COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

Initial Study – Environmental Checklist

PLN-2039
04/2019

Project Title & No. HR Holdings LLC SUB2020-00024 Tract 2879 / ED25-0099

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

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

DETERMINATION:

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.

David Moran		5/13/2025
Prepared by (Print)	Signature	Date
Eric Hughes		5/14/2025
Reviewed by (Print)	Signature	Date

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: A request by **HR Holdings LLC** for a Vesting Tentative Tract Map (Tract 2879, SUB2020-00024) to divide a 2.17 acre parcel into eight single family residential lots for the purpose of sale and development, and one lot for a private street. The project will include site improvements for vehicular access, the grading of building sites and the extension of utilities over an area of disturbance of about 2.1 acres including 11,280 cubic yards (cy) of cut and 4,780 cy of fill (including trenching for utilities). the project includes a request for an adjustment to the design standards set forth in Section 21.03 of the County's Real Property Division regulations to allow a 47 foot right of way where 50 feet is required, and a waiver for the installation of curbs, gutters and sidewalks along the private streets serving the project. The project site is located on Gateway Drive within the community of Heritage Ranch, about 0.4 miles west of Nacimiento Lake Drive. The project site is within the Residential Single Family land use category. The project is located within the area governed by the Heritage Ranch Village Plan which is within the Nacimiento Sub Area of the North County Planning Area.

The project location is shown in Figure 1; an aerial view of existing conditions is provided in Figure 2.

The vesting tentative tract map (Figure 4) shows seven residential lots arranged around a cul-de-sac extending southward from Gateway Drive, and one lot fronting Gateway Drive.

Standards for Determining Parcel Size. The minimum parcel size in the Residential Single Family land use category is determined by the type of roadway serving the site, the average slope of the areas under each parcel, and the type of wastewater disposal to be provided, as described in the standards set forth in LUO Section 22.22.080. Based on these standards, the minimum parcel size for newly created parcels on the project site is 6,000 square feet. As shown in Table, 1 lot sizes will range from about 8,385 sq.ft. to about 13,647 sq.ft. consistent with these standards.

Table 1 – Lot Sizes

Lot	Parcel Size and Building Envelope	
	Gross Area (square feet)	**Building Envelope** (square feet)
Lot 1	12,454	4,149
Lot 2	13,647	6,260
Lot 3	8,537	4,747
Lot 4	8,578	4,273
Lot 5	10,318	5,423
Lot 6	10,314	6,347
Lot 7	8,385	4,450
Lot 8	9,353	4,472
Lot 9 (private street)	12,971	N/A

Utilities. The vesting tentative map shows a new water line extending to serve each lot from the existing line within the Gateway Drive right-of-way. A new sewer line will be extended to serve each lot from an existing sewer line located within the equestrian trail parcel adjacent to the project site to the south and west. Stormwater drainage will be collected to a detention basin located on Lot 1 and conveyed to a rock-lined percolation area located adjacent to an ephemeral drainage about 650 feet to the west on the north side of Gateway Drive.

Waiver for the Installation of Curbs, Gutters and Sidewalk

The project also includes a request for a waiver for the installation of curbs, gutters and sidewalks along the project's Gateway Drive frontage and along the proposed cul-de-sac. Under section LUO 22.54.030 D.3., the required frontage improvements may be waived by joint decision of the Director and County Engineer where they determine, based upon the land use designations of the Land Use Element, existing land uses in the site vicinity, and existing and projected needs for drainage and traffic control, that such improvements would be incompatible with the ultimate development of the area. In this case, the existing development within Heritage Ranch is served by private streets without curbs, gutters or sidewalks.

Adjustment to the County's Real Property Division Standards

The project includes a request for an adjustment to the design standards set forth in Section 21.03 of the County's Real Property Division regulations to allow a 47 foot right of way for the proposed cul-de-sac street where 50 feet is required. In accordance with section 21.03.020, the review authority (in this case the Planning Commission) may approve an adjustment to the standards set forth in the County's subdivision regulations upon making certain findings. The project application materials include supporting materials to justify the requested adjustment.

Ordinance Modification. None are requested.

Initial Study – Environmental Checklist

Baseline Conditions

The project site consists of a vacant, irregularly-shaped parcel of 2.17 acres located west of Nacimiento Lake Drive in the southeast portion of Heritage Ranch (Figure 2). The project site is within the Heritage Ranch Village Plan area and within the service area of the Heritage Ranch Community Services District (HRCSD) which provides water, sewer, parks and recreation, and solid waste services.

