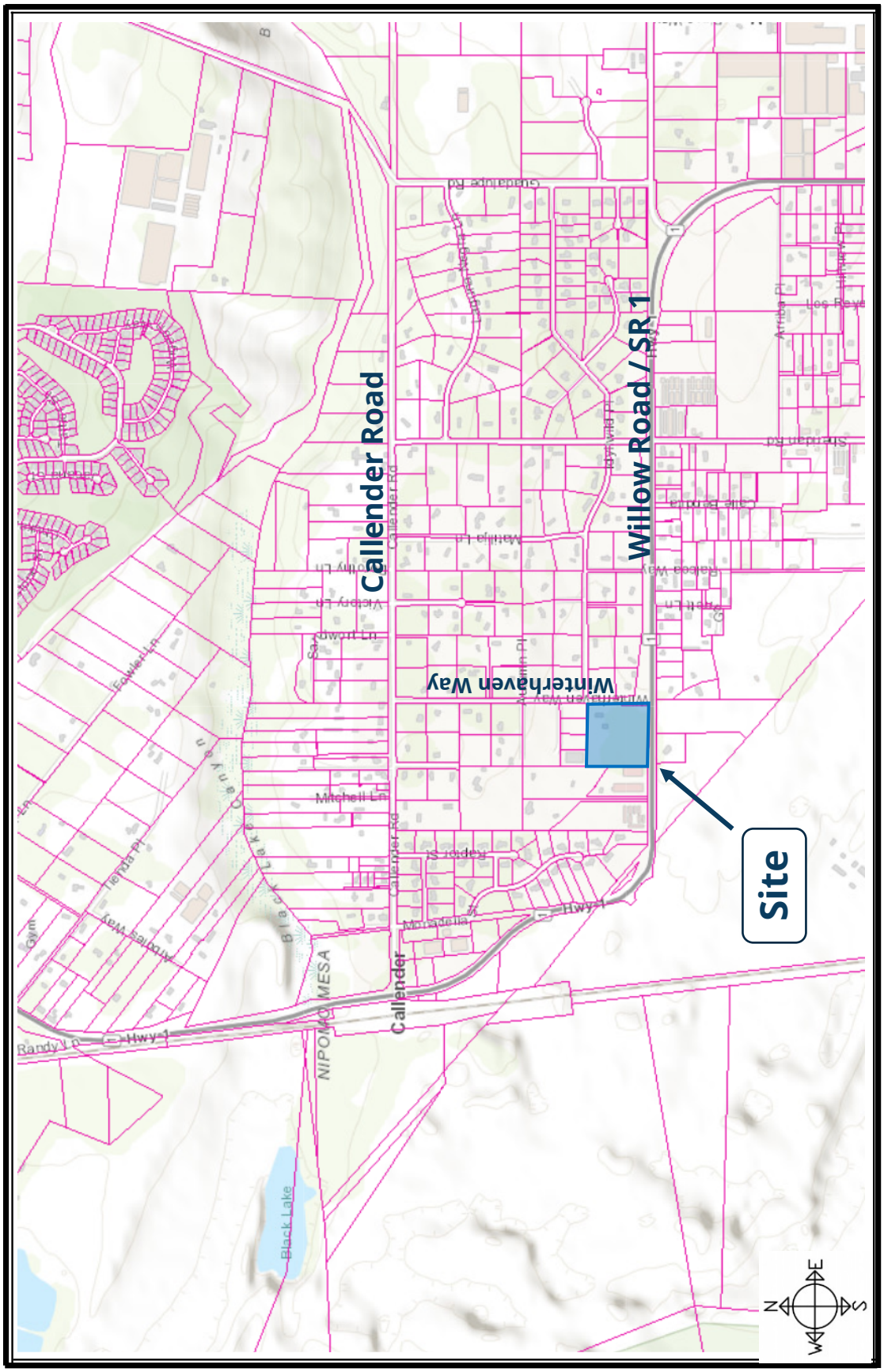
The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.



Signature of Owner(s)	Name (Print)	Date
	GARY BAGNALL	2/11/20

DRC2017-00057 Developer's Statement – Mitigation Implementation and Monitoring Timetable

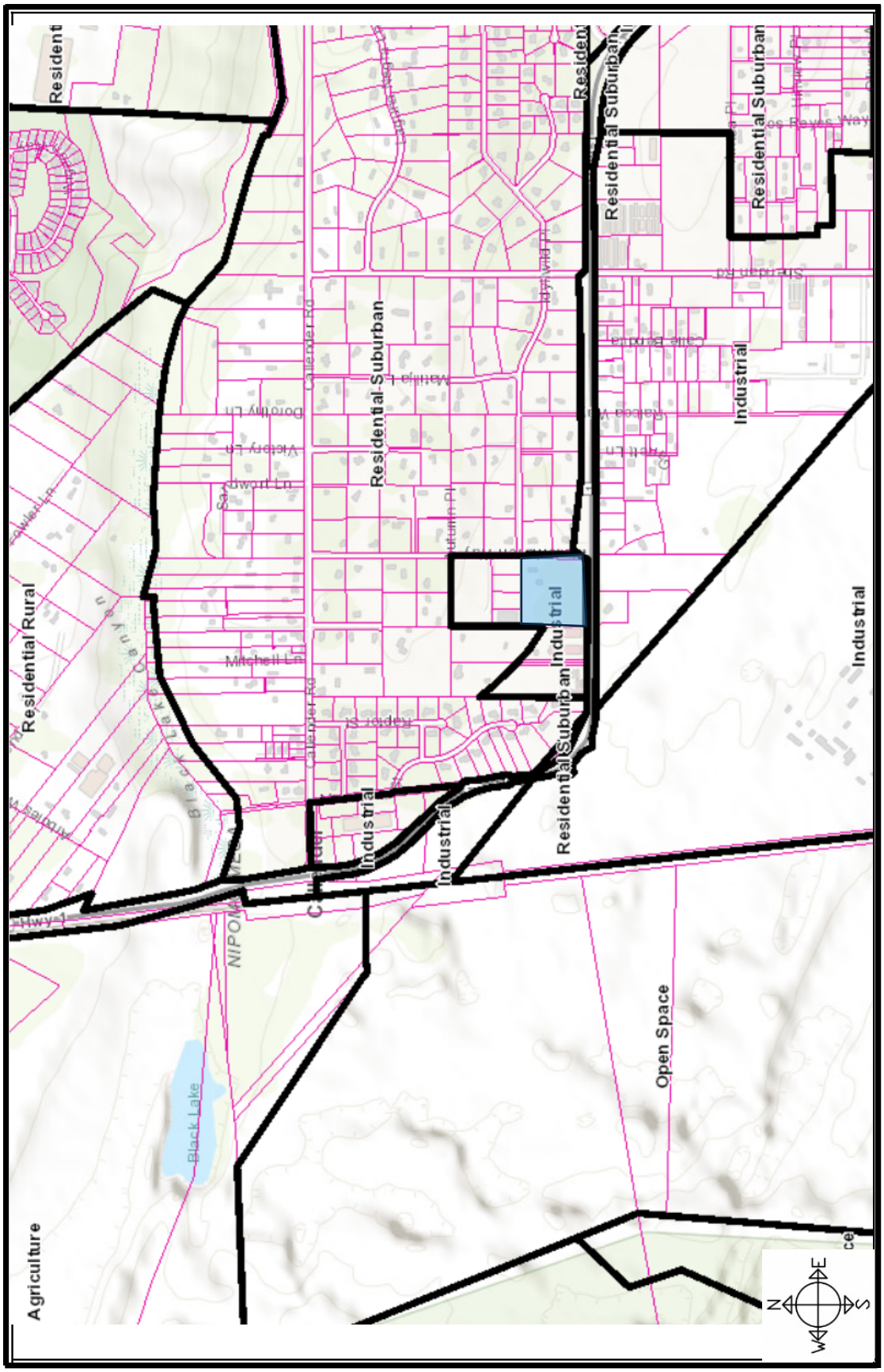
Measures	Year 0 – 2018-2019	Year 1 – 2019-2020	Year 2 – 2020-2021	Year 3 – 2021-2022	Year 4 – 2022-2023
Applicant Avoidance & Impact Reduction Measures in BIO-1, BIO-2 and BIO-3	1. Revise project to build north side first (Phase I), reduce bldg footprint, avoid habitat loss 2. Retain some existing trees and incorporate additional native trees to site LS plan 3. Incorporate nectar plantings into site landscaping to feed migrating butterflies - BIO-2.2.a	Tree removal allowed in Phase I on northern half; onsite habitat in south half monitored and protected	Proceed to Permit and Construct Phase I building 2A & 2B, plant nectar-producing landscape species	Continue to monitor both project and direct mitigation (Choin) sites, provide annual report on monarch use and mitigation efforts	1) If direct & indirect mitigations are successful (green cells in Year 3): Remove Phase II (south) trees & proceed 2) If Year 3 does not prove the offsite mitigation (Choin) a success, additional alternate mitigation is needed
Direct Mitigation: Replace Habitat Offsite at 1:1 under BIO-2.2.b (assumes BIO-2.1 is infeasible)		Enhance 5.9 acres of other suitable property to create roosting conditions ("Choin" property is identified as acceptable) by 9/2020			
Indirect Mitigation: Provide Funding for Research & Education to support monarchs		Fund one (1) of the 3 Educational Programs identified ($2,000/acre, $11,820 total, may be split equally over 2 years)	Pay second half ($5,910) of payment, if split, to fund one (1) of the 3 identified Programs, prior to Phase II tree removal		
Monitoring Activity	Project site & Choin site trees were observed October-January	Project site & Choin site trees, monitored October-January	Project site landscape & trees, & off-site Choin site, October-January	Project site landscape & trees, & Choin site October-January	Project site landscape & Choin site trees – October-January, prepare final report
Monitoring Results and Further Actions - Scenario 1:	Butterflies were not observed at Choin site; minimal use of Project site (~ 30 observed); population statewide very low	Butterflies use Choin, and do not use project site eucalyptus trees	Butterflies use Choin, and do not use project site eucalyptus trees	Proceed with Phase II tree removal after Feb 2022	Authorize project permits, completion (PH II & Willow Road)
Scenario 2:		Butterflies use neither site (< 30 observed on project site) even with population numbers increasing	Butterflies use neither site, even with population numbers increasing	Proceed with Phase II tree removal after Feb 2022	Authorize project permits, completion (PH II & Willow Road)
Scenario 3:		Butterflies use neither site (< 30 observed on project site)	Butterflies use onsite nectar feeding but neither onsite or Choin eucalyptus trees	Proceed with Phase II tree removal after Feb 2022	Authorize project permits, completion (PH II & Willow Road)
Scenario 4:		Butterflies use project site trees in greater numbers than previous year (> 30 observed)	Butterflies use onsite eucalyptus trees and not Choin site trees	Butterflies use onsite eucalyptus trees and not Choin site trees	**Additional mitigation is required in order to proceed with PH II Tree Removal in 2022**
				Pay 1-time fee ($4,000/acre) to Agency or NGO to support an existing wintering site population; proceed with Phase II. May be used in conjunction with BIO-2.1.	



