Initial Study – Environmental Checklist

Moore Parcel Map: ED21-032; (SUB2015-00059/CO16-0126)

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.

Annika Kiemm, SWCA			7/11/2022
Prepared by (Print)	Signature		Date
Eric Hughes			9/19/2022
Reviewed by (Print)	Signature	Eric Hughes, Principal Environmental Specialist	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 Greg Moore for a Tentative Parcel Map (CO16-0126) and Subdivision (SUB2015-00059) to subdivide an existing 7.9-acre parcel into four parcels, ranging in size from 1.8 to 2.1 acres for the purpose of sale and future development of residential uses on each parcel. The project includes site improvements including an access easement from Machado Lane, which would provide access to Parcels 1 and 2, and an easement for the future extension of Windmill Way along the northern property boundary to connect to Los Ranchos Road, which would provide access to Parcels 3 and 4. The project includes a request to modify the creek setback standards set forth in the Los Ranchos Edna Village Specific Plan to allow future development on Parcels 3 and 4 to be located a minimum of 30 feet from the top of bank of an on-site creek. The project also includes a request to modify the side setback requirements to allow future development on Parcels 3 and 4 to be located a minimum of 30 feet from the side property lines. The project would require approximately 24,099 square feet (0.55 acre) of site disturbance, including approximately 10 cubic yards of cut and 288 cubic yards of fill for proposed parcel improvements. The project site is located within the Residential Suburban (RS) land use category at 1320 Machado Lane, approximately 1 mile south of the City of San Luis Obispo, in the Los Ranchos-Edna Village Specific Plan area, in the San Luis Obispo North sub area of the San Luis Obispo planning area.

The project would subdivide an existing 7.9-acre parcel (Assessor Parcel Number [APN] 044-082-052; project site) into four parcels: Parcel 1 (2.00 acres), Parcel 2 (1.82 acres), Parcel 3 (2.07 acres), and Parcel 4 (2.00 acres). Parcel 2 currently supports an existing 1,500-square-foot residence and associated improvements, including an existing septic leach field. Parcels 1 and 3 are currently undeveloped. Parcel 4 currently supports an 1,800-square-foot accessory barn structure, which would remain in place.

Building envelopes for establishment of future residential uses are proposed on Parcels 1, 3, and 4, ranging in size from 16,682 square feet to 30,271 square feet. All future development of residential uses, such as residential structures, accessory structures, landscaping, pools, etc. would be limited to occur with each proposed building envelope. A 30,271-square-foot building envelope would be provided on Parcel 1, a 21,704-square-foot building envelope would be provided on Parcel 3, and a 16,682-square-foot building envelope would be provided on Parcel 4. Because Parcel 2 supports existing development, construction of a new building envelope is not proposed. The proposed building pad on Parcel 1 would have a 50-foot

setback from the Davenport Creek top-of-bank and the proposed building pads on Parcels 3 and 4 would have a 30-foot setback from the Davenport Creek top-of-bank. The existing residential unit on Parcel 2 has an approximate 150-foot setback from the Davenport Creek top-of-bank. No development has been proposed at this time; however, future residential development would be located on the proposed building envelopes on Parcels 1, 3, and 4 and would not occur within the proposed creek setback.

The proposed subdivision would allow for the future development of one single-family residential dwelling on Parcels 1, 3, and 4. In addition, the applicant has indicated future development may include construction of one detached accessory dwelling unit (ADUs) on Parcels 1 and 2 and construction of one attached Junior ADU (maximum 500 square feet) on Parcels 3 and 4. However, due to existing site constraints including septic leach field setback requirements from on-site creeks, it is currently not known if future development of ADUs would be feasible on each of the proposed parcels. For the purposes of this document, future construction of one detached ADU on Parcels 1 and 2 and construction of one attached JADU on parcels 3 and 4 have been evaluated as part of the reasonable case development scenario.

The project site currently has existing access from Machado Lane on the southwest side of the property. The project includes the construction of a 12-foot aggregate base driveway and turnaround with establishment of a 30-foot-wide access and utility easement from Machado Lane to serve Parcels 1 and 2. The project also includes the construction of a 20-foot-wide aggregate base road with establishment of a 40-foot-wide right-of-way and 30-foot-wide access and utility easement for the future road extension of Windmill Way along the northern property boundary. The establishment of this portion of Windmill Way would provide access to Parcels 3 and 4 and would include a hammerhead turn-around constructed to meet CAL FIRE design standards. The proposed road extension would connect the site to Los Ranchos Road on the northeast side of the project site and would allow for future extension of Windmill Way northwest toward Crestmont Drive, in accordance with the adopted State Route 227 Corridor Study (2016).

The project would allow for the future installation of individual on-site septic leach fields to serve Parcels 1, 3, and 4, which would be located greater than 100 feet from the top-of-bank of on-site creek features, in accordance with County standards for onsite wastewater treatment systems. Future residential development on-site would be served by Golden State Water Company (GSWC) for water services. The project would require expanded water, drainage, electrical, and natural gas infrastructure to serve the proposed parcels. Expanded utility infrastructure would be placed within the proposed 30-foot-wide access and utility easement from Machado Lane and the 30-foot-wide access and utility easement within the aggregate base road along the northern property boundary.

The project is located within the Airport Influence Area of the San Luis Obispo County Regional Airport, within Safety Zones 3 and 6. The proposed project was reviewed by the Airport Land Use Commission (ALUC) in December 2015, and in January, March, and April 2021. On April 21, 2021, the ALUC determined the project is consistent with the San Luis Obispo County Regional Airport Land Use Plan (ALUP) and conditionally approved the project.

Baseline Conditions

The project site is primarily vacant and undeveloped with the exception of an existing single-family residential dwelling in the southeastern corner of the site (on proposed Parcel 2) and an existing barn structure located near the eastern property boundary (on proposed Parcel 4). In addition, there are overhead power poles located directly east of the subject property, along Hacienda Avenue. The site is surrounded by existing low-density single-family residential dwellings and associated accessory structures to the north, south, and west. San Luis Obispo Country Club and cluster residential development is located directly east. Additionally, Highway 227 is located approximately 400 feet north of the project site and the

Initial Study – Environmental Checklist

San Luis Obispo County Regional Airport is located approximately 0.5 mile northwest of the project site. The project site is characterized by nearly level topography and is bisected in an east-west direction through the central portion of the parcel by Davenport Creek. Davenport Creek is a seasonal drainage that is divided into two parallel channels within the subject property. The site currently supports annual grasses, shrubs, oaks, and riparian vegetation.

ASSESSOR PARCEL NUMBER: 044-082-052

Latitude: 35º 13' 19.14" N **Longitude:** 120º 37' 37.87" W **SUPERVISORIAL DISTRICT #** 3

B. Existing Setting

Plan Area: San Luis Obispo **Sub:** San Luis Obispo(North) **Comm:** Los Rancho/Edna

Land Use Category: Residential Suburban

Combining Designation: Airport Review

Parcel Size: 7.90 acres

Topography: Nearly level

Vegetation: Grasses, shrubs, oaks, riparian

Existing Uses: Single-family residence(s), accessory structures, vacant

Surrounding Land Use Categories and Uses:

North: Residential Suburban; single-family residential dwellings ; accessory structures; Highway 227

East: Recreation; residential; San Luis Obispo Country Club

South: Residential Suburban; single-family residential dwellings ; accessory structures

West: Residential Suburban; single-family residential dwellings ; accessory structures

Initial Study – Environmental Checklist

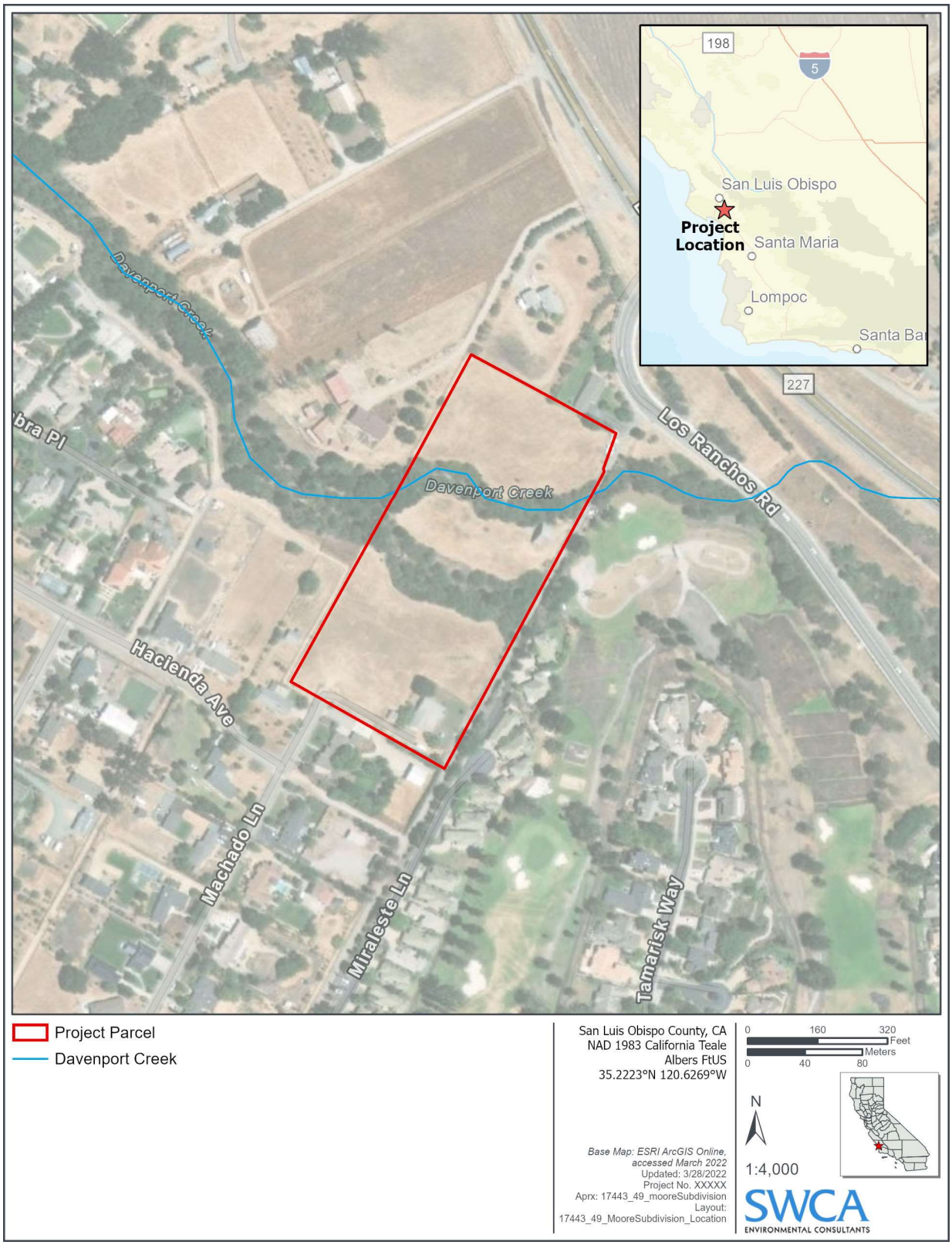

Figure 1. Project Location Map

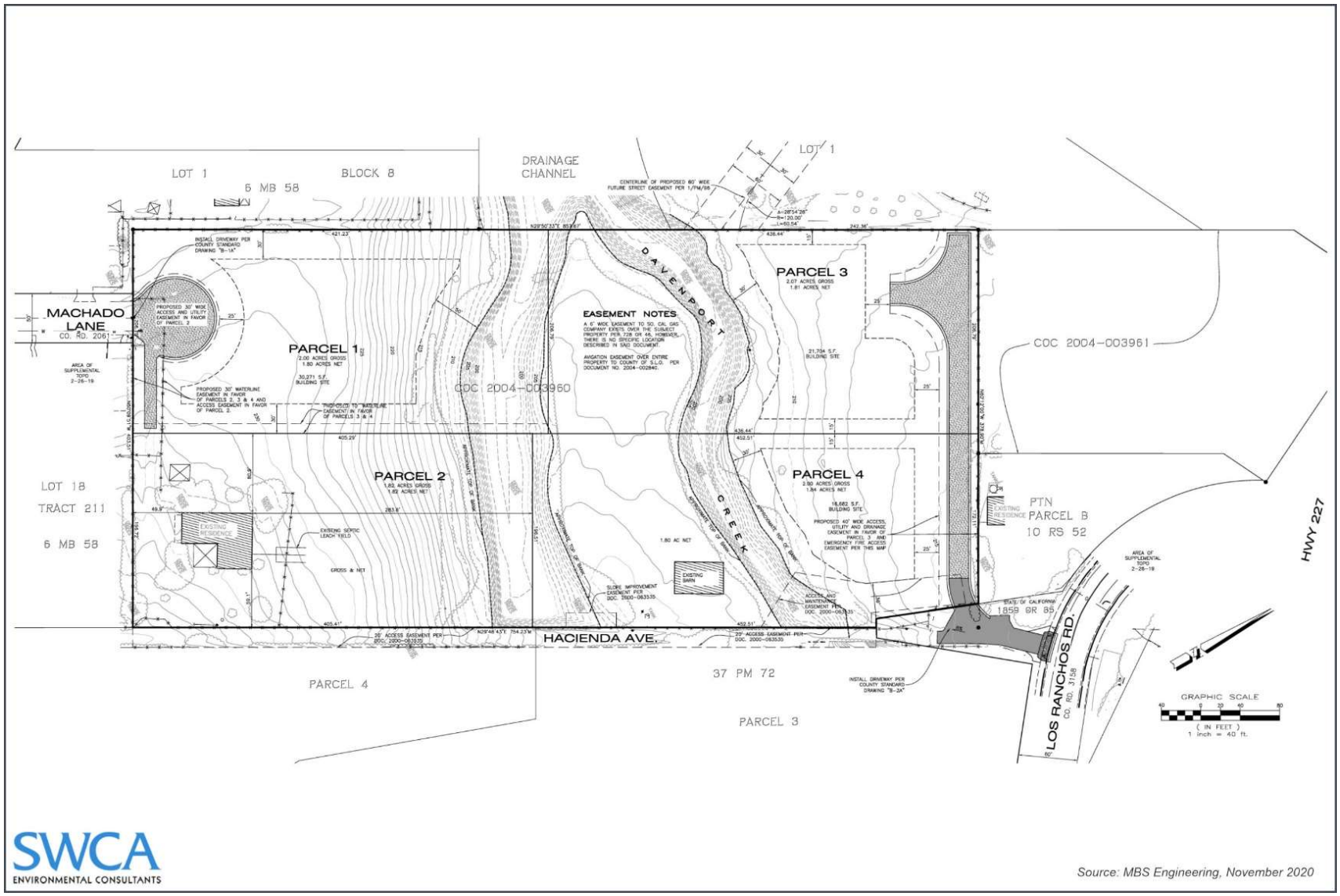

Figure 2. Site Plan Map

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.

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

California Scenic Highway Program

The California 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. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Scenic Highways within San Luis Obispo County include US Highway 101 (US 101), State Route 46 (SR 46), portions of State Route 41 (SR 41), State Route 1 (SR 1), and Lake Nacimiento Drive. The project site is located approximately 3.3 miles southeast of US 101, which at this location is designated as eligible for designation as a scenic highway (Caltrans 2018).

County Conservation and Open Space Element

The County of San Luis Obispo General Plan Conservation and Open Space Element (COSE) identifies several goals for visual resources in rural parts of the county, listed below:

- **Goal VR 1:** The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.
- **Goal VR 2:** The natural and historic character and identity of rural areas will be preserved.
- **Goal VR 3:** The visual identities of communities will be preserved by maintaining rural separation between them.
- **Goal VR 7:** Views of the night sky and its constellation of stars will be maintained.

Some of the strategies identified to accomplish the goals listed above include encouraging project designs that emphasize native vegetation and conforming grading to existing natural forms, as well as ensuring that new development follows the Countywide Design Guidelines to protect rural visual and historical character.

County of San Luis Obispo Land Use Ordinance

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), setbacks (LUO 22.10.140), 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 County of San Luis Obispo LUO also defines a Sensitive Resource Area (SRA) combining designation that applies to areas having high environmental quality and special ecological or educational significance. Since these designated areas are considered visual resources by the County, the LUO establishes specific standards for projects located within these areas. The project is not in an SRA combining district.

The Los Ranchos-Edna Village Specific Plan identifies the San Miguelito hills, the golf course fairways and landscaping, the cypress windrows along Country Club Drive, Los Ranchos School and playfields, and the historic Roselip home as primary visual resources within the Specific Plan area.

Existing Conditions

The property is located on the western side of Highway 227 in an area characterized by residential suburban development primarily dominated by 1–2-acre parcels developed with residential and accessory uses. The 7.9-acre project site is within the Residential Suburban (RS) land use designation and is located at the northern terminus of Machado Lane, abutting the west side of the San Luis Obispo Country Club and golf course, and approximately 400 feet south of the intersection of Highway 227/Los Ranchos Road. The project site is characterized by nearly level topography and is bisected by two drainage channels associated with Davenport Creek. The project site is primarily undeveloped and supports grassland, shrub, oak, and dense riparian vegetation (see Figure 3). There is an existing single-family residential dwelling in the southeastern portion of the project site and an existing barn structure on the eastern portion of the site, with an unpaved access driveway off of Hacienda Avenue.

Figure 3. Photograph of project site from proposed Parcel 3 facing southwest (March 29, 2022)

Discussion

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

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints and may be officially or informally designated by public agencies or other organizations. Vistas are inherently expansive views, usually from an open area or an elevated point. 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. The project site is not designated as an SRA by the County's LUO and is not located in the view of a scenic vista. Additionally, the project site is not located in an area that could obstruct or otherwise change the view of primary visual resources within the Los Ranchos-Edna Village Specific Plan; therefore, *no impacts* would occur.