The project site is within the Residential Single Family land use designation and is subject to the *Camp Roberts Influence Area* and *Geologic Study Area* Combining Designations. Nacimiento Lake Drive, located about 0.4 miles to the east, is a County State Scenic Highway and subject to the County's Sensitive Resource Designation for visual resources. Surrounding land uses include single family residences to the west and southwest on lots ranging in size from 10,000 sf to 15,000 sf. The surrounding land to the north, south and east is undeveloped with gently rolling topography and scattered oak trees. There is a small area on the adjacent parcel to the east designated for Recreation that shows evidence of cultivation; this area does not show signs of recent activity and appears to be abandoned. An equestrian path adjoins the project site to the west and south.

Topography of the site consists of gently to moderately sloping terrain covered with annual non-native grasses. According to a tree inventory submitted with the application materials, the project site contains six mature oak trees; the stormwater disposal area contains six mature oak trees. There are no structures or frontage improvements.

ASSESSOR PARCEL NUMBER(S): 012-352-058

Latitude: 35º 43' 8.2" N **Longitude:** 120.º 51'' 55.72"W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area: North County **Sub:** Nacimiento **Comm:** Heritage Ranch

Land Use Category: Residential Single Family

Combining Designation: Geologic Study Camp Roberts Influence Area

Parcel Size: 2.17 acres

Topography: Gently rolling to moderately sloping

Vegetation: Grasses

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North:	Residential Suburban; undeveloped	***East:***	Open Space; undeveloped
South:	Residential Single Family; single-family residence(s)	***West:***	Residential Single Family; single-family residence(s)