Vicinity Map
DRC2017-00057

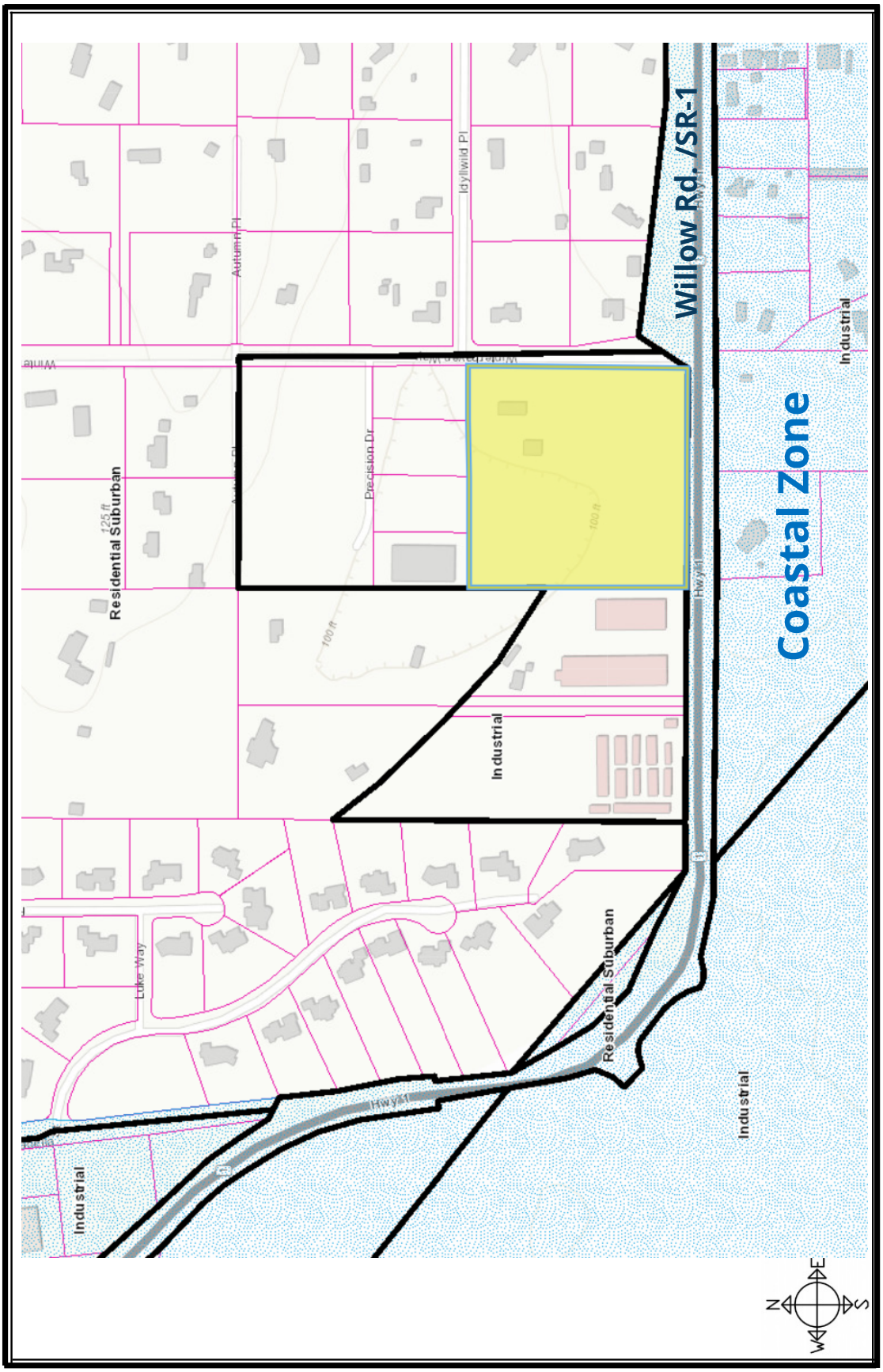
COUNTY OF SAN LUIS OBISPO

COUNTY OF SAN LUIS OBISPO



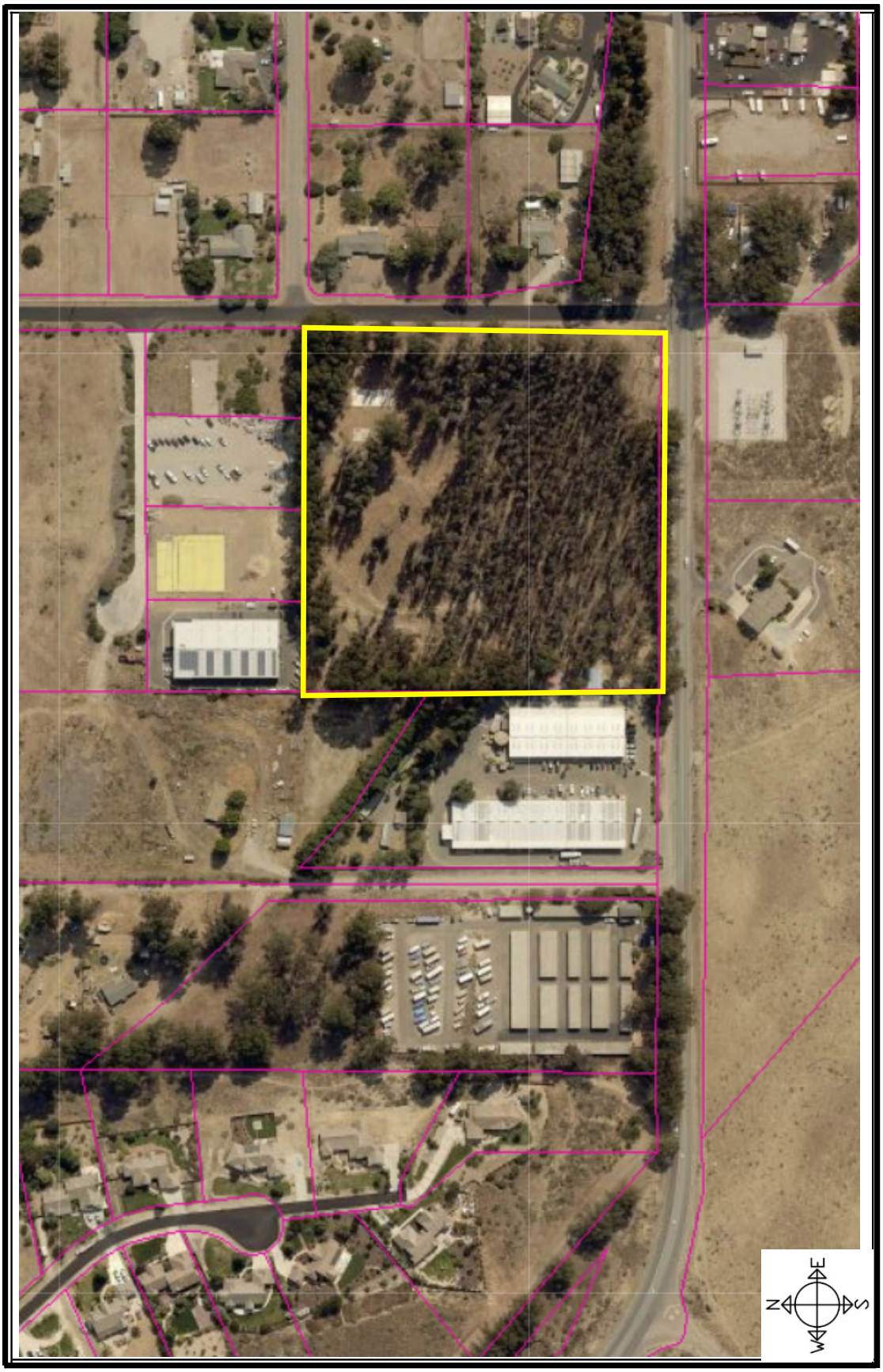
Land Use Category Map
DRC2017-00057

COUNTY OF SAN LUIS OBISPO



Coastal Zone Boundary
DRC2017-00057

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Aerial
