



Project Title & No. Amburgey Parcel Map (N-SUB2022-00025 / CO21-0019) ED23-129

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.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology & Soils	<input type="checkbox"/> Population & Housing	<input checked="" type="checkbox"/> 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.

Lane Sutherland		Planner	July 15, 2024
Prepared by (Print)	Signature		Date
Eric Hughes		Principal Environmental Specialist	July 15, 2024
Reviewed by (Print)	Signature		Date

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: Request by James and Sylvia Amburgey for a Vesting Tentative Parcel Map to subdivide an existing 10-acre parcel into two parcels of 5.0 and 5.0 acres each for the purpose of sale and/or development. The site is currently developed with two existing residences (mobile homes), several animal pens, small storage structures, a water storage tank, and minimal landscaping. Both parcels will be served by a shared on-site well. Future development of the site includes a 4,105 square foot single family residence, 1,322 square foot attached garage, 2,222 square feet of covered patios and balcony space, and a new septic system and leach field. Grading will result in an estimated 400 cy of cut and 900 cy of fill. The area of disturbance is estimated to be approximately 0.78 acres. The proposed project is within the Residential Rural land use category and is located at 1721 Viejo Road, approximately ½ mile north of the Black Lake Village Reserve Line and two miles northwest of the community of Nipomo. The site is in the South County Inland Sub-area of the South County Planning Area.

The location of the project site is shown in Figure 1; an aerial view of the project site is provided in Figure 2; a view of the proposed subdivision is shown in Figure 3. Table 1 provides a summary of project components.

Table 1 – Project Components

Components	Quantities (approx.)
Single Family Residence	4,105 sf
Attached Garage	1,322 sf
Covered Patio	2,222 sf
Grade and construct 14 foot wide ac driveway. Extend utilities to building site.	25,351 sf
Septic leach field	1,000 sf
Total Area of Disturbance:	34,000 sf/ 0.78 acres
400 cy of cut, 900 cy of fill	1,300 cy

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Baseline Conditions

The project site is located in a rural area of the County and surrounding dominant land uses include residential development with small scale animal keeping and crop production on surrounding parcels ranging in size from 4 acres to 10 acres. The project site consists of an approximately 10 acre site, to be subdivided into two 5 acre parcels. The project site is documented within Section 3, Township 11 North, Range 35 West in Arroyo Grande, specifically located adjacent to, and south of Viejo Road approximately 3 miles southeast of the City of Arroyo Grande and .90 miles north of Los Berros Creek at 1721 Viejo Road.

The property is bordered by Viejo Road to the north and rural residences to the south, west, and east. Viejo Road is a privately rural collector that spans approximately 3,200 feet from east to west between Zenon Way and Camino Perrillo. The current state of the road is in good condition without any service concerns. The project site is depicted on the central portion of the *Oceano, California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle. Elevations on site range from approximately 335 to 356 feet above mean sea level. No U.S. Fish and Wildlife Service-designated critical habitats, riparian habitats, or potentially jurisdictional hydrologic resources are documented at the project site. The vegetation on the parcel comprises scattered coast live oak trees, non-native grasses, and Santa Margarita manzanita. Coast live oak woodland occupies approximately 6 acres of the project area. This vegetation community is generally characterized by a continuous tree canopy of coast live oak and an understory dominated by non-native grasses and intermittent herbs. Dominant understory species include ripgut brome (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), and rattail fescue (*Festuca myuros*). Historical aerial photography taken in 2007, 2011, and 2021 shows both mobile homes and accessory structures on the parcel with the same tree cover consistent from past to present.

The existing 10 acre parcel consists of two residences and associated access and utility improvements. Other associated uses include animal keeping pens, and accessory storage structures. Disturbed areas occupy approximately 2 acres of the site and include areas that are regularly disturbed by human activities. Vegetation varies depending upon the degree of disturbance or development. The developed areas are largely devoid of vegetation and consist of existing structures, road, and driveway. Disturbed areas are associated with the residences and include areas that are not fully developed but are disturbed due to human activities, for instance vehicle usage, heavy grazing, landscaping, and other rural residential activities.

Proposed Parcel 1 and Proposed Parcel 2 exhibit generally level slopes, each maintaining an average slope of approximately 3%. The project site is devoid of documented fault lines, steep slopes, or other conditions that might pose concerns related to landslide risks. Within the project boundaries, there are no blue line streams or other sensitive water resources. Noteworthy is the absence of any indication of past or current commercial agriculture or livestock grazing activities on the property.

Parcel 1 does not envision the introduction of new structures; however, enhancements linked to the construction of a new all-weather access driveway are planned for the northeast corner. An existing well on Parcel 1 is slated for joint utilization by both parcels post-subdivision. After recordation of the subdivision component, proposed development of the site consists of several components on proposed Parcel 2. The components include the demolition of an existing mobile home, construction of a new 4,105 square foot residence, 1,322 square foot attached garage, 2,222 square feet of covered patios and balcony space, and a new septic system and leach field. Grading will result in an estimated 400 cy of cut and 900 cy of fill. The area of disturbance is estimated to be approximately 0.78 acres.

Ordinance Modification. No ordinance modifications have been requested for this project.

ASSESSOR PARCEL NUMBER(S): 091-063-041

Initial Study – Environmental Checklist

Latitude: 35° 03' 56.5" N **Longitude:** 120° 32' 51.4" W **SUPERVISORIAL DISTRICT #** 4

B. Existing Setting

Plan Area: South County **Sub:** South County **Comm:** Rural

Land Use Category: Residential Rural

Combining Designation: None

Parcel Size: 10 acres

Topography: Nearly level to gently sloping

Vegetation: Coast live oak woodland, non-native grassland

Existing Uses: Residential single family dwellings (2) mobile homes

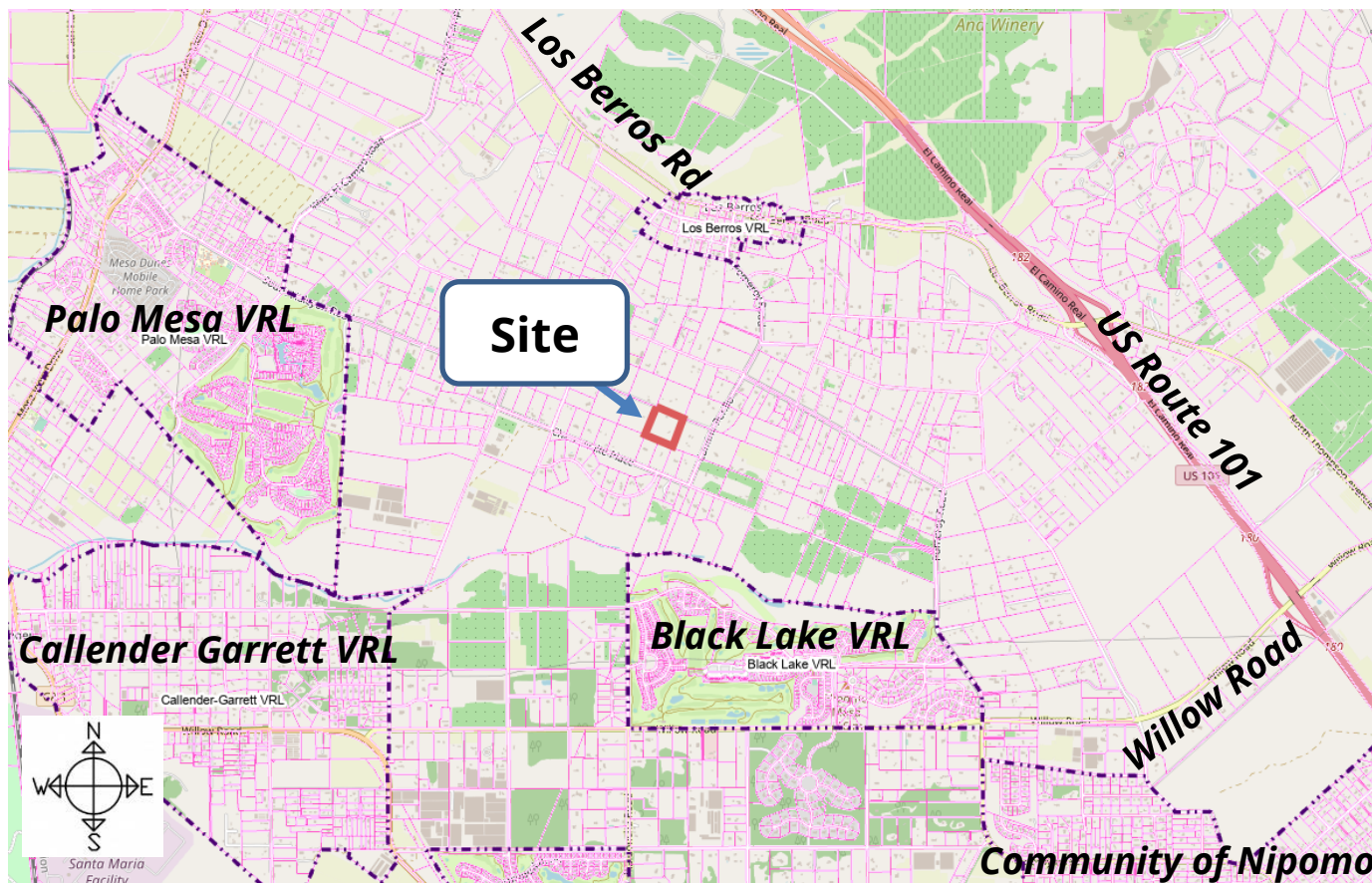
Surrounding Land Use Categories and Uses:

North: Residential Rural; single-family residence(s) **East:** Residential Rural; single-family residence(s)

South: Residential Rural; single-family residence(s) **West:** Residential Rural; single-family residence(s)