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

The project site is located approximately 3.3 miles southeast of US 101, which is designated as an eligible scenic highway (Caltrans 2018). The project site is not visible from US 101 due to distance as well as intervening topography, vegetation, and development. Therefore, implementation of the project would not be visible within the viewshed of a designated state scenic highway, and *no impacts* would occur.

(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 project site is located in a non-urbanized area approximately 1 mile south of the incorporated city of San Luis Obispo. The project site currently supports one single-family residential dwelling in the southeastern corner of the project site and a barn structure on the eastern portion of the site. The remaining portion of the site is undeveloped and supports grassland, shrub, oak, and dense riparian vegetation. The project site is also bisected by two drainage channels associated with Davenport Creek. The project site is located within the Residential Suburban land use designation and is surrounded by low-density residential development within the Residential Suburban land use designation to the north, south, and west and clustered residential development and the San Luis Obispo Country Club to the east.

The project would establish building envelopes for the future development of residential uses, including one 30,27-square-foot building envelope on Parcel 1, one 21,704-square-foot building envelope on Parcel 3, and one 16,682-square-foot building envelope on Parcel 4. The project includes the construction of a 12-foot aggregate base driveway and turnaround with establishment of a 30-foot-wide access and utility easement from Machado Lane to serve Parcels 1 and 2. The project also includes the construction of a 20-foot-wide aggregate base road with establishment of a 40-foot-wide right-of-way and 30-foot-wide access and utility easement for the future road extension of Windmill Way along the northern property boundary. Future utility infrastructure would be installed underground within the proposed access and utility easements.

The project may result in temporary views of construction equipment and materials from Highway 227, Hacienda Avenue, Machado Lane, and surrounding land uses; however, these views would be temporary in nature and would not result in a long-term change to the existing visual character of the project area. Future development of the project site would include the construction of three new single-family dwelling units and may include two detached ADUs on Parcels 1 and 2 and two attached JADUs on Parcels 3 and 4. Future residential development would be located within the proposed building envelopes and would be subject to design requirements for the Residential Suburban land use designation, including height and setback limitations, with a modified side setback of 15 feet on Parcel 3 and Parcel 4 as requested in the project permit application.

Development of the proposed parcels would be consistent with the scale of surrounding residential development and is not anticipated to include architectural or design features that could change or otherwise degrade the existing visual character of public views; therefore, potential 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?*

Existing nighttime lighting within the project area consists of lighting from surrounding low-density single-family residential dwellings, the San Luis Obispo Country Club, and vehicle headlights along Highway 227 and other proximate roadways. Future buildout of three residential units and up to two ADUS and two JADUs would result in a limited increase of nighttime lighting in the area, which would be consistent with the scale of lighting from other low-density residential development. In addition, installation of exterior lighting would be required to comply with LUO Section 22.10.060,

which requires exterior lighting sources to be used for illumination purposes only and to be designed to direct light away from surrounding areas, to minimize light intensity, and to shield the light source from off-site areas. Adherence to LUO Section 22.10.160 would avoid creating a substantial new source of light or glare within the project region; therefore, potential impacts would be *less than significant*.

Conclusion

The project is not located within a scenic vista and is not within the viewshed of a designated scenic highway. Implementation of the project would not result in an adverse change in the existing visual character of the project area or affect day or nighttime views. Therefore, potential impacts related to aesthetic resources would be less than significant, and no mitigation measures would be necessary.

Mitigation

Mitigation is not necessary.

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))?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 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. According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program, the project site is located on land designated as Farmland of Local Potential and Urban and Built-Up Land (DOC 2016).

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 site is not located within the Agriculture (AG) land use designation and is not subject to a Williamson Act contract.

Chapter 6 of the County COSE identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important agricultural soils within the county are identified in Table SL-2 of the COSE, and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the COSE and *County of San Luis Obispo General Plan Agriculture Element*.

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) *Soil Survey of San Luis Obispo County, California* and the NRCS Web Soil Survey, the project site is underlain by the following soil types (NRCS 2022):

- **(128) Cropley clay, 2 to 9 percent slopes, MLRA 14.** This moderately well drained soil has a medium runoff class and a depth to restrictive feature of more than 80 inches. The typical soil profile includes clay and sandy clay loam. This soil is designated as Prime Farmland in Table SL-2 of the County COSE.
- **(129) Diablo clay, 5 to 9 percent slopes, MLRA 15.** This well drained soil has a very high runoff class and a depth to restrictive feature of 40 to 59 inches to paralithic bedrock. The typical soil profile consists of clay and bedrock. This soil is designated as Prime Farmland and Highly Productive Rangeland Soils in Table SL-2 of the County COSE.

Forestland is defined in Public Resources Code Section 12220(g) 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. Portions of the project site support dense riparian woodland that provides benefits to wildlife habitat, water quality, and aesthetics.

Timberland is defined in Public Resources Code Section 4526 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 any commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any 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?*

The project site is designated as Farmland of Local Potential and Urban and Built-Up Land by the FMMP (DOC 2016). Therefore, implementation of the project would not result in conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and *no impacts* would occur.

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

The project site is not located within the Agriculture land use designation and is not subject to a Williamson Act contract. Further, the project site does not support livestock grazing or other agricultural activities. 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 Residential Suburban land use designation and does not include land use designations or zoning for forest land or timberland. Therefore, the project would not conflict with or cause rezoning of forestland or land for timber production and *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 not zoned for forestland and is not considered forestland as defined by Public Resources Code section 12220(g). Future development of residential uses would be limited to the proposed development envelopes and would maintain a 30- to 50-foot buffer from the top of bank of on-site creek features, which would preclude future development from removing or otherwise impacting on-site dense riparian woodland. Therefore, the project would not result in the loss of forest land or convert forest land to non-forest use and *no impacts* would occur.

(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?*

Soils within the project site are designated as Prime Farmland by Table SL-2 of the COSE, which is based on the NRCS soil classification system, as opposed to the FMMP which takes into account

historical agricultural practices. However, the project site is not within the Agriculture land use designation, is generally surrounded by existing residential development, and is of a size which makes it infeasible for commercial agricultural production. Based on existing site constraints, the project would not result in a potentially significant impact associated with conversion of the project site to residential land uses.

The nearest land within the Agriculture land use designation is located approximately 530 feet north of the project site. As evaluated above, implementation of the proposed project would not directly interfere with any existing agricultural, forestland, or timber production activities. The project would not result in substantial long-term groundwater use, dust, or other emissions that could inadvertently reduce water availability for or damage crops within the project area. The project would not introduce incompatible land uses or result in other changes to the environment that could indirectly result in the conversion of farmland to non-agricultural use or forestland to non-forest use; therefore, potential 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. Potential impacts related to agricultural and forestry resources would be less than significant, and no mitigation measures are necessary.

Mitigation

Mitigation is not necessary.

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

Criteria Air Pollutants and Ambient Air Quality Standards

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 ARB 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 California ARB 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. 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.

San Luis Obispo County Clean Air Plan

The San Luis Obispo County Air Pollution Control District (SLOAPCD) San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term air pollutant 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 particulate matter 10 micrometers or less in diameter (PM_{10}). The CAP presents a detailed description of the sources and pollutants that 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. In order to be considered consistent with the San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP.

SLOAPCD Criteria Pollutant 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. This handbook includes 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 (NO_x), 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. The SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). The SLOACPD has established several different methods for determining the significance of project operational impacts:

1. Demonstrate consistency with the most recent CAP for San Luis Obispo County;
2. Demonstrate consistency with a plan for the reduction of GHG emissions that has been adopted by the jurisdiction in which the project is located that complies with State CEQA Guidelines Section 15183.5;
3. Compare predicted ambient criteria pollutant concentrations resulting from the project to federal and state health standards, when applicable;
4. Compare calculated project emissions to SLOAPCD emission thresholds; and
5. Evaluate special conditions which apply to certain projects.

The SLOAPCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 pounds per day (lbs/day) threshold of significance for the emission of particulate matter (PM_{10}). According to the SLOAPCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM_{10} threshold.

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, 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. There is an on-site residence located within the southeastern corner of the project parcel and the project site is surrounded by off-site single-family residential dwellings in all directions.

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 San Luis Obispo 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. The project site is located in an area identified as containing NOA by the SLOAPCD (SLOAPCD 2022).

Discussion

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

In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the land use planning and transportation control measures and strategies outlined

in the CAP (SLOAPCD 2012). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The project does not include development of retail or commercial uses that would be open to the public; therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable.

The project would facilitate the construction of three single-family residential units and may include up to four ADUs, including two detached ADUs on Parcels 1 and 2 and two attached JADUS on Parcels 3 and 4. As discussed in Section XIV, *Population and Housing*, the project would result in a limited population increase of approximately 18 residents. Based on the limited scale of proposed residential development and associated population increase, the project would not substantially affect the local area's jobs/housing balance. In addition, due to the limited increase in population growth associated with the project, the project is not anticipated to generate VMT in a manner that would exceed regional thresholds. As described in detail under Impact *(b)*, below, the project would not generate air pollutant emissions above SLOAPCD thresholds during project construction or operation. Therefore, implementation of the proposed project would be consistent with the air quality goals and objectives included in the County's 2001 CAP, and impacts related to consistency with applicable air quality plans would be *less than significant*.

(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?

The county of San Luis Obispo is currently designated as non-attainment for ozone and PM_{10} under state ambient air quality standards (CARB 2020).

Construction Emissions

Construction activities associated with the proposed access improvements on-site would result in the generation of criteria air pollutants including ozone precursors (reactive organic gases [ROG] and nitrogen oxides [NO_x]) and fugitive dust. Fugitive dust emissions would result from grading operations and ROG and NO_x emissions would result from the use of large diesel-fueled equipment including scrapers, loaders, bulldozers, haul trucks, compressors, and generators. Project grading would result in approximately 24,099 square feet (0.55 acre) of site disturbance, including approximately 10 cubic yards of cut and 288 cubic yards of fill.

The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction-related emissions. The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. The SLOAPCD CEQA Air Quality Handbook clarifies that any project that would require grading of 4.0 acres or more has the potential to exceed the 2.5-ton PM_{10} quarterly threshold listed above. Table 1 shows the project's estimated construction-related emissions in comparison to SLOAPCD thresholds.

Table 1. Proposed Project Estimated Construction Emissions

Pollutant	Screening Emission Rate (pounds/cubic yard)	Total Estimated Emissions	Threshold Quarterly	Threshold Exceeded?
ROG + NO_x (combined)	0.1138	33.9 pounds	2.5 tons	No

Diesel Particulate Matter (DPM)	0.0049	1.46 pounds	0.13 tons	No

Based on the construction emission estimates above, the project would not exceed SLOAPCD construction emissions thresholds for ROG + NO_x or DPM. In addition, the project would only require 0.55 acre of ground disturbance for construction of the proposed access improvements and is not anticipated to exceed SLOPCD's threshold for PM_{10}.

Operational Emissions

The project would allow for the future construction of residential uses on-site. Future construction of residential dwelling units would occur within the proposed building envelopes and would require minimal additional soil disturbance due to the existing site topography. In addition to the 0.55 acres of disturbance for proposed access improvements, site disturbance within the proposed building envelopes would contribute 68,657 square feet (1.58 acres) to total site disturbance and would not exceed the 4.0-acre disturbance threshold for daily fugitive dust emissions. In addition, all construction projects would be required to implement SLOACPD-recommended construction emission and dust control measures identified in the SLOAPCD CEQA Air Quality Handbook, which would minimize ROG+NO_x, DPM, and fugitive dust emissions.

Construction of the proposed project and future residential development would not exceed SLOAPCD thresholds for construction-related emissions; therefore, the project would not result in a cumulatively considerable net increase in identified criteria pollutants, and construction-related impacts would be *less than significant.*

Future development would be limited in scale and would include the use of three single-family residential dwellings and up to two ADUs and two JADUs. Future residential development would facilitate a marginal increase in population growth and associated vehicle trips. Proposed access roads would be constructed with an aggregate base and would not generate long-term dust emissions. Based on the limited size and scope of future residential development, the project would not include components that could result in substantial long-term pollutant concentrations in a manner that would exceed SLOAPCD thresholds. Therefore, future residential uses would not result in a cumulatively considerable net increase in identified criteria pollutants, and operational impacts would be *less than significant.*

Based on the analysis provided above, potential impacts would be *less than significant*.

(c) Expose sensitive receptors to substantial pollutant concentrations?

According to the SLOAPCD *CEQA Air Quality Handbook*, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions (SLOAPCD 2012). There are several sensitive receptor locations, including single-family residential dwellings, within 1,000 feet of the project site. As evaluated above, the project would not result in construction-related or operational criteria air pollutant emissions above established SLOAPCD thresholds; however, due to the close proximity of sensitive receptor locations, Mitigation Measure AQ-1 has been identified to ensure compliance with diesel idling restrictions intended to reduce exposure of DPM to sensitive receptor locations. With implementation of Mitigation Measure AQ-1, the project would not expose sensitive receptors to substantial pollutant concentrations; therefore, impacts would be *less than significant with mitigation*.

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

Typically, construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area.

Future residential uses would not include any components or operational activities that would generate substantial long-term adverse odors. Therefore, odors generated by the project would be short-term, intermittent, and primarily undetectable.

The project has the potential to expose people to NOA due to the project site's location in an area with the potential for NOA to occur (SLOAPCD 2022). Mitigation Measures AQ-2 and AQ-3 have been identified to require implementation of SLOACPD testing, notification, and disposal protocol to reduce the potential to release NOA during proposed ground disturbance activities and mitigate health risks if NOA is detected. The project does not require the demolition of any on-site structures that may contain asbestos containing material (ACM) or lead based paint. Construction-related odors would be temporary, intermittent, and undetectable and with implementation of Mitigation Measures AQ-2 and AQ-3, the project would not expose people to adverse other emissions, including NOA; therefore, potential impacts would be *less than significant with mitigation*.

Conclusion

The project would be consistent with the SLOAPCD 2001 Clean Air Plan and would not exceeds established SLOAPCD emissions thresholds during project construction or operation. Mitigation Measure AQ-1 has been included to reduce DPM exposure to sensitive receptors during construction and Mitigation Measures AQ-2 and AQ-3 have been identified to reduce impacts associated with potential release of NOA. Upon implementation of the identified mitigation measures, potential impacts related to air quality would be less than significant.

Mitigation

AQ-1 During all construction activities and use of diesel vehicles for initial site improvements and future residential development, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
    b. Diesel idling when equipment is not in use shall not be permitted;
    c. Use of alternative fueled equipment shall be used whenever possible; and
    d. Signs that specify the no-idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 CCR 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine when vehicle is not in use, except as noted in Subsection (d) of the regulation; and

b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the no-idling requirement. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 Prior to initiation of ground-disturbing activities for initial site improvements and future residential development, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-3 If NOA are determined to be present on-site, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

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?	☐	☐	☒	☐
(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?	☐	☐	☐	☒

Initial Study – Environmental Checklist

Setting

Federal and State Endangered Species Acts

The Federal Endangered Species Act (FESA) of 1973 provides legislation to protect plant and animal species listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS). The California Endangered Species Act (CESA) of 1984 ensures legal protection for plants listed as threatened or endangered by the California Department of Fish and Wildlife (CDFW) and wildlife species formally listed as endangered or threatened. In addition, CDFW 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 CDFW has the authority to review projects for their potential to impact special-status species and their habitats. CDFW also maintains a Watch List (WL) for species that were previously SSC but no longer merit SSC status, or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

In addition, the California Native Plant Society (CNPS) maintains a list of plant species ranging from presumed extinct to limited distribution, based on the following:

- California Rare Plant Ranks (CRPR)
    - 1A: Plants presumed extirpated in California and either rare or extinct elsewhere
    - 1B: Plants rare, threatened, or endangered in California and elsewhere
    - 2A: Plants presumed extirpated in California, but common elsewhere
    - 2B: Plants rare, threatened, or endangered in California, but more common elsewhere
    - 4: Plants of limited distribution – a watch list
- California Rare Plant Threat Ranks
    - 0.1: Seriously threatened in California
    - 0.2: Moderately threatened in California
    - 0.3: Not very threatened in California

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 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 USFWS, and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

California Fish and Game Code

California Fish and Game Code Sections 3511, 4700, 5050 and 5515 identify a Fully Protected classification to identify and provide additional protection to those animals that were rare or faced possible extinction. Fully Protected Species (FPS) may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for scientific research, for relocation of the bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (NCCP).

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.

County of San Luis Obispo General Plan 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. The COSE identifies several key goals pertaining to biological resources within the county:

- Goal BR 1. Native habitat and biodiversity will be protected, restored, and enhanced.
- Goal BR 2. Threatened, rare, endangered, and sensitive species will be protected.
- Goal BR 3. Maintain the acreage of native woodlands, forests, and trees at 2008 levels.
- Goal BR 4. The natural structure and function of streams and riparian habitat will be protected and restored.
- Goal BR 5. Wetlands will be preserved, enhanced, and restored.
- Goal BR 6. The County's fisheries and aquatic habitats will be preserved and improved.
- Goal BR 7. Significant marine resources will be protected.

Sensitive Resource Area Designations

The County's LUO 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. The project site is not located in an SRA combining designation.

Biological Resources Survey Efforts

A Biological Resources Survey Report (BRSR) was prepared by V.L. Holland, Ph.D. for the project in November 2016 and was revised on July 29, 2020. The BRSR includes a description of existing conditions of the project site, an evaluation of the potential presence and/or likelihood of presence of sensitive biological resources within the project area, an evaluation of potential impacts to biological resources, and recommended mitigation measures to avoid and/or minimize potential impacts (Holland 2020). The BRSR includes the results of desktop-level background review and multiple field surveys. Background review conducted for the project included a query of the NRCS Soil Survey, the CDFW California Natural Diversity Database (CNDDB), and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California Database. Four field surveys for the project were originally conducted in May 2016 and an additional two surveys were conducted in October and November of 2016. Additional field surveys were conducted on July 3 and 6, 2020.