DRC2017-00057

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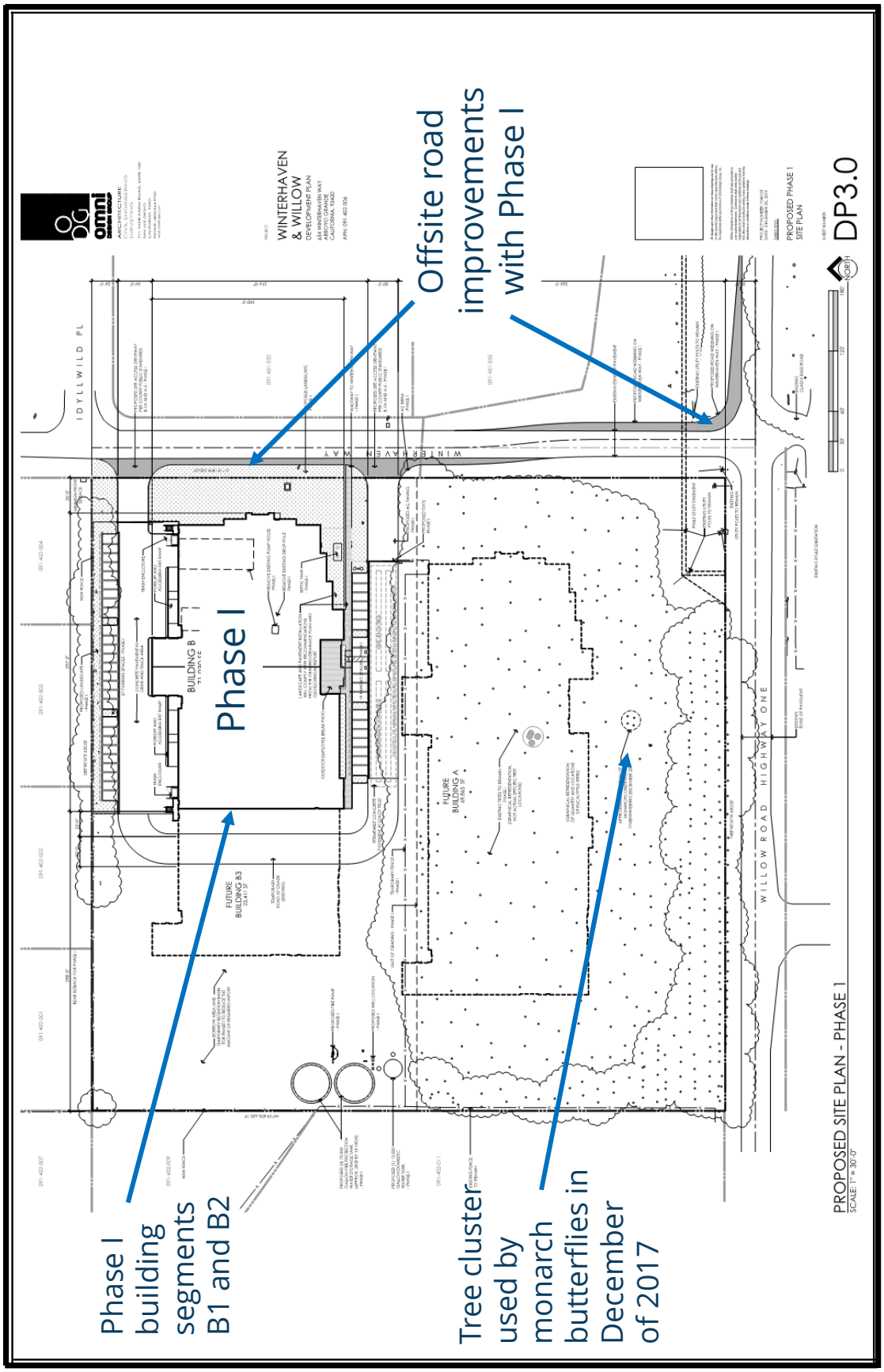


Monarch clusters observed on site



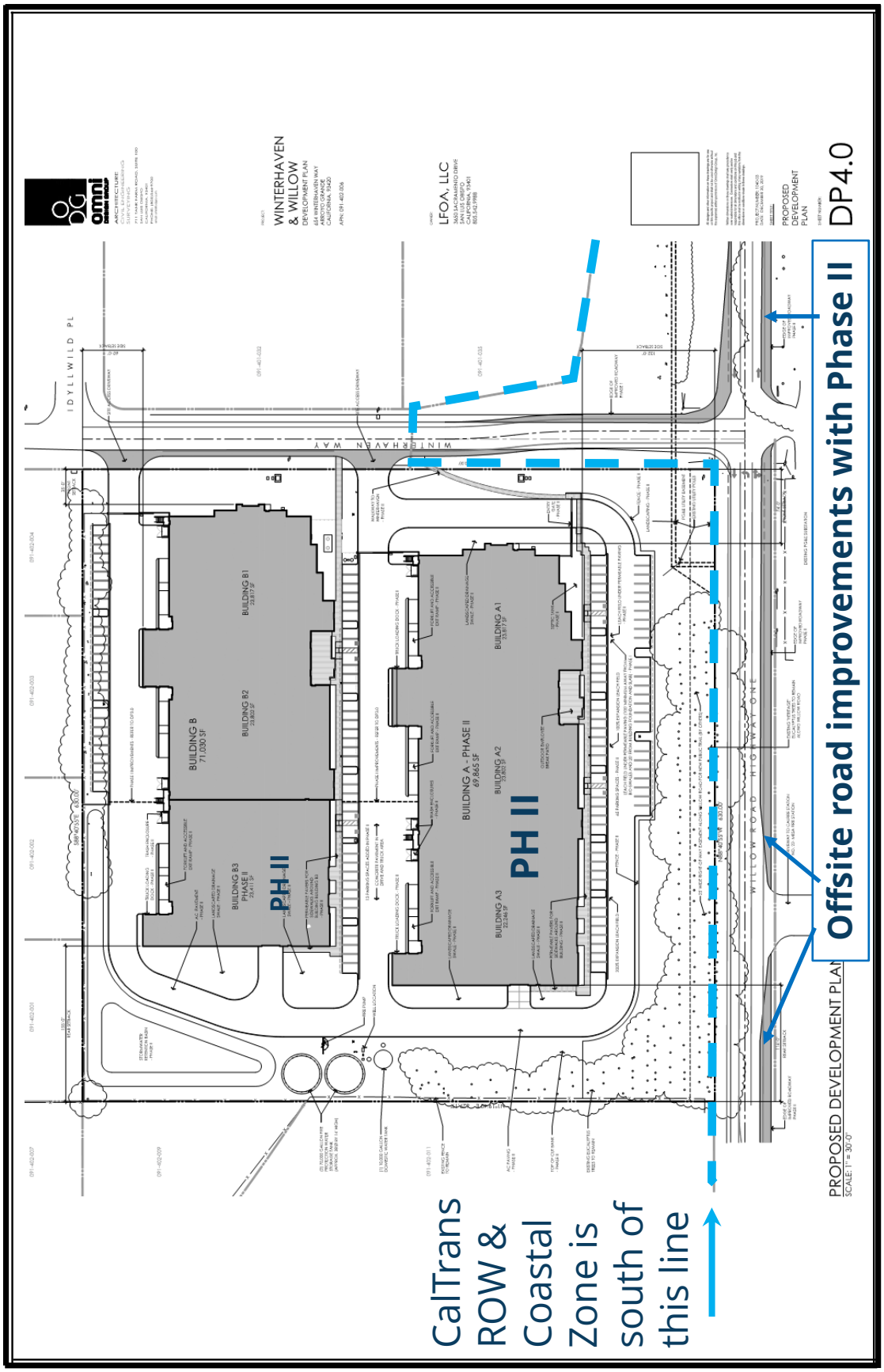
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Monarch Cluster Site Map
DRC2017-00057