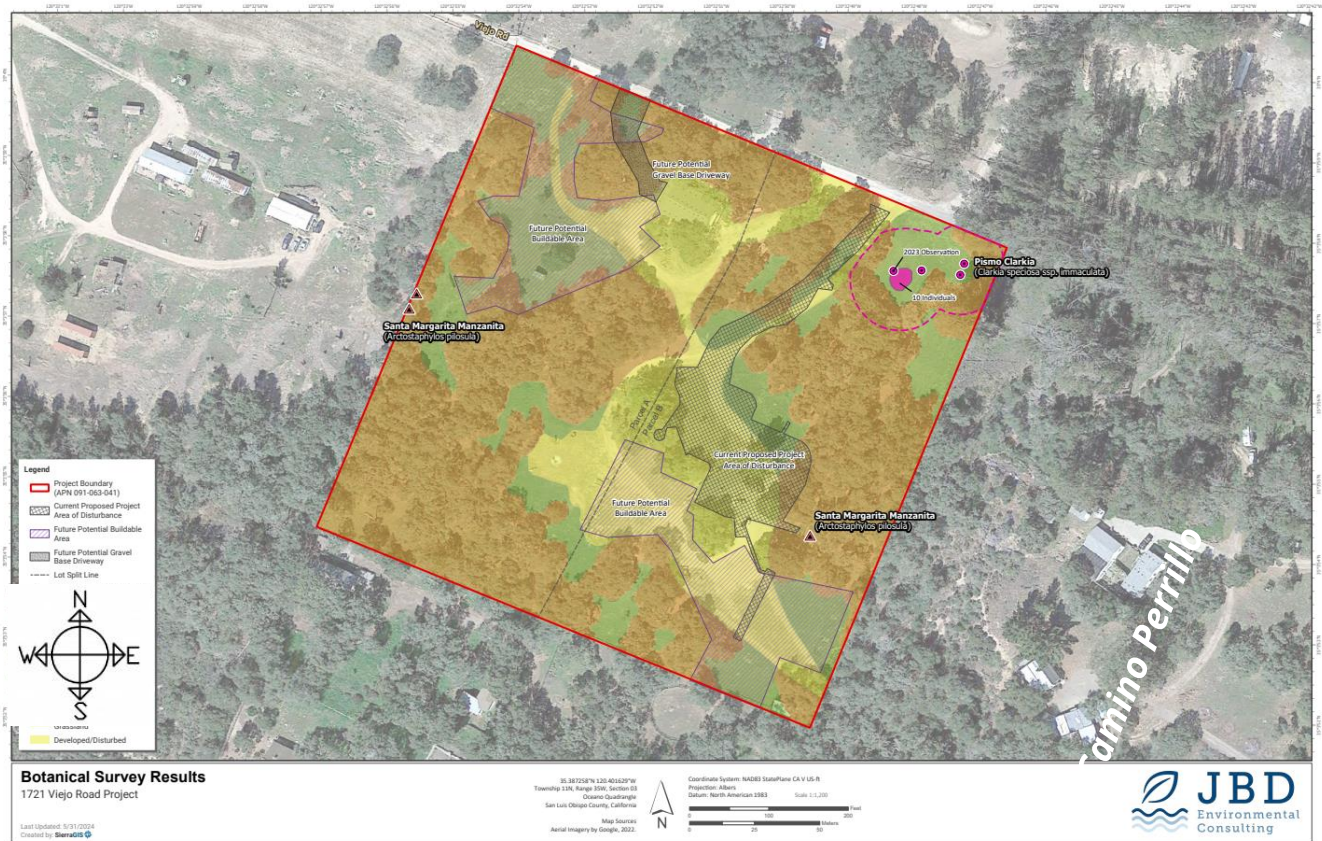
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Figure 1 – Project Location



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Figure 2 – Aerial View of the Project Site and Area of Disturbance



Initial Study – Environmental Checklist

Figure 3 – Aerial View of the Proposed Subdivision



Initial Study – Environmental Checklist

C. Environmental Analysis

The Initial 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
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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California Scenic Highway Program

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic highways within the county. State Route 1 is an Officially Designated State Scenic Highway and All-American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary. A portion of Nacimiento Lake Drive is an Officially Designated County Scenic Highway. Portions of Highway 101, Highway 46, Highway 41, Highway 166, and Highway 33 are also classified as Eligible State Scenic Highways – Not Officially Designated.

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), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

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

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

Conservation and Open Space Element

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

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- **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.

Countywide Design Guidelines

The Countywide Design Guidelines identify objectives for both urban and rural development. Rural area guidelines applicable to the project include the following:

- Objective RU-5: Fences and screening should reflect an area's rural quality.
- Objective RU-7: Landscaping should be consistent with the type of plants naturally occurring in the County and should limit the need for irrigation.

Existing Conditions

The project site is located on the Nipomo Mesa, a 33-square mile area between the Arroyo Grande Plain to the north and the Santa Maria River Coastal Plain to the south. The site comprises a 10-acre parcel undergoing subdivision into two 5-acre parcels, featuring predominantly level topography throughout. Notably, the site lacks streams or riparian areas. Surrounding land use primarily consists of residential areas characterized by scattered oak groves and grassy expanses. The visual aesthetic of the area is well-maintained, with residences discreetly distributed and no prominent scenic features.

Within the immediate vicinity, the predominant land parcels are categorized as Rural Residential, varying in size from 4 to 10 acres. These parcels host a mix of residential structures, barns, and modest rural facilities, such as small animal pens. This composition contributes to a rural ambiance, where development is in harmony with the natural surroundings.

The project site boasts minimal visibility from passing vehicles and is effectively screened by strategically positioned vegetation along the street-side property line, ensuring a discreet presence that minimizes exposure to public roads and other public viewing locations. The site's location, combined with existing vegetation and topography, contributes to its subtle integration into the surrounding environment, offering a level of privacy and seclusion for both the project and its immediate surroundings.

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 is not located along, nor visible from, an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. The project site does not provide expansive views of a highly valued landscape for the benefit of the

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general public. Therefore, the project would not have a substantial adverse effect on a scenic vista and *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 is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. Therefore, *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?*

If in a non-urbanized area:

The project is located in a non-urbanized area and would be visually consistent with the type and extent of development in the surrounding area. The project would not result in a noticeable change to public views of the area and, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings and 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?*

The project does not propose the use or installation of highly reflective materials that would create a substantial source of glare. The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be *less than significant*.

Conclusion

The project is not located within view of a scenic vista and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Potential impacts to aesthetic resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><i>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:</i></p>				
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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vegetables, field crops, nursery products, and animals. The County of San Luis Obispo Agriculture Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: <https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report.aspx>.

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

Based on the FMMP, soils at the project site are within the following FMMP designation(s):

- Oceano sand, 0 to 9 percent slopes
- Oceano sand, 9 to 30 percent slopes

Onsite soils include:

- Oceano sand, 0 to 9 percent slopes. This soil type is found on level terrain within the northern portion of the project site. This excessively drained soil occurs on dunes. The parent material of this soil map unit consists of eolian deposits. Depth to the water table is more than 80 inches beneath this soil type and available water storage is classified as low (or approximately 4.2 inches). This soil type has a runoff class of negligible (USDA-NRCS 2022).
- Oceano sand, 9 to 30 percent slopes. This soil type is found on the majority of the project site. This excessively drained soil occurs on toeslopes. The parent material of this soil map unit consists of eolian deposits. Depth to the water table is more than 80 inches beneath this soil type and available water storage is classified as low (or approximately 4.2 inches). This soil type has a runoff class of very low (USDA-NRCS 2022).

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 does not include land within the Agriculture land use designation and is not within lands subject to a Williamson Act contract.

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

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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 does not contain land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP. Therefore, the project would not result in the conversion of Farmland pursuant to the FMMP to a non-agricultural use. *No impacts would occur.*

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

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

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

The project site does not include land use designations or zoning for forest land or timberland; *no impacts would occur.*

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

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; *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?*

The project is not located in close proximity to Farmland or forest land and the nature of the project would not conflict with existing agricultural uses. The project would not increase demand on agricultural water supplies or facilities and would not affect proximate agricultural support facilities. Therefore, the project would not result in changes in the existing environment that could result in the conversion of Farmland to non-agricultural uses or forest land to non-forest uses. *No impacts would occur.*

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 to agricultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>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:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regulatory Agencies and 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 (CAA) 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 (PM₁₀ and PM_{2.5}), ozone (O₃), nitrogen dioxide (NO₂), sulfate, carbon monoxide (CO), sulfur dioxide (SO₂), visibility reducing particles, lead (Pb), hydrogen sulfide (H₂S), and vinyl chloride.

The Federal Clean Air Act (CAA) 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, NO₂, ozone, PM₁₀ and PM_{2.5}, and SO₂.

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

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responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a 2023 Administrative Update Version) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (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. SLOAPCD has established thresholds of significance for each of these contaminants.

The proposed project includes grading that will result in an estimated 400 cy of cut and 900 cy of fill. The area of disturbance is estimated to be approximately 0.78 acres.

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

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

Air Quality Monitoring

The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected, and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county. The most recent Annual Air Quality Report can be found here: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/2017aqrt-FINAL2.pdf>.

In the county of San Luis Obispo, ozone and fine particulates (particulate matter of 10 microns in diameter or smaller; PM₁₀) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and

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other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health.

The Project site is not located in an area identified as containing NOA by the SLOAPCD ([SLO APCD NOA Screening Buffers - Google My Maps](#)).

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.

The project site is surrounded by well-spaced residences on 5-10 acre parcels. There are six residences within 300 feet and 12 residences within 1,000 feet of the project site.

Discussion

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

The project conflicts with the implementation of the San Luis Obispo County Clean Air Plan which calls for parcels such as this one to not be split below 20 acres and instead promotes the concept of urban infill by directing growth to areas within the existing URL/VRL boundaries. Mobile sources are the largest contributor to air pollution in San Luis Obispo County and rural parcel subdivisions foster continue dependency on private auto use as the primary means of accessing essential services and other destinations. However, due to the small size of the project, it would not result in a new or substantially difference use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants. Therefore, impacts 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 is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_x) and fugitive dust emissions (PM₁₀).

Construction Impacts

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The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 1 lists SLOAPCD’s general thresholds for determining whether a potentially significant impact could occur as a result of a project’s construction activities.

Table 1. SLOAPCD Thresholds of Significance for Construction Activities

Pollutant	Threshold ⁽¹⁾		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO _x)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM ₁₀), Dust ⁽²⁾		2.5 tons ⁽²⁾	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM₁₀ quarterly threshold.

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. Table 2 lists the SLOAPCD’s screening emission rates that would be generated based on the amount of material to be moved. The APCD’s CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM₁₀ quarterly threshold listed above.

Table 2. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203
Oxides of Nitrogen (NO _x)	42.4	0.0935
Fugitive Particulate Matter (PM ₁₀)	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

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Based on estimated cut and fill estimates and the construction emission rates shown in Table 2, construction-related emissions that would result from the project were calculated and are shown in Table 3 below.

Table 3. Proposed Project Estimated Construction Emissions.

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Threshold Exceeded?
		Daily	Quarterly (Tier 1)	
ROG + NO _x (combined)	148 pounds	137 pounds	2.5 tons	No
Diesel Particulate Matter (DPM)	6.3 pounds	7 pounds	0.13 tons	No
Fugitive Particulate Matter (PM ₁₀)	0.6 tons		2.5 tons	No

For projects involving construction and/or grading activities, the LUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The LUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The LUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

The California Code of Regulations (Section 2485 of Title 13) also prohibits idling in excess of 5 minutes from any diesel-fueled commercial motor vehicles with gross vehicular weight ratings of 10,000 pounds or more or that must be licensed for operation on highways.

Based on the volume of proposed grading, area of project site disturbance, estimated duration of the construction period, and the APCD’s screening construction emission rates identified above, the project would not result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment, and impacts would be *less than significant*.

Operational Impacts

The SLOAPCD’s CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose

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construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

(c) *Expose sensitive receptors to substantial pollutant concentrations?*

As described above in response to (b), the project would not generate significant construction-related or operational emissions and would, therefore, not expose sensitive receptors to substantial pollutant concentrations. Operational emissions would not substantially increase and implementation of standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions. Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant*.