A focused botanical survey was conducted on April 21, 2022, with a focus on determining the presence/absence of Cambria morning Glory within the 50-foot creek setback area on Parcel 3 and Parcel 4, and if present, the approximate percent cover of Cambria Morning Glory . Prior to the survey, on April 4 and April 14, nearby reference populations for Cambria morning-glory were visited and observed to ensure the species was readily identifiable and in peak blooming condition. No Cambria morning-glory, or any other special-status plant species, were observed during the survey (Terra Verde Environmental Consulting [Terra Verde] 2022).

Existing Conditions

The 7.9-acre project site is primarily undeveloped with the exception of a single-family residential dwelling and an accessory barn structure. Surrounding areas include existing single-family residential dwellings and accessory structures to the north, south, and west and clustered residential development and the San Luis Obispo Country Club to the east. In addition, Highway 227 is located approximately 400 feet north of the project site. The site consists of nearly level topography and is bisected in an east-west direction through the central portion of the site by two parallel drainage channels associated with Davenport Creek. As a result, the site consists of three upland areas which are located in the southern portion of the site, the northern portion of the site, and in between the two drainage channels. The on-site drainage channels do not support pools of standing or flowing water (Holland 2020).

The project site primarily supports ruderal coastal valley grassland habitat with areas of dense riparian woodland habitat located along the drainage channels and a small population of purple needle grass (*Stipa pulchra*) on Parcel 1. The ruderal coastal valley grassland habitat is comprised of mostly invasive, weedy plant species that have been subject to regular mowing for fire control. The riparian woodland habitat includes dense riparian shrubs and trees, including willows (*Salix spp.*), cottonwoods (*Populus spp.*), sycamore (*Platanus racemosa*), alders (*Alnus spp.*), and Coast live oaks (*Quercus agrifolia*) (Holland 2020).

Special-Status Plants

Based on a query of the CNDDB and the CNPS, 24 special-status plant species have been previously recorded within the project region. Of the species that have been previously recorded within the project region, Pismo clarkia (*Clarkia speciosa ssp. immaculata*) is of special concern due to its listing as a California Rare, Federally Endangered, and Globally Threatened species (Holland 2020). Based on the habitat conditions observed during appropriately timed field surveys of the project site and the habitat requirements of the 24 special-status plant species known to occur within the project region, only Cambria morning glory (*Calystegia subacaulis ssp. episcopalis*) was determined to have potential to occur within the

project area (Holland 2020). A focused botanical survey on the project site was conducted at a time that local Cambria morning glory reference populations were in bloom. No Cambria morning-glory, or any other special-status plant species, were observed during the survey (Terra Verde 2022).

Special-Status Wildlife

Based on a query of the CNDDB, habitat conditions observed during field surveys of the project site, and the habitat requirements of the special-status wildlife species known to occur within the project region, the BRSR identified the potential for the following 15 special-status wildlife species to occur within the project area:

- steelhead (Oncorhynchus mykiss irideus)
- California red-legged frog (*Rana draytonii*)
- Coast Range newt (*Taricha torosa*)
- black legless lizard (*Anniella pulchra nigra*)
- silvery legless lizard (*Anniella pulchra pulchra*)
- two-striped garter snake (*Thamnophis hammondii*)
- Cooper's hawk (*Accipiter cooperii*)
- Lawrence's goldfinch (*Spinus lawrencei*)
- lark sparrow (*Chondestes grammacus*)
- sharp-shinned hawk (*Accipiter striatus*)
- white-tailed kite (*Elanus leucurus*)
- Pallid bat (*Antrozous pallidus*)
- Townsend's big-eared bat (*Cornyorhinus townsendii*)
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*)
- San Diego desert woodrat (*Neotoma lepida intermedia*)

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 project includes ground-disturbance activities for proposed site improvements and future development of residential uses, which would have the potential to result in direct removal of special-status plant species if present within the project site during construction. In addition, proposed construction activities have the potential to result in direct (i.e., take) or indirect (i.e., noise, dust, light pollution) disturbance to special-status wildlife species if present within the project area during project construction. Based on the findings presented in the BRSR, one-special status plant species occurs within the project site and there is potential for 15 special-status wildlife species to occur within the project area (Holland 2020). Mitigation Measure BIO-1 has been included to require environmental awareness training for construction personnel to be made aware of potential sensitive biological resources that may occur within the area and avoidance measures for those

resources. Potential impacts to special-status plant and wildlife species are described in detail, below.

Special-Status Plants

Cambria morning glory has been observed within the on-site riparian woodland habitat along the drainage channels. Other special-status plant species are not anticipated to occur on-site because the project site does not support suitable elevation, soil, or other habitat conditions and no other special-status plant species were observed on-site during appropriately timed botanical surveys (Holland 2020).

Pismo Clarkia

Pismo clarkia is a California Rare, Federally Endangered, and Globally Threatened species and previously recorded occurrences have been documented within the project region. However, no individuals of this species or evidence of this species were observed during field surveys conducted within the appropriate blooming period for Pismo clarkia. Further, soils at the site consist of clay and do not provide suitable habitat conditions for this species, which typically grows in course, sandy soils (Holland 2020). As a result, this species is not expected to occur within the project area; therefore, implementation of the proposed project would not result in disturbance to this species and impacts would be *less than significant*.

Cambria Morning Glory

During appropriately timed field surveys of the project area conducted in 2016 and 2020, scattered Cambria morning glory individuals were observed along the edge of the riparian woodland habitat on-site (Holland 2020). The project includes implementation of a 30-foot setback from the Davenport creek top-of-bank on Parcels 3 and 4 and a 50-foot setback is required from the Davenport Creek top-of-bank on Parcels 1 and 2, which would avoid disturbance to Cambria morning glory individuals on-site (Terra Verde 2022). Mitigation Measure BIO-2 has been identified to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. No Cambria morning-glory, or any other special-status plant species, were observed during the survey (Terra Verde 2022). Based on the lack of detection during the seasonal 2022 botanical survey and the limited quantity/distribution of individuals described in previous records ("less than 1 percent of the subject property"), the project would not result in a potentially significant impact to this species; therefore, impacts would be *less than significant with mitigation*.

Special-Status Wildlife

Based on background review and observations of habitat conditions during field surveys conducted in 2016 and 2020, there is potential for one special-status fish species, two special-status amphibian species, three special-status reptile species, two special-status bat species, two special-status mammal species, and nesting migratory birds to occur within the project area, as detailed below.

Special-Status Fish

Based on background review and observations of habitat conditions during field surveys conducted in 2016 and 2020, there is low potential for steelhead to occur within the on-site drainage channels because the drainage channels are not able to maintain pools of water that would be necessary to support steelhead (Holland 2020). Further, the project would include a 30-to-50-foot setback from the Davenport Creek top-of bank, which would avoid disturbance to the on-site drainage channels

and any special-status species within the setback area. Mitigation Measure BIO-2 has been identified to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. The project would be subject to LUO Section 22.52.120 which requires preparation and approval of an Erosion and Sedimentation Control Plan to reduce short- and long-term erosion at the site that could runoff into the drainage channels and disturb potential off-site, downstream steelhead habitat. With implementation of Mitigation Measure BIO-2 and required compliance with the County's LUO, the project would avoid adverse impacts to special-status fish species; therefore, impacts would be *less than significant with mitigation*.

Special-Status Amphibians

Based on background review and observations of habitat conditions during field surveys conducted in 2016 and 2020, California red-legged frog (CRLF) is not anticipated to occur on-site based on the lack of suitable habitat. Suitable habitat conditions for CRLF include the following:

1. Suitable breeding and reproductive habitat for CRLF requires a permanent water source that supports pools of water for approximately 20 weeks (tadpole-rearing season);
2. Non-breeding habitat that provides food, space, and vegetative cover that is spatially distant from breeding habitat;
3. Upland areas, up to 300 feet from the water's edge, that provide shelter (i.e., boulders, rocks, trees, shrubs, and/or logs), foraging areas, maintenance of water quality, and dispersal areas; and
4. Upland areas must provide barrier-free dispersal habitat that also connects at least two suitable breeding habitats within 1.25 miles of each other.

The nearest area with enough pooled water to support CRLF is a pond located directly east beyond Hacienda Avenue at the San Luis Obispo Country Club and CRLF have been observed at this location; however, the occurrences have not been documented with the CNDDB (Langle 2022).

Based on biological surveys of the creek channels, adjacent riparian woodland habitat, and upland areas, the project site does not support adequate breeding and non-breeding habitat for CRLF. The on-site drainage channels are not able to maintain pools of water necessary to support CRLF breeding and reproductive habitat. Although suitable breeding habitat is not present within the project site, CRLF could potentially use the project site as foraging or dispersal habitat. CRLF would only be expected to occur in disturbance areas incidentally, if at all, during periods of overland movement occurring during or immediately after rainstorms and during dispersal periods, due to the lack of perennial aquatic habitat and suitable breeding habitat on-site. Potential impacts to this species would occur if individuals were present during construction and were exposed to vehicle and heavy equipment traffic.

The project includes implementation of a 30-foot setback from the Davenport creek top-of-bank on Parcels 3 and 4 and a 50-foot setback from the Davenport Creek top-of-bank on Parcel 1, which would avoid disturbance to this area. Mitigation Measure BIO-2 has been identified to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Further, upland areas do not support enough moisture to provide habitat for CRLF and surrounding areas do not provide appropriate dispersal conditions due to surrounding roadways and other development.

Mitigation Measure BIO-3 has been identified to avoid potential impacts to CRLF if present within the project area, including avoiding work during the wet season and implementation of exclusionary fencing and pre-construction surveys. Construction would be halted until any CRLF that are identified in the project site are relocated or move out of the area on their own. Potential impacts to CRLF would be *less than significant with mitigation*.

In addition, the BRSR identified low potential for Coast Range newt to occur within the riparian habitat on-site; however, this species was not observed during field surveys (Holland 2020). The project includes a 30-to-50-foot setback from the Davenport Creek top-of bank, which would avoid disturbance to the riparian woodland habitat and potential Coast Range newt habitat. Mitigation Measure BIO-2 has been identified to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Based on proposed avoidance of the riparian woodland habitat, potential impacts to Coast Range newt would be *less than significant with mitigation*.

Special-Status Reptiles

Background review identified previously recorded occurrences of black legless lizard, silvery legless lizard, and two-striped garter snake within the project region. During field surveys, marginally suitable habitat for these species, including fallen logs and leaf litter, was observed within the riparian woodland habitat onsite; however, none of these species were observed during the multiple field surveys of the site (Holland 2020). The project includes a 30-to-50-foot setback from the Davenport Creek top-of bank, which would avoid disturbance to the riparian woodland habitat and potential special-status reptile habitat. Mitigation Measure BIO-2 has been included to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Based on proposed avoidance of the riparian woodland habitat, potential impacts related to special-status reptiles would be *less than significant with mitigation*.

Special-Status Bats

Based on background review and observations of habitat conditions during field surveys conducted in 2016 and 2020, the accessory barn structure on-site may provide nesting habitat for pallid bat and Townsend's big-eared bat. During field surveys, no special-status bat species or evidence of special-status bat species were observed within the project area, including the accessory barn structure (Holland 2020). Therefore, these species are not anticipated to occur onsite. In addition, the accessory barn structure is located in the upland area between the two drainage channels, which also lies within the proposed top-of-bank setback. No disturbance or improvements are proposed to the barn structure or immediately adjacent areas. Mitigation Measure BIO-2 has been included to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Because the accessory barn structure would not be disturbed during implementation of the proposed project and this species is not anticipated to occur onsite, and mitigation has been identified to avoid temporary disturbance within the proposed creek setback areas, potential impacts related to special-status bat species would be *less than significant with mitigation*.

Special-Status Mammals

Background review identified previously recorded occurrences of Monterey dusky-footed woodrat and San Diego desert woodrat within the project region. During field surveys, two potentially active woodrat nests were observed within the riparian woodland habitat onsite; however, no woodrats

were observed (Holland 2020). The project includes a 30-to-50-foot setback from the Davenport Creek top-of bank, which would avoid disturbance to the riparian woodland habitat and the potential woodrat nests. Mitigation Measure BIO-2 has been identified to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Based on proposed avoidance of the riparian woodland habitat, potential impacts related to special-status mammals would be *less than significant with mitigation*.

Migratory Birds

Trees within the riparian woodland habitat on-site and surrounding landscaping has the potential to provide habitat for nesting migratory birds within the project area. The project may result in trimming of some trees along the northeastern property boundary for installation of the proposed access road located along the northern boundary of the site (i.e., the future extension of Windmill Way); however, the project does not include the removal of any trees that could result in direct disturbance to nesting migratory birds if present within the project area or loss of long-term nesting habitat. The project includes a 30-to-50-foot setback from the Davenport Creek top-of bank, which would avoid disturbance to trees within the riparian woodland habitat. Mitigation Measure BIO-2 has been identified to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Additionally, Mitigation Measure BIO-4 has been included to require a pre-construction survey for nesting birds to determine the presence and/or absence of nesting migratory birds on-site and includes the proper avoidance protocol to be implemented in the event special-status bird species or other migratory birds are found nesting within the project area. With implementation of Mitigation Measures BIO-2 and BIO-4, the project would avoid direct and indirect impacts to special-status bird species and/or other nesting migratory bird species; therefore, potential impacts would be *less than significant with mitigation*.

Based on the analysis provided above, potential impacts associated with substantial adverse effects on special-status species or their habitats would be *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 project site supports riparian woodland habitat located along the on-site drainage channels, which consists of dense riparian shrubs and trees, including willows, cottonwoods, sycamore, alders, and Coast live oaks (Holland 2020). The Los Ranchos-Edna Village Specific Plan requires riparian vegetation along natural watercourses to be retained through a 50-foot setback along the channel. The project includes implementation of a 30-foot setback from the Davenport creek top-of-bank on Parcels 3 and 4 and a 50-foot setback from the Davenport Creek top-of-bank on Parcels 1 and 2.

Although the Los Ranchos-Enda Village Specific Plan includes a 50-foot setback requirement, the proposed 30-foot setback encompasses the riparian woodland habitat on-site; therefore, the project would retain the riparian woodland habitat and would avoid of direct disturbance of the riparian woodland habitat. In addition, Mitigation Measure BIO-2 has been included to ensure proposed work and equipment staging does not occur within the proposed setback through delineation of the setback on final construction plans and on-site during construction activities. Based on implementation of the proposed setback and Mitigation Measure BIO-2, the project would not result

in removal of riparian habitat; therefore, potential impacts would be *less than significant with mitigation*.

There is also a small population of purple needle grass on Parcel 1, which would be impacted by future development of residential uses within the proposed building envelope. According to CDFW and County guidelines, loss of purple needle grass populations that covers more than 10 percent of the site or are greater than 0.25 acre in size would exceed established significance thresholds (Holland 2020). Based on observations and measurements taken during field surveys, the population of purple needle grass on Parcel 1 covers approximately 0.1 acre of the site and approximately 1.3 percent of the 7.9-acre parcel and approximately 5 percent of the proposed 2-acre parcel (Holland 2020). Therefore, the loss of the population of purple needle grass on Parcel 1 would not exceed County or CDFW thresholds, and impacts would be *less than significant*.

Based on the analysis provided above, potential impacts associated with substantial adverse effects on riparian habitat or other sensitive natural communities would be *less than significant with mitigation.*

(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?*

According to the USFWS National Wetlands Inventory (NWI) Surface Waters and Wetlands Mapper, the on-site drainage channels are mapped as freshwater forested shrub wetland habitat (USFWS 2022). A formal wetland delineation was not conducted for the on-site drainage channels; however, the project includes implementation of a 30-foot setback from the Davenport creek top-of-bank on Parcels 3 and 4 and a 50-foot setback from the Davenport Creek top-of-bank on Parcels 1 and 2. Therefore, the project would not alter or otherwise directly disturb the on-site drainage channels. In addition, Mitigation Measure BIO-2 has been included to ensure proposed work and equipment staging does not occur within the proposed setback through delineation on construction plans and on-site.

The project includes minimal ground disturbing activities and would be subject to LUO Section 22.52.120, which requires the preparation of an Erosion and Sedimentation Control Plan for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts and would be subject to the review and approval of the County Department of Public Works. Based on implementation of Mitigation Measure BIO-2 and adherence to LUO Section 22.52.120, implementation of the project would not result in direct or indirect impacts to the on-site drainage channels; therefore, potential impacts would be *less than significant with mitigation*.

(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?*

The project site is surrounded by previously developed single-family residential dwellings and accessory structures to the north, south, and west and clustered residential development and the San Luis Obispo Country Club the east. In addition, Highway 227 is located approximately 400 feet north of the project site and Hacienda Avenue and Los Ranchos Road is located directly east and northeast, respectively. Due to the surrounding developed areas and presence of major roadways,

the project site does not provide a high level of connectivity to natural areas that could be used for terrestrial wildlife movement.

The project may result in trimming or impacts within the critical root zone of some oak trees along the northeastern property boundary for installation of the proposed access road located along the northern boundary of the site; however, the project does not include the removal of trees that could reduce the ability for migratory birds to use this site for nesting. Davenport Creek runs through the site, which may provide wildlife movement through the site. However, the on-site drainage channels do not support pools of standing or flowing water, which reduces the likelihood for aquatic or semi-aquatic species to utilize this area for migration or breeding. In addition, the project includes a 30-to-50-foot setback from the Davenport Creek top-of-bank and would avoid disturbance in these areas (Holland 2020). Mitigation Measure BIO-2 has been included to ensure proposed work and equipment staging does not occur within the proposed setback through delineation on construction plans and on-site.