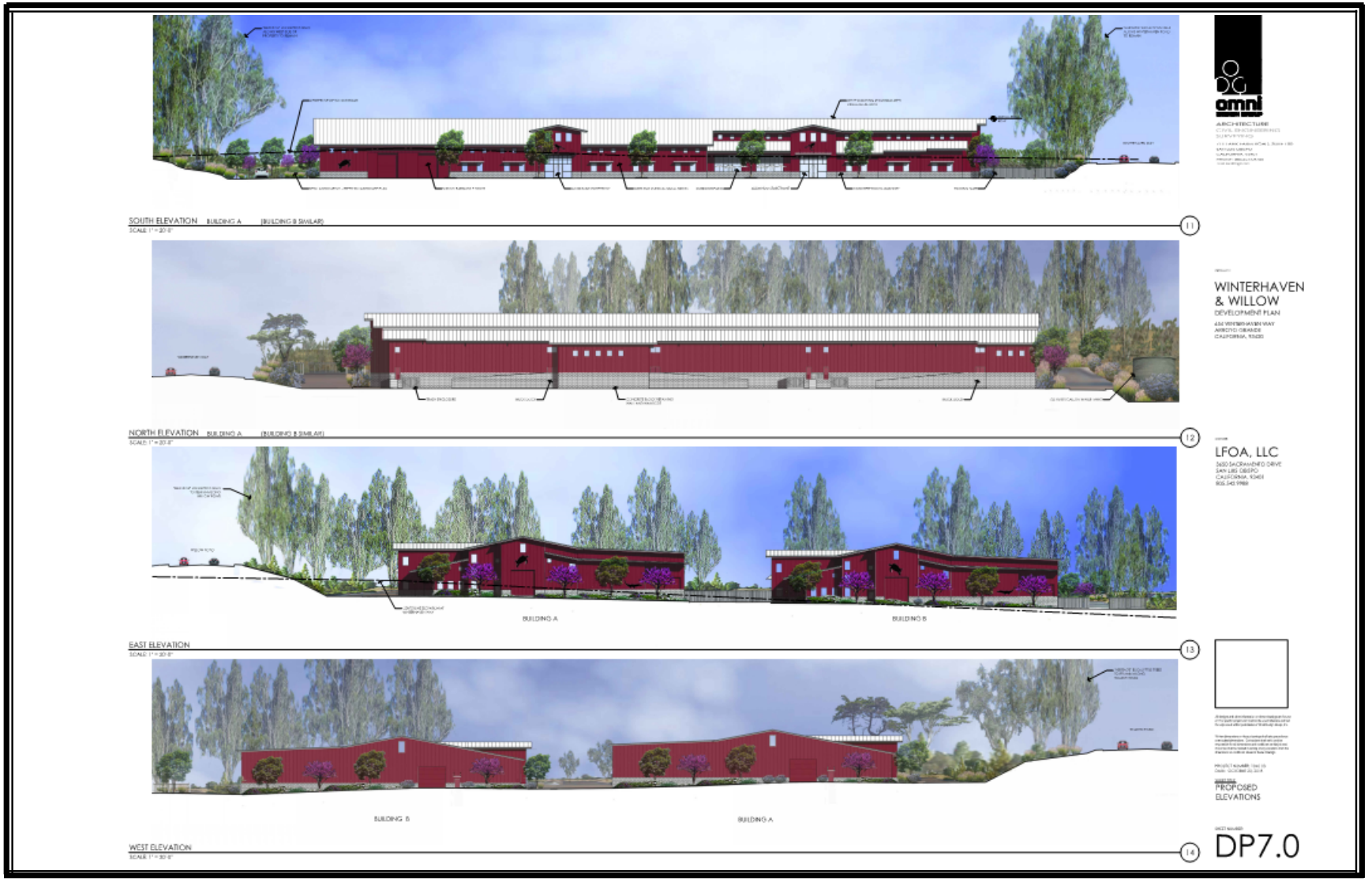
Phase I + Road Improvements
DRC2017-00057

COUNTY OF SAN LUIS OBISPO



Phase II + Road Improvements
DRC2017-00057

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Elevations at Completion
DRC2017-00057



South Elevation of Building A at Completion – Section View from SR-1



East Elevations A and B - Section View from Winterhaven Way

COUNTY OF SAN LUIS OBISPO

Elevations - Detail
DRC2017-00057

COUNTY OF SAN LUIS OBISPO
Department of Public Works
Colt Esenwein, P.E. *Director*

REFERRAL

Date: November 18, 2019

To: Cindy Chambers, Project Planner

From: Mark Davis, Development Services

Subject: Public Works Comments on DRC2017-00057 LFOA LLC MUP, Winterhaven Wy., Nipomo, APN 091-402-006

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

A. These comments reflect the applicant's resubmittal package dated 10/29/19. Phase 1 would include grading the north half of the site and constructing two sub-buildings totaling 46,500 square feet. Phase II includes constructing the remaining four sub-buildings totaling 93,500 square feet.

B. The proposed project is within the South County Area 2 Road Fee Area. Payment of Road Improvement Fees is required prior to building permit issuance.

C. The project site is zoned under General Light Industrial (ITE Land Use 110). The PM Peak Hour Trip Generation per Employee ranges from 0.36 – 1.18 with an average rate of 0.51. The PM Peak Hour Trip Generation per 1000 Sq. Feet of Gross Floor Area ranges from 0.36 – 4.50 with an average rate of 1.08.

D. Per Ordinance 2379, trip generation shall be determined by the Trip Generation Manual (ITE), the Director of Public Works, or RIF Study if acceptable. In addition, the peak hour trip generation rate shall be based upon the highest trip generation rate possible for the proposed new development.

E. The applicants Traffic Engineer (Omni-Means) argues the ITE data is generalized in nature and does not have a land use code consistent with the proposed projects planned use. Therefore, the TAIR dated September 2018 analyzed the Zoo Med site currently located at 3650 Sacramento Drive in San Luis Obispo to provide traffic volumes associated with an equivalent size facility having the same type of use and number of employees. Based on the analysis, traffic counts indicated that Thursday, May 10, 2018, was the peak day of the week (549 PM Vehicles). However, the driveway PM Peak Hour Trip of 47 occurred on Wednesday, May 9, 2018 between the hours of 3:15 – 4:15 PM. This equates to a trip generation rate of 0.33 PHT/KSF. In harmony with Ordinance 2379, Public Works will require a trip generation rate of 0.36 PHT/KSF as represented in the lowest ITE Land Use designation (110). The estimated road improvement fee is thus

$116,900 for Phase 1 ($6,983 x 46,500 s.f. / 1000 x 0.36 pht) and $235,047 for Phase 2 ($6,983 x 93,500 s.f. / 1000 x 0.36 pht). Any future change of use must include a reconsideration and determination of traffic volumes.

F. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer and it will be reviewed by Public Works at the time of Building/Grading Permit submittal. The applicant should review Chapter 22.52.110 or 23.05.040 of the Land Use Ordinance prior to future submittal of development permits.

This project will be a regulated project as it is located in a Stormwater Management Area and is therefore required to submit a Stormwater Control Plan (SWCP) Application and SWCP at the time of Building/Grading Permit submittal.

Recommended Project Conditions of Approval:

Access

1. **At the time of application for construction permits**, the applicant shall submit plans prepared by a Registered Civil Engineer to the regulating agency (Department of Public Works or Caltrans) to secure an encroachment permit and post a cash damage bond to install improvements within the public right-of-way in accordance with the respective agencies standards and specifications. The plan is to include, as applicable:

   a. Phase 1: Street plan and profile for widening Winterhaven Way to:
      i. Widen to complete the project frontage to a County standard A-1 rural road section, within necessary dedicated right-of-way easements.

      ii. Constructing a new site access driveway approach in accordance with County Public Improvement Standard B-1a driveways for rural roadways, and A-5 sight distance standards.

      iii. The intersection of Winterhaven and State Route 1 shall be designed and constructed in substantial conformance with Caltrans Encroachment Permit Standards for Public Road Intersections (California Highway Design Manual Figure 405.7 or equivalent), within necessary dedicated right-of-way, for that portion of the intersection fronting the property. The design shall be approved concurrently by County Public Works and Caltrans.

   b. Phase 2: Street plan and profile for widening State Route 1 to:
      i. Widen to complete the project frontage to Caltrans standards, within necessary dedicated right-of-way easements.

      ii. Prepare a conceptual plan and profile for the purpose of determining the correct crest vertical curve for State Route 1. Dedicated right-of-way easements must include sufficient right-of-way to accommodate the future vertical road alignment.

      iii. Construct center left turn lane channelization improvements at Winterhaven Way with a minimum storage length of 100 feet including westbound right turn lane with a minimum

storage length of 100 feet in accordance with California Highway Design Manual, Chapter 400, within necessary dedicated right-of-way easements.

c. Drainage ditches, culverts, and other structures (if drainage calculations require).

d. Removal of all existing non-permitted obstructions from within the public right-of-way of the project frontage.

2. **At the time of application for construction permits,** the applicant shall enter into an agreement and post a deposit with the county for the cost of checking the improvement plans and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

3. **Prior to occupancy or final inspection**, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the County Public Works and Caltrans Inspectors and in accordance with the respective agency's standards and specifications; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.

4. **At the time of application for construction permits,** the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

5. **On-going condition of approval (valid for the life of the project)**, and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the Winterhaven Way right-of-way including, but not limited to, project signage; tree planting; fences; etc. without a valid Encroachment Permit issued by the Department of Public Works.