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

Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project. Therefore, potential odor-related impacts would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment and would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. Therefore, potential impacts to air quality would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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 Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Setting

Sensitive Resource Area Designations

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

The project site is situated within a distinctive setting that warrants careful examination. Regional Sensitive Resource Areas (SRAs) have been identified, and none exist within the site boundaries or within a reasonably placed buffer area of the site. The site itself, characterized as developed with two mobile homes and several accessory structures/uses, exhibits a low to moderate level of disturbance, with the presence of paved and unpaved road surfaces further defining its nature. Currently, approximately 2 acres of the 10 acre site are disturbed and this figure will remain around 2.5 acres after future proposed development of the new single family dwelling as one of the existing mobile homes will be demolished and replaced and a new access driveway improved. Notably, the site's immediate proximity to the Los Berros Creek is 1 mile north of the project site. On-site, a variety of trees and vegetation enhance the landscape, with coast live oak woodland and non-native grasslands dominating the overall coverage. This detailed site-specific setting analysis ensures a nuanced comprehension of the project's environmental context and potential impact considerations

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the 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

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Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies and are required to be evaluated under CEQA.

Oak Woodland Ordinance

The County of San Luis Obispo Oak Woodland Ordinance was adopted in April 2017 to regulate the clear-cutting of oak woodlands. This ordinance applies to sites located outside of Urban or Village areas within the inland portions of the county (not within the Coastal Zone). “Clear-cutting” is defined as the removal of one acre or more of contiguous trees within an oak woodland from a site or portion of a site for any reason, including harvesting of wood, or to enable the conversion of land to other land uses. “Oak woodland” includes the following species: Blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), interior live oak (*Quercus wislizeni*), valley oak (*Quercus lobata*), and California black oak (*Quercus kelloggii*). The ordinance applies to clear-cutting of oak woodland only and does not apply to the removal of other species of trees, individual oak trees (except for Heritage Oaks), or the thinning, tree trimming, or removal of oak woodland trees that are diseased, dead, or creating a hazardous condition. Heritage oaks are any individual oak species, as defined in the Oak Woodland Ordinance, of 48 inches diameter at breast height (dbh) or greater, separated from all Stands and Oak Woodlands by at least 500 feet. Minor Use Permit approval is required to remove any Heritage Oak.

The project site does not support oak woodland or Heritage Oaks.

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 Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

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.

Based on the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site does not support wetlands, riparian or deep-water habitats (USFWS 2019).

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;

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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 Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines. Additionally, the County 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.

Existing Conditions

This section is largely based on the *Biological Resources Assessment and Botanical Survey 1721 Viejo Road Project, San Luis Obispo County, California (APN: 091-063-041)*, prepared by JBD Environmental Consulting, LLC (JBD) to evaluate biological resources present at the project site (JBD 2022; JBD 2023; JBD 2024).

The project site is located in a rural area and is currently developed as a residence with two mobile homes and a small shed. Approximately two of the existing 10 acres are considered developed or previously disturbed as a result of the residential use (e.g. vehicle use, grazing, landscaping). Surrounding areas primarily include scattered rural residential development and accessory structures on similarly arranged 5-10-acre parcels. The project site and surrounding area is characterized by flat to gently sloping topography and supports oak woodland, shrubs, herbaceous vegetation, and annual grassland.

Special-Status Plants

Special status plant species are defined as the following:

- Plants listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (FESA) (50 Code of Federal Regulations [CFR] Section 17.12 for listed plants and various notices in the Federal Register for proposed species).
- Plants that are candidates for possible future listing as threatened or endangered under the FESA.
- Plants that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA) (State CEQA Guidelines Section 15380).
- Plants considered by CNPS to be "rare, threatened, or endangered" in California (CNPS Ranks 1A, 1B, 2A, and 2B).

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- Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 California Code of Regulations [CCR] Section 670.5).
- Plants listed under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.).
- Plants considered sensitive, rare, or otherwise protected by local agencies or jurisdictions

The biological resources assessment conducted in 2022 for the proposed project included a review of the CDFW California Natural Diversity Database (CNDDDB) and the CNPS rare plant database, which revealed 57 special-status plant species have been previously recorded within a 5-mile radius of the project site. Of these 57 species, five species were determined to have potentially suitable habitat on-site. According to the initial botanical survey conducted in 2022, the following five special-status plant species have the potential to occur on-site:

- Hoover's bent grass (*Agrostis hooveri*), CRPR 1B.2
- Santa Margarita manzanita (*Arctostaphylos pilosula*), CRPR 1B.2
- Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*), CRPR 1B.1
- San Luis Obispo County lupine (*Lupinus ludovicianus*), CRPR 1B.2
- Southern curly-leaved monardella (*Monardella sinuata* ssp. *sinuata*), CRPR 1B.2

During the initial biological resources assessment conducted in September 2022 and an appropriately timed botanical survey conducted in May 2023, the following two special-status species were observed within the project site (JBD 2023).

- Santa Margarita manzanita (*Arctostaphylos pilosula*), CRPR 1B.2
- Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*), CRPR 1B.1

Special-Status Wildlife

Special status animal species are defined as the following:

- Animals listed or proposed for listing as threatened or endangered under the FESA (50 CFR 17.11 for listed animals and various notices in the Federal Register for proposed species).
- Animals that are candidates for possible future listing as threatened or endangered under the FESA.
- Animals protected under the Migratory Bird Treaty Act (16 United States Code [USC] Section 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668).
- Animals that meet the definitions of rare or endangered species under CEQA (State CEQA Guidelines Section 15380).
- Animals listed or proposed for listing by the State of California as threatened and endangered under the CESA (14 CCR 670.5).
- Animal species of special concern to CDFW.
- Animal species that are fully protected in California (California Fish and Game Code, sections 3511 [birds], 4700 [mammals], and 5050 [reptiles and amphibians]).
- Native birds, nests, and eggs under California Fish and Game Code sections 3503 and 3503.5

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Based on a nine-quadrangle query of the CNDDDB, the following special-status wildlife species have been previously recorded in the vicinity of the project area (CDFW 2022):

- Northern California Legless Lizard (*Anniella pulchra*): This is a state species of special concern and typical habitat includes coastal dune scrub, coastal sage scrub, chaparral, woodland, forest, or riparian habitat, and loose, sandy or loamy soils. This species has been documented at multiple locations within 5 miles of the Survey Area. The closest occurrence (Occurrence #80) was documented 0.62 mile west of the Survey Area. This species is especially common in coastal dune scrub, oak woodland, valley-foothill grassland, chaparral, and coastal scrub. Within these habitat types, areas with sandy or loose organic soils or where high amounts of leaf litter are favorable. The Survey Area contains suitable soils for this species and furthermore, suitable leaf litter is present beneath oak trees on site. Therefore, this species has potential to occur within the Survey Area. However, no legless lizards were observed during the reconnaissance level field surveys.
- American badger (*Taxidea taxus*): This is a state species of special concern and typical habitat includes open and arid grasslands, meadows, savannahs, open-canopy desert scrub, and open chaparral. American badger has been documented by the CNDDDB approximately 3.4 miles northeast of the Survey Area (Occurrence #391). This species utilizes a wide variety of scrub, forest and grassland habitats with friable soils and is expected to be common throughout the region. The majority of the Survey Area provides suitable habitat for this species. American badgers can forage throughout the Survey Area and areas suitable for den construction include the grassland habitat found on site. Even though suitable habitat is present, roaming dogs are also present on the property; therefore, the potential for this species to occur is low. However, no badger signs indicating their presence were detected during the reconnaissance level field surveys.
- Western bumble bee (*Bombus occidentalis*): This is a CESA candidate species for listing. The grassland habitats within the Survey Area contain potentially suitable foraging habitat for western bumble bee and this species could utilize small mammal burrows for nesting. Therefore, this species has potential to occur within the Survey Area. However, no western bumble bees were observed during the reconnaissance level field surveys.
- Loggerhead shrike (*Lanius ludovicianus*): This is a state species of special concern. Typical habitat includes broken woodlands, savannah, pinyon- juniper, Joshua tree, & riparian woodlands, desert oases, scrub & washes. This species prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting. The loggerhead shrike is known to occur within the general vicinity. The annual grassland and woodland habitats provide suitable nesting and foraging habitat for this species. Therefore, this species has potential to occur on site. However, no loggerhead shrikes were observed during the reconnaissance level field surveys.
- Prairie falcon (*Falco mexicanus*): This species is on the CDFW Watch List (WL) and has been documented by the CNDDDB within five miles of the Survey Area. The Survey Area does not contain suitable rocky cliff nesting sites for prairie falcon. However, moderately suitable foraging habitat is present within the grassland areas and a suitable prey base is present, as indicated by numerous ground squirrel burrows. Therefore, this species has potential to forage on site. However, no prairie falcons were observed during the reconnaissance level field surveys.
- White-tailed kite (*Elanus leucurus*): The white-tailed is a State Fully Protected bird species. Kites nests in trees at low elevation and are known for distinctive hovering flight when foraging. The larger

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eucalyptus trees immediately adjacent to the Survey Area may provide suitable nest sites. No raptor nests were observed within the Survey Area during the field survey. Therefore, this species has a low potential to occur on site.

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 proposed project 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 construction. Proposed road improvements would require work within an area identified as suitable habitat for Pismo clarkia, though several seasonal studies have been provided to verify that no Pismo Clarkia has bloomed in these suitable habitat areas for three years consecutively now. Additionally, measure will be taken to avoid any species identified.

Special-Status Plants

Based on the results of the botanical surveys, two special-status plant species, Pismo clarkia and Santa Margarita manzanita, were observed on-site, but not within the proposed area of disturbance (JBD 2022; JBD 2023; JBD 2024). Current proposed project activities may impact up to 0.15 acre of non-native grassland and 0.11 acre of coast live oak woodland. Future potential project activities may impact up to 0.80 acre of non-native grassland and 0.43 acre of coast live oak woodland. No other plant species are expected to occur. Both the current proposed project and future project phases have been designed to avoid impacts to these species. Based on negative survey findings on the remainder of the property, the distribution of Pismo clarkia on the property appears to be limited to the northeastern portion of the Survey Area. This species was not documented anywhere else on the property. Implementation of the project is not expected to result in adverse impacts to these special-status plant species. However, proposed road improvements along Viejo Road may impact Pismo clarkia if specimens are present during construction activities. BIO-1 and BIO-2 require a pre-construction survey for special status plant species within the area of disturbance, avoidance measures if special status plant species are observed on-site prior to construction, and permitting and restoration measures if avoidance is not feasible. With the recommended mitigation measures included, impacts are expected to be *less than significant*.

Special-Status Wildlife

Based on existing site conditions, there is potential for American badger, California legless lizard, Crotch's and western bumble bee, loggerhead shrike, prairie falcon, and white-tailed kite to occur within the project impact area.

If the project results in removal of coast live oak trees, then impacts to California legless lizard may occur during initial ground disturbing activities if individuals are present within the proposed disturbance area.

Project related activities within suitable habitat have the potential to directly impact western bumble bee if this species is foraging or nesting within the disturbance footprint during initial grading and/or grubbing activities.

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The Survey Area contains moderately suitable habitat for American badgers which are highly mobile and are expected to be present throughout the region. American badgers could be found on-site at any time of the year. Direct impacts could result if ground disturbing activities directly affect an occupied American badger den. Impacts to American badgers could be significant if breeding American badgers with offspring are present within the proposed disturbance area during project implementation.