Davenport Creek and associated on-site riparian woodland habitat have the potential to provide wildlife connectivity through the site; however, through implementation of the proposed development buffer and Mitigation Measure BIO-2, the project would not result in disturbance to the riparian corridor or otherwise impede the use of this area for wildlife connectivity. 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 County's Inland LUO Chapter 22.58 establishes regulations for clear-cutting oak woodlands. The project may result in trimming of some oak trees along the northeastern property boundary for installation of the proposed access road located along the northern boundary of the site; however, the project does not include the removal of any native trees, such as Coast live oaks, or the clear-cutting of any oak woodlands; therefore, the project would not be subject to regulations included in LUO Section 22.58. The project would not conflict with the County's LUO and 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 impacts* would occur.

Conclusion

Mitigation Measures BIO-1 through BIO-4 have been included to avoid and/or minimize potential impacts related to special status plant and wildlife species and the on-site drainages. The project does not require the removal of any oak trees and would not conflict with a Habitat Conservation Plan. Upon implementation of the identified mitigation measure, potential impacts related to biological resources would be less than significant.

Mitigation

BIO-1 Prior to mobilization of any equipment on the project site for initial site improvements and future residential development, a qualified Biologist shall conduct an environmental sensitivity training for all project personnel during the project kick-off meeting. The purpose

of the training is to educate the personnel on identification of special-status wildlife species that may occur within the project area and to provide an overview of the avoidance and minimization measures to be adhered to during the project. Specifically, the training will emphasize on all special-status wildlife species that would be expected to occur within the project limits, applicable regulatory policies and provisions regarding their protection, and a review of measures being implemented to avoid and/or minimize impacts to the species and their associated habitat. Furthermore, crew members will be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction.

BIO-2 At the time of application for construction permits for initial site improvements and future residential development, a 30-foot setback on Parcels 3 and 4 and a 50-foot setback on Parcels 1 and 2 shall be delineated on all final construction and grading plans, and the applicant shall show all development and equipment staging areas located a minimum of 30-feet from riparian vegetation. Prior to any site disturbance, the applicant shall install construction fencing at the proposed 30-foot setback on Parcels 3 and 4 and at the 50-foot setback on Parcels 1 and 2. This area shall be marked by orange construction fencing which shall be installed prior to any site disturbance and remain in place throughout the grading and construction phases of initial site improvements and future residential development.

BIO-3 Initial ground disturbances for initial site improvements and future residential development shall be completed during the dry period (May 1 through August 30) to avoid potential direct impacts to dispersing California red-legged frog (CRLF) individuals.

If ground disturbance must occur during the wet season (September 1 through April 30), the applicant shall employ the following measures:

1. A temporary exclusion fence approved by the County of San Luis Obispo (i.e., ERTEC E-Fence with a lip) shall be established along the boundaries of the development envelopes between the riparian corridor and the development envelopes on the proposed lots to prevent frogs from entering proposed disturbance areas. The exclusions fence shall be installed by a County-qualified biologist to ensure proper installation.
2. Within 48 hours prior to the start of construction activities, a pre-construction CRLF survey shall be conducted in proposed disturbance areas by a County-qualified biologist. A report documenting the results of the survey shall be provided to the County Department of Planning and Building. If no CRLF are found, work can proceed. If any CRLF are found, the County of San Luis Obispo shall be notified, and all work shall stop work until the CRLF leave the site of their own accord. If CRLF do not move off the site on their own, the applicant shall comply with all relevant requirements of the federal Endangered Species Act prior to resuming project activities as follows:
    a. Prior to initiation of any other protective measures, a biologist approved by the U.S. Fish and Wildlife Service to translocate CRLF shall, in consultation with U.S. Fish and Wildlife Service as applicable, identify appropriate relocation sites for CRLF that may be observed during the pre-construction survey or monitoring activities described below and need to be moved from within the limits of direct impact disturbance.

b. Relocation or other take (e.g., entrapment, etc.) of CRLF can only be conducted by an authorized biologist and the project applicant must have been issued the requisite take authorizations from the U.S. Fish and Wildlife Service before any relocation activity can commence.

c. If the U.S. Fish and Wildlife Service does not authorize the relocation of CRLF occurring within the project site, no work activities shall occur on-site until the CRLF has left the project site on its own.

BIO-4 Prior to initiation of any site preparation/construction activities for initial site improvements and future residential development, if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

1. A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if initial site improvements are completed, exclusion zones may be removed until initiation of site preparation for residence construction begins), or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young.

2. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County of San Luis Obispo and any relevant resource agencies.

The results of the survey shall be provided to the County of San Luis Obispo Planning and Building Department prior to initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated, and a separate survey report shall be prepared and submitted to the County of San Luis Obispo Planning and Building Department.

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

Setting

The project is located in an area 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.

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 habitation, 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.

A Phase I Archaeological Survey was prepared by Hoover Archaeological Consultants for the proposed project to determine the presence and the likelihood of presence of cultural resources within the project area (Hoover Archaeological Consultants 2016). The Phase I Archaeological Survey includes the results and findings of background review and a pedestrian survey of the project area. A records search was conducted

at the Central Coast Information Center (CCIC) located at the University of California, Santa Barbara to identify any previously recorded cultural resources within the project area. The records search was negative for previously recorded resources. A pedestrian field survey was conducted within the project area and no cultural resources or evidence of cultural resources were observed (Hoover Archaeological Consultants 2016).

Discussion

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

There is an existing approximately 1,500-square-foot single-family residence and an approximately 1,800-square-foot accessory barn structure located on the project site. The Phase I Archaeological Survey did not identify the existing structures as historical resources that could be eligible for listing in the CRHR (Hoover Archaeological Consultants 2016). Further, existing structures would remain on-site and would not require demolition or removal. Additionally, the project does not include the use of high-impact construction activities (i.e., pile driving) that could directly or indirectly damage or result in adverse change to a historical building or structure. Because there are no historical resources within or directly adjacent to the project site, implementation of the project would not cause a substantial adverse change in the significance of a historical resource, and *no impacts* would occur.

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

Construction activities associated with the project would result in approximately 0.55 acre (24,099 square feet) of ground disturbance, including approximately 10 cubic yards of cut and 288 cubic yards of fill, in addition to future earthwork associated with future development of residential uses on-site, which have not been quantified. A records search of the site files from the Regional Archaeological Information Center in Santa Barbara was conducted in order to determine whether any previously recorded cultural resources have been recorded on or near the project area. The records search did not identify any known previously recorded archaeological resources within the project area. A field survey of the project site was conducted, and no visible surface archaeological resources were found. Based on the results of the Phase I Archaeological Survey Report prepared for the project, there are no known cultural archaeological resources within the project area and the site has low potential for subsurface resources (Hoover Archaeological Consultants 2016).

Because there are no known archaeological resources within the project area, implementation of the project would not be anticipated to result in adverse change to known archaeological resources. However, there is still some potential for inadvertent discovery of unknown cultural resources if present within the proposed work area. The project would be required to comply with LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on required compliance with the County's LUO and the limited amount of proposed ground disturbance and excavation activities, the project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant.*

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

The project would require limited ground disturbance and excavation activities, which reduces the potential to uncover or disturb unknown human remains if present within the project area. Further, the project would be required to comply with California Health and Safety Code (HSC) Section 7050.5 and LUO Section 22.10.040, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the Native American Heritage Council (NAHC). Based on required compliance with HSC Section 7050.5 and LUO Section 22.10.040, implementation of the proposed project is not anticipated to disturb human remains; therefore, potential impacts would be *less than significant*.

Conclusion

There are no known historical or archaeological cultural resources within the project area. Based on required compliance with HSC Section 7050.5 and LUO Section 22.10.040, implementation of the proposed project is not anticipated to disturb unknown cultural resources. Therefore, potential impacts related to cultural resources would be less than significant, and no mitigation would be necessary.

Mitigation

Mitigation is not necessary.

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. PG&E utilizes clean energy sources, including 31% renewable energy sources and 69% greenhouse gas (GHG) free energy sources (PG&E 2020).

PG&E offers two programs through which consumers may purchase electricity from renewable sources: the Solar Choice program and the Regional Renewable Choice program. Under the Solar Choice program, a customer remains on their existing electric rate plan and pays a modest additional fee on a per kilowatt-

hour (kWh) basis for clean solar power. The fee depends on the type of service, rate plan, and enrollment level. Customers may choose to have 50% or 100% of their monthly electricity usage to be generated via solar projects. The Regional Renewable Choice program enables customers to subscribe to renewable energy from a specific community-based project within PG&E's service territory. The Regional Renewable Choice program allows a customer to purchase between 25% and 100% of their annual usage from renewable sources.

The Southern California Gas Company (SoCalGas) is the primary provider of natural gas for urban and rural communities within San Luis Obispo County. SoCalGas has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019).

State Building Code Requirements

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.

Vehicle Fuel Economy Standards

In October 2012, the U.S. Environmental Protection Agency (USEPA) and the National Highway Traffic Safety Administration (NHSTA), on behalf of the U.S. Department of Transportation (USDOT), issued final rules to further reduce GHG emissions and improve corporate average fuel economy (I) standards for light-duty vehicles for model years 2017 and beyond. NHTSA's I standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO_2) per mile for the fleet of cars and light-duty trucks by the model year 2025.

In January 2017, USEPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022–2025 vehicles. However, on March 15, 2017, USEPA Administrator Scott Pruitt and USDOT Secretary Elaine Chao announced that the USEPA intends to reconsider the Final Determination. On April 2, 2018, USEPA Administrator Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the USEPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2nd notice is not USEPA's final agency action, and the USEPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect.

As part California's overall approach to reducing pollution from all vehicles, the CARB has established standards for clean gasoline and diesel fuels and fuel economies of new vehicles. CARB has also put in place innovative programs to drive the development of low-carbon, renewable, and alternative fuels, such as their Low Carbon Fuel Standard (LCFS) Program pursuant to California Assembly Bill (AB) 32 and the Governor's Executive Order S-01-07.

In January 2012, the CARB approved the Advanced Clean Cars Program, which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15% of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34% fewer global warming gases and 75% fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2022).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of NO_x and particulate matter from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Local Energy Plans and Policies

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 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 not located within the Renewable Energy Area combining designation.

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 would require the use of fossil fuels, electricity, and natural gas for construction vehicles and equipment during construction of proposed site improvements and future construction of residential dwellings. Proposed energy use during construction would be short-term and limited in scale and would not result in unnecessary, wasteful, or inefficient energy consumption. Although not necessary to reduce energy use during construction, Mitigation Measure AQ-1 included in Section III, *Air Quality*, has been identified to ensure compliance with state and local diesel-idling restrictions and the use of alternative fuels as applicable to ensure avoidance of unnecessary, wasteful, and inefficient energy consumption during construction; therefore, energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources.

Implementation of the project would result in the future operation of three single-family residential dwellings and may include the operation of up to two ADUs and two JADUs. The project's operational electricity needs would be supplied by PG&E, which sources 31% of its energy from renewable energy sources and 69% of its energy from greenhouse-gas free energy sources (PG&E 2020). Additionally, natural gas service would be provided by SoCalGas, which has committed to replacing 20% of its traditional natural gas supply with renewable natural gas by 2030 (Sempra 2019). By using electricity from PG&E and natural gas from SoCalGas, the project would reduce the long-term use of non-renewable energy resources.

Proposed building design would be required to adhere to Title 24 of the California Energy Code (CEC) and CBC 2019 Building Energy Efficiency Standards to further reduce operational energy use through implementation of green building and energy efficient building design features. Based on the use of clean energy sources and required compliance with the CEC and the CBC, operation of the project is not anticipated to result in potentially significant environmental impacts due to wasteful or otherwise inefficient use of energy resources during operation. Therefore, the project would not result in unnecessary, wasteful, or inefficient energy use during project construction or operation, and impacts would be *less than significant.*

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

As previously evaluated, proposed construction activities would require the use of energy in the form of diesel fuel and gasoline for worker and construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources, which would be consistent with applicable renewable energy plans.

In order to be compliant with the County's COSE and EWP, the project would be required to reduce GHG emissions where feasible in energy consumption. The project would be provided electricity by PG&E, which sources energy from clean energy resources, including 31% renewable energy sources and 69% greenhouse-gas free energy sources (PG&E 2020). By utilizing PG&E for electricity, 100% of the project's electricity demand would be sourced from renewable energy or GHG-free energy sources, which is consistent with the County's COSE and EWP. Further, the project would be required to comply with Title 24 of the CEC and CBC 2019 Building Energy Efficiency Standards to ensure compliance with energy efficient building design to reduce operational energy use. Therefore, the

project would be compliant with applicable energy efficiency plans and impacts would be *less than significant*.

Conclusion

The project would be provided energy from GHG-free sources and would be subject to Title 24 of the CEC and CBC 2019 Building Energy Efficiency Standards for energy efficient building design. The project would not result in excessive energy use during construction or operation and would be consistent with applicable energy efficiency plans. Therefore, impacts would be less than significant, and no mitigation is necessary.

Mitigation

Mitigation is not necessary.

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?	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☒	☐
(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 State of California Alquist-Priolo Fault Zoning 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. Late quaternary faults associated with the Los Osos fault zone are located approximately 0.3 miles west of the project site (DOC 2015).

The County's Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the county. Other nearby faults include an unnamed quaternary fault associated with the Edna fault zone, approximately 1.3 miles northwest and the West Huasna fault located approximately 3 miles east of the project site (DOC 2015).

Ground shaking refers to the motion that occurs in response to local and regional earthquakes. Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition. Ground shaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The CBC includes requirements that structures be designed to resist a certain minimum seismic force resulting from ground motion.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. The project site is not located within the LUO Geologic Study Area (GSA) combining designation.

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. Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from ground shaking during an earthquake. According to the County's General Plan Safety Element Maps, the project site is located in an area with low landslide potential and low to moderate liquefaction potential.

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. Typically, soils that are comprised of clay or clay materials are considered expansive soils. The project site is underlain by Cropley clay, 2 to 9 percent slopes, MLRA 14 and Diablo clay, 5 to 9 percent slopes, MLRA 15 (NRCS 2022). These soils contain clay and clay materials and would be considered to have high shrink/swell potential.

The County Local Agency Management Program (LAMP) develops minimum standards for the treatment and disposal of sewage through onsite wastewater treatment systems. The LAMP is the culmination of the actions required by Assembly Bill 885 and the State Water Resources Control Board to develop regulations and standards for onsite wastewater treatment systems. The County of San Luis Obispo LAMP is designed to protect surface water and groundwater from contamination while providing flexibility in design criteria in consideration of local conditions. LAMP standards also include requirements for minimum subdivision parcel size for parcels served by septic systems (County of San Luis Obispo 2020).

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Where substantial subsurface disturbance is proposed in paleontologically sensitive units, Implementation Strategy CR 4.5.1 (Paleontological Studies) requires a paleontological resource assessment and mitigation plan be prepared, to identify the extent and potential significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources.

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 Alquist-Priolo fault zone is the Los Osos fault zone, and there are associated late quaternary faults located approximately 0.3 mile west of the project site (DOC 2015). Because the project site is not underlain by an Alquist-Priolo fault zone, rupture of a known Alquist-Priolo fault would not occur under the project site. Additionally, future residential development associated with the project would be required to comply with Section 1613 of the 2019 CBC and other applicable engineering standards to adequately withstand earthquake loads and associated hazards. Adherence to Section 1613 of the CBC and other engineering standards and practices would reduce risk of loss, injury, or death associated with development near late quaternary faults associated with the Los Osos Fault Zone; therefore, impacts would be *less than significant*.

(a-ii) Strong seismic ground shaking?

The Central Coast is a seismically active region and there is always potential for seismic ground shaking to occur. The Los Osos fault zone is located approximately 0.3 miles west of the project site and other nearby faults include an unnamed quaternary fault associated with the Edna fault zone, approximately 1.3 miles northwest and the West Huasna Fault located approximately 3 miles east of the project site (DOC 2015). Future residential development would be required to be constructed in accordance with seismic design standards included in Section 1613 of the 2019 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including seismic ground shaking. Adherence to the 2019 CBC and other applicable engineering standards would reduce and minimize the risk of loss, injury, or death associated with seismic ground shaking; therefore, impacts would be *less than significant.*

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

According to the County's General Plan Safety Element Maps, the proposed project site is located in an area with low to moderate potential for liquefaction. Future residential development would be required to comply with seismic design standards included in Section 1613 of the 2019 CBC and other engineering standards to adequately withstand earthquake loads and associated risk, including liquefaction. Adherence to the 2019 CBC and other applicable engineering standards would reduce and minimize the risk of loss, injury, or death associated with liquefaction; therefore, impacts would be *less than significant.*

(a-iv) Landslides?

According to the County's General Plan Safety Element Maps, the project site is located in an area with low potential for landslides. The project is located on relatively flat land and does not require extensive cut and fill activity or deep cuts into hilly areas, which further reduces the risk for landslides to occur. The project would be constructed in accordance with the most recent CBC to adequately withstand and minimize risk associated with landslides. Based on existing site conditions and required compliance with the CBC, new development would not result in the risk of loss, injury, or death associated with landslides; therefore, impacts would be *less than significant.*

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

The project includes approximately 0.55 acre of proposed ground disturbance, including 10 cubic yards of cut and 288 cubic yards of fill. Proposed ground disturbance has the potential to increase erosion and loss of topsoil at the project site that could runoff into the on-site drainages or surrounding areas. The project includes implementation of a 30-foot setback from the Davenport Creek top-of-bank on Parcels 3 and 4 and a 50-foot setback from the Davenport Creek top-of-bank on Parcel 1 and Parcel 2. Mitigation Measure BIO-2 has been included to limit equipment and material staging areas to occur outside of established setback areas during construction activities. Implementation of the proposed setback would avoid substantial erosion and loss of topsoil within and adjacent to the drainage channels. In addition, per LUO Section 22.52.120, an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential short- and long-term impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. Based on required compliance with LUO Section 22.52.120, potential impacts related to soil erosion and loss of topsoil would be *less than significant with mitigation.*

(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?