6. **On-going condition of approval (valid for the life of the project)**, the property owner shall be responsible for operation and maintenance of public road frontage landscaping and maintaining County driveway sight distance standards in a viable condition and on a continuing basis into perpetuity.

Fees

7. **On-going condition of approval (valid for the life of the project)**, and in accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the South County Area 2 Road Improvement Fee. The fee shall be imposed at the time of application for building permits and shall be assessed for each building permit to be issued. These fees are subject to change by resolution of the Board of Supervisors. The applicant shall be responsible for paying the fee in effect at the time of issuance of building permits. The estimated road improvement fee is thus $116,900 for Phase 1 ($6,983 x 46,500 s.f. / 1000 x 0.36 pht) and $235,047 for Phase 2 ($6,983 x 93,500 s.f. / 1000 x 0.36 pht).

Drainage

8. **At the time of application for construction permits,** the applicant shall submit complete drainage plans and report prepared by a licensed civil engineer for review and approval in accordance with Section 22.52.110 (Drainage) of the Land Use Ordinance. All drainage must be retained on-site and the design of the basin shall be approved by the Department of Public Works. The drainage plans and report shall also address:
   a. The project site may be subject to potential flooding within undrained depressions. If required per County Code, Section 22.98.070(H), prepare a detailed flood analysis for review and approval by Public Works to delineate the extent of the flood hazard and identify the areas suitable for building.
9. **At the time of application for construction permits,** the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
10. **At the time of application for construction permits,** the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.

Stormwater Pollution Prevention Plan (SWPPP)

11. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP):

12. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
    a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.
    b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
        1. Structural Control Measure Description (Exhibit B)
        2. Stormwater System Contact Information
        3. Stormwater System Plans and Manuals
    c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
13. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.
14. **Prior to issuance of construction permits,** the applicant shall offer for dedication to the public right-of-way easements by separate document for Winterhaven and/or State Route 1 for road widening purposes. Dedication must provide sufficient width as necessary to contain all elements of the roadway prism

including slopes, sidewalks, driveway aprons, curb returns and other improvements. Offers are to be recorded by separate document with the County Clerk upon review and approval by Public Works.

G:\Development_DEVSERV Referrals\Land Use Permits\MUP\DRC2017\DRC2017-00057 LFOA LLC CUP Nipomo\DRC2017-00057 LFOA LLC MUP Nipomo.docx

COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT
Jeff Hamm *Health Agency Director*
Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

October 26, 2017

To: Cindy Chambers, Department of Planning and Building

From: Environmental Health
Kealoha Ghiglia

Project Description: DRC2017-00057 LFOA LLC

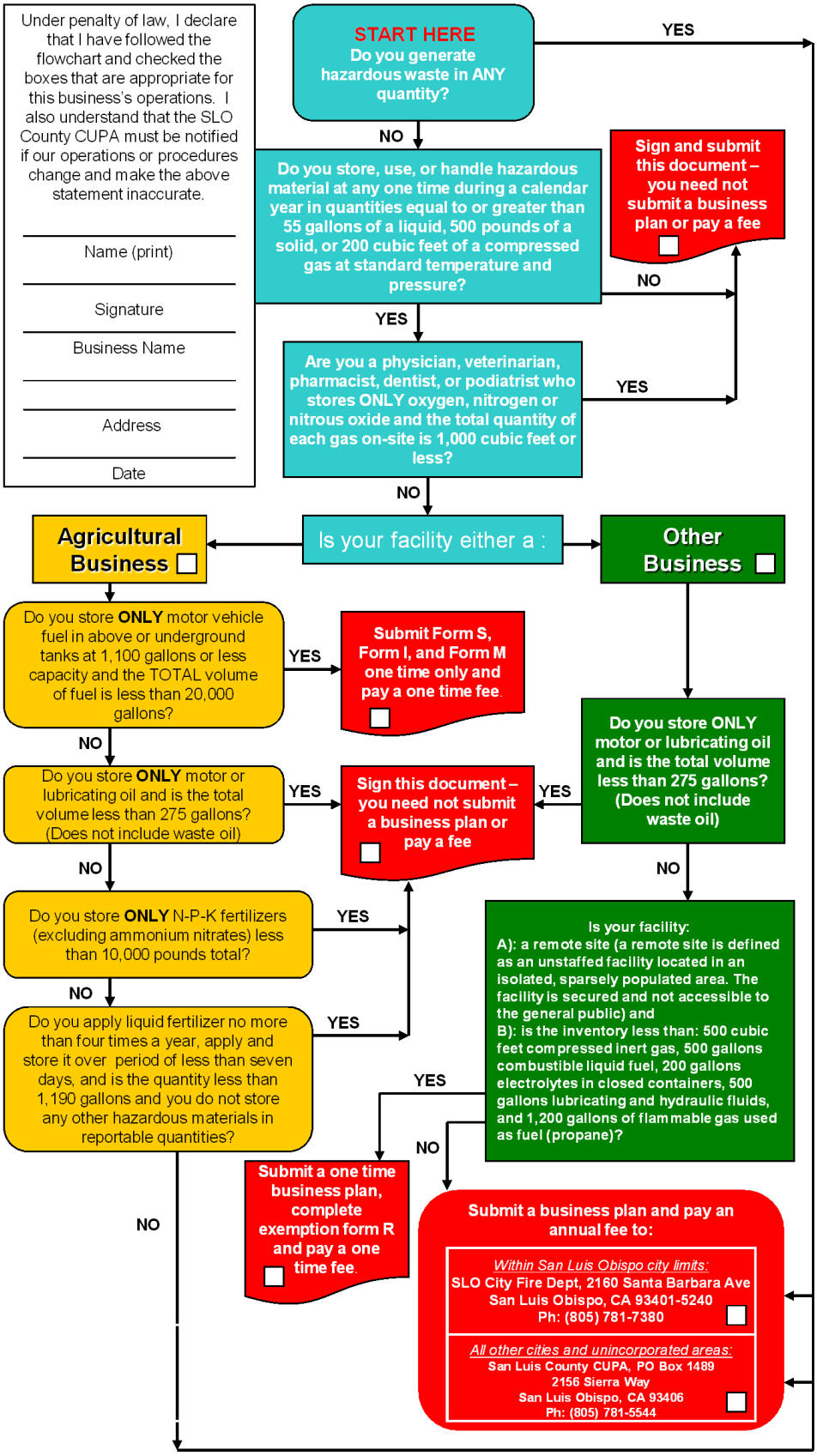
Verify on-site wastewater system adequacy as needed for proposed use. Soil evaluations should occur for domestic and production wastewater disposal. Discharge amounts should be estimated in order to determine if a discharge permit is required from the Regional Water Quality Control Board.

Based on the information provided, the daily presence of 60-80 employees at build-out would require that the facility be on a public water system. The facility can either connect to an existing public water system or create a public water system. WESO Water Supply public water system is directly adjacent to the property and it is recommended that the applicant seek a connection to this water system. If the applicant cannot connect to this water system, the applicant should begin the process of creating a water system as soon as possible, as this process takes approximately 9 months and requires approval from the State Water Resources Control Board Division of Drinking Water. Please contact Kealoha Ghiglia at 805-781-5551 for more information.

Applicant to return attached Hazardous Materials Declaration Flowchart to this office. Be advised that threshold levels are 55 gallons, 500 pounds or 200 cubic feet and common materials include (but are not limited to): fuel, paint, lubricants, pesticides, pool chemicals and compressed gases. Contact Tricia Atkins at (805) 781-1105 in this office with any questions regarding this form.

A water basin has been noted on the drawings. Please refer to the attached guideline document for the design and management of such basins to prevent and reduce number of mosquitoes breeding in these structures.

HAZARDOUS MATERIALS BUSINESS PLAN EXEMPTION FLOWCHART



COMMON HAZARDOUS MATERIALS

- Lubricants
- Solvents
- Compressed Gases
- Fuel
- Pesticides
- Paint

COMMON HAZARDOUS WASTES

- Crank Case Oil
- Used Anti-Freeze
- Paint
- Used automotive batteries
- Spent solvents

Not sure?

Please contact The County of San Luis Obispo
Public Health Department
Division of Environmental Health
at
(805) 781-5544

COUNTY OF SAN LUIS OBISPO HEALTH AGENCY
PUBLIC HEALTH DEPARTMENT
Jeff Hamm *Health Agency Director*
Penny Borenstein, MD, MPH *Health Officer/Public Health Director*

San Luis Obispo County Health Department
Requirements for Water Basins

Design

These requirements are for water basins to prevent and reduce the number of mosquitoes breeding in these structures. Items one through four are required for all water basins. The remaining items may be required and will further reduce the possibility of these structures becoming public health hazards by harboring mosquitoes.