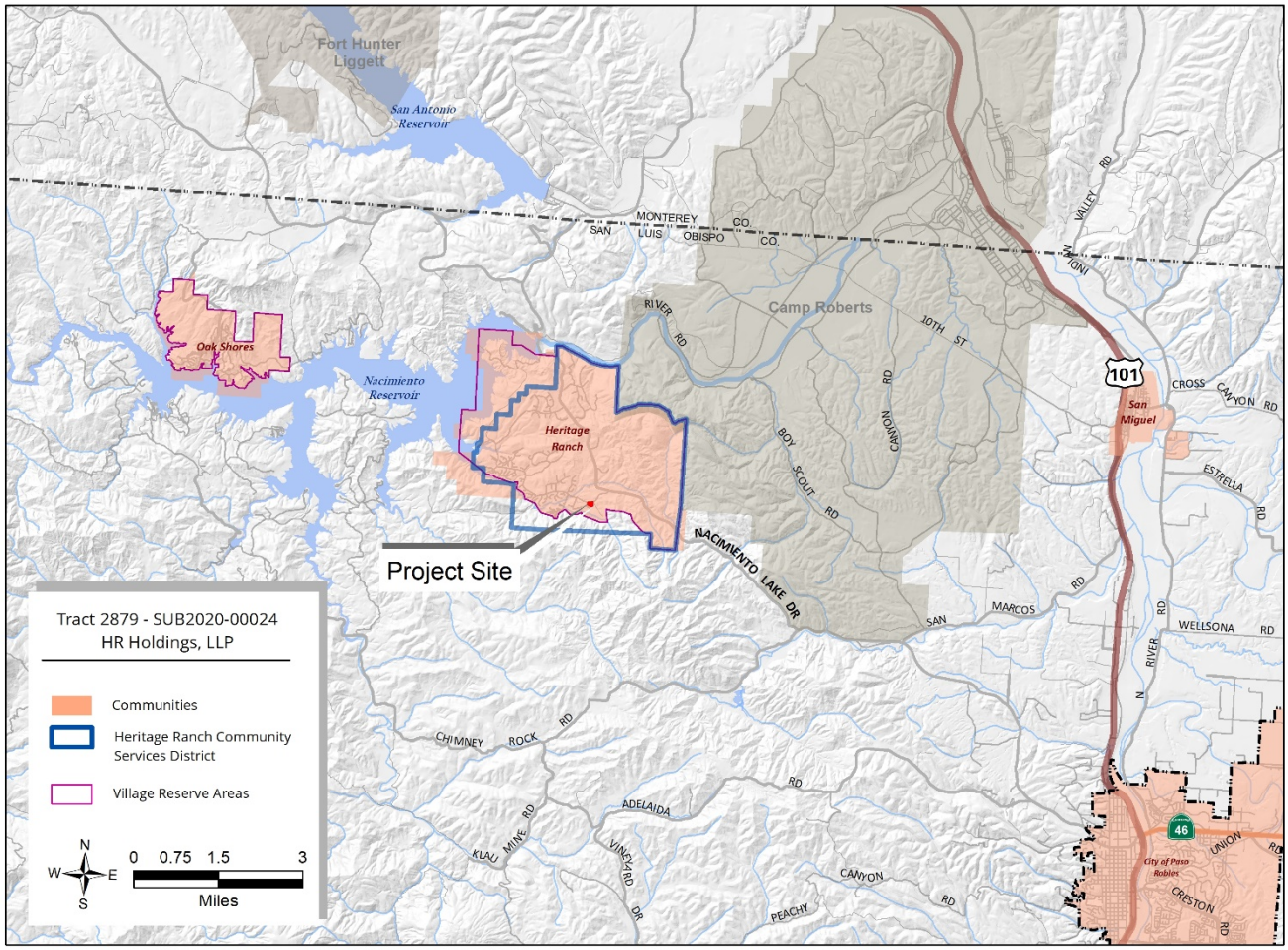

Figure 1 -- Project Location

Initial Study – Environmental Checklist

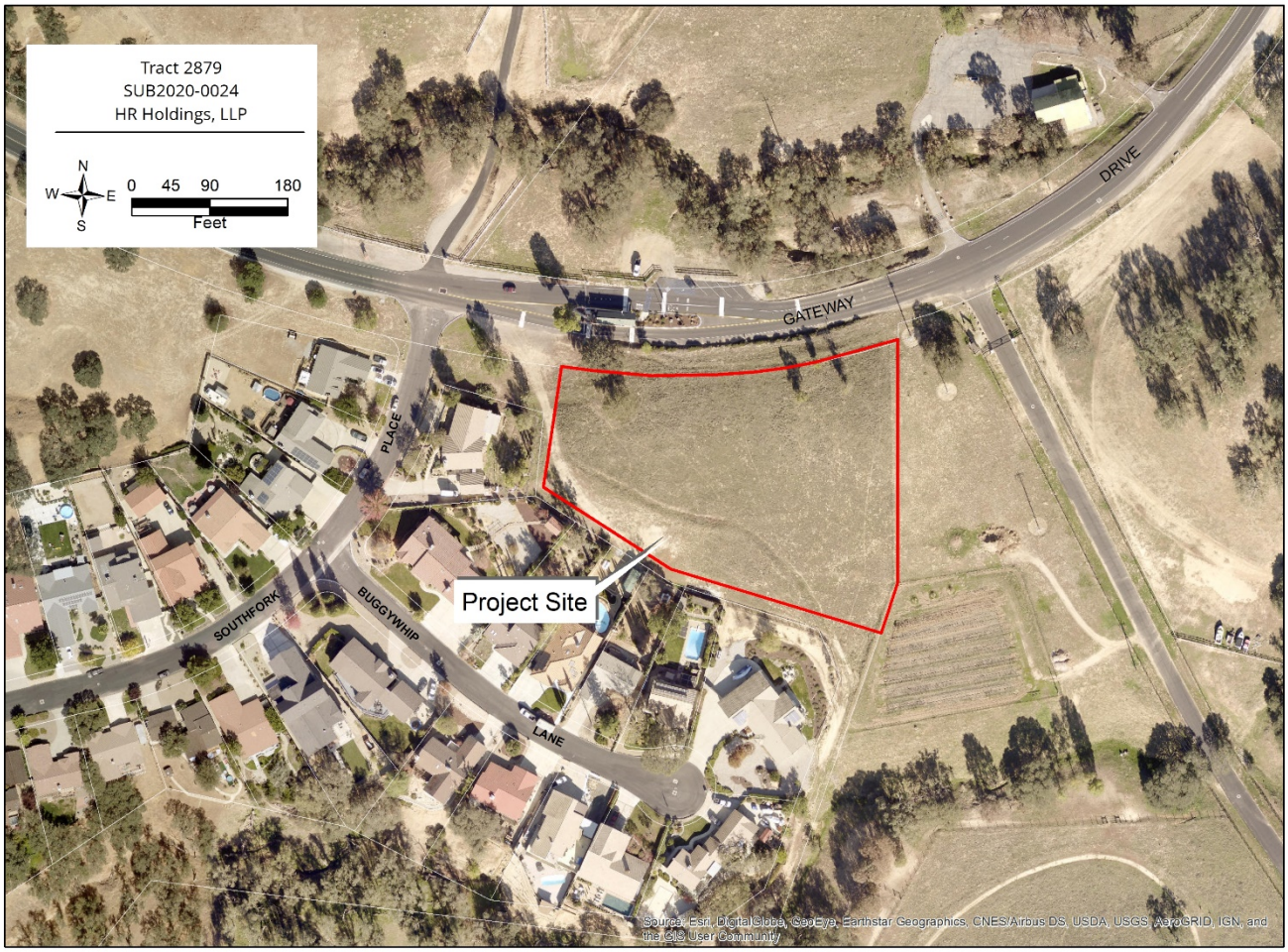

Figure 2 – Aerial View/Existing Conditions

Initial Study – Environmental Checklist

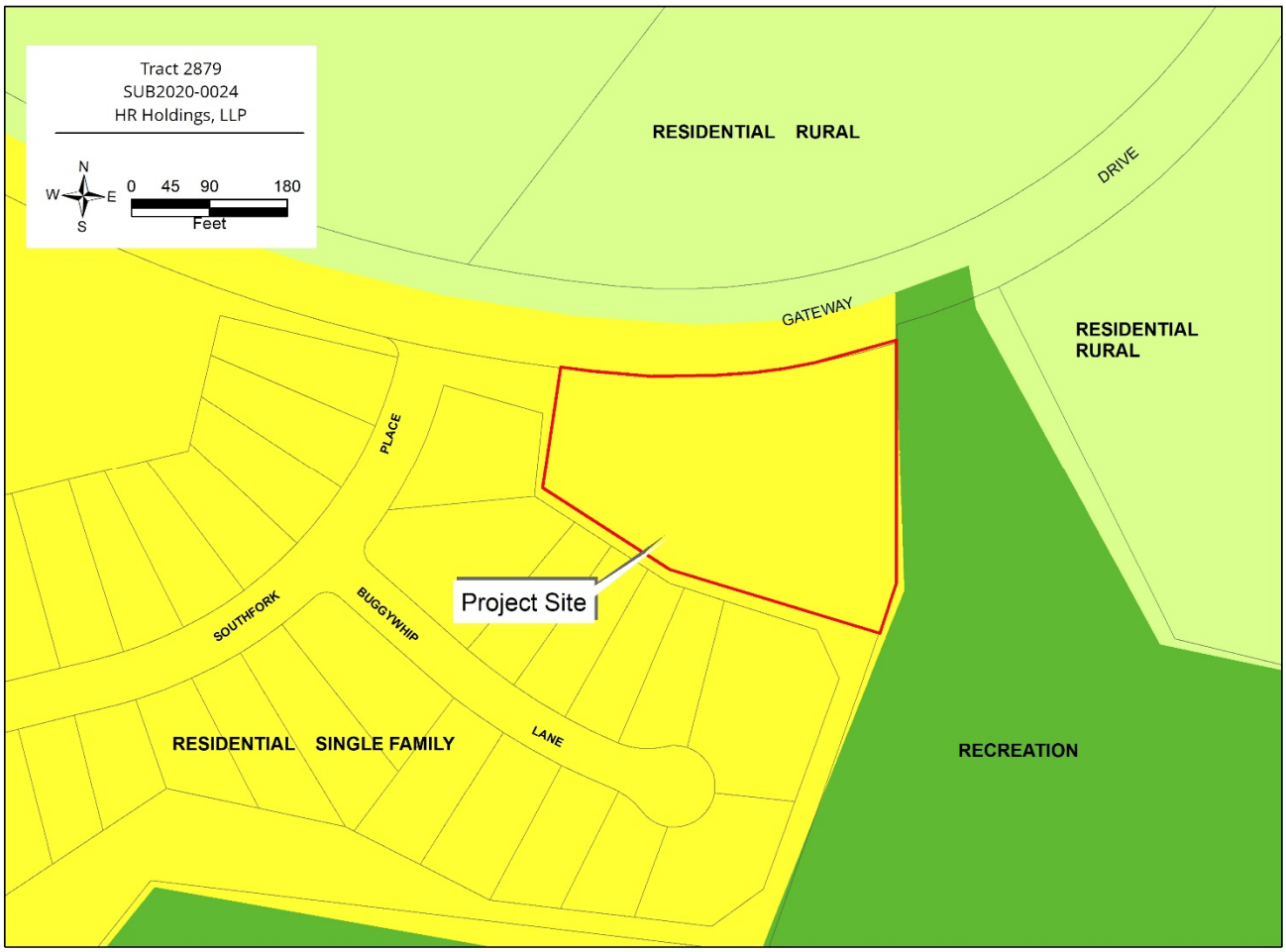

Figure 3 – Land Use Designations

Initial Study – Environmental Checklist

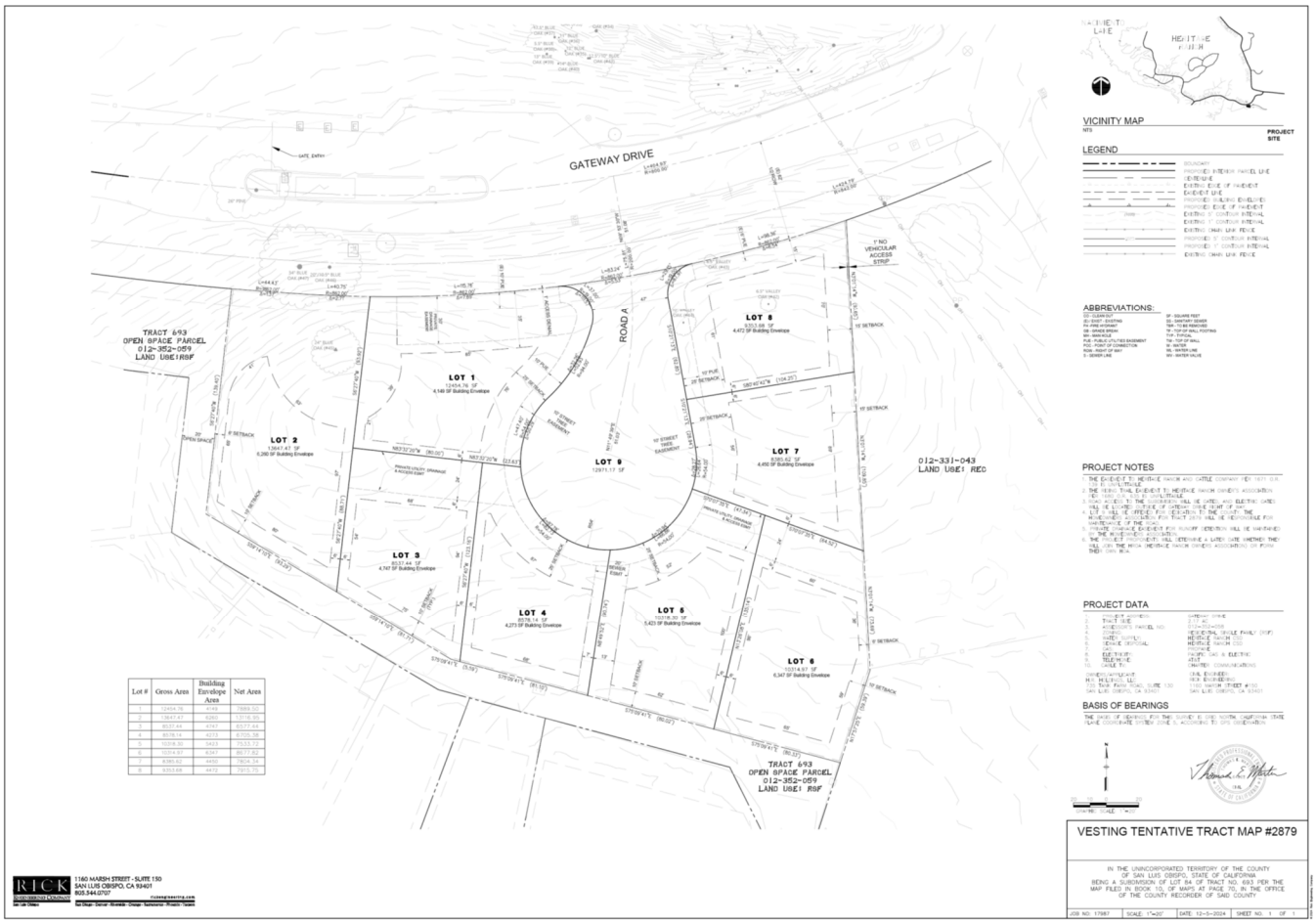

Figure 4 – Vesting Tentative Tract Map

Figure 5 – Preliminary Landscape Plan

Initial Study – Environmental Checklist

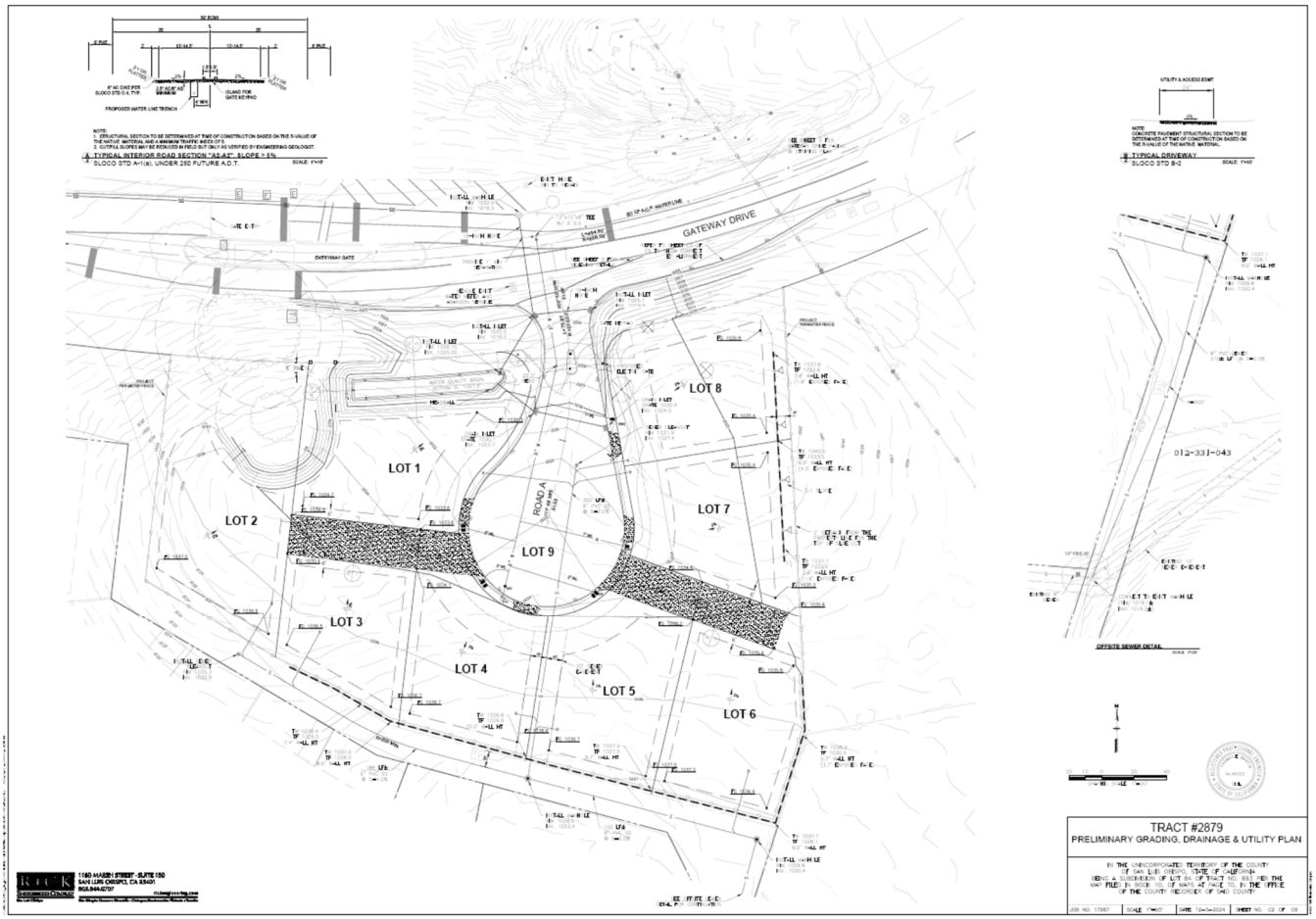

Figure 6 – Preliminary Grading and Utilities Plan

C. Environmental Analysis

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

I. AESTHETICS