As previously described, the project site is located in an area with low potential for landslide and low to moderate potential for liquefaction to occur. Additionally, the project site is not located in an area with known land subsidence (USGS 2022). The project would be constructed in accordance with the most recent CBC to adequately withstand and minimize risk associated with potential ground-failure events; therefore, potential impacts related to ground failure 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?

Soils at the project site contain clay and clay components and would be considered to have potential for soil expansion to occur. The project would be required to comply with Section 18 of the CBC, which requires geotechnical investigations to be conducted by a qualified engineer prior to development to determine soil conditions at the site and provide design recommendations to be implemented in final design and construction plans. Based on required compliance with the CBC, new development would not result in the risk to life or property as a result of development on expansive soils; therefore, impacts would be *less than significant.*

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

The project includes the future installation of on-site septic leach fields on Parcels 1, 3, and 4. The septic leach fields would be installed outside of a 100-foot-setback from the on-site drainage channels associated with Davenport Creek and would be constructed to allow for a 100 percent expansion area.

Percolation testing was conducted at the project site by GeoSolutions, Inc. (GeoSolutions) to determine the soil conditions at the site and the rate of percolation to be used in the design and construction of the septic leach fields. Based on the results of percolation testing, the percolation rate for at the project site is 50 minutes per inch. In addition, groundwater was not encountered in the 15 feet below ground surface exploratory boring (GeoSolutions 2016b).

Proposed septic leach fields would be required to be designed in accordance with conditions observed during percolation testing and the County's LAMP, which develops minimum standards for the treatment and disposal of sewage through onsite wastewater treatment systems. GeoSolutions also conducted infiltration testing at the site to determine soil conditions at the site to be used in the design and construction of stormwater control measures at the site. Based on the results of infiltration testing, Group B soils are recommended for design consideration for stormwater control measures at the site (GeoSolutions 2016a). Stormwater control measures would be required to be designed in accordance with conditions observed during infiltration testing. Final design of the septic leach fields and proposed stormwater control measures would be subject to County approval. Therefore, proposed septic leach fields and stormwater control measures would be designed in a manner that is consistent with soil conditions at the site, and impacts would be *less than significant*.

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

The project site is underlain by young alluvial valley deposits (Qya2) (GeoSolutions 2019b). Qya2 has a very low paleontological sensitivity within the top 5 feet of soils based on the relatively young age and a high paleontological sensitivity below 5 feet (LSA 2014). The project would result in approximately 0.55 acre of ground disturbance, including 10 cubic yards of cut and 288 cubic yards of fill. The maximum depth of proposed excavation would be approximately 1 foot deep. Based on the low paleontological sensitivity in the shallow portions of Qya2 and the limited depth of proposed excavation, the project would not be expected to disturb paleontological resources or unique geologic features; therefore, potential impacts would be *less than significant*.

Conclusion

Based on required compliance with the most recent CBC and other engineering standards, the project would not result in risk of loss, injury, or death associated with seismic activity, ground-failure, or development on expansive soils. With implementation of Mitigation Measure BIO-2 and required compliance with LUO Section 22.52.120, impacts related to a short-term increase in erosion would be less than significant. Proposed septic leach fields would be required to be designed in accordance with conditions observed during percolation testing and final design of the septic leach fields would be subject to County approval. The project would not result in disturbance to paleontological resources. Therefore, upon implementation of the identified mitigation, potential impacts related to geology and soils would be less than significant.

Mitigation

Implement Mitigation Measure BIO-2.

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

Greenhouse gasses (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrogen oxides (NO_x), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in

landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO_2) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth's climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published the *Climate Change Proposed Scoping Plan*, which is the state's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included CARB-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, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state's GHG reduction goals and require CARB to regulate sources of GHGs to meet the following goals:

- Reduce GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40% below 1990 levels by 2030;
- Reduce GHG emissions to 80% below 1990 levels by 2050.

The initial Scoping Plan was first approved by CARB on December 11, 2008, and is updated every 5 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) toward 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.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts 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. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 $MTCO_2e$ per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a 'gap analysis' and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of

this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., di minimus: too trivial or minor to merit consideration).

- Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators* published by the California Air Resources Board, emissions of GHG statewide in 2017 were 424 million $MMTCO_2e$, which was 7 million MTCO2e *below* the 2020 GHG target of 431 $MMTCO_2e$ established by AB 32. Therefore, application of the 1,150 $MTCO_2e$ Bright Line Threshold in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for achieving the reduction targets set forth by AB32 for the year 2020. It should be noted that the 1,150 $MTCO_2e$ per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 $MTCO_2e$ per year would result in impacts that are less than significant and less than cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of an interim "bright line" SB32-based working threshold that is 40 percent below the 1,150 $MTCO_2e$ Bright Line threshold (1,150 x 0.6 = 690 $MTCO_2e$) would be expected to produce comparable GHG reductions "in the spirit of" the targets established by SB32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 $MTCO_2e$ per year GHG are considered *de minimus* (too trivial or minor to merit consideration), and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

Discussion

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

During construction, fossil fuels and natural gas would be used by construction equipment and worker vehicles, which would result in a short-term increase in GHG emissions. GHG emissions generated during construction would be temporary in nature and would be typical of other similar construction activities in the county. Construction contractors would be required to comply with state and local diesel-idling limitations, including limiting idling to 5 minutes or less, which would reduce GHG-emissions during equipment and vehicle use during construction. Although nor required to reduce construction-related GHG-emissions, Mitigation Measure AQ-1 included in Section III, *Air Quality*, would require diesel idling restrictions and the use of alternative fuel as applicable. Based on required compliance with diesel-idling restrictions, construction of the proposed project is not anticipated to generate substantial greenhouse gas emissions in a manner that would have a significant effect on the environment.

Implementation of the project would allow for the future construction of three new single-family residential dwellings and up to two ADUs and two JADUs. Operational GHG emissions would primarily be generated by vehicle trips and residential energy use. As described in Section XIV, *Population and Housing*, the project has the potential to generate a population of approximately 18 residents. Based on the marginal population increase associated with future residential development, the project would be expected to result in a limited number of operational vehicle

trips and would not generate a substantial increase in vehicle miles traveled (see Section XVII, *Transportation* for further discussion). As such, the project would not generate a substantial amount of operational GHG emissions from vehicle trips. Further, future residential development would be constructed in accordance with Title 24 of the CEC and CBC 2019 Building Energy Efficiency Standards to reduce operational energy use, which would also reduce operational GHG emissions from energy use. The project would be provided electricity by PG&E, which sources energy from clean energy resources, including 31% renewable energy sources and 69% greenhouse-gas free energy sources (PG&E 2020). By utilizing PG&E for electricity, 69% of the project's electricity demand would be sourced from GHG-free energy sources.

Based on the limited scale of proposed development, required compliance with the CEC and the CBC, and proportional electricity from GHG-free sources, the project is not anticipated to result in substantial GHG emissions that could result in adverse environmental impacts; therefore, potential 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?

Implementation of the project would result in the future construction of three new single-family residential dwellings and up to two ADUs and two JADUs within the Residential Suburban land use designation. Energy inefficiency contributes to higher GHG emissions and would which in turn may conflict with state and local plans for energy efficiency.

As discussed above, the EWP, adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. The policy provisions are divided into community-wide measures and measures aimed at reducing GHG emissions associated with County operations. The GHG reduction measures contained in the EWP are generally programmatic and intended to be implemented at the community level. Measure No. 7 encourages energy efficient new development and provides incentives for new development to exceed CALGreen energy efficiency standards. The following is a summary of project consistency with the relevant supporting actions identified in Measure No. 7 for promoting energy efficiency in new development (Table 2).

Table 2. EnergyWise Plan Measure 7 Consistency Analysis.

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	Specific design features of future residential development are currently not known; however, the project would be required to be consistent with all 2019 California Building Code (CBC) Energy Efficiency Standards, CEC, and the 2019 Green Building Code standards to ensure new development is energy efficient.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	Specific design features of future residential development are currently not known; however, the project would be required to be constructed in accordance with all 2019 California Building Code (CBC) Energy Efficiency Standards, CEC, and the 2019

Supporting Action	Project Consistency
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	Green Building Code standards to ensure new development is energy efficient.
Minimize heat gain from surface parking lots.	The project does not propose new parking lots.
Use light-colored aggregate in new road construction and repaving projects adjacent to existing cities and in some of the communities north of the Cuesta Grade.	The project site is not located north of the Cuesta Grade.

The 2019 RTP, which was adopted by the SLOCOG Board in June 2019, includes the region's Sustainable Communities' Strategy, and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, transit-oriented communities, preserving important habitat and agricultural areas, and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. The RTP and SCS provide guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommend strategies for community planning such as encouraging mixed-use, infill development that would facilitate the use of modes of travel other than motor vehicles.

The project consists of the development of three new single-family residential dwellings and up to two ADUs and two JADUs within the Residential Suburban land use designation. As discussed in Section III, *Air Quality*, the project does not include development of retail, business, or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the establishment of activities that are residential in nature and would not result in employment opportunities or a substantial population increase in the project area.

Pursuant to AB 32, the California Air Resources Board (CARB or Board) prepared and adopted the initial Scoping Plan to "*identify and make recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives*" in order to achieve the 2020 goal, and to achieve "*the maximum technologically feasible and cost-effective GHG emissions reductions*" by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

The 2017 Climate Change Scoping Plan recommends strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05. These strategies include the following:

- Implement SB350 which is aimed at Reduce GHG emissions in the electricity sector;
- 2030 Low Carbon Fuel Standard (LCFS) – Transition to cleaner/less-polluting fuels that have a lower carbon footprint.

- 2030 Mobile Source Strategy (Cleaner Technology and Fuels [CTF] Scenario) – Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems and reduction of vehicle miles traveled.
- Implement SB 1383 which is aimed at reducing Short-Lived Climate Pollutants to reduce highly potent GHGs.
- Implement the 2030 California Sustainable Freight Action Plan aimed at improving freight efficiency, transition to zero emission technologies, and increase competitiveness of California's freight system.
- Implement the 2030 Post-2020 Cap-and-Trade Program which is aimed at reducing GHGs across the largest GHG emissions sources.

The strategies described in the 2017 Scoping Plan are programmatic and intended to be implemented state-wide and industry wide. They are therefore not applicable at the level of an individual project. However, as discussed in Section XVII, *Transportation*, the project is not expected to exceed existing VMT thresholds during construction or operation, which is consistent with Scoping Plan strategies for reducing vehicle miles traveled and transportation related GHG emissions. Overall, the project is consistent with adopted plans and policies aimed at reducing GHG emissions and impacts would be *less than significant*.

Conclusion

The project would be compliant with GHG reduction standards during construction and operation through compliance with diesel idling restrictions, CEC and green building standards, and other applicable GHG-reduction strategies. Although not required to reduce GHG emissions during project construction, implementation of Mitigation Measure AQ-1 would require implementation of diesel-idling restrictions. Therefore, potential impacts related to GHG emissions would be less than significant, and no mitigation measures would be necessary.

Mitigation

No mitigation is necessary.

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?	☐	☒	☐	☐

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		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. According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone (FHSZ) viewer, the project site is located within a local responsibility area (LRA) and is not designated as a very high FHSZ (CAL FIRE 2022). The project site has an estimated response time of approximately 0-5 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

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 query of the California Department of Toxic Substances Control (DTSC) EnviroStor database and the SWRCB GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site (DTSC 2022; SWRCB 2022). The nearest recorded hazardous materials site is a closed LUST site, located approximately 0.7 mile southeast of the project site (SWRCB 2022). The nearest airport is San Luis Obispo County Regional Airport, located approximately 0.6 mile northwest of the project site. The nearest school is Los Ranchos Elementary School located approximately 0.3 mile east of the project site.

Discussion

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

The proposed project is anticipated to require limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. during construction, which has the potential to result in an accidental spill or release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling, transport, and storage of hazardous materials, including California Code of Regulations (CCR) Title 22 Division 4.5. Further, the project includes a 30-to-50-foot setback from the Davenport Creek top-of-bank, which would minimize the potential for accidental construction-related material spills to enter the on-site drainages. Mitigation Measure BIO-2 would limit equipment and material staging areas to be located outside of established creek setback areas during proposed construction activities. Following completion of construction activities, the project would be limited to the operation of residential uses and would not require the routine transport, use, or disposal of hazardous substances. Therefore, potential impacts associated with routine transport, use, or disposal of hazardous materials would be *less than significant with mitigation.*

(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?

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. As previously evaluated, construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, and construction contractors would be required to comply with applicable state and local regulations, such as CCR Title 22 Division 4.5, to reduce the potential for accidental hazardous material release during construction. The project includes a 30-to-50-foot setback from the Davenport Creek top-of-bank and Mitigation Measure BIO-2 would limit equipment and material staging areas to be located outside of established creek setback areas during proposed construction activities. Implementation of the proposed setback would minimize the potential for accidental construction-related hazardous materials spills to enter the on-site drainages during the construction phase of the project.

Future residential uses on-site would likely utilize limited amounts of household cleaners, paints, fuel, fertilizers, and other common potentially hazardous substances. Storage and use of common household hazardous substances would occur within the proposed building envelopes, at a minimum of 30 to 50 feet from the top of bank of on-site creeks. Based on the limited quantities anticipated to be stored/used on-site and distance from sensitive habitats on-site, use of common household chemicals and substances would not result in potentially significant impacts associated with upset or accident conditions.

The project would include roadway improvements including the construction of a roadway alignment to be connected to Windmill Way and an intersection of that alignment with Hacienda Avenue. These improvements would occur a minimum of 80 feet from the edge of pavement of Highway 227. The project does not require soil disturbance within or adjacent to existing major roadways (i.e., Highway 227) that could release aerially deposited lead (ADL) if present within the soil.

The project does not require demolition of any buildings, roadways, or other structures that could release ACM. However, the project site is located in an area with the potential for NOA to occur. Mitigation Measures AQ-2 and AQ-3 have been included to reduce potential impacts related to the release of NOA if present within the soils at the project site. Based on required compliance with CCR Title 22 and implementation of Mitigation Measures AQ-1 and AQ-2 and BIO-2, the project is not anticipated to create significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment; therefore, impacts would be *less than significant with mitigation.*

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

The nearest school is Los Ranchos Elementary School located approximately 0.3 mile east of the project site. Therefore, the proposed project would not emit hazardous emissions or handle acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school, and *no impacts* would occur.

(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?

Based on a query of the DTSC EnviroStor database and the SWRCB GeoTracker database, there are no previously recorded hazardous materials sites located within or adjacent to the project site and the nearest recorded hazardous materials site is a closed LUST site, located approximately 0.7 mile southeast of the project site (DTSC 2022; SWRCB 2022). The project site is not located on or adjacent to a site that is on a list of hazardous materials site pursuant to Government Code Section 65962.5; therefore, the project would not create a significant hazard to the public or the environment related to disturbance in a hazardous materials site and *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 project includes the subdivision of a 7.9-acre parcel into four parcels and would facilitate the future infill development of three single-family residential dwellings and up to two ADUs and two JADUs within the Airport Influence Area. According to the Amended and Restated San Luis Obispo County Regional Airport (SBP) Airport Land Use Plan (2021 ALUP), the project parcel is located within Safety Zones 3 and 6, with the greater percentage (approximately 75%) of the parcel within Safety Zone 6 (RS&H 2021). Per Policy G-4 included in the 2021 ALUP, since the greater portion of the project parcel is within Safety Zone 6, the project would be required to be consistent with allowable densities for Zone 6. Per Table 4-2 of the 2021 ALUP, there is no limit on dwelling units per gross acre within Safety Zone 6; therefore, a four-parcel subdivision would be an allowable density. Further, the project would be limited to the future development of residential uses and would not include components or features that could attract a substantial number of additional people into the project area. Future development would be subject to County design standards, including maximum height requirements, and would not introduce hazards that could obstruct existing flight patterns.

As evaluated in Section XIII, *Noise*, the project site is located outside of the 60 and 65 dB CNEL airport noise contours and future infill development of residential dwellings would be an allowable use. According to the 2021 ALUP, wood frame buildings that are constructed to meet current energy efficiency standards typically reduce interior noise levels by 20 dB with the windows closed. Future development would be required to comply with CBC green building design standards and the CEC, which would reduce interior noise levels by approximately 20 dB. Therefore, the project would not exceed the County's noise standards and would be consistent with the noise policies included in the 2021 ALUP. Additionally, the proposed project was reviewed and found to be consistent with the ALUP by the ALUC in April 2021 (see Section XI, *Land Use and Planning* for further details). The project would be consistent with the noise and safety policies included in the 2021 ALUP, which are intended to reduce airport-related hazards to land uses within the Airport Influence Area; therefore, impacts would be *less than significant*.

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

The project would subdivide a single 7.9-acre parcel into four lots, ranging in size from 1.9 to 2 acres. The project is not anticipated to require any long-term road closures or traffic controls that could result in permanent impacts to traffic circulation in the area

The project includes the construction of a 30-foot-wide access and utility easement from Machado Lane for access to Parcels 1 and 2. In addition, the project includes construction of a 20-foot-wide aggregate base road with a 40-foot-wide ROW and 30-foot-wide access and utility easement for the future road extension of Windmill Way along the northern property boundary. This road would provide access to Parcels 3 and 4 and would also connect to Hacienda Avenue and Los Ranchos Road to the northeast. Temporary road closure of Hacienda Avenue at this location would likely be necessary during construction of the aggregate base road (future extension of Windmill Way) and its intersection with Hacienda Avenue and Los Ranchos Road. These improvements would require an encroachment permit from the Department of Public Works, which would require signage and identification of temporary detour routes for the duration of the temporary road closure. Because the roadway improvements necessitating road/lane closures would have a very short duration and detour routes would be available within close proximity of the closure, no potentially significant impacts to emergency response plans or emergency evacuation plans would be anticipated.