1. The internal side slopes of the water basin shall be no less than 2:1. Steep side slopes reduce the amount of emergent vegetation, allow predators access to mosquito larvae, and allow for wave action on the edges to drown mosquito larvae. This will allow access for aquatic vegetation removal and drawing larvae samples.
2. A minimum water basin depth of 4 ft. is required for vegetation and larval control.
3. Do not construct water basins with floors lower in elevation than the highest historical water table. This will allow for complete draining of the water basin if it becomes necessary for mosquito control or maintenance.
4. Provide access to the body of water so routine surveillance and maintenance can take place.
5. Disturbance of the water surface by sprinkler systems and other aeration devices discourage adult mosquitoes from laying eggs on the water basin. Disturbance of the surface water will reduce the ability of larvae to feed and eventually drown them. Aeration devices are to be run intermittently.
6. Provide access structures (ramp) to the bottom of the water basin so equipment may be launched from these ramps for application of mosquito control agents and for equipment to drive to the bottom for maintenance. **Alternatively**, construct water basins with a near impermeable lining. Placement of a impermeable liner underneath a concrete water basin is advisable in California due to the possibility of earthquakes and soil shifting that may produce cracks in the concrete. Typical larvicide broadcasting equipment can spread larvicide approximately 40 feet. Water basins with a width of greater than 40 feet will have access to both sides.
7. The bottom of the water basin must be designed for complete drainage. Examples include sloping the floor of the water basin to at least 2 percent to facilitate draining and possible treatment of pooling water or designing a depression in the pond floor for complete pumping.

8. Side slopes of levees and berms will adequately support movement of vehicles used for mosquito control along the top of the levee with the top width of no less than 12 feet. This allows mosquito technicians to treat the water basin from a vehicle with a backpack blower, significantly speeding up the time required to treat the area.

Best Management Practices

The applicant shall provide in writing a maintenance and monitoring policy and a written Best Management Plan (BMP) for the water treatment water basin to the San Luis Obispo County Environmental Health Department prior to permit issuance. A copy of the BMP will be submitted to the Environmental Health Department Mosquito Abatement Program for review and approval. Project designers/managers shall include the ability to adapt their BMP, for water basins and wetlands. If mosquito production becomes an issue in a new wetland the owner/developer will be able to revisit the project design and make appropriate adjustments

1. **Vegetation control must be planned, budgeted for and occur at least yearly if emergent vegetation is present at any time during the year. Cattails and tulles proliferate quickly, creating ideal mosquito breeding habitats. These areas present special problems for vector control personnel and need to be routinely managed.**
2. Water conveyance equipment (pumps, pipes, etc.) must be properly maintained and water will not be allowed to stand from leaks etc. in excess of 72 hours. Water standing for more than 72 hours may produce adult mosquitoes
3. Increase the number of mosquito larvae predators in the water basin by planting fish such as Gambusia affinis. A mosquito fish may consume up to 300 mosquito larvae per day and these fish will breed rapidly to numbers the water basin will support. In accordance with the California Department of Fish and Game, Gambusia should not be used in any open waters, or waters that feed creeks or streams.
4. Avoid the use of fertilizer within at least a 50 ft radius of water basins, so excess nutrients will not enter the water basin. These will enhance not only submersed aquatic vegetation but also favor algae blooms.
5. Silt removal will be budgeted, planned for and occur if the water basin depth becomes less than 4 ft. or if emergent vegetation or other mosquito problems arise as a result of the silt.
6. Aeration devices or sprinklers will be run at least once every 72 hours for at least a period of four consecutive hours, to drown any mosquito larvae.
7. Maintenance of levees and dams will be budgeted, planned and performed as needed to prevent leaks and adequately support mosquito abatement efforts. Leaking levees often promote mosquito breeding by producing shallow pools of water over a large area.
8. The water basin's drainage plan will indicate how the water basin will be drained for maintenance and where the water will be drained.

In accordance with the California Health and Safety Code Section 2060-2067, "The person or agency claiming ownership, title, or right to property or who controls the diversion, delivery, conveyance, or flow of water shall be responsible for the abatement of a public nuisance that is caused by, or as a result of, that property or the diversion, delivery, conveyance, or control of that water." Failure to manage the mosquito production properly may result in notification and possible imposition of civil penalties of up to one thousand dollars per day for each day the public nuisance continues.

References

Hawk, Erik. "RE: Wetlands Recommendations." Email to the Author. 9 December 2005

Pratt, H., Moore, C. 1993. Mosquitoes of public health importance and their control. Centers for disease control and prevention, US Department of health and human services, vector-borne disease control.

Purdue Extension publication, WQ-41-W, Management ofwater basins, wetlands, and other water reservoirs to minimize mosquitoes, http://www.ces.purdue.edu/waterquality/resources/mosquitoes1.htm

Walton, William. 2003. Managing mosquitoes in surface-flow constructed treatment wetlands. University of California, Division of Agriculture and Natural Resources. Publication 8117.

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

RECEIVED

THIS IS A *REVISED* PROJECT REFERRAL

DATE: 10/26/2018

OCT 29 2018

TO: County Public Works, Environmental Health, Parks; CalTrans

FROM: Cindy Chambers
Team / Development Review

PROJECT NUMBER & NAME: DRC2017-00057 - LFOA LLC Industrial Development
PROJECT DESCRIPTION: Proposed Conditional Use Permit to construct two (2) 70,000 SF industrial buildings, in two phases. The project is located at 654 Winterhaven Way, Arroyo Grande. The attached items are in response to comments from the January 2018 review.

APN(S): 091-402-006

PENDING DIGITAL LINK TO DOCS

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?
- ☐ YES (Please go on to PART II.)
- ☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
- ☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.
Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No new comments beyond previous referral response. Water system application is in process.

11.16.18 — **Date**
Ke Ghiglia — **Name**
x5551 — **Phone**

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

THIS IS A *REVISED* PROJECT REFERRAL

DATE: 10/26/2018

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Please condition a 25' wide trail easement on parcel adjacent to Hwy 1 at a location approved by County Parks.

Date	Name	Phone
11/20/18	E. Kavanaugh	805 781-5087

976 Osos Street, Room 300 | San Luis Obispo, CA 93408 | (P) 805-781-5600 | 7-1-1 TTY/TRS
planning@co.slo.ca.us | www.sloplanning.org

COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
MARVIN A. ROSE, *INTERIM DIRECTOR*

RECEIVED OCT 18 2017

THIS IS A NEW PROJECT REFERRAL

DATE: 10/17/2017

TO: 4th District Legislative Assistant, Building Division, Cal Fire/County Fire*, Environmental Health*, Parks, Public Works*, Caltrans, South County Advisory Council*, AB 52*

FROM: Cindy Chambers (805.781.5608, or cchambers@co.slo.ca.us)
Coastal Team / Development Review

PROJECT DESCRIPTION: DRC2017-00057 LFOA LLC – Proposed Minor Use Permit to construct two (2) 70,000 SF industrial buildings. Each building to be built in a separate phase (phases I and II), located at 654 Winterhaven Way, Arroyo Grande.
APN(S): 091-402-006

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART 1: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?
- ☒ YES (Please go on to PART II.)
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Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

SEE FIRE SAFETY PLAN

11-1-17	DELL WELLS	805-593-3427
Date	**Name**	**Phone**

CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

Commercial Fire Safety Plan

November 1, 2017

Project Summary

Name: LFOA, LLC Gary Bagnall Project Number: **DRC#2017-**00057 LFOA LLC

Street Name:654 Winterhaven Way City: **Arroyo Grande** State: **CA** Zip: **93420**

Project Description: Two new industrial building 70,000 SQ FT each with high pile storage. Zoo Med Co.

Phone #: (805)544-9700 Thomas Reay, Omni Design Group

☒ This project is located approximately **4** minutes from the closest CAL FIRE/San Luis Obispo County Fire Station. The project **is** located in State Responsibility Area for wild land fires, and **is** designated as a **High** Fire Hazard Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

OPERATIONAL REQUIREMENTS

Special Concerns

☒ Project will place a challenge to fire service with current staffing levels of two full personal at the CAL FIRE/ San Luis Obispo County Fire station within the area of this project.

Public Assemblage and Events

☒ Prior to Fire Department Review, proposed event area must first complete all requirements pursuant to Title 22, the San Luis Obispo County Land Use Ordinance. This includes receiving any necessary land use permit approval and issuance of construction and Conditional Use Permit requirements.

Additional/Special Conditions

Fire Safety and Evacuation Plans

☒ Applicant shall provide a written Fire Safety plan whose contents shall be in accordance with sections California Fire Code Chapter 4 Emergency Planning and Preparedness. Employee training, record keeping, hazard communication and drills will also comply with this chapter. The written plan will include at a minimum the detail outlined in sections 404.2.1 (Evacuations Plans) and 404.2.2 (Fire Safety Plans).

Fire Evacuation Plans

☒ Fire evacuation plans shall include the following:

1. Emergency egress or escape routes and whether evacuation of the building is to be complete or, where *approved*, by selected floors or areas only.
2. Procedures for employees who must remain to operate critical equipment before evacuating.
3. Procedures for assisted rescue for *persons* unable to use the general *means of egress* unassisted.
4. Procedures for accounting for employees and occupants after evacuation have been completed.
5. Identification and assignment of personnel responsible for rescue or emergency medical aid.
6. The preferred and any alternative means of notifying occupants of a fire or emergency.
7. The preferred and any alternative means of reporting fires and other emergencies to the fire department or designated emergency response organization.
8. Identification and assignment of personnel who can be contacted for further information or explanation of duties under the plan.
9. A description of the emergency voice/alarm communication system alert tone and preprogrammed voice messages, where provided.