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

Setting

As discussed in the Baseline Conditions, the project site consists of a vacant, irregularly-shaped parcel of 2.17 acres located on the south side of Gateway Drive about 0.4 miles west of Nacimiento Lake Drive in the southeast portion of the community of Heritage Ranch (Figure 2). Surrounding land uses include single family residences to the west and southwest on lots ranging in size from 10,000 sf to 15,000 sf.. The land to the north and east is undeveloped and consists of gently rolling hills with scattered oak trees. An equestrian path adjoins the project site to the west and south.

Topography of the site consists of gently to moderately sloping terrain covered with annual non-native grasses. According to a tree inventory submitted with the application materials, the project site contains six mature oak trees; the stormwater disposal area contains six mature oak trees. There are no structures or frontage improvements.

The visual qualities of the project site and surrounding area are considered moderately high; the project site enjoys expansive views of the surrounding hills which support scattered stands of oak trees.

The main vantages for public views of the project site are provided to motorists travelling on Gateway Drive, a privately-maintained collector that is the primary roadway entrance to the southern portion of Heritage Ranch. Gateway Drive extends eastward to an intersection with Nacimiento Lake Drive which is a county-maintained arterial that provides the primary roadway access to the City of Paso Robles to the east.

Conservation and Open Space Element. The Conservation and Open Space Element (COSE) identifies several goals for visual resources in rural parts of the county:

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

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

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.

Inland Land Use Ordinance. The Land Use Ordinance sets forth standards for exterior lighting (LUO Section 22.10.060). In accordance with these standards, exterior lighting must be shielded and directed onto the source parcel and away from roadways and adjacent parcels.