Implementation of the proposed access road would allow for the future extension of Windmill Way northwest toward Crestmont Drive, which would ultimately reduce congestion along the Highway 227 corridor and improve overall traffic circulation and emergency access within the project area. The proposed access roads would be constructed in accordance with County Public Works and CAL FIRE requirements to ensure adequate emergency access to the site. Therefore, the project would not interfere with an emergency response or evacuation plan and is anticipated to improve long-term emergency access and evacuation conditions within the project area; therefore, potential 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?

The project site is located within an LRA and is not located within or adjacent to a very high FHSZ (CAL FIRE 2022). Implementation of the project would result in the future development of three single-family residential dwellings and up to two ADUs and two JADUs, which would be constructed in accordance with CFC and CBC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk. Proposed access roads and utility infrastructure expansions would be required to comply with CAL FIRE and County Public Works requirements to ensure adequate emergency access to the project site and proper utility installation to reduce risk associated with wildfire ignition. Based on required compliance with existing state and local regulations, the project is not anticipated to result in the risk of loss, injury, or death as a result of wildfire; therefore, impacts would be *less than significant.*

Conclusion

With implementation of Mitigation Measure BIO-2, the project would not result in significant hazards related to the routine transport, use, or disposal of hazardous materials. With implementation of Mitigation Measures AQ-2 and AQ-3, the project would not create a significant hazard to the public involving hazardous materials. The project is not located within 0.25 mile of a school or within or adjacent to a previously

recorded hazardous materials site. Based on required compliance with CFC and CBC regulations, the project would not result in risk associated with wildfire. The project is anticipated to improve long-term emergency response and evacuation conditions within the project area. The project would be consistent with the San Luis Obispo County Regional Airport 2021 ALUP, which is intended to reduce aviation-related hazards to nearby land uses. Therefore, upon implementation of identified mitigation measures, potential impacts related to hazards and hazardous materials would be less than significant.

Mitigation

Implement Mitigation Measures AQ-2 and AQ-3 and BIO-2.

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	☐	☐	☒	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
	(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?	☐	☐	☒	☐

Setting

The RWQCB Water Quality Control Plan for the Central Coast Basin (Basin Plan; RWQCB 2019) 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 not 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 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 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 0.5 acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Department of Public Works is responsible for ensuring that new construction sites implement Best Management Practices (BMPs) during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a 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, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the LUO.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element of the County of San Luis Obispo General Plan 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. According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C1332G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). In addition, the project site is not located in the County's Flood Hazard combining designation.

Two shallow drainage channels associated with Davenport Creek bisect the central portion of the project site in a north to south direction.

Discussion

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

Soil disturbance and the use of construction equipment and vehicles during proposed construction activities have the potential to result in erosive or other polluted runoff to the on-site drainage channels. Construction of the proposed project would result in approximately 224,099 square feet (0.55 acre) of site disturbance, including approximately 10 cubic yards of cut and 288 cubic yards of fill. The project includes implementation of a 30-foot setback from the Davenport creek top-of-bank on Parcels 3 and 4 and a 50-foot setback from the Davenport Creek top-of-bank on Parcel 1 and Parcel 2. Mitigation Measure BIO-2 has been included to limit equipment and material staging areas to occur outside of established setback areas during construction activities. Implementation of the proposed setbacks would avoid substantial erosion and vehicle and equipment use within and adjacent to the drainage channels, which would reduce the potential for a substantial amount of erosion or other pollutants to runoff into the drainage channels.

Future development of residential uses on-site would disturb greater than 1-acre of soils and would be required to comply with RWQCB general construction permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) with best management practices (BMPs). In addition, in accordance with LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Based on implementation of Mitigation Measure BIO-2 and required compliance with state policies and the County's LUO, the project is not anticipated to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; therefore, impacts would be *less than significant with mitigation*.

(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 site is located in the Edna Valley subbasin of the San Luis Obispo Valley Groundwater Basin (SLO Basin). The project site is primarily undeveloped, with the exception of an existing approximately 1,500-square-foot single-family residential dwelling and an existing approximately 1,800-square-foot accessory barn structure and supports natural areas for groundwater recharge.

Davenport creek runs through the central portion of the site and is a major source of groundwater recharge to the SLO Basin. Construction of additional access roads and future development of three single-family residential dwellings and up to two ADUs and two JADUs would increase the amount of impervious surface area onsite, which would reduce the amount of natural area that allows for groundwater infiltration. However, the project would avoid disturbance to the on-site drainage

channels. Long-term groundwater recharge would be maintained within the drainage channels on-site. Further, the SLO Basin encompasses approximately 12,700 acres and supports a vast amount of area that allows for groundwater recharge; therefore, new small-scale additions of impervious surfaces within the project site would not substantially decrease the ability for groundwater recharge within the SLO Basin.

The project's potable water demand would be served by Golden State Water Company (GSWC), which has provided a can-and-will-serve letter for the project (Golden State Water Company [GSWC] 2021). GSWC serves approximately 262,000 customers in the State of California. The project is located within the Edna Road Service Area, which relies on groundwater wells pumped from the Edna Valley Basin operated by GSWC. In addition to its well water sources, GSWC obtains approximately 38 percent of its water supply from various water wholesalers throughout California. GSWC has adopted a Staged Water Conservation and Rationing Plan which includes prohibition of utility-supplied water for non-essential or unauthorized uses, such as use of potable water for more than minimal landscaping, individual washing of cars with a hose (except with the use of a positive action shut-off nozzle), use of potable water to irrigate turf, lawns, gardens, or ornamental landscaping by means other than drip irrigation, etc. to achieve the mandatory water use reductions established by the State Water Resources Control Board (GSWC 2021). In addition, the Edna Road service area is subject to additional limitations on days and times for outdoor irrigation (GSWC 2022). The project would be subject to each of these water conservation requirements and would not represent a substantial increase in water demand over existing conditions within the Edna Road service area.

Therefore, the project is not anticipated to substantially interfere with groundwater recharge or decrease groundwater supply and 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?

Construction of the proposed project would result in approximately 0.55 acre of site disturbance, including approximately 10 cubic yards of cut and 288 cubic yards of fill, which has the potential to increase erosion and siltation at the site which could runoff into the on-site drainage channels or surrounding areas. The project includes implementation of a 30-to-50-foot setback from the Davenport creek top-of-bank and Mitigation Measure BIO-2 has been included to ensure adherence to the proposed setback during construction activities. Implementation of the proposed setback would avoid substantial erosion and siltation within and adjacent to the drainage channels. The project would disturb less than 1 acre of soils and would not be required to comply with RWQCB general construction permit requirements. However, in accordance with LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Operation of the project does not include any components or features that would generate long-term erosion or siltation at the project site. Based on implementation of the proposed setback and required compliance with the County's LUO, the project is not anticipated to result in substantial erosion or siltation on- or off-site; therefore, impacts would be *less than significant with mitigation*.

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

The project includes the construction of additional access roads and the future development of three single-family residential dwellings and up to two ADUs and two JADUs that would increase the amount of impervious surface area onsite. The project site is located within an MS4 stormwater management area and would be subject to implementation of a stormwater control plan (SWCP) in accordance with County regulations or RWQCB PCRs for long-term stormwater control measures at the project site. Stormwater control measures would be required to be designed in accordance with conditions observed during infiltration testing (GeoSolutions 2016a). Further, proposed stormwater control measures would be subject to County approval prior to implementation on-site. The project does not include alteration or other direct impacts to the on-site drainage channels and would maintain associated drainage conditions. Based on avoidance of the on-site drainage channels and required implementation of County-approved stormwater control measures, implementation of the project is not anticipated to 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 previously evaluated, future development would increase the amount of impervious surface area onsite. In accordance with LUO Section 22.52.120, preparation and approval of an Erosion and Sedimentation Control Plan to minimize the amount of erosion at the site that could runoff and contribute to polluted runoff within stormwater drainage systems. Additionally, the project site is located in an MS4 stormwater management area and would be subject to implementation of a SWCP in accordance with County regulations or RWQCB PCRs for long-term stormwater control at the project site. Proposed stormwater control measures would be required to be designed in accordance with conditions observed during infiltration testing and would be subject to County approval prior to implementation on-site. Based on required compliance with LUO Section 22.52.120 and implementation of County-approved stormwater control measures, implementation of the project is not anticipated to 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?

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06079C1332G (effective date 11/16/2012), the project site is located within Zone X, an area with minimal flood hazard (FEMA 2020). In addition, the project is not located within the County's Flood Hazard combining designation. As a result, flood flows are not anticipated to occur within the project area. In addition, the project would be implementation of a SWCP in accordance with County regulations or RWQCB PCRs for long-term stormwater control measures at the project site. Proposed stormwater control measures would be required to be designed in accordance with conditions observed during infiltration testing and would be subject to County approval prior to implementation. Therefore, the project would not be expected to impede or redirect flood flows and impacts would be *less than significant*.

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

The project site is not located within a mapped flood hazard zone or within the County's Flood Hazard combining designation (FEMA 2020). According to the Department of Conservation's San Luis Obispo County Tsunami Inundation Map, the project is not within a tsunami inundation area. Seiches occur as a series of standing waves induced by seismic shaking or land sliding into an impounded body of water. The project site is not located in proximity to any impounded body of water that would be subject to seiche. 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?

The project site is within the Edna Valley subbasin of the SLO Basin (Basin No. 3-09), which has been designated as a high-priority basin by the Department of Water Resources (DWR) and is subject to the SLO Basin Groundwater Sustainability Plan (GSP). The GSP identifies planned projects intended to increase water supply to ensure sustainable management of groundwater resources (SLO Basin GSA 2021). Future residential development would be provided water by GSWC, which supplies water from groundwater pumped from the Edna Valley subbasin of the SLO Basin (GWSC 2022). GSWC has reviewed the proposed project and has provided a can and will-serve letter to supply the project's water needs. Further, the project would not substantially interfere with recharge to the SLO Basin in a manner that would interfere with sustainable management of the basin. Therefore, the project would not conflict with the GSP, and impacts would be *less than significant*.

The project site is under the jurisdiction of the Central Coast RWQCB and would be subject to the Central Coast Water Quality Control Plan (Basin Plan), which sets water quality objectives and criteria to protect water quality in the Central Coast region (RWQCB 2019). The project would be subject to preparation and approval of a SWCP in accordance with County regulations or RWQCB PCRs to control long-term stormwater runoff and LUO Section 22.52.120 to control short- and long-term erosive runoff from the project site. Based on required compliance with RWQCB and County regulations, the project would be consistent with water quality protection efforts included in the Central Coast RWQCB Basin Plan and impacts would be *less than significant*.

Conclusion

With implementation of Mitigation Measure BIO-2 and required compliance with RWQCB and the County's LUO, the project would not result in adverse impacts related to water quality, groundwater quality, or stormwater runoff. The project is not within a flood hazard, tsunami, or seiche zone and would not risk release of pollutants due to project inundation. The project would be consistent with the SLO Basin GSP and the RWQCB Basin Plan. Therefore, with implementation of the identified mitigation, impacts related to hydrology and water quality would be less than significant.

Mitigation

Implement Mitigation Measure BIO-2.

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?	☐	☒	☐	☐

Setting

The County 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 growth 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 project area is designated for Rural Suburban land uses. The project site is also within the Airport Review (AR) combining designation and the Los Ranchos-Edna Valley Specific Plan Area.

Discussion

(a) Physically divide an established community?

Implementation of the project would result in the subdivision of a single 7.9-acre parcel into four parcels. The project includes the development of a 30-foot access easement off of Machado Lane to serve Parcels 1 and 2. Additionally, the project would construct a 20-foot-wide aggregate base road with a 40-foot-wide ROW and 30-foot-wide access and utility easement for the future road extension of Windmill Way along the northern property boundary. This road woad provide access to Parcels 3 and 4 and would also provide connection to Los Ranchos Road to the northeast. Implementation of the proposed access road would allow for the future extension of Windmill Way northwest toward Crestmont Drive, which would ultimately improve circulation and mobility with the project area. Further, implementation of the project would not result in the removal or blockage of existing public roadways or other circulation paths and would not otherwise include any features that would physically divide an established community. Overall, implementation of the project is anticipated to improve long-term connectivity within the project area; therefore, *no impacts* would occur.

(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 site is located within the Residential Suburban land use category in the San Luis Obispo North sub area of the San Luis Obispo planning area. As evaluated throughout this Initial Study, the project would be consistent with the property's land use designation and the guidelines and policies for development within the San Luis Obispo Area Plan, inland LUO, and COSE. Further, the project was found to be consistent with standards and policies set forth in the County of San Luis Obispo General Plan, the SLOAPCD CAP, and other land use policies for this area. The project would also be required to be consistent with standards set forth by County Fire/CAL FIRE and the County Department of Public Works. The project would be required to implement Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4 to mitigate potential impacts associated with Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, and Hydrology and Water Quality, which is consistent with the identified plans and policies intended to avoid or mitigate adverse environmental effects.

In addition, the project site is located within the Los Ranchos-Edna Village Specific Plan area and is within the Airport Influence Area. The project's consistency with the Los Ranchos-Edna Valley Specific Plan and the San Luis Obispo County Regional ALUP is described in detail, below.

Los Ranchos-Edna Village Specific Plan

There are currently 135 residential units within the Residential Suburban land use category within the Los Ranchos-Edna Village Specific Plan area. The Los Ranchos-Edna Village Specific Plan identifies a maximum buildout scenario for the Residential Suburban land use category of 152 total residential units. Implementation of the project would facilitate the future development of up to seven new residences, including three new single-family residential dwellings and up to two ADUs and two JADUs. Therefore, the project would not result in the exceedance of the maximum buildout scenario for the Residential Suburban land use designation.

The Los Ranchos-Edna Village Specific Plan states that riparian vegetation along natural watercourses shall be retained in its natural state. To accomplish this, the Specific Plan requires a 50-foot development buffer along established channels. The proposed project includes a 50-foot setback from the Davenport Creek top-of-bank on Parcel 1 and Parcel 2, and a 30-foot setback from the Davenport Creek top-of-bank on Parcels 3 and 4. Although the Los Ranchos-Enda Village Specific Plan includes a 50-foot setback requirement, the proposed 30-foot setback on Parcels 3 and 4 encompasses the riparian woodland habitat on-site; therefore, the project would retain the riparian woodland habitat on-site, which is consistent with the intent of the Specific Plan. Further, The Los Ranchos-Edna Village Specific Plan identifies a ROW easement for the Windmill Way Road extension along the drainage channels on-site. The proposed project includes construction of 20-foot-wide aggregate base road with a 40-foot-wide ROW and 30-foot-wide access and utility easement for the future road extension of Windmill Way along the northern property boundary. Therefore, the project would be consistent with the Los Ranchos-Edna Valley Specific Plan.

Airport Land Use Plan

At the time of ALUC review in April 2021, the project site was located in Aviation Safety Area S-1b and S-1c and the 55-60 dB airport noise contour per the 2005 ALUP. Residential dwellings are considered an extremely noise sensitive land use and typically would not be an allowable use within the 55-60 dB airport noise contour; however, per Section 4.3.2.3 of the 2005 ALUP related to infill development, the proposed project would be considered an allowable use since the level and scale

of surrounding development would be consistent with the proposed use. Additionally, future residents would be required to be made aware of potential aviation-related hazards per 2005 ALUP Policy 4.6. Based on the Findings and Conditions of Consistency included in the Staff Report for the ALUC Hearing on April 21, 2021, the project would be consistent with a "small-scale individual project" as defined in Section 2.7 of the 2005 ALUP because the proposed parcels would be 2 acres or less.

Additionally, there is a "unique circumstance" as defined in Section 2.7 of the 2005 ALUP because the project is located in an area that is necessary to complete the extension of Windmill Way. The County Public Works Department has identified that the preferred location of the road extension is along the northern portion of the site as the original Windmill Way easement runs along the on-site drainage channels associated with Davenport Creek, which presents potential environmental constraints. Because the proposed project includes a four-lot subdivision with two lots on the northern portion of the parcel, a secondary access would be required, which would facilitate the construction of Windmill Way along the preferred alignment. A smaller subdivision would not meet the secondary access requirement that would not allow for the extension of Windmill Way along the northern portion of the property (ALUC 2021b).

Per the 2021 ALUP, which was amended in in May 2021, the project site is located within Safety Zones 3 and 6. The project's consistency with the draft 2021 ALUP was evaluated during the ALUC Hearing on April 21, 2021. The project would be consistent with the safety policies included in the 2021 ALUP because the greater percentage (approximately 75%) of the parcel is within Zone 6; therefore, a four-lot subdivision would be an allowable land use density per 2021 ALUP Policy G-4. Further, the project would not result in design or other features that could create a hazard to existing aviation patterns (ALUC 2021b). In addition, per the 2021 ALUP, future residential development would be located outside of the 60 dB CNEL noise contour, which is consistent with noise policies included in the 2021 ALUP. The proposed project was reviewed and found to be consistent with the draft 2021 ALUP by the ALUC in April 2021 (ALUC 2021a). Therefore, the project would be consistent with the 2021 ALUP.

As evaluated above, the project would be consistent with the Los Ranchos-Edna Village Specific Plan and the 2021 ALUP. In addition, upon implementation of the identified mitigation, the project would not conflict with other local policies or regulations adopted for the purpose of avoiding or mitigating environmental effects; therefore, impacts would be *less than significant with mitigation*.