Suitable nesting habitat occurs within the Survey Area; therefore, nesting birds are likely to occur. One State Fully Protected bird species (white-tailed kite) and two State Species of Special Concern bird species (loggerhead shrike and prairie falcon) have potential to occur or are known to occur in the vicinity of the Survey Area. No potential nesting habitat for prairie falcon is present within the Survey Area; however, this species may forage on site. Direct impacts to nesting birds may occur due to removal of trees that may contain active nests. Construction within the Survey Area may result in indirect impacts to nesting bird species, should they be present in the vicinity of areas of disturbance at the time of construction.

Mitigation Measures BIO-3 through BIO-6 have been included to require a pre-construction survey and to avoid and/or minimize potential impacts to special-status wildlife through avoidance buffers or relocation when deemed appropriate by a qualified biologist if suitable habitat is present in construction areas. Therefore, impacts are expected to be *less than significant with mitigation incorporated*.

- (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 Wildlife or US Fish and Wildlife Service?*

There are no mapped blue line creeks and no riparian vegetation within or immediately adjacent to the proposed areas of disturbance. The project site is located within a coast live oak woodland which may facilitate nesting birds and other special status species. Oak trees are keystone species meaning they have disproportionately high effects on ecological community members. Many plant and wildlife species in central California benefit greatly from the presence of oak trees. Mitigation Measures BIO-8 and BIO-14 have been included to avoid impacts to oak trees when feasible, replace impacted oak trees when avoidance is not feasible, and to monitor the health of replaced oak trees to ensure successful replacement.

Impacts occur to oak trees when a substantial amount of the root zone is disturbed, typically during grading and trenching activities, or oak trees are physically removed. Standard replacement ratios for impacted oak trees include 2 replacement trees for every oak tree impacted but not removed, and 4 replacement trees for every oak tree removed. BIO-8 and BIO-14 require a qualified arborist or biologist, where appropriate, to verify adequate measures are performed and carried out for the life of the project. Therefore, impacts are expected to be *less than significant with mitigation incorporated*.

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

The project site does not support state or federal wetlands or other jurisdictional areas. Therefore, the project would not result in an adverse effect on state or federally protected wetlands and *no impacts would occur*.

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- (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?*

Based on the [California Essential Habitat Connectivity Project](#), the project site is not located in an identified Essential Connectivity Area. The project site does support habitat features conducive to migratory wildlife species such as oak woodland and other trees for nesting birds. BIO-7 has been included to require mitigation measures should tree disturbing activities occur between February 1 and September 15. These measures include preconstruction surveys performed by a qualified biologist and, when appropriate, non-disturbance buffers up to 250 feet until juveniles birds have successfully fledged their nests. Therefore, the project would not interfere with the movement of resident or migratory fish or wildlife species or wildlife nursery sites and impacts are expected to be *less than significant with mitigation incorporated*.

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

The project is not located within an SRA designated for protection of unique or sensitive endangered vegetation or habitat resources. With mitigation included, the project would not significantly affect sensitive habitats or resources identified in the COSE or native tree species protected under the County Oak Woodland Ordinance. The proposed area of disturbance is not known to support sensitive resources that are protected by local policies and plans, but sensitive biological resources are supported nearby. Additionally, the proposed area of disturbance may support sensitive resources at the time of construction. Trees within the project area have the potential to provide nesting habitat for migratory bird species. The project would result in impacts to 20 existing trees for development of the site. Mitigation Measures BIO-8 through BIO-14 require replanting of removed and/or impacted trees, which would ensure long-term migratory nesting bird habitat would remain within the project area. Based on implementation of the identified mitigation, implementation of the proposed project would not reduce the availability of nesting habitat for migratory birds within the project area. Therefore, potential impacts would be *less than significant with mitigation*. As discussed above, Mitigation Measures BIO-1 through BIO-14 have been included to mitigate potential impacts to biological resources through preconstruction surveys, avoidance buffers when feasible, minimize and replacement when avoidance is not feasible, and restore resources when appropriate. Therefore, the project would not result in a conflict with local policies or ordinances protecting biological resources and impacts are expected to be *less than significant with mitigation incorporated*.

- (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 is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is not within areas identified as critical habitat or within the County's San Joaquin Kit Fox standard mitigation ratio area (County of San Luis Obispo 2007). Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts would occur*.

Conclusion

The project site supports suitable habitat for sensitive plant or wildlife species, but not for wetlands, riparian habitat, or other sensitive biological resources. Sensitive biological resources were not observed within the proposed area of disturbance during reconnaissance level field surveys performed by JBD Environmental Consulting, Inc, but suitable habitat suggests that resource may be present at the time of construction.

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Mitigation Measures BIO-1 through BIO-14 are included here to avoid significant impacts to biological resources where feasible, minimize and replace resources where avoidance is not feasible, and restore resources when appropriate. With the inclusion of the mitigation measures described below, the project would not conflict with local plans or policies for protection of biological resources. *Therefore, potential impacts to biological resources would be less than significant with mitigation incorporated.*

Mitigation

BIO-1 Worker and Environmental Training Program

Prior to the start of grading or construction of proposed development, mobilization of any equipment on the project site and installation of project limit fencing/flagging for project construction, 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 shall 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. Crew members shall be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction.

BIO-2 Pismo Clarkia Impact Avoidance and Minimization

- A. **Avoidance.** To mitigate impacts to Pismo Clarkia, mapped populations of Pismo Clarkia shall be avoided and a 50-foot setback from development. In the spring/summer prior to site development, surveys for Pismo clarkia shall be undertaken to confirm/update previous surveys, and the site development plan shall be designed to avoid all previously mapped locations (including a minimum 50-foot buffer surrounding such previously mapped locations, and to the extent feasible, any additional clarkia if observed outside previously mapped plant and buffer areas. The County shall be immediately notified if additional locations are mapped. The buffer area shall be fenced and this area will be off limits prior to commencing construction activities. Fence installation shall be monitored by a qualified biologist. The fencing shall remain and be maintained in perpetuity. Pismo clarkia patches identified on-site during 2023 and 2024 surveys shall be avoided to the maximum extent practicable. Immediately prior to development, appropriately timed surveys will be conducted by a qualified biologist to determine the extent of the distribution of plants during the construction year. The extant population boundaries mapped in 2023 and 2024, plus any expansions observed during surveys conducted in the year of construction, will be flagged by a qualified biologist.
- B. **Incidental Take Permit.** If full avoidance is not feasible, necessary approvals from the California Department of Fish and Wildlife will be required. Concurrence shall be provided by the California Department of Fish and Wildlife that the project would result in take of a state-listed species and that an Incidental Take Permit, Conservation Easement, and Habitat Management Plan are required prior to disturbance under California Fish and Game Code Section 2081. A conservation easement over the Pismo clarkia habitat will include the California Department of Fish and Wildlife as a third-party beneficiary.

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BIO-3 Special Status Plant Species Impact Avoidance and Minimization

- A. Preconstruction Survey. Prior to any ground disturbance, a County-qualified plant botanist/biologist shall conduct a seasonally timed botanical survey for special status plant species in all areas where ground disturbing activities are proposed, including and not limited to, fence installation, staging or work mobilization areas, grading, and site improvements for access roads, utility lines, etc. The survey shall be conducted during the appropriate blooming period(s) according to protocols established by the USFWS, CDFW, and CNPS. All listed plant species found shall be marked and avoided. Any populations of special-status plants found during the survey shall be fully described, mapped, and a CNPS Field Survey Form or written equivalent shall be prepared. Reference sites must be visited when feasible to ensure target species are detectable. Valid botanical surveys will be considered current for up to five years. If construction has not commenced within five years of the most recent survey (2024), botanical surveys must be repeated. In the spring/summer prior to development plans, a survey for Pismo clarkia shall be undertaken to confirm/update previous surveys, and the site development plan shall be designed to avoid all previously mapped locations and any additional Pismo clarkia observed (including a minimum 50-foot buffer).
- B. Special Status Plant Species Avoidance. If special status plant species are discovered within the Survey Area, a County-qualified biologist will flag and fence these locations as off limits before construction activities start, to avoid impacts if feasible. Avoidance areas should include appropriate buffer zones as determined by the qualified biologist. To the maximum extent feasible, project activities should be designed to avoid non-listed CRPR species (Santa Margarita manzanita). If avoidance is not feasible, the removal of three individuals of Santa Margarita manzanita would not significantly affect its viability in the area. Therefore, no significant impact is expected, and no mitigation is required.
- C. Restoration Plan. If full avoidance is not feasible, all impacts to special status plants shall be mitigated at a minimum ratio of 3:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. All replanting shall be on site. The restoration plan shall also include, at a minimum, the following components:
 - I. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
 - II. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved and/or numbers and extent of special status species to be established; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
 - III. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
 - IV. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
 - V. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);

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- VI. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year, along with performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, and annual monitoring reports for a minimum of five years at which time the project proponent shall demonstrate that performance standards/success criteria have been met;
- VII. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80% survival of container plants, if used, and achievement of comparable or improved species composition by vegetation type based on a metric of meeting or exceeding vegetation cover and composition that is comparable or higher quality than the impacted vegetation. This shall be demonstrated by achieving at least 80% relative cover of non-invasive species with similar native species composition compared with the impacted site. Relative cover will be determined in comparison to a reference plot for native species or a quantitative baseline survey of the impacted site. The plan must achieve establishment of target numbers and extent of special status species based on required replacement ratios, at the end of five years of monitoring.
- VIII. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- IX. Notification of completion of compensatory mitigation and agency confirmation; and
- X. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

BIO-4 California Legless Lizard Impact Avoidance and Minimization

- A. Prior to the start of grading or construction, conduct a preconstruction survey and avoid construction in any areas with special-status reptile species. Immediately prior to the start of vegetation removal or grading, a qualified biologist shall survey permanent and temporary impact areas for special-status reptile species. Raking surveys in areas with leaf litter under shrubs and trees shall be used to detect the northern California legless lizard, as well as searches under lumber or other cover objects. Visual surveys of the disturbance areas shall be conducted for the horned lizard. Construction activities may begin once it has been determined that there are no special-status reptile species within impact areas. If any special-status reptile individuals are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that particular area and the wildlife allowed to leave the work zone on its own volition or relocated following California Department of Fish and Wildlife approval. The biologist shall monitor the area to determine when individuals of special-status species have left, and work can commence.
- B. During all ground-disturbing activities, conduct biological monitoring for special-status wildlife species. A qualified biologist shall monitor vegetation removal and site grading to search for unearthed northern California legless lizards and coast horned lizards. The biologist shall be on-site daily until all vegetation has been cleared. The biologist shall monitor construction activities from a safe distance using binoculars and walk through the

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site to look for disturbed wildlife during breaks. Any wildlife found shall be moved out of harm's way or allowed to move to an undisturbed location on their own volition. As necessary, appropriate regulatory agency permits and/or approvals shall be obtained to allow relocation of special-status species from the project area.