Scenic Highways. The only Officially Designated State Scenic Highway in San Luis Obispo County is Highway 1 which is not visible from the project site. However, the portion of Nacimiento Lake Drive from Chimney Rock Road northwest to the Monterey County line is a County State Scenic Highway and subject to the County's Sensitive Resource Designation for visual resources. All development along this corridor must be sited to minimize visual impacts.

Discussion

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

For the purpose of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. If the project would substantially degrade the scenic landscape as viewed from public roads, designated scenic routes, or from other public or recreation areas, this would be considered a potentially significant impact on the scenic vista.

Although the project site and vicinity have a moderately high scenic value, the dwellings constructed on the project site will not be visible from any designated scenic vista or roadway available to the public. Therefore, the project will result in *no impact* to a scenic vista.

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

The project would result in a significant impact if it results in a substantial adverse effect on a scenic resource as seen from Nacimiento Lake Road, a County Designated Scenic Highway. A scenic resource is a specific feature or element with a high degree of memorability or landmark characteristics that contributes to the high visual quality of the corridor. The visual corridor along Nacimiento Lake Drive affords motorists expansive views of the surrounding oak covered hills as well as intermittent views of agricultural and ranching operations and associated structures. The project would result in a significant impact if it were to damage or have a substantial negative effect on views of any of those specific resources.

Figure 7 provides an illustration of areas (shown in green) where an object five meters in height located on the project site would be visible from the surrounding terrain. It should be noted that the viewshed analysis does not take into account screening provided by any intervening vegetation or buildings. As shown in Figure 7 the project site would be briefly visible to a southbound motorist from a very short section of Nacimiento Lake Drive located about 0.6 miles to the north.