Conclusion

Implementation of the proposed project would not physically divide an established community. Upon implementation of mitigation measures identified throughout this document, the project would be consistent with the County's LUO, COSE, General Plan, San Luis Obispo Area Plan, SLOAPCD CAP, and other applicable documents. The project would be consistent with the Los Ranchos-Edna Valley Specific Plan and the San Luis Obispo County Regional Airport ALUP. Therefore, impacts would be less than significant upon implementation of the identified mitigation measures.

Mitigation

Implement Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4.

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 2011):

- **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 Land Use Ordinance (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. The project site is not located within the EX or EX1 combining designation.

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?

(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?

The project site is not located within the EX or EX1 combining designation and there are no known mineral resources in the project area. The project would not be located on land that is zoned or designated for mineral extraction; therefore, the project would not result in the loss of availability of a known mineral resource or result in the loss of availability of a locally-important mineral resource recovery site, and *no impacts* would occur.

Conclusion

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

Mitigation

Mitigation is not necessary.

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 Noise Element of the County of San Luis Obispo 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, and specialized education and training)
- Health care services (e.g., hospitals, clinics, etc.)
- 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 (dBA). A-weighting deemphasizes the very low and very high frequencies of sound in a manner similar to the human ear. There is an on-site residence located within the southeastern corner of the project parcel and the project site is surrounded by off-site single-family residential dwellings in all directions of the project site.

The 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, 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?

Existing ambient noise levels in the project area are primarily dominated by vehicle traffic along Highway 227 and also includes aircraft-related noise associated with the San Luis Obispo County Regional Airport as well as noise from surrounding residential land uses. During project construction, noise from construction activities may intermittently dominate the noise environment in the immediate project area. The project would require the use of typical construction equipment (dozers, excavators, etc.) during proposed construction activities. According to the Federal Highway Administration (FWHA), noise from standard construction equipment generally range from 80 dBA to 85 dBA at 50 feet from the source, as shown in Table 4, below.

Table 4. Construction Equipment Noise Emission Levels

Equipment Type	Typical Noise Level (dBA) 50 ft From Source
Concrete Mixer, Dozer, Excavator, Jackhammer, Man Lift, Paver, Scraper	85
Heavy Truck	84
Crane, Mobile	83
Concrete Pump	82
Backhoe, Compactor	80

Source: FHWA 2018

There is an on-site residence located within the southeastern corner of the project parcel and the project site is surrounded by off-site single-family residential dwellings in all directions of the project site. Construction-related noise would be short-term, intermittent and would not result in a permanent increase in ambient noise within the project area. According to LUO Section 22.10.120.A.4, construction noise is exempt from the County's noise standards between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on weekends. Proposed construction activities would be limited to the hours specified in the LUO.

The project would not include the development of new incompatible land uses that would generate noise in excess of surrounding residential land uses or the County's noise standards. Therefore, following development of future residential development, operational noise generated by the project would be consistent with the level and scale of surrounding residential land uses. The project would not generate a substantial increase in temporary or permanent ambient noise levels; therefore, potential impacts would be *less than significant*.

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

According to LUO Section 22.10.170, construction-related vibration is exempt from the County's vibration standards between the hours of 7:00 a.m. and 9:00 p.m. The project does not include pile-driving or other high-impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Standard construction equipment would generate some

groundborne noise and vibration during ground disturbance activities; however, these activities would be limited in duration and consistent with other standard construction activities. In addition, any groundborne noise or vibration generated by short-term construction activities would be limited to the immediate work area and is not anticipated to disturb nearby residential land uses. Operation of the project does not include new features that could generate substantial groundborne noise. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels 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 project site is located approximately 0.6 mile southeast of the San Luis Obispo County Regional Airport within Safety Zones 3 and 6. The project includes the subdivision of a 7.9-acre parcel into four parcels and would facilitate the future infill development of three single-family residential dwellings and up to two ADUs and two JADUs within the Airport Influence Area.

Policies N-1 and N-2 of the 2021 ALUP prohibit the development of extremely noise-sensitive land uses, which includes residential dwellings, within the projected 60 to 65 dB CNEL airport noise contour. However, according to the amended 2021 ALUP, the project site is located outside of the 60 and 65 dB CNEL airport noise contours; therefore, development of residential dwelling would be allowable at the project site. According to the 2021 ALUP, wood frame buildings that are constructed to meet current energy efficiency standards typically reduce interior noise levels by 20 dB with the windows closed. Future development would be constructed in accordance with the CBC green building design standards and the CEC; therefore, it is expected that interior noise levels would be reduced by approximately 20 dB and would not exceed the County's interior noise level standards. Therefore, the proposed project would be consistent with the noise policies included in the 2021 ALUP and would not expose project occupants to excessive noise levels. Additionally, the proposed project was reviewed and found to be consistent with the draft 2021 ALUP by the ALUC in April 2021. Since the project would be consistent with the policies in the 2021 ALUP, which is intended to reduce aviation-related hazards, including noise-related hazards, to land uses with the airport influence area; therefore, impacts would be *less than significant*.

Conclusion

The project would not generate a substantial increase in temporary or permanent ambient noise levels and would not generate groundborne noise in a manner that would result in disturbance. The project would be consistent with the noise policies and allowable uses identified in the County's ALUP. Therefore, upon implementation of the identified mitigation, potential impacts related to noise would be less than significant.

Mitigation

Mitigation is not necessary.

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's current Housing Element (2020-2028) is intended to facilitate the provision of needed housing in the context of the General Plan Land Use Element and related ordinance. It is also intended to meet the requirements of State law. It contains a number of relevant goals, objectives, policies, and implementation programs to ensure the County meets its goals of meeting the housing needs while remaining consistent with State law.

Section 22.12.080 of the County LUO contains policies and procedures related to inclusionary housing that is a requirement as part of development projects. New single-family dwellings over 2,200 square feet in size, residential subdivisions, commercial/industrial uses with a cumulative floor area of 5,000 square feet or more, mixed-use development, and subdivision of land are subject to these requirements. Projects subject to the inclusionary housing provisions are required to make 8% of the project's base density affordable. This 8% inclusionary housing mix is broken down by 2% increments between Workforce, Moderate income, Low income, and Very Low-income households. The ordinance gives applicants a variety of options for meeting this requirement, including on-site or off-site construction of affordable housing. Applicants may also opt to pay an in-lieu fee per the Affordable Housing Fund, Title 29 of the County Code. As noted in Section 22.12.080.G.2, the County provides for a reduction in required inclusionary housing by 25% for those units constructed on-site.

Requirements for inclusionary housing for residential dwelling units are based upon the base density of a project. Base density is the maximum number of residential units that may be allowed, not including any density bonuses. Commercial and industrial development of 5,000 square feet or more of floor area for commercial or industrial use also requires the payment of a housing impact fee or construction of inclusionary housing units.

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 includes the subdivision of a 7.9-acre parcel into four parcels within the Residential Suburban land use designation and the Los Ranchos-Edna Village Specific Plan area. There are currently 135 residences within the Residential Suburban land use designation within the Specific Plan area and the Los Ranchos-Edna Village Specific Plan identifies a maximum buildout scenario of 152 total residential units for the Residential Suburban land use category. The proposed subdivision would facilitate the future development of three single-family residential dwellings. In addition, there is potential for construction of one detached ADU on Parcels 1 and 2 and one attached JADU (maximum size of 500 square feet) on Parcels 3 and 4. Therefore, the project would not result in the exceedance of the planned maximum buildout scenario for the Residential Suburban land use designation.

Based on the reasonable case development scenario and an average of 2.51 persons per household within the County, the project has the potential to result in a marginal population increase of up to 18 people (U.S. Census Bureau 2021). In addition, short-term construction activities may increase temporary construction-related employment opportunities; however, temporary employment opportunities generated by the project are anticipated to be filled by the local workforce and would not result in a substantial population increase within the county. The project does not include the development of new commercial or office land uses that could increase long-term employment opportunities and otherwise facilitate population growth within the county. Additionally, the project would not result in additional resource capacity or removal of a barrier to growth that could otherwise facilitate population growth. Therefore, based on the limited scale of proposed residential development and consistency with the Los Ranchos-Edna Village Specific Plan, the project would not induce substantial or unplanned population growth and potential impacts would be *less than significant*.

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

There is an existing single-family residential dwelling located on Parcel 2. However, the project does not include the demolition or removal of this residence. The project would not result in the removal or displacement of existing structures or people; therefore, *no impacts* would occur.

Conclusion

The proposed project would not result in substantial or unplanned population growth and would not displace existing housing or necessitate the construction of replacement housing elsewhere. Therefore, potential impacts related to population and housing would be less than significant, and no mitigation is necessary.

Mitigation

No mitigation is necessary.

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?	☐	☐	☒	☐
	Parks?	☐	☐	☒	☐
	Other public facilities?	☐	☐	☒	☐

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County 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. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county, and the nearest station to the project site would be CAL FIRE / San Luis Obispo County Fire Station 21, located approximately 1.2 miles northwest of the project site. Emergency response times to the project range from 0 to 5 minutes.

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, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county: Coast Station in Los Osos, North Station in Templeton, and South Station in Oceano. The project would be served by the South Station in Oceano, located approximately 12 miles southwest of the project site.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the San Luis Coastal Unified School District (SLCUSD).

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.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (CGC Section 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 serve new development, including fire protection, law enforcement, schools, parks, and roads.

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 project would facilitate the future development of three single-family residential dwellings and up to two ADUs and two JADUs that would result in a population increase of approximately 18 people. Based on the limited scale of proposed development and associated population growth, the project would result in a limited increase in demand on fire protection services. The project would be subject to standard Public Facilities Fees to offset the project's demand on existing fire protection services. Based on the limited population increase and payment of Public Facilities Fees, the project would not require or otherwise facilitate the need for additional or expanded fire protection services and impacts would be *less than significant*.

Police protection?

Implementation of the proposed project has the potential to facilitate the development of three single-family residential dwellings, up to two ADUs and two JADUs, and a population of approximately 18 people. Due to the limited scale of proposed development and associated growth, the project would result in a limited increase in demand on police protection services. The project would be subject to standard Public Facilities Fees to offset the project's demand on existing police protection services. Based on the limited population increase and payment of Public Facilities Fees, the project would not require or otherwise facilitate the need for additional or expanded police protection services; therefore, impacts would be *less than significant*.

Schools?

Implementation of the proposed project would result in a limited number of new residential units that may marginally increase the number of school aged children in the area. Therefore, implementation of the project has the potential to result in a slight increase in demand on the SLCUSD. The project would be required to pay Public Facilities Fees to offset its demand on the SLCUSD. Based on the marginal increase of school-aged children and payment of Public Facilities Fees, the project would not require or otherwise facilitate the need for additional or expanded SLCUSD facilities; therefore, impacts would be *less than significant*.

Parks?

Implementation of the proposed project would result in a marginal population increase of approximately 18 people that may increase demand on existing public recreation facilities. The project would be subject to the payment of standard Public Facilities Fees to offset its demand on existing public recreation facilities. Therefore, based on the limited population increase and payment of Public Facilities Fees, the project would not require or otherwise facilitate the need for additional or expanded public recreational facilities, and impacts would be *less than significant*.

Other public facilities?

Implementation of the proposed project would result in a marginal increase in population of approximately 18 people, which has the potential to result in a slight increase in demand on other public facilities within the project region. The project would be subject to the payment of standard Public Facilities Fees to account for an increased demand on existing public services. The project would not facilitate the need for additional or expanded public services; therefore, potential impacts would be *less than significant*.

Conclusion

Implementation of the project would result in a limited number of new residential dwellings and associated limited population growth and would be subject to the payment of Public Facilities Fees to offset its demand on public services and facilities. Therefore, potential impacts related to public services would be less than significant, and no mitigation would be required.

Mitigation

No mitigation is necessary.

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 Parks and Recreation Element of the County of San Luis Obispo General Plan establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and

recreation facilities 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.

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 proposed subdivision would facilitate the future development of three single-family residential dwellings and there is potential for the development of up to two ADUs and two JADUs on-site. As evaluated in Section XIV, *Population and Housing*, based on an average of 2.51 persons per household within the County, the project has the potential to result in a population increase of up to 18 people (U.S. Census Bureau 2021).

The project does not include new commercial or office development that could generate new long-term employment opportunities and short-term construction-related employment opportunities are expected to be filled by the local workforce. Therefore, the project would result in a limited population increase of up to 18 people, which would result in a marginal increase in the use of existing recreational facilities in the area. The project would be subject to the payment of Public Facilities Fees to offset its demand on public recreational facilities. Based on the limited population increase associated with the proposed project and the payment of Public Facilities Fees, the project would not increase the use of existing recreational facilities in a manner that would result in substantial physical deterioration of these facilities; 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 project does not include the development of new or expanded recreational facilities; therefore, *no impacts* related to adverse physical effects on the environment as a result of construction or expansion of recreational facilities would occur.

Conclusion

The project would not increase the use of existing recreational facilities in a manner that would result in physical deterioration and does not include the construction of new or expanded recreational facilities that could result in adverse environmental impacts. Therefore, potential impacts related to recreation would be less than significant, and mitigation would not be necessary.

Mitigation

No mitigation is necessary.

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 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; preparing a Regional Transportation Plan (RTP); programming state funds for transportation projects; and administering and allocating transportation development act funds required by state statutes. The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County as well as the Cities within the county in facilitating the development of the RTP.

In 2013 SB 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 SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). The County of San Luis Obispo has developed a Vehicle Miles Traveled (VMT) Program (Transportation Impact Analysis Guidelines; Rincon, October 2020 & VMT Thresholds Study; GHD, March 2021). The program provides interim operating thresholds and includes a screening tool for evaluating VMT impacts.

The County's Framework for Planning (Inland) includes the Land Use and Circulation Elements of the County of San Luis Obispo General Plan. The framework 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 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 the 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.

Discussion

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

The subject property is located in a rural area and would not be applicable to existing mixed-land use development or pedestrian and bicycle accessibility standards included in the 2019 RTP, the County's Bikeways Plan, and the County's Circulation Element. The project would result in three new single-family residential dwellings and up to two ADUs and two JADUs in the Residential Suburban land use designation. Based on the limited scale of proposed development and associated population growth, the project is not anticipated to generate a substantial number of additional vehicle trips.

The project site is located approximately 400 feet south from Highway 227, which has been identified as an impacted corridor in the State Route Corridor Study (SLOCOG 2016). The project includes the construction of a 20-foot-wide aggregate base road with a 40-foot-wide ROW and 30-foot-wide access and utility easement for the future road extension of Windmill Way along the northern property boundary. The proposed access road would provide access to Parcels 3 and 4 and connect to Los Ranchos Road from the northeast. In addition, implementation of the proposed access road would allow for the future extension of Windmill Way northwest from Crestmont Drive, which would ultimately reduce congestion along the Highway 227 corridor and improve overall traffic circulation within the project area. Based on the project's contribution of dedicated easement area for the future extension of Windmill Way and limited generation of new vehicle trips, , potential impacts would be *less than significant*.

(b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Based on the Technical Advisory on Evaluating Transportation Impacts in CEQA, projects that do not indicate substantial evidence that a project would generate a potentially significant level of VMT, that

are consistent with an SCS or general plan, or that would generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact (California Governor's Office of Planning and Research [OPR] 2018).

The County of San Luis Obispo has developed a Vehicle Miles Traveled (VMT) Program (Transportation Impact Analysis Guidelines; Rincon, October 2020 & VMT Thresholds Study; GHD, March 2021). The program provides interim operating thresholds and includes a screening tool for evaluating VMT impacts. The proposed project would facilitate the future development of three single-family residential dwellings and up to two ADUs and two JADUs. Based on the County VMT Program, the project would be expected to generate a limited increase in vehicle trips that would fall below the suggested screening threshold of 110 trips/day identified in the State guidance; therefore, potential 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)?

The project includes the construction of a new 30-foot access and utility easement from Machado Lane and a 20-foot-wide aggregate base access road with a 40-foot-wide ROW and 30-foot-wide access and utility easement along the northern property boundary. Proposed roadways would be constructed in accordance with County Public Works and CAL FIRE requirements to reduce potential hazards related to road design and accommodate emergency vehicle access. The project would not include the development of new incompatible land uses that could introduce a new incompatible uses along nearby roadways. Based on required compliance with County Public Works and CAL FIRE road design standards, construction of additional access roads would not substantially increase roadway hazards; therefore, potential impacts would be *less than significant*.

(d) Result in inadequate emergency access?

Existing site access is from Machado Lane from the southwest. The project is not anticipated to require any road closures or traffic controls that could result in long-term impacts to emergency access in the project area. The project includes the construction of a 40-foot ROW dedication and a 30-foot-wide access and utility easement from Machado Lane to serve Parcels 1 and 2. The project also includes the construction of an additional access road along the northern property boundary. The proposed 20-foot-wide aggregate base road extension would include a 40-foot ROW dedication, a 30-foot-wide access and utility easement, and two hammerhead driveways to provide access to Parcels 3 and 4. Proposed roadways would be constructed in accordance with CAL FIRE standards for emergency access to ensure there is adequate emergency access at the site. Based on required compliance with CAL FIRE standards for emergency access the project would provide adequate emergency access; therefore, potential impacts would be *less than significant*.

Conclusion

The project would be consistent with the 2019 RTP, 2016 Bikeways Plan, and the County's Circulation Element and would not generate vehicle trips that would exceed existing VMT thresholds. In addition, the project would be consistent with CAL FIRE and County Public Works standards for site access and driveway design; therefore, impacts related to transportation would be less than significant, and no mitigation is required.

Mitigation

No mitigation is necessary.

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	☐	☐	☒	☐
	(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 I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I 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, 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 CRHR; or
    b. Included in a local register of historical resources as defined in California PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC 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 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.

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)?

(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 I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Pursuant to AB 52, the County provided notice to local California native tribes with geographic and/or cultural ties to the project region. Referral letters were sent to tribal representatives on October 8, 2020. No tribes requested consultation or provided information regarding significant tribal cultural resources to date.