- C. During grading and construction, employ measures to prevent entrapment of reptiles in open excavations and trenches. During the period in which there are open trenches or excavations more than 6 inches deep, such as during the excavation for building foundations or utility lines, escape ramps shall be installed so that reptiles and other wildlife that may have become entrapped have the ability to escape. Escape ramps shall consist of a 2:1 sloped soil area leading from the bottom to ground level. If this is not possible, a qualified biologist shall inspect open trenches each day prior to the start of work for entrapped wildlife, or trenches/excavations shall be completely covered with plywood or similar material during overnight periods. If a horned lizard is located, the biological monitor shall be contacted immediately to assist with relocation. Work shall be halted until the entrapped wildlife has been relocated.

BIO-5 Crotch Bumble Bee (*Bombus crotchii*) and Western Bumble Bee (*Bombus occidentalis*) Impact Avoidance and Minimization.

Prior to any site disturbance associated with the proposed project between April and August, Crotch's and Western bumble bee detection survey(s) of the project site shall be conducted by a qualified biologist following the *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (California Department of Fish and Wildlife 2023). To increase the probability of detection, bumble bee survey efforts shall be conducted during the Colony Active Period (April–August) and when floral resources are present, ideally during peak bloom. Survey results shall be recorded and submitted to the County of San Luis Obispo Planning and Building Department and California Department of Fish and Wildlife prior to initiation of ground-disturbing project activities. The number and type of surveys conducted may vary on a project- and site-specific basis. Survey methodology shall be consistent with the recommendations provided in the *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species*.

Based on the results of the protocol-level surveys, the applicant shall do one of the following:

- A. If no Crotch or Western bumble bees are found during the focused surveys but the habitat assessment identified suitable nesting, foraging, or overwintering habitat within the project site, a biological monitor shall be on-site during initial vegetation and ground-disturbing activities that take place between February 1 and October 31. If no Crotch bumble bees are observed during monitoring activities, a monitoring report shall be prepared and submitted to the County of San Luis Obispo Planning and Building Department; or
- B. If Crotch or Western bumble bees are observed on-site during any of the focused surveys or monitoring of project activities, the project applicant shall either consult with the County of San Luis Obispo Planning and Building Department and California Department of Fish and Wildlife to develop site-specific measures to avoid take, or consult with the California Department of Fish and Wildlife to obtain an Incidental Take Permit if potential take of bumble bee cannot be avoided during project activities.

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If, prior to site disturbances, the California Fish and Game Commission determines that the conservation status of Crotch bumble bee does not warrant California Endangered Species Act protections or litigation changes the conservation status and the species are removed from the list of candidate species, the applicant will not need to obtain a Section 2081 Incidental Take Permit to disturb the colony(s).

BIO-6 American Badger Impact Avoidance and Minimization

Prior to and during any site disturbance and/or construction activities associated with the proposed project, a qualified biologist shall complete a preconstruction survey for badgers no less than 14 days and no more than 30 days prior to the start of initial project activities to determine if badgers are present within proposed work areas, in addition to a 200-foot buffer around work areas. The results of the survey shall be provided to the County of San Luis Obispo prior to initial project activities.

- A. If a potential den is discovered, the den will be monitored for 3 consecutive nights with an infrared, motion-triggered camera, prior to any project activities, to determine if the den is being used by an American badger.
- B. If an active badger den is found, an exclusion zone shall be established around the den. A minimum 50-foot exclusion zone shall be established during the non-reproductive season (July 1–January 31) and a minimum 100-foot exclusion zone during the reproductive season (February 1–June 30). Each exclusion zone shall encircle the den and have a radius of 50 feet (non-reproductive season) or 100 feet (reproductive season), measured outward from the burrow entrance. 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 project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the County of San Luis Obispo shall be contacted. The County of San Luis Obispo will coordinate with appropriate resource agencies for guidance.

If more than 30 days pass between construction phases (e.g., trenching activities and the start of hoop structure installation), during which no or minimal work activity occurs, the badger survey shall be repeated.

BIO-7 Nesting Birds Impact Avoidance and Minimization

Prior to initiation of any site preparation/construction activities, 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 and immediately provide the survey to the Department of Planning and Building upon completion. If nesting birds are located on or near the project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

- A. A 100-foot exclusion zone shall be established around non-listed, passerine species, and a 250-foot exclusion zone shall be established for raptor species. Each exclusion zone shall encircle the nest and have a radius of 100 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of

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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 Phase 1 improvements are completed, exclusion zones may be removed until initiation of site preparation for Phase 2 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.

- B. If special-status avian species are identified and nesting within the work area, no work shall 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 commencement of 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.

BIO-8 Native Tree Protection

Prior to issuance of construction and/or grading permits, the applicant shall clearly show all oak trees within 50 feet of grading activities on the grading plans. In addition to showing the limits of grading, the grading plans shall also designate which oak trees are to be removed and which oak trees will be impacted by grading activities occurring within the root zone (one and one half times the dripline). Oak trees within 50 feet of grading activities, which are not designated for removal, shall be fenced and flagged for protection prior to permit issuance. Fencing shall be clearly shown on the grading plans to be located at the root zone for trees not designated for removal. For impacted trees, where grading activities will occur within the root zone, fencing may be placed at the limits of grading activities.

- A. The applicant shall prepare a tree protection map and plan with accurate and complete tree locations, tag numbers, Critical Root Zones, edge of canopy, and tree protection measures. The project engineers shall work with the biological consultants to develop a tree protection plan sheet that indicates all tagged trees, with corresponding tag numbers, edge of canopy and CRZ's within 50 feet of disturbance. Tree protection measures such as construction fencing shall be show on the map. All trees shall to be fully protected shall be clearly shown on the grading and drainage plans.
- B. Any tree removal associated with CDF/County Fire vegetative clearance/modification requirements shall also be considered on the plans.

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BIO-9 Tree Replacement and Monitoring Plan

Prior to issuance of construction and/or grading permit, the applicant shall provide a tree replacement plan for review and approval by the Environmental Coordinator. The replacement plan shall demonstrate compliance with the following measures:

- A. Number of Trees – The tree replacement plan shall provide for the replacement, in kind, of removed oak trees at a 4:1 ratio. Additionally, the tree replacement plan shall provide for the planting, in kind, at a 2:1 ratio for oak trees designated for impact but not removal.
 - i. An environmental monitor shall keep the running tally of the total number of trees impacted and removed as in the example below. A final mitigation obligation determination shall be provided to the Project Manager and the County Planning Department.

Tree Type	# Removed (4:1 replacement)	# Impacted (2:1 replacement)	Replacement Total Required
3 Oak trees (2 Coast Live Oaks; 1 Interior Live Oak)	3 (12)		
6 Oak trees (3 Coast Live Oaks; 2 Interior Live Oaks; 1 Blue Oak)		6 (12)	
			24

- B. Location/Density – The location shall be clearly shown on the plans. Trees shall be planted at no greater a density than the average density in the existing oak woodland area on the site. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- C. Species – Trees shall be of the same species of the trees proposed for impact or removal. The species shall be clearly specified on the plans.
- D. Size – Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- E. Planting – Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

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- F. Maintenance – Newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding of at least a three foot radius out from the planting, and adequate watering (e.g., drip-irrigation system). Hand removal of weeds shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December).
- G. Irrigation/Watering – Irrigation details shall be clearly shown on the plans. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period.

BIO-10 Tree Replacement and Monitoring Plan

As applicable, once trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

BIO-11 Tree Replacement and Monitoring Plan

Prior to final inspections or occupancy, whichever occurs first, replacement trees shall be installed or bonded for in compliance with the approved tree replacement plan. If bonded for, installation shall be completed within 60 days of bonding.

BIO-12 Tree Replacement and Monitoring Plan

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

BIO-13 Tree Replacement and Monitoring Plan

All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

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BIO-14 Tree Replacement and Monitoring Plan

Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within the fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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.

The County of San Luis Obispo LUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites and/or structures important to local, state, or national history. Standards are included regarding minimum parcel size and permit processing requirements for parcels with an established structure and Historic Site combining designation. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications

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for such projects are required to include a description of measures proposed to protect the historic resource identified by the Land Use Element (LUO 22.14.080).

San Luis Obispo County was historically occupied by two Native American tribes: the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is not known, as those boundaries may have changed over time.

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

Discussion

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

The project site does not contain, nor is it located near, any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resources and *no impacts would occur*.

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

Based on a review of past archaeological surveys conducted in the project vicinity, there are no previously identified archaeological resources within 0.5 mile of the project site. In addition, the project site is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. The project does not propose substantial earthmoving activities that would have the potential to disturb subsurface archaeological resources.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

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

Based on existing conditions, buried human remains are not expected to be present in the site area. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO, impacts related to the unanticipated disturbance of

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archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant*.

Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

The County COSE 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. The COSE 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.

In 2010, the EWP established a goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to “[a]ddress future energy needs through increased conservation and efficiency in all sectors” and “[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020.” In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where

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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 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 County LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO Section 22.14.100). The project is 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?*

Project implementation would require minimal consumption of energy resources. During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary and would not represent a significant or wasteful demand on available resources. Energy demands during project operation would be provided through existing infrastructure and would not substantially increase over existing demands. Operational energy use would be consistent with that of similar facilities and would not be wasteful or inefficient. There are no unique project characteristics that would result in a significant increase in energy usage, or an inefficient, wasteful use, or unnecessary consumption of energy resources. Potential impacts would be *less than significant*.

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

Implementation of the project would not result in a significant new energy demand and there are no project components or operations that would conflict with the EWP or any other state or local plan for renewable energy or energy efficiency. Compliance with State laws and regulations, including the most recent Building Code requirements, will ensure the project continues to reduce energy demands and greenhouse gas emissions, through, for example, increasing state-wide requirements that energy be sourced from renewable resources. Therefore, potential impacts would be *less than significant*.

Conclusion

The project would not result in a significant energy demand during short-term construction or long-term operations and would not conflict with state or local renewable energy or energy efficiency plans. Therefore, potential impacts related to energy would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo 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 Alquist-Priolo 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 Alquist-Priolo 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 San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The project's proximity to the nearest known active or potentially active fault line is approximately 1.5 miles northeast, where fault identification number 288 runs parallel to HWY 101. northeast.

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

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. Per the County's Land Use View mapping application, the project is located in an area with low potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential

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indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. Onsite soils include:

- Oceano sand, 0 to 9 percent slopes. This soil type is found on level terrain within the northern portion of the project site. This excessively drained soil occurs on dunes. The parent material of this soil map unit consists of eolian deposits. Depth to the water table is more than 80 inches beneath this soil type and available water storage is classified as low (or approximately 4.2 inches). This soil type has a runoff class of negligible (USDA-NRCS 2022).
- Oceano sand, 9 to 30 percent slopes. This soil type is found on found on the majority of the project site. This excessively drained soil occurs on toeslopes. The parent material of this soil map unit consists of eolian deposits. Depth to the water table is more than 80 inches beneath this soil type and available water storage is classified as low (or approximately 4.2 inches). This soil type has a runoff class of very low (USDA-NRCS 2022).

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. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate, with the exception of construction of one single-story single family residence, agricultural uses not involving a building, agricultural accessory structures, and alterations or additions to any structure which does not exceed 50 percent of the assessed value of the structure. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault within an Earthquake Fault Zone (LUO 22.14.070).