Fire Safety Plans

☒ Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.
2. The life safety strategy and procedures for notifying, relocating or evacuating occupants/event attendees, including occupants who need assistance.
3. Site plans indicating the following:
3.1. The occupancy assembly point.
3.2. The locations of fire hydrants.
3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
4.1. Exits.
4.2. Primary evacuation routes.
4.3. Secondary evacuation routes.
4.4. Accessible egress routes.
4.5. Areas of refuge.
4.6. Exterior areas for assisted rescue.
4.7. Manual fire alarm boxes.
4.8. Portable fire extinguishers.
4.9. Occupant-use hose stations.
4.10. Fire alarm annunciators and controls.
5. A list of major fire hazards associated with the normal use and occupancy of the premises, including maintenance and housekeeping procedures.
6. Identification and assignment of personnel responsible for maintenance of systems and equipment installed to prevent or control fires.7. Identification and assignment of personnel responsible for maintenance, housekeeping and controlling fuel hazard sources.

Building Construction requirements and Vegetation Management

Vegetation Management

☒ A written Wildland Fire/Vegetation Management Plan must be developed and approved by CAL FIRE.

Screening and Environmental Considerations

☒ Landscaping and vegetation shall be in accordance with San Luis Obispo County Planning and building "screening requirements". CAL FIRE requires that landscaping selections do not readily transmit fire.

☒ Fire resistant landscaping located within 100 feet of site improvements (structures or fire water tanks) shall be in accordance with CFC, Pubic resources code 4291 and Title 19 Division 1 described as "vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this paragraph, "fuel" means any combustible material, including petroleum-based products and wildland fuels. www.calfireslo.org website has several links with recommended planning tools for landscape and fuels management plans.

Ignition Resistant Construction

☒ Your project is located within a wildland fire hazard severity zone and must comply with California Fire and Building Code Chapter 7A Ignition resistant Construction in Wildland Urban Interface areas. The construction type shall be designed to withstand a wildfire. The roof type will have to be consistent with the requirements of Chapter 15 - Section 1505.

Stairway Access to Roof

☒ New buildings two or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3-percent slope), shall be provided with a stairway to the roof or other access to the roof for emergency personnel approved by the fire code official. Stairway access to the roof shall be in accordance with Section 1009. Such stairway or other approved access shall be marked at street and floor levels with a sign indicating that the stairway or access continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as required for such occupancy classification.

Building Height and Area

☒ Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access and in any parking structure.

☒ A building that is greater than 20,000 square feet (1.858 m2) of floor area and greater than18 feet (5.49 m) in height shall have a dry or wet standpipe system with a 2 ½ inch (64 mm) outlet at the roof near the roof access. Location of the outlet and the fire department connection to the standpipe shall be labeled and approved by the fire code official.

Address Requirements

☒ New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be approved in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of **Industrial** **10** inches high with a minimum stroke width of 0.5 inch (12.7mm).

Site Access /Roads/Knox/Exiting

Commercial Access Road Standards

☒ All road design criteria will meet the San Luis Obispo County Department of Public Works Public Improvement Standards. Standard construction drawing exhibits can be located on line at: http://www.slocounty.ca.gov/Assets/PW/DevServ/general/2008+Standards.pdf

Commercial

☒ The grade for all roads, streets, private lands and driveways shall not exceed 16 percent. Design criteria shall be in accordance with San Luis Obispo County Public Works public improvement standards. Roads 12%-16% shall be a nonskid asphalt or concrete surface as specified in San Luis Obispo County public improvement Standards, specifications and drawings.

☒ All roads shall:

- Be able to support Fire Apparatus.
- Provide a vertical clearance of 13'6"
- Provide a 10 foot fuel modification zone on both sides.

Commercial

☒ The access road must be a minimum of 24 feet in width for two way traffic and shall be constructed to SLO County Public Works Standards. Two (2) 10- foot driving lanes and Two (2) – Two (2) foot shoulders.

☒ Parking is only allowed where an additional 8 feet of width is added to each side of the road to accommodate parking. "No Parking - Fire Lane" signs may be required.

☒ Fire lanes shall be provided as set forth in Chapter 5 of the 2016 California Fire Code.

☒ Fire access shall be provided to within 150 feet of the outside building perimeter.

Additional/Special Conditions

Knox gate entry required at each gate .

Emergency Access Knox Keys and/or Gate Switches

Structural Access Requirements

☒ All commercial buildings shall install a Knox key box for fire department emergency access – CFC Section 506.1. The box shall be installed prior to final inspection of the building. An order form is available from the Prevention Bureau, call for more information at (805) 543-4244.

Gate Access Requirements

☒ Gate must be setback a minimum of 75 feet from the SLO County maintained road.
☒ Gate must automatically open with no special knowledge.
☒ Must have a KNOX key box or switch for fire department access. Call the Prevention Bureau for an order form at (805) 543-4244.
☒ Gate shall have an approved means of emergency operation at all times. CFC 503.6
☒ Gate must be 2 feet wider than the road on each side.
☒ Gates must have a turnaround located at each gate.

Exiting

☒ All egress and exiting components shall comply with Chapter 10 of the 2013 California Fire Code.

Setbacks

☒ A 30-foot building setback from property line required for parcels 1 acre in size or larger.

Fire Protection Systems Sprinklers Hydrants Alarms

Fire Sprinklers in Structures

☒ This project will require installing a commercial fire sprinkler system in all new buildings. The type of sprinklers required will depend upon the occupancy classification type of the structures and must comply with NFPA 13. The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13. The applicant will have to identify what Hazard Class the project is for review by the fire department (exp. Ordinary Hazard Class II), for each of the buildings in the project. Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. The contractor shall be licensed by the State of California, CFC. A licensed alarm company shall monitor the fire sprinkler and alarm system.
☒ The automatic fire extinguishing system shall comply with the National Fire Protection Association (NFPA) 13, or other approved NFPA Standard depending on target hazard. (Clean agent or alternative option)
☒ Structures over the minimum square footage must meet **all of the local ordinance** table 903 requirements **and all of the following requirements**:
☒ No second stories (lofts 1/3 the floor area and open to below are allowed)
☒ Minimum exits will conform to Chapter 10 and 9 of the California Fire Code.
☒ Dedicated fire water storage minimum of 180,000 gallons steel tank in full compliance with NFPA 1142(see fire safety plan) if there is no community provided fire hydrant within 500 ft. A fire protection Engineer can be used to design water storage system with approval of CAL FIRE/ County Fire.
☒ Structure complies with the California Wildland Urban-Interface Ignition Resistant Construction Requirements

Hydrants

☒ All fire hydrants and required access roads shall be installed PRIOR to structural construction.

Additional/Special Conditions

Fire sprinklers will be design to fit commodity classification, height allowed of storage, storage arrangement.

Multiple Tanks

☒ Daisy chaining of tanks is prohibited.

Exception: When topographical or soil conditions prohibit large tanks (technical report required) and/or Planning and Building Department land use conditions require reduced visual impact reduction (Coastal Zone screening) and where approved by the fire chief multiple tanks may be installed. Multiple tanks systems must: all valves must be chained and locked open, each tank must be installed with monitored tamper resistance, and all tanks must feed into one common manifold serving the fire protection systems and on site hydrants or other appurtenances.

Sprinkler System Supervision and Alarms

☒ All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels, and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically monitored for integrity and to ensure valves are locked in the open position, by a central station listed by Underwriters Laboratories for receiving fire alarms.

Fire Protection Engineer required

☒ A Fire Protection Engineer shall review the proposed Fire Protection Systems for this project. Multiple fire protection and hazardous conditions systems are required for this project. A list of Fire Protection Engineers is available on our website at http://www.calfireslo.org.

☒ Three sets of plans and calculations shall be submitted for functional review and approval to the County Fire Department. A licensed Fire Protection Engineer must design and submit all required drawings for CAL FIRE review. The contractor shall be licensed by the State of California, California Fire Code. A licensed alarm company shall monitor all fire protection and hazardous conditions systems.

Private Water System Requirements

☒ ***Commercial fire suppression system water storage tanks must be steel and located a minimum of 20 feet from structures.*** NFPA Standard 22 Water tanks for private Fire Protection, NFPA Standard 24 Installation of Private Fire Service mains and their Appurtenances, NFPA Standard 25 Inspection, Testing and Maintenance of Water-Based Fire Protection Systems shall be utilized for this project.

☒ The amount of emergency water required for fire suppression will be determined and approved by a registered licensed Fire Protection Engineer in cooperation with CAL FIRE/County Fire. Water required to be held in storage for domestic and/or landscaping purposes will be in addition to or separate from that required for fire suppression.

PRESSURIZED System and Hydrant Specifications

☒ Plans shall be submitted to the County Fire Department for approval of the distribution system and hydrant locations. Fire hydrants shall have two, 2 ½ inch outlets with National Standard Fire threads and one 4 inch suction outlet with National Standard Fire threads and comply with County Standard W-1. Each hydrant shall be identified by a blue reflective dot located on a non-skid surface located just off of center on the fire hydrant side. Hydrants must be protected from vehicle impact with the use of curbing or bollards.