The project would be required to comply with LUO Section 22.10.040 in the event of inadvertent discovery of a cultural resource. Per LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. In addition, the project would be required to comply with HSC Section 7050.5, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains are identified to be of Native American descent, contact with the NAHC. Based on required compliance with the County's LUO and HSC Section 7050.5, the project is not anticipated to result in adverse impacts to known or unknown cultural archaeological resources and impacts would be *less than significant.*

Conclusion

Based on compliance with the County's LUO and HSC Section 7050.5, impacts related to tribal cultural resources would be considered less than significant, and no mitigation would be required.

Mitigation

No mitigation is necessary.

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 Department of Public Works provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The County Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo Country 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 on-site 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 County Department of Public Works is responsible for ensuring that new construction sites implement BMPs during construction and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit.

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 would be serviced by San Luis Garbage and Cold Canyon Landfill.

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 project would require the construction of expanded water, drainage, electrical, and natural gas infrastructure, which would be placed within the proposed 30-foot-wide access easement from Machado Lane and the proposed access road along the northern property boundary. The project also includes future installation of on-site septic leach fields on Parcels 2, 3, and 4. Proposed utility infrastructure would be constructed and installed within the footprint of the proposed project. As evaluated throughout this Initial Study, the project has the potential to result in adverse impacts related to Air Quality, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, and Hydrology and Water Quality. Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4 have been included to avoid and/or minimize adverse impacts to less-than-significant levels. Therefore, upon implementation of the identified mitigation measures, installation of utility infrastructure is not anticipated to result in adverse impacts to the environment; therefore, potential impacts would be *less than significant with mitigation*.

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

Future residential development would be provided water by GSWC, which supplies water to a service area of approximately 3,300 people in the communities of Los Osos and Edna. Water delivered to customers in the community of Edna is comprised of groundwater pumped from the Edna Valley subbasin of the SLO Basin (GWSC 2022). GSWC has reviewed the proposed project and has provided a will-serve letter to supply the project's water needs. Based on the will-serve letter provided by the GSWC, there would be adequate water supply to serve the proposed project; therefore, potential 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?

The project includes installation of on-site septic leach fields to serve future residential development and would not require connection to a wastewater treatment provider; therefore, *no impacts* would occur.

(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?

Future residential development would be provided solid waste services by San Luis Garbage and Cold Canyon Landfill. According to the California Department of Resources Recycling and Recovery (CalRecycle), Cold Canyon Landfill has a maximum permitted capacity of 23,900,000 cubic yards and maximum capacity of 1,650 tons of solid waste per day. The estimated closure date of Cold Canyon Landfill is December 2040 (CalRecycle 2020).

During construction, the project would result in a short-term increase in construction-related solid waste. According to the County's Integrated Waste Management Authority (IWMA), construction waste would be subject to California's Green Building Standards Code (CALGreen) Sections 4.408 and 5.408, which requires diversion of at least 75 percent of construction waste (IWMA 2022). Based on required compliance with CALGreen regulations, construction of the project would not generate solid waste in excess of local infrastructure capacity.

The project would facilitate the future development of three single-family residential dwellings and may include up to two ADUs and two JADUs. According to the CalRecycle Estimated Solid Waste Generation Rates, operation of seven residential units would result in approximately 85.61 pounds of solid waste per day (CalRecycle 2019). Proposed solid waste calculations are shown in Table 5, below.

Table 5. Estimated Solid Waste Generation Rates

Waste Generation Source	Generation Rate	Unit of Measure	Proposed Development	Total
Residential	12.23	lb/household/day	7 residential units	85.61 pounds
			Total	**85.61 pounds**

Source: CalRecycle Estimated Solid Waste Generation Rates (2019)

Implementation of the project would result in a long-term increase in operational solid waste generation. In addition, the project would be required to comply with County-implemented recycling and organic waste disposal programs during operation, which would reduce the amount of solid waste taken to Cold Canyon Landfill. Cold Canyon Landfill would have adequate available capacity to support the increase of solid waste; therefore, impacts would be *less than significant*.

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

The project would be serviced by San Luis Garbage and Cold Canyon Landfill, which are fully compliant with existing local and state regulations related to disposal of solid waste. As evaluated above, construction and operation of the project is not expected to generate solid waste in excess of state or county regulations for solid waste. In addition, the project would be required to comply with CALGreen regulations during construction and County-implemented recycling and organic waste disposal programs during operation, which would be consistent with federal, state, and local solid waste reduction goals; therefore, impacts would be *less than significant*.

Conclusion

The project would require the expansion and installation of utility infrastructure to support proposed development. Implementation of Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4 would reduce potential adverse environmental impacts to less-than-significant levels. Water would be provided by GSWC, which would have adequate capacity to the project and the project would not require connection to a wastewater provider. The project would not generate solid waste in exceedance of state or county regulations. Therefore, upon implementation of the identified mitigation measures, potential impacts would be less than significant.

Mitigation

Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4.

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?	☐	☐	☒	☐

Initial Study – Environmental Checklist

Setting

On-Site Conditions and Surrounding Land Uses

The 7.9-acre project site is primarily undeveloped with the exception of a single-family residential dwelling and an accessory barn structure. Surrounding areas include existing single-family residential dwellings and accessory structures to the north, south, and west and clustered residential development and the San Luis Obispo Country Club to the east. In addition, Highway 227 is located approximately 400 feet north of the project site.

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 site consists of nearly level topography and is bisected in an east-west direction through the central portion of the site by two parallel drainage channels associated with Davenport Creek. As a result, the site consists of three upland areas which are located in the southern portion of the site, the northern portion of the site, and in between the two drainage channels. The project site primarily supports ruderal coastal valley grassland with areas of dense riparian woodland located along the drainage channels (Holland 2020).

CAL FIRE Hazard Severity Zones

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. 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. A lack of 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 moderate, high or very high fire severity zones. According to the CAL FIRE FHSZ viewer, the project site is located within a local responsibility area (LRA) and is not designated as a very high FHSZ. Additionally, the project site is not located adjacent to a high or very high FHSZ (CAL FIRE 2022).

County Emergency Operations Plan

The County has prepared an Emergency Operations Plan (EOP) to outline 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. 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.

County Safety Element

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.

California Fire Code

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.

Discussion

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

The project site and immediately surrounding area is not located within a high or very high FHSZ (CAL FIRE 2022). The project is not anticipated to require any permanent road closures or traffic controls that could result in notable impacts to emergency response or evacuation efforts in the project area. The project includes a 30-foot-wide access and utility easement from Machado Lane for access to Parcels 1 and 2. The project also includes construction of a 20-foot-wide aggregate base road with a 40-foot-wide ROW and 30-foot-wide access and utility easement, which would provide access to Parcels 3 and 4 and would also connect to Los Ranchos Road from the northeast. Implementation of the proposed road extension would allow for the future extension of Windmill Way northwest toward Crestmont Drive, which would ultimately reduce congestion along the Highway 227 corridor and improve overall emergency response and evacuation efforts within the project area. The proposed road extension and access easement from Machado Lane would be constructed in accordance with County Public Works and CAL FIRE requirements to ensure adequate emergency access to the site. Therefore, the project would not interfere with an emergency response or evacuation plan and is anticipated to improve long-term emergency response and evacuation circulation conditions within the project area; therefore, potential 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 7.9-acre project parcel is characterized by nearly level topography and is surrounded by low-density residential development and accessory structures. The project site is not located within an SRA or within or adjacent to land designated as a high or very high FHSZ. Nearby lands classified as an SRA are within a moderate FHSZ (CAL FIRE 2022).

Implementation of the project would result in the future development of three residential dwelling units and up to two ADUs and two JADUs that would be constructed in accordance with CFC and CBC requirements to reduce risk associated with fire ignition and exposure of project occupants to wildfire risk. In addition, the project would be required to implement design recommendations identified by CAL FIRE to ensure adequate ability to provide fire protection services to the proposed project. Based required compliance with CFC, CBC, and CAL FIRE requirements, the project is not anticipated to significantly exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire in an SRA or a very high FHSZ; 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 project site is not located within or adject to a high or very high FHSZ (CAL FIRE 2022). The project would require the expansion of utility infrastructure and construction of additional access roads to serve future residential development. Proposed utility expansions and access roads would be constructed in accordance with applicable CFC, CBC, CAL FIRE, and County Public Works requirements to reduce wildfire risk associated with installation of utility infrastructure and to ensure adequate emergency access to the site. In addition, proposed utility infrastructure would primarily be installed underground, which would further reduce the risk of accidental wildfire ignition at the project site. Based on required compliance with applicable CFC, CBC, CAL FIRE, and County Public Works requirements, the project would not exacerbate wildfire risk within an SRA or a very high FHSZ; therefore, potential impacts would be *less than significant.*

(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 site is not located within an SRA or within a high or very high FHSZ and would be located in an area with low potential for landslide and flooding to occur. Future residential development would be constructed in accordance with CBC and CFC regulations to reduce risk associated with wildfire and post-wildfire events. The project would not be sited in a 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 within an SRA or very high FHSZ; therefore, impacts would be *less than significant*.

Conclusion

The project is located within an LRA and is not located in a designated very high FHSZ. Based on required compliance with CFC, CBC, CAL FIRE, and County Public Works development requirements for future residential development and associated site improvements, the proposed project and associated activities would not result in significant adverse impacts related to wildfire and, no mitigation is necessary.

Mitigation

Mitigation is not necessary.

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?	☐	☒	☐	☐

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?

Based on the analysis provided in individual resource sections above, the project has the potential to disturb sensitive biological resources and unknown cultural and/or tribal cultural resources. Mitigation Measures BIO-1 through BIO-4 have been identified and would reduce potential impacts related to sensitive biological resources to less than significant. Additionally, adherence to LUO Section 22.10.040 would reduce impacts to unknown cultural and/or tribal cultural resources if present within the project area. Therefore, potential impacts would be *less than significant with mitigation*.

(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)?

Based on the nature of proposed development and the analysis provided in resource sections above, the project would have the potential to result in environmental impacts associated with air quality, biological resources, geology and soils, hazards and hazardous materials, and hydrology and water qualitythat could have a cumulative effect with other development projects in the project region. Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4 have been identified to reduce potential environmental impacts associated with the project to a less-than-significant level. Other past and future development projects requiring a discretionary permit in the project region would also be subject to applicable mitigation measures to reduce potential impacts associated with these impact issue areas. Therefore, based on the implementation of project-level mitigation measures and discretionary review and CEQA review of other projects within the project area, potential impacts would be *less than cumulatively considerable with mitigation*.

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

Based on the nature and scale of proposed development and the analysis provided in individual resource areas sections above, the project has the potential to have environmental effects that could result in substantial adverse effects on human beings. Potential impacts associated with air quality and hazards and hazardous materials would be reduced to less-than-significant levels with the implementation of Mitigation Measures AQ-1 through AQ-3. Therefore, potential impacts associated with environmental effects that would cause substantial adverse effects on human beings would be *less than significant with mitigation*.

Conclusion

Potential impacts associated with mandatory findings of significance would be less than significant with mitigation.

Mitigation

Implement Mitigation Measures AQ-1 through AQ-3 and BIO-1 through BIO-4.

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	**Attached**
☒	County Environmental Health Services	**Attached**
☐	County Agricultural Commissioner's Office	**Not Applicable**
☒	County Airport Manager	**None**
☒	Airport Land Use Commission	**Attached**
☒	Air Pollution Control District	**None**
☐	County Sheriff's Department	**Not Applicable**
☐	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☐	CA Department of Fish and Wildlife	**Not Applicable**
☒	CA Department of Forestry (Cal Fire)	**Attached**
☒	CA Department of Transportation	**None**
☐	Community Services District	**Not Applicable**
☐	Other	**None**
☐	Other	

** "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
- ☒ SLO Airport Land Use Plan
- ☒ Energy Wise Plan
- ☒ SLO Planning Area
- ☐ Design Plan
- ☒ Los Ranchos- Edna Valley Specific Plan
- ☒ Annual Resource Summary Report
- ☒ SLOCOG 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:

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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 Quality

AQ-1 During all construction activities and use of diesel vehicles for initial site improvements and future residential development, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
    a. Staging and queuing areas shall be located at the greatest distance feasible from sensitive receptor locations;
    b. Diesel idling when equipment is not in use shall not be permitted;
    c. Use of alternative fueled equipment shall be used whenever possible; and
    d. Signs that specify the no-idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with 13 CCR 2485. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine when vehicle is not in use, except as noted in Subsection (d) of the regulation; and
    b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the no-idling requirement. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2 Prior to initiation of ground-disturbing activities for initial site improvements and future residential development, the applicant shall retain a registered geologist to conduct a geologic evaluation of the property, including sampling and testing for NOA in full compliance with SLOAPCD requirements and the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105). This geologic evaluation shall be submitted to the City Community Development Department upon completion. If the geologic evaluation determines that the project would not have the potential to disturb NOA, the applicant must file an Asbestos ATCM exemption request with the SLOAPCD.

AQ-3 If NOA are determined to be present on-site, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:

1. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
2. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
3. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

Biological Resources

BIO-1 Prior to mobilization of any equipment on the project site for initial site improvements and future residential development, a qualified Biologist shall conduct an environmental sensitivity training for all project personnel during the project kick-off meeting. The purpose of the training is to educate the personnel on identification of special-status wildlife species that may occur within the project area and to provide an overview of the avoidance and minimization measures to be adhered to during the project. Specifically, the training will emphasize on all special-status wildlife species that would be expected to occur within the project limits, applicable regulatory policies and provisions regarding their protection, and a review of measures being implemented to avoid and/or minimize impacts to the species and their associated habitat. Furthermore, crew members will be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction.

BIO-2 At the time of application for construction permits for initial site improvements and future residential development, a 30-foot setback on Parcels 3 and 4 and a 50-foot setback on Parcels 1and 2 shall be delineated on all final construction and grading plans, and the applicant shall show all development and equipment staging areas located a minimum of 30 feet from riparian vegetation. Prior to any site disturbance, the applicant shall install construction fencing at the proposed 30-foot setback on Parcels 3 and 4 and at the 50-foot setback on Parcels 1 and 2. This area shall be marked by orange construction fencing which shall be installed prior to any site disturbance and remain in place throughout the grading and construction phases of initial site improvements and future residential development.

BIO-3 Initial ground disturbances for initial site improvements and future residential development shall be completed during the dry period (May 1 through August 30) to avoid potential direct impacts to dispersing California red-legged frog (CRLF) individuals.

If ground disturbance must occur during the wet season (September 1 through April 30), the applicant shall employ the following measures:

1. A temporary exclusion fence approved by the County of San Luis Obispo (i.e., ERTEC E-Fence with a lip) shall be established along the boundaries of the development envelopes between the riparian corridor and the development envelopes on the

proposed lots to prevent frogs from entering proposed disturbance areas. The exclusions fence shall be installed by a County-qualified biologist to ensure proper installation.

2. Within 48 hours prior to the start of construction activities, a pre-construction CRLF survey shall be conducted in proposed disturbance areas by a County-qualified biologist. A report documenting the results of the survey shall be provided to the County Department of Planning and Building. If no CRLF are found, work can proceed. If any CRLF are found, the County of San Luis Obispo shall be notified, and all work shall stop work until the CRLF leave the site of their own accord. If CRLF do not move off the site on their own, the applicant shall comply with all relevant requirements of the federal Endangered Species Act prior to resuming project activities as follows:

    a. Prior to initiation of any other protective measures, a biologist approved by the U.S. Fish and Wildlife Service to translocate CRLF shall, in consultation with U.S. Fish and Wildlife Service as applicable, identify appropriate relocation sites for CRLF that may be observed during the pre-construction survey or monitoring activities described below and need to be moved from within the limits of direct impact disturbance.

    b. Relocation or other take (e.g., entrapment, etc.) of CRLF can only be conducted by an authorized biologist and the project applicant must have been issued the requisite take authorizations from the U.S. Fish and Wildlife Service before any relocation activity can commence.

    c. If the U.S. Fish and Wildlife Service does not authorize the relocation of CRLF occurring within the project site, no work activities shall occur on-site until the CRLF has left the project site on its own.

BIO-4 Prior to initiation of any site preparation/construction activities for initial site improvements and future residential development, if work is planned to occur between February 1 and September 15, a County of San Luis Obispo-qualified biologist shall survey the area for nesting birds within 1 week prior to initial project activity beginning, including ground disturbance and/or vegetation removal/trimming. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

1. A 50-foot exclusion zone shall be placed around non-listed, passerine species, and a 250-foot exclusion zone will be implemented for raptor species. Each exclusion zone shall encircle the nest and have a radius of 50 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of supplies and equipment, are prohibited inside exclusion zones. Exclusion zones shall be maintained until all exterior construction activities have been terminated for the current phase of work (e.g., if initial site improvements are completed, exclusion zones may be removed until initiation of site preparation for residence construction begins), or it has been determined by a qualified biologist that the young have fledged or that proposed project activities would not cause adverse impacts to the nest, adults, eggs, or young.

2. If special-status avian species are identified and nesting within the work area, no work will begin until an appropriate exclusion zone is determined in consultation with the County of San Luis Obispo and any relevant resource agencies.

The results of the survey shall be provided to the County of San Luis Obispo Planning and Building Department prior to initial project activities. The results shall detail appropriate fencing or flagging of exclusion zones and include recommendations for additional monitoring requirements. A map of the project site and nest locations shall be included with the results. The qualified biologist conducting the nesting survey shall have the authority to reduce or increase the recommended exclusion zone depending on site conditions and species (if non-listed).

If 2 weeks lapse between different phases of project activities (e.g., vegetation trimming, the start of grading), during which no or minimal work activity occurs, the nesting bird survey shall be repeated, and a separate survey report shall be prepared and submitted to the County of San Luis Obispo Planning and Building Department.