Paleontological resources are fossilized remains of ancient environments, including fossilized bone, shell, and plant parts; impressions of plant, insect, or animal parts preserved in stone; and preserved tracks of insects and animals. Paleontological resources are considered nonrenewable resources under state and federal law. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils, as determined by rock type, past history of the rock unit in producing fossil materials, and fossil sites that have been recorded in the unit. Paleontological resources are generally found below ground surface in sedimentary rock units. The boundaries of the sedimentary rock unit is used to define the limits of paleontological sensitivity in a given region.

In the county, the Coastal Franciscan domain generally lies along the mountains and hills associated with the Santa Lucia Range. Fossils recorded from the Coastal Franciscan formation include trace fossils (preserved tracks or other signs of the behaviors of animals), mollusks, and marine reptiles. Nonmarine or continental deposits are more likely to contain vertebrate fossil sites. Occasionally vertebrate marine fossils such as whale, porpoise, seal, or sea lion can be found in marine rock units such as the Miocene Monterey Formation and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California. Vertebrate fossils of continental material are usually rare, sporadic, and localized.

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.

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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.*

Based on the California Department of Conservation Earthquake Zone Map, the project site is not located within a mapped Alquist-Priolo earthquake hazard zone (CGS 2018). Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. Therefore, the project would not have the potential to result in substantial adverse effects involving rupture of a known earthquake fault and impacts would be *less than significant*.

(a-ii) *Strong seismic ground shaking?*

Based on the County Safety Element Fault Hazards Map, the project site is not located within 1 mile of a known active or potentially active fault. However, San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking. The project would be required to comply with the California Building Code (CBC) and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking. Implementation of the project would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant*.

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

Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with moderate potential for liquefaction. In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction; therefore, the potential impacts would be *less than significant*.

(a-iv) *Landslides?*

The project site has relatively flat topography and based on the County Safety Element Landslide Hazards Map is located in an area with low potential for landslide risk. Therefore, the project would not result in significant adverse effects associated with landslides and impacts would be *less than significant*.

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

The project does not include substantial vegetation removal or grading. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) 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

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erosion impacts. Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant*.

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

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located in an area with slopes susceptible to local failure or landslide.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with moderate potential for liquefaction risk and the project is not located within the GSA combining designation. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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

Based on the Soil Survey of San Luis Obispo County and Web Soil Survey, the project site is not located within an area known to contain expansive soils as defined in the Uniform Building Code. In addition, all future development would be required to comply with the most recent CBC requirements, which have been developed to properly safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, potential impacts related to expansive soil 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 proposed on-site septic system would be designed in a manner that is consistent with soil conditions at the site; therefore, *impacts would be less than significant*.

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

No known paleontological resources are known to exist in the project area and the project site does not contain any unique geologic features. The project does not include substantial grading or earthwork that would disturb the underlying geologic formation in which paleontological resources may occur. Therefore, potential impacts on paleontological resources would be *less than significant*.

Conclusion

The project site is not within the GSA combining designation or an area of high risk of landslide, liquefaction, subsidence, or other unstable geologic conditions. The project would be required to comply with CBC and standard LUO requirements which have been developed to properly safeguard against seismic and geologic hazards. Therefore, potential impacts related to geology and soils would be less than significant and no mitigation measures are necessary.

Mitigation

Not necessary.

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VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), 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 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 ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bright Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO₂/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

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

In October 2008, ARB published its *Climate Change Proposed Scoping Plan*, which is the State's plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. This initial Scoping Plan contained the main strategies to be implemented in order to achieve the target emission levels identified in AB 32. The Scoping Plan included ARB-recommended GHG reductions for each emissions sector of the state's GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy

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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 ARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. The initial Scoping Plan was first approved by ARB on December 11, 2008 and is updated every five years. The first update of the Scoping Plan was approved by the ARB 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 ARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

The County Energy Wise Plan (EWP; 2011) identifies ways in which the community and County government can reduce greenhouse gas emissions from their various sources. Looking at the four key sectors of energy, waste, transportation, and land use, the EWP incorporates best practices to provide a blueprint for achieving greenhouse gas emissions reductions in the unincorporated towns and rural areas of San Luis Obispo County by 15% below the baseline year of 2006 by the year 2020. The EWP includes an Implementation Program that provides a strategy for actions with specific measures and steps to achieve the identified GHG reduction targets including, but not limited to, the following:

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

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

Discussion

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

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project would generate less than the SLOAPCD Bright-Line Threshold of 1,150 metric

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tons of GHG emissions. The project's construction-related and operational GHG emissions and energy demands would be minimal. Therefore, the project's potential direct and cumulative GHG emissions would be less than significant and less than a cumulatively considerable contribution to regional GHG emissions.

Projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the ARB (or other regulatory agencies) and will be regulated by standards implemented by the ARB, the federal government, or other regulatory agencies. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be *less than significant*.

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

The proposed project would be required to comply with existing state regulations, which include increased energy conservation measures, reduced potable water use, increased waste diversion, and other actions adopted to achieve the overall GHG emissions reduction goals identified in SB 32 and EO S-3-05. The project would not conflict with the control measures identified in the CAP, EWP, or other state and local regulations related to GHG emissions and renewable energy. The project would be generally consistent with the property's existing land use and would be designed to comply with the California Green Building Code standards. Therefore, the project would be consistent with applicable plans and programs designed to reduce GHG emissions and potential impacts would be *less than significant*.

Conclusion

The project would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. Therefore, potential impacts related to greenhouse gas emissions would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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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 project site is not within close proximity to any site included on the Cortese List, EnviroStor database, or GGeoTracker database. The closest site included in these databases is the Cypress Ridge Sewer Facility located 1.4 miles west of the project site.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The fire hazard severity zone for the project site is high hazard, and the estimated emergency response time is 5-10 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.

Discussion

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

The project does not propose the routine transport, use or disposal of hazardous substances. Any commonly-used hazardous substances within the project site (e.g., cleaners, solvents, oils, paints, etc.) would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials. *No impacts* associated with the routine transport of hazardous materials would occur.

- (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. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the

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handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant*.

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

The closest existing or proposed school is located 1.9 miles west of the project site. The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *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 search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. Therefore, *no impacts would occur*.

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

The project site is not located within an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts would occur*.

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

Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Any construction-related detours would include proper signage and notification and would be short-term and limited in nature and duration. 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 is not located within or adjacent to a wildland area. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

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Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. Therefore, potential impacts related to hazards and hazardous materials would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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X. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

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

The RWQCB’s Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but 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 Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The U.S. Army Corps of Engineers (USACE), through Section 404 of the CWA, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. are typically identified by the presence of an ordinary high water mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. The State Water Resources Control Board (SWRCB) and nine 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, or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the state.

The project site is within the Templeton subwatershed of the Salinas River watershed and is located approximately two miles northwest of Templeton, CA.

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

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

The County LUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of one-half acre or more in

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. The nearest watercourse is Los Berros Creek, which occurs approximately 1 mile north of the project site. Los Berros Creek runs in a westerly direction prior to its confluence with Arroyo Grande Creek approximately 3.5 miles northwest of the project site.

Discussion

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

The project site is not located in proximity to any mapped creek or surface water bodies that could be adversely affected by project construction or operation. The project site does not contain Waters of the U.S. or the State. Implementation of the project would not substantially change the volume or velocity of runoff leaving any point of the site or result in a significant increase in impervious surface area. The project site is generally flat and does not pose a risk to downslope runoff, sedimentation, erosion, or runoff. The project would not substantially affect surface water or groundwater quality. Therefore, potential impacts would be *less than significant*.

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

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA). The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge; therefore, the project

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would not interfere with sustainable management of the groundwater basin. Potential impacts associated with groundwater supplies would be *less than significant*.

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

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

The project site is not located in proximity to any surface stream or body of water that would be subject to risk associated with erosion or siltation as the result of project construction or operation. The project would not result in greater than 1 acre of site disturbance and would be required to implement required elements of the site's erosion and sediment control plan as required by the San Luis Obispo County LUO; therefore, potential impacts related to erosion and siltation would be *less than significant*.

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

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could result in flooding on- or off-site. Based on the nature and size of the project, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff resulting in flooding 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?*

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could exceed the capacity of existing stormwater or drainage systems. Based on the nature and size of the project, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff exceeding stormwater capacity would be *less than significant*.

(c-iv) *Impede or redirect flood flows?*

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. Therefore, *no impacts would occur*.

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

Based on the County Safety Element, the project site is not located within a 100-year flood zone or within an area that would be inundated if dam failure were to occur. Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an area with potential for inundation by a tsunami (DOC 2019). The project site is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

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

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by SGMA. The project would not

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substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. The project would not conflict with the Central Coastal Basin Plan, SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, *no impacts would occur*.

Conclusion

The project site is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Therefore, potential impacts related to hydrology and water quality would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

The County Land Use Element (LUE) provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic grown

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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 site's land use designation is Residential Rural, all of the surrounding parcels are identically zoned Residential Rural.

The inland LUE also contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply "areawide", in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County's unincorporated inland urban and village areas. The project site is within the South County Planning Area in the South County Inland Sub Area. The project site is not located in any urban or village reserve areas subject to community or village plans.

Discussion

(a) *Physically divide an established community?*

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *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 would be consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan, inland LUO, and the COSE. The project is consistent with existing surrounding developments and does not create potential impacts to sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. The project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. *No impacts would occur*.

Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Therefore, potential impacts related to land use and planning would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

- **MRZ-1:** Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.
- **MRZ-2:** Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.
- **MRZ-3:** Areas containing known or inferred aggregate resources of undetermined significance.

The County 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.

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

Discussion

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

The project is not located within a designated mineral resource zone or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, *no impacts would occur.*

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

There are no known or mapped mineral resources in the project area and the likelihood of future mining of important resources within the project area is very low. Therefore *no impacts would occur.*

Conclusion

No impacts to mineral resources would occur and no mitigation measures are necessary.

Mitigation

None necessary.

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XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

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

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

All sound levels referred to in the Noise Element are expressed in A-weighted decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

- There are no significant sources of noise as shown by the County Noise Counter mapping layer.
- The project site is surrounded by well-spaced residences on 5-10 acre parcels. There are six residences within 300 feet and 12 residences within 1,000 feet of the project site.

Discussion

- (a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

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

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

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

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

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

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

Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. The County LUO requires that construction activities be conducted during daytime hours to be able to utilize County construction noise exception standards and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. Compliance with these standards would ensure short-term construction noise would be less than significant.

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The project does not propose any uses or features that would generate a significant permanent source of mobile or stationary noise sources. Ambient noise levels at the project site and in surrounding areas after project implementation would not be significantly different than existing levels. Therefore, potential operational noise impacts would be less than significant.

Based on the limited nature of construction activities, and the consistency of the proposed use with existing and surrounding uses, impacts associated with the generation of a substantial temporary or permanent increase in ambient noise levels would be *less than significant*.

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

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. 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 not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impact would occur*.

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per County LUO standards. No long-term operational noise or ground vibration would occur as a result of the project. Therefore, potential impacts related to noise would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

The project site is currently developed with two existing residences (mobile homes), several animal pens, small storage structures, a water storage tank, and minimal landscaping.