FDC

☒ The fire department connections (FDC) supporting the required fire protection systems shall be located within 20 feet of a San Luis Obispo County Dept. of Public Works/County Fire standard fire hydrant and visible on fire engine approach to the building.

Additional/Special Conditions

AIM FIRE and SAFETY - John Dompke P.E. Currently shown to be the Fire Protection Engineer for this project 11/1/17.

ALARMS

NFPA 72 Alarm systems

☒ ***A centralized interlinked Fire Alarm System is required for this project.*** The alarm system shall terminate at a 24-hour monitoring point. Two sets of plans shall be submitted to CAL FIRE/San Luis Obispo County Fire for review and approval. California Fire Code Chapter 15 section 907. Fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved supervising station listed by Underwriters Laboratory for receiving fire alarms in accordance with NFPA 72. The supervising station shall contact and notify the Fire Chief or their call receiving location immediately on notification of an alarm and prior to making contact with the protected premises.

☒ Alarm system must be centralized and interlinked for the entire facility and include monitoring for all site alarm systems including; all on site Fire Protection Systems, and any and all hazardous materials, monitoring of hazardous materials, compressed gases, flammable and combustible liquids, liquefied petroleum gases, storage, delivery and processing areas.

☒ A Fire Alarm System is required throughout the site for the various fire suppression systems and required hazardous conditions monitoring. The alarm system shall terminate at a 24-hour monitoring point. Two sets of plans shall be submitted to the County Fire Department for review and approval. California Fire Code Chapter 15 section 907.

General Fire Precautions and Signage

Portable Fire Extinguishers

☒ Portable fire extinguishers shall be installed in all the occupancies in compliance with the California Fire Code section 906 and Title 19. The contractor shall be licensed by the State Fire Marshal.

Combustible Waste Material

☒ Every building or portion of a building shall be maintained in a neat orderly manner, free from any condition that would create a fire or life hazard or a condition which would add to or contribute to the rapid spread of fire, CCR Title 19 Division 1.

☒ Refuse containers must not be stored within 5 feet of combustible walls, openings, or combustible roof eaves, unless the refuse container is protected by an automatic sprinkler system installed in accordance with California Fire Code section 903.

Storage, Stockpiles and High Pile Storage

☒ Areas must meet all applicable California Fire Code requirements and be labeled with NFPA 704 required placarding. High Pile storage will meet Chapter 32 of the California Fire Code for the commodities to Be stored. Commodities will be classed per the CFC chapter 32 . Product packaging and Commodity Class will be identified by Fire Protection Engineer and reviewed by CAL FIRE/ County Fire.

Electrical

☒ Electrical wiring and equipment shall be installed and maintained in accordance with California Fire Code section 605 and the California Electrical Code. Hazards and fire prevention concerns relational to Electrical equipment, wiring shall be abated as specified in the aforementioned Fire Code.

Fire Safety during Construction:

☒ Prior to construction, an operational water supply system and established access roads must be installed in accordance with CFC Section 501.4. During construction all applicable Public Resources Codes must be complied with to prevent a wildfire. These will include the use of spark arresters, adequate clearance around welding operations, smoking restrictions and having extinguishers on site. The Industrial Operations Fire Prevention Field Guide will assist the applicant.

Additional/Special Conditions

Hight of the high pile combustible storage and aisles providing access and exiting will be of concern and will need to meet CFC chapter 32 .

Dell Wells

Inspector / Fire Captain

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
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PHONE (805) 549-3101
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Making Conservation a California Way of Life.

October 26, 2018

SLO-SR1-PM6.07

Cindy Chambers, Planner
County of San Luis Obispo
976 Osos Street
San Luis Obispo, CA 93408

RE: WINTERHAVEN & WILLOW TRAFFIC IMPACT ANALYSIS REPORT COMMENTS

Dear Ms. Chambers:

The California Department of Transportation (Caltrans) thanks you for the opportunity to review the September 2018 Winterhaven & Willow Traffic Impact Analysis Report (TIAR) Final Report prepared by Omni-Means/GHD, which includes the Technical Memorandum (TM) dated June 19, 2018. Caltrans provided comments on the TM on July 24, 2018. Staff has reviewed the above-referenced project and offers the following comments at this time.

General Comments

- Please add into the report that an Encroachment Permit will be necessary to complete any improvements (shoulder widening, turn pockets, deceleration/acceleration lanes, channelization, etc.) in the Caltrans Right of Way.
- South Halcyon Road and SR 1 intersection currently has an improvement project in process that has completed the initial Intersection Control Evaluation (ICE) process and is in Project Approval Environmental Document (PAED). Roundabouts are currently being analyzed at those intersections and the TIAR should reflect that the proposed project, as opposed to signals.
- The report appears to only provide signals as a mitigation measure. This is not consistent with ICE requirements and may not be the preferred alternative. Typically, an intersection should be evaluated for All-Way Stop Controls before a signal is recommended.
- As previously discussed in our August 21, 2018 meeting with the County and Applicant, trips generated by the existing location should be considered for the highest peak hour, regardless of the time of day. The data provided in Attachment B states that the AM Peak is between 6:15-7:15 with 45 passenger vehicles and the PM Peak is between 2:45-3:45 pm with 44 passenger vehicles. The text in Table 1 of the TM only has 22 AM and 28 PM passenger vehicles. **Please request that the report be updated so all the appropriate text and tables reflect the updated trip generation rates and number of trips for the existing facility.**

Page Specific Comments

Page 9 – Traffic Signal Warrant & Peak Hour Factor

- Please include that a complete ICE Study will be necessary for any changes to the control of a Caltrans operated intersection. The Peak Warrant analysis can be used as an indicator that an intersection may need to have further evaluation but does not conclude that a signal is the only alternative for mitigation.
- An All-Way Stop may provide equivalent or better LOS improvement as a signal and should be considered as a mitigation.
- Existing conditions (Existing and Existing Plus Project) should use the existing peak hour factor calculated from the existing traffic count, for each specific leg. Near Term and Cumulative should use the Highway Capacity Manual (HCM) default.

Page 11 – Existing Conditions

In Table 3, Intersection 7 is reported to have a failing LOS in the a.m. peak hour and a LOS C in the p.m. peak hour. After reviewing the Synchro sheets and warrant analysis, Traffic Operations staff went to the location and observed traffic flows in the a.m. and p.m. peak hours this week (10/24-25). From the field observations, the intersection does not appear to have significant delay on the NB off ramp as described in the Synchro sheets. The longest queue observed was five (5) vehicles in the a.m. peak hour with less than a minute of delay before the whole queue cleared. The intersection in the p.m. had little observable delay as well.

Traffic Operations Staff also developed the intersection (a.m. and p.m.) in Synchro and calibrated it to match the data provided by the consultant. When the model was simulated in Sim Traffic, a queue did not develop in the simulation which contrasts with the information provided in the Synchro sheets. It also seems odd that the intersection operates at an LOS F, but doesn't meet the peak hour signal warrant.

Traffic Operations Staff highly recommends the consultant conduct a site visit and review the Synchro Model and Sim Traffic Simulation for both the a.m. and p.m. peak hours to determine if the model needs additional calibration to reflect the existing conditions.

Page 20 – Existing Plus Project Conditions

In Table 6, Intersection 7 is reported to have a failing LOS in the a.m. peak hour, and a project specific impacted in the p.m. peak hour with the LOS falling below acceptable levels. The same comments above for page 11 apply to the Synchro reports and information provided in Table 6.

If after the consultant has reviewed the location and believes the LOS in the field reflects the LOS in the model, per this report the project has created a project specific impact that needs to be mitigated before opening day. If the applicant wishes to proceed with the report as is, Caltrans will request that the County require the applicant to provide a $250,000 bond for future studies, designs and construction of improvements (in addition to the regional impact fees) as the location does not yet meet warrant analysis. All future projects will also be required to post a similar bond for the intersection to provide for any studies, reports, designs and construction of project specific improvements should those reports show the same impacts. Please include in this report that an ICE study will have to be completed to determine the best mitigation measure to improve the LOS to pre-project conditions.

Pages 24 to 30 – Cumulative Conditions

- Same comments as Page 20 – Existing Plus Project Conditions, review Willow Road and HWY 101 NB Off-Ramp.
- Any changes to intersection control requires an ICE Study.

Page 31 - Queueing Analysis

Please clarify if this table is based on the proposed improvements to SR 1/Willow Road. Currently, SR1/Willow Road is a two-lane road with no channelization, as such there is no "Available Storage" as provided in Table 14.

Page 32 – Impacts and Mitigation Measures

Existing plus Project (Site Plan) Conditions – Please, remove "(Deceleration)" and clarify that the turn lanes will have storage plus the necessary length for the deceleration in the turn pocket.

Page 194 – Existing Peak Hour Warrant for NB 101 Off Ramp

Should be labeled intersection #7, not #1.

We look forward to continued coordination with the County on this project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3432 or Jenna.Schudson@dot.ca.gov.

Sincerely,

Jenna Schudson
Development Review Coordinator
District 5, LD-IGR South Branch