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 does not include the construction of numerous new homes or businesses or the extension or establishment of roads, utilities, or other infrastructure that would induce development and population growth in new areas. The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. Therefore, the project would not directly or indirectly induce substantial growth and potential impacts would be *less than significant*.

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

The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, *no impacts would occur*.

Conclusion

No impacts to population and housing would occur and no mitigation measures are necessary.

Mitigation

None necessary.

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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The project would be served by County Fire Station #22 – Mesa, located approximately 2.48 miles southwest of the project site. The parcel has an emergency response time of 5-10 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, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest sheriff's station is the South Station in Oceano, located approximately 4.5 miles from the project site.

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San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project is located within Lucia Mar School District, Lucia Mar educates more than 10,000 students who attend Lucia Mar's eleven elementary schools, three middle schools, three comprehensive high schools, one continuation high school, one independent student study school, and one adult education program. Based on the County's 2016-2018 Resource Summary Report, schools within the Lucia Mar School District are currently operating at acceptable capacities and levels).

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The Nipomo Community Park to Brushpoppers Arena trail corridor is located approximately .25 miles south of the project site. Additionally, the Blacklake Golf course is located .5 south of the project site.

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 (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to 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 be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. Based on the limited nature of development proposed, the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant*.

Police protection?

The project does not propose a new use or activity that would require additional police services above what is normally provided for similar surrounding land uses. The project would not result in a significant increase in demand for police protection services and would not result in the need for new or altered police protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

Schools?

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional school services or facilities to serve new student populations. Therefore, potential impacts would be *less than significant*.

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Parks?

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational services or facilities to serve new populations. Therefore, potential impacts would be *less than significant*.

Other public facilities?

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, impacts related to other public facilities would be *less than significant*.

Conclusion

The project does not propose development that would substantially increase demands on public services and would not induce population growth that would substantially increase demands on public services. The project would be subject to payment of development impact fees to reduce the project's negligible contribution to increased demands on public services and facilities. Therefore, potential impacts related to public services would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County of San Luis Obispo Parks and Recreation Element (Recreation Element) establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing, and the development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county.

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

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

Discussion

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

The project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant*.

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- (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 construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *no impacts would occur.*

Conclusion

The project would not result in the significant increase in use, construction, or expansion of parks or recreational facilities. Therefore, potential impacts related to recreation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XVII. TRANSPORTATION

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

Setting

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. The project is located off of Viejo Road, the portion along the property frontage is a privately maintained roadway.

In 2013, Senate Bill 743 was signed into law with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of Senate Bill 743 and identified vehicle miles traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3 [b]). Beginning July 1, 2020, the newly adopted VMT criteria for determining significance of transportation impacts must be implemented statewide.

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation

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Plan (RTP), programming of state funds for transportation projects, and the administration and allocation of transportation development act funds required by state statutes. As the Metropolitan Planning Organization (MPO), SLOCOG is also responsible for all transportation planning and programming activities required under federal law. This includes development of long-range transportation plans and funding programs, and the approval of transportation projects using federal funds.

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 of San Luis Obispo as well as the Cities within the county in facilitating the development of the RTP.

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

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County's 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.

Discussion

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

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. Marginal increases in traffic can be accommodated by existing local streets and the project would not result in any long-term changes in traffic or circulation. The project does not propose uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. The project would be consistent with the County Framework for Planning (Inland) and consistent with the projected level of growth and development identified in the 2019 RTP. Therefore, potential impacts would be *less than significant*.

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- (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 (OPR 2018).

The County has developed a VMT Program that provides interim operating thresholds and includes a screening tool for evaluating VMT impacts (Transportation Impact Analysis Guidelines; Rincon Consultants, October 2020 & VMT Thresholds Study; GHD, March 2021). Implementation of the proposed project would establish residential uses and would not establish a new land use on-site. Vehicle trips generated by the proposed project would fall below the suggested screening threshold of 110 trips per day identified in the state guidance, and potential impacts would be less than significant.

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. 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 would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *no impacts would occur*.

- (d) *Result in inadequate emergency access?*

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, the project would not adversely affect existing emergency access and *no impacts would occur*.

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts were reduced to less than significant. Therefore, potential impacts related to transportation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.

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

Recognizing that tribes 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.

On November 30, 2023, the Salinan Tribe of San Luis Obispo and Monterey Counties, Northern Chumash Tribal Council, Xolon Salinan Tribal Council, and Yak Tityu Yax Tilhini tribes were notified of the proposed project through email correspondence. On November 30, 2023 Yak Tityu Tax Tilhini tribal representative Mona Olivas Tucker requested consultation on the project and was provided the archaeological reports for the property as requested. On December 1, 2023 Xayatspanikan tribal representative Patti Dunton requested consultation on the project and was provided the archaeological reports for the property as requested. On January 23, 2024 the tribal representatives who had requested consultation and been provided the relevant information were contacted and notified the consultation period would close on January 30, 2024 if no further information is requested, or meetings on the project requested. No comments or concerns were received as a result of the consultation and no new information or objections were brought forward.

Discussion

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

- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040). Therefore, potential impacts would be *less than significant*.

Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E)

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is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. The project site currently has an existing on-site well and will be served by two existing individual septic systems. Any new septic systems will be required to comply with the requirements outlined in the LAMP.

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

- South County Sanitary – serves Avila Beach, Grover Beach, Nipomo, Oceano, and Pismo Beach

Discussion

- (a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?*

The project would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water, or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications; a simple septic system would be required which would not result in significant environmental effects. No utility relocations are proposed. Therefore, potential impacts would be *less than significant*.

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

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. Operational water demands would not be substantially different than existing demands. Therefore, potential impacts on water supplies 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 would not substantially increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, *no impact 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?*

Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant*.

Conclusion

The project would not result in significant increased demands on water, wastewater, or stormwater infrastructure and facilities. No substantial increase in solid waste generation would occur. Therefore, potential impacts to utilities and service systems would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

In central California, the fire season usually extends from roughly May through October, however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by the California Department of Forestry and Fire Protection (CALFIRE) based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency’s ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the County have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The Moderate Hazard designation does not mean the area cannot experience a damaging fire; rather, it indicates that the probability is reduced, generally because the number of days a year that the area has “fire weather” is less than in high or very high fire severity zones. The project site is located in the high hazard fire severity zone.

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

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

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread (Barros et al. 2013).

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

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

The County 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.

Discussion

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

Implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project. There are adequate alternative routes available to accommodate any rerouted trips through the project area for the short-term construction period. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

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

The project site is generally flat and does not contain substantial vegetation. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential 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 would not require the installation or maintenance of utility or wildfire protection infrastructure and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. 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 generally flat and would not be located near a hillslope or in an area subject to downstream flooding or landslides. The project site is not in a very high wildfire risk area and does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

The project would not expose people or structures to new or exacerbated wildfire risks and would not require the development of new or expanded infrastructure or maintenance to reduce wildfire risks. Therefore, potential impacts associated with wildfire would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Refer to setting information provided above.

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 nature and scale of proposed development, the project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of 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

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history or prehistory with the implementation of the proposed mitigation measures. See mitigation measures BIO-1 through BIO-14. 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)?*

The proposed project does not have impacts that are individually limited, but cumulatively considerable. Therefore, potential cumulative impacts would be *less than significant*.

- (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 the project, the project would not result in a substantial adverse direct or indirect effect on human beings. Potential impacts would be *less than significant*.

Conclusion

Potential impacts would be less than significant with implementation of BIO measures BIO-1 through BIO-14 and the proposed mitigation and minimization measures.

Mitigation

None necessary.

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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
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Services	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Wildlife	Not Applicable
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Services District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "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.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<input checked="" type="checkbox"/> County Documents	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<input checked="" type="checkbox"/> Other Documents
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> South County Area Plan/South County sub area	

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

April 12, 2023, Referral Response letter from JR Beard, Public Works Department

August 5, 2022, Referral Response letter from Jeremiah Damery, Environmental Health Department

July 17, 2023, Referral Response letter from Dell Wells, CALFIRE

July 7, 2023, Referral Response email from Sylvia Aldana, Building Department

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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.'

BIOLOGICAL

BIO-1 Worker and Environmental Training Program

Prior to the start of grading or construction of proposed development, mobilization of any equipment on the project site and installation of project limit fencing/flagging for project construction, 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 shall 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. Crew members shall be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction.

BIO-2 Pismo Clarkia Impact Avoidance and Minimization

- A. **Avoidance.** To mitigate impacts to Pismo Clarkia, mapped populations of Pismo Clarkia shall be avoided and a 50-foot setback from development. In the spring/summer prior to site development, surveys for Pismo clarkia shall be undertaken to confirm/update previous surveys, and the site development plan shall be designed to avoid all previously mapped locations (including a minimum 50-foot buffer surrounding such previously mapped locations, and to the extent feasible, any additional clarkia if observed outside previously mapped plant and buffer areas. The County shall be immediately notified if additional locations are mapped. The buffer area shall be fenced and this area will be off limits prior to commencing construction activities. Fence installation shall be monitored by a qualified biologist. The fencing shall remain and be maintained in perpetuity. Pismo clarkia patches identified on-site during 2023 and 2024 surveys shall be avoided to the maximum extent practicable. Immediately prior to development, appropriately timed surveys will be conducted by a qualified biologist to determine the extent of the distribution of plants during the construction year. The extant population boundaries mapped in 2023 and 2024, plus any expansions observed during surveys conducted in the year of construction, will be flagged by a qualified biologist.
- B. **Incidental Take Permit.** If full avoidance is not feasible, necessary approvals from the California Department of Fish and Wildlife will be required. Concurrence shall be provided by the California Department of Fish and Wildlife that the project would result in take of a state-listed species and that an Incidental Take Permit, Conservation Easement, and Habitat Management Plan are required prior to disturbance under California Fish and Game Code Section 2081. A conservation easement over the Pismo clarkia habitat will include the California Department of Fish and Wildlife as a third-party beneficiary.

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BIO-3 Special Status Plant Species Impact Avoidance and Minimization

- A. Preconstruction Survey. Prior to any ground disturbance, a County-qualified plant botanist/biologist shall conduct a seasonally timed botanical survey for special status plant species in all areas where ground disturbing activities are proposed, including and not limited to, fence installation, staging or work mobilization areas, grading, and site improvements for access roads, utility lines, etc. The survey shall be conducted during the appropriate blooming period(s) according to protocols established by the USFWS, CDFW, and CNPS. All listed plant species found shall be marked and avoided. Any populations of special-status plants found during the survey shall be fully described, mapped, and a CNPS Field Survey Form or written equivalent shall be prepared. Reference sites must be visited when feasible to ensure target species are detectable. Valid botanical surveys will be considered current for up to five years. If construction has not commenced within five years of the most recent survey (2024), botanical surveys must be repeated. In the spring/summer prior to development plans, a survey for Pismo clarkia shall be undertaken to confirm/update previous surveys, and the site development plan shall be designed to avoid all previously mapped locations and any additional Pismo clarkia observed (including a minimum 50-foot buffer).
- B. Special Status Plant Species Avoidance. If special status plant species are discovered within the Survey Area, a County-qualified biologist will flag and fence these locations as off limits before construction activities start, to avoid impacts if feasible. Avoidance areas should include appropriate buffer zones as determined by the qualified biologist. To the maximum extent feasible, project activities should be designed to avoid non-listed CRPR species (Santa Margarita manzanita). If avoidance is not feasible, the removal of three individuals of Santa Margarita manzanita would not significantly affect its viability in the area. Therefore, no significant impact is expected, and no mitigation is required.
- C. Restoration Plan. If full avoidance is not feasible, all impacts to special status plants shall be mitigated at a minimum ratio of 3:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. All replanting shall be on site. The restoration plan shall also include, at a minimum, the following components:
 - I. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
 - II. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved and/or numbers and extent of special status species to be established; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
 - III. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
 - IV. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
 - V. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);

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- VI. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year, along with performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, and annual monitoring reports for a minimum of five years at which time the project proponent shall demonstrate that performance standards/success criteria have been met;
- VII. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80% survival of container plants, if used, and achievement of comparable or improved species composition by vegetation type based on a metric of meeting or exceeding vegetation cover and composition that is comparable or higher quality than the impacted vegetation. This shall be demonstrated by achieving at least 80% relative cover of non-invasive species with similar native species composition compared with the impacted site. Relative cover will be determined in comparison to a reference plot for native species or a quantitative baseline survey of the impacted site. The plan must achieve establishment of target numbers and extent of special status species based on required replacement ratios, at the end of five years of monitoring.
- VIII. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- IX. Notification of completion of compensatory mitigation and agency confirmation; and
- X. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

BIO-4 California Legless Lizard Impact Avoidance and Minimization

- A. Prior to the start of grading or construction, conduct a preconstruction survey and avoid construction in any areas with special-status reptile species. Immediately prior to the start of vegetation removal or grading, a qualified biologist shall survey permanent and temporary impact areas for special-status reptile species. Raking surveys in areas with leaf litter under shrubs and trees shall be used to detect the northern California legless lizard, as well as searches under lumber or other cover objects. Visual surveys of the disturbance areas shall be conducted for the horned lizard. Construction activities may begin once it has been determined that there are no special-status reptile species within impact areas. If any special-status reptile individuals are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that particular area and the wildlife allowed to leave the work zone on its own volition or relocated following California Department of Fish and Wildlife approval. The biologist shall monitor the area to determine when individuals of special-status species have left, and work can commence.
- B. During all ground-disturbing activities, conduct biological monitoring for special-status wildlife species. A qualified biologist shall monitor vegetation removal and site grading to search for unearthed northern California legless lizards and coast horned lizards. The biologist shall be on-site daily until all vegetation has been cleared. The biologist shall monitor construction activities from a safe distance using binoculars and walk through the

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site to look for disturbed wildlife during breaks. Any wildlife found shall be moved out of harm's way or allowed to move to an undisturbed location on their own volition. As necessary, appropriate regulatory agency permits and/or approvals shall be obtained to allow relocation of special-status species from the project area.

- C. During grading and construction, employ measures to prevent entrapment of reptiles in open excavations and trenches. During the period in which there are open trenches or excavations more than 6 inches deep, such as during the excavation for building foundations or utility lines, escape ramps shall be installed so that reptiles and other wildlife that may have become entrapped have the ability to escape. Escape ramps shall consist of a 2:1 sloped soil area leading from the bottom to ground level. If this is not possible, a qualified biologist shall inspect open trenches each day prior to the start of work for entrapped wildlife, or trenches/excavations shall be completely covered with plywood or similar material during overnight periods. If a horned lizard is located, the biological monitor shall be contacted immediately to assist with relocation. Work shall be halted until the entrapped wildlife has been relocated.

BIO-5 Crotch Bumble Bee (*Bombus crotchii*) and Western Bumble Bee (*Bombus occidentalis*) Impact Avoidance and Minimization.

Prior to any site disturbance associated with the proposed project between April and August, Crotch's and Western bumble bee detection survey(s) of the project site shall be conducted by a qualified biologist following the *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (California Department of Fish and Wildlife 2023). To increase the probability of detection, bumble bee survey efforts shall be conducted during the Colony Active Period (April–August) and when floral resources are present, ideally during peak bloom. Survey results shall be recorded and submitted to the County of San Luis Obispo Planning and Building Department and California Department of Fish and Wildlife prior to initiation of ground-disturbing project activities. The number and type of surveys conducted may vary on a project- and site-specific basis. Survey methodology shall be consistent with the recommendations provided in the *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species*.

Based on the results of the protocol-level surveys, the applicant shall do one of the following:

- A. If no Crotch or Western bumble bees are found during the focused surveys but the habitat assessment identified suitable nesting, foraging, or overwintering habitat within the project site, a biological monitor shall be on-site during initial vegetation and ground-disturbing activities that take place between February 1 and October 31. If no Crotch bumble bees are observed during monitoring activities, a monitoring report shall be prepared and submitted to the County of San Luis Obispo Planning and Building Department; or
- B. If Crotch or Western bumble bees are observed on-site during any of the focused surveys or monitoring of project activities, the project applicant shall either consult with the County of San Luis Obispo Planning and Building Department and California Department of Fish and Wildlife to develop site-specific measures to avoid take, or consult with the California Department of Fish and Wildlife to obtain an Incidental Take Permit if potential take of bumble bee cannot be avoided during project activities.

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If, prior to site disturbances, the California Fish and Game Commission determines that the conservation status of Crotch bumble bee does not warrant California Endangered Species Act protections or litigation changes the conservation status and the species are removed from the list of candidate species, the applicant will not need to obtain a Section 2081 Incidental Take Permit to disturb the colony(s).

BIO-6 American Badger Impact Avoidance and Minimization

Prior to and during any site disturbance and/or construction activities associated with the proposed project, a qualified biologist shall complete a preconstruction survey for badgers no less than 14 days and no more than 30 days prior to the start of initial project activities to determine if badgers are present within proposed work areas, in addition to a 200-foot buffer around work areas. The results of the survey shall be provided to the County of San Luis Obispo prior to initial project activities.

- A. If a potential den is discovered, the den will be monitored for 3 consecutive nights with an infrared, motion-triggered camera, prior to any project activities, to determine if the den is being used by an American badger.
- B. If an active badger den is found, an exclusion zone shall be established around the den. A minimum 50-foot exclusion zone shall be established during the non-reproductive season (July 1–January 31) and a minimum 100-foot exclusion zone during the reproductive season (February 1–June 30). Each exclusion zone shall encircle the den and have a radius of 50 feet (non-reproductive season) or 100 feet (reproductive season), measured outward from the burrow entrance. 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 project-related disturbances have been terminated, or it has been determined by a qualified biologist that the den is no longer in use. If avoidance is not possible during project construction or continued operation, the County of San Luis Obispo shall be contacted. The County of San Luis Obispo will coordinate with appropriate resource agencies for guidance.

If more than 30 days pass between construction phases (e.g., trenching activities and the start of hoop structure installation), during which no or minimal work activity occurs, the badger survey shall be repeated.

BIO-7 Nesting Birds Impact Avoidance and Minimization

Prior to initiation of any site preparation/construction activities, 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 and immediately provide the survey to the Department of Planning and Building upon completion. If nesting birds are located on or near the project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active, as detailed below.

- A. A 100-foot exclusion zone shall be established around non-listed, passerine species, and a 250-foot exclusion zone shall be established for raptor species. Each exclusion zone shall encircle the nest and have a radius of 100 feet (non-listed passerine species) or 250 feet (raptor species). All project activities, including foot and vehicle traffic and storage of

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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 Phase 1 improvements are completed, exclusion zones may be removed until initiation of site preparation for Phase 2 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.

- B. If special-status avian species are identified and nesting within the work area, no work shall 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 commencement of 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.

BIO-8 Native Tree Protection

Prior to issuance of construction and/or grading permits, the applicant shall clearly show all oak trees within 50 feet of grading activities on the grading plans. In addition to showing the limits of grading, the grading plans shall also designate which oak trees are to be removed and which oak trees will be impacted by grading activities occurring within the root zone (one and one half times the dripline). Oak trees within 50 feet of grading activities, which are not designated for removal, shall be fenced and flagged for protection prior to permit issuance. Fencing shall be clearly shown on the grading plans to be located at the root zone for trees not designated for removal. For impacted trees, where grading activities will occur within the root zone, fencing may be placed at the limits of grading activities.

- A. The applicant shall prepare a tree protection map and plan with accurate and complete tree locations, tag numbers, Critical Root Zones, edge of canopy, and tree protection measures. The project engineers shall work with the biological consultants to develop a tree protection plan sheet that indicates all tagged trees, with corresponding tag numbers, edge of canopy and CRZ's within 50 feet of disturbance. Tree protection measures such as construction fencing shall be show on the map. All trees shall to be fully protected shall be clearly shown on the grading and drainage plans.
- B. Any tree removal associated with CDF/County Fire vegetative clearance/modification requirements shall also be considered on the plans.

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OAK TREE PROTECTION

BIO-9 Tree Replacement and Monitoring Plan

Prior to issuance of construction and/or grading permit, the applicant shall provide a tree replacement plan for review and approval by the Environmental Coordinator. The replacement plan shall demonstrate compliance with the following measures:

- A. Number of Trees – The tree replacement plan shall provide for the replacement, in kind, of removed oak trees at a 4:1 ratio. Additionally, the tree replacement plan shall provide for the planting, in kind, at a 2:1 ratio for oak trees designated for impact but not removal.
 - i. An environmental monitor shall keep the running tally of the total number of trees impacted and removed as in the example below. A final mitigation obligation determination shall be provided to the Project Manager and the County Planning Department.

Tree Type	# Removed (4:1 replacement)	# Impacted (2:1 replacement)	Replacement Total Required
3 Oak trees (2 Coast Live Oaks; 1 Interior Live Oak)	3 (12)		
6 Oak trees (3 Coast Live Oaks; 2 Interior Live Oaks; 1 Blue Oak)		6 (12)	
			24

- B. Location/Density – The location shall be clearly shown on the plans. Trees shall be planted at no greater a density than the average density in the existing oak woodland area on the site. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- C. Species – Trees shall be of the same species of the trees proposed for impact or removal. The species shall be clearly specified on the plans.
- D. Size – Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- E. Planting – Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

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- F. Maintenance – Newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding of at least a three foot radius out from the planting, and adequate watering (e.g., drip-irrigation system). Hand removal of weeds shall be kept up on a regular basis at least once in late spring (April) and once in early winter (December).
- G. Irrigation/Watering – Irrigation details shall be clearly shown on the plans. Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period.

BIO-10 Tree Replacement and Monitoring Plan

As applicable, once trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

BIO-11 Tree Replacement and Monitoring Plan

Prior to final inspections or occupancy, whichever occurs first, replacement trees shall be installed or bonded for in compliance with the approved tree replacement plan. If bonded for, installation shall be completed within 60 days of bonding.

BIO-12 Tree Replacement and Monitoring Plan

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than three years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

BIO-13 Tree Replacement and Monitoring Plan

All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular

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use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).

BIO-14 Tree Replacement and Monitoring Plan

Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within the fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.