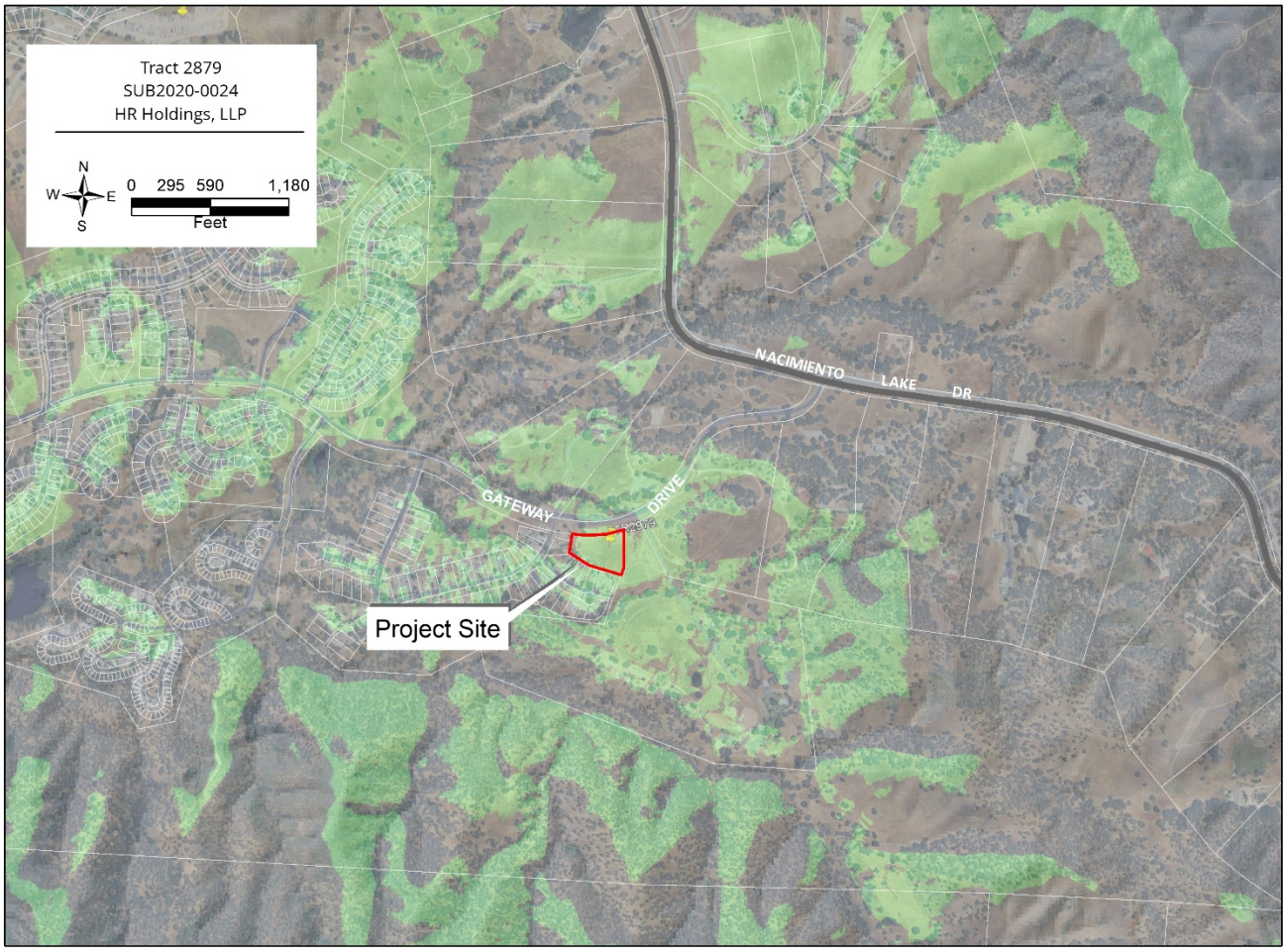

Figure 7 -- Viewshed Analysis (The Project Site is Visible to Areas Shown In Green)

These impacts are considered less than significant because:

- Assuming a speed of 45 miles per hour, views of the project site would be less than a few seconds and at a distance of 0.6 miles.
- The project site is screened from the north by a scattering of mature live oak trees located on the north side of Gateway Drive.

Based on the analysis provided above, the project will have a *less than significant impact* to scenic resources visible from a designated County State Scenic Highway.

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

Dwellings located on the project site will be arranged around a cul-de-sac adjacent to an existing residential neighborhood. As discussed above, public views of the project site are largely confined to Gateway Drive which is a private roadway serving residents of Heritage Ranch. As discussed above under item b) views of the project site from Nacimiento Lake Drive would be very brief and largely screened by the intervening grove of oak trees. Therefore, based on the preceding analysis, project impacts associated with the potential degradation of the existing visual character or quality of public views are expected to 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 would result in a significant impact if it subjects public viewing locations to a substantial amount of point-source lighting visible at night, or if project illumination results in a noticeable spillover effect into the nighttime sky, increasing the ambient light over the region. The placement of lighting, source of illumination, and fixture types combined with viewer locations, adjacent reflective elements, and atmospheric conditions can affect the degree of change to nighttime views. If the project results in direct visibility of a substantial number of lighting sources, or allows a substantial amount of light to project toward the sky, significant impacts on nighttime views and aesthetic character would result.

No specific information is available regarding outdoor lighting associated with future development of each lot, although it is assumed that exterior lighting would be included as part of the residential developments for functional and/or ornamental purposes. Because of the project's distance to public roadways and recreation areas, night lighting would not be seen from the surrounding area nor would it be distinguishable from the light associated with existing development.

The project will be conditioned to comply with county standards for exterior lighting. Therefore, potential impacts associated with the creation of a new source of substantial light would be *less than significant.*

Conclusion

The project will have a less than significant impact on scenic vistas 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. New sources of light will be subject to compliance with the County's exterior lighting standards as prescribed in LUO Section 22.10.060. Impacts to aesthetic resources would be *less than significant*.

Initial Study – Environmental Checklist

Mitigation

None are required.

Sources

Provided in Exhibit A.

II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

The California Department of Conservation (CDOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts to California's agricultural resources. Agricultural land is rated according to soil quality as well as current and previous land use. For purposes of CEQA compliance, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique

Farmland, Farmland of Local Importance, and Grazing Land as "agricultural land." Non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

Chapter 6 of the County Conservation and Open Space Element (COSE) identifies resource management goals, policies, and strategies to protect agricultural soils from conversion to urban and residential uses. Important Agricultural Soils within the County are identified in Table SL-2 of the COSE and Policy SL 3.1 states that proposed conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the COSE and Agricultural Element.

Soils of the site are described in detail below. The acreage and corresponding farmland classifications are provided in Tables 2 and 3.

Map Unit: 136—Dibble clay loam, 9 to 46 percent slopes

Component: Dibble (75%)

The Dibble component makes up 75 percent of the map unit. Slopes are 9 to 46 percent. This component is on hillslopes on hills. The parent material consists of residuum weathered from sandstone and shale. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This component is in the R015XE020CA Fine Loamy 9-13 ecological site. Nonirrigated land capability classification is 6e. Irrigated land capability classification is 6e. This soil does not meet hydric criteria. There are no saline horizons within 30 inches of the soil surface.

Component: Millsholm, clay loam (10%)

Generated brief soil descriptions are created for major components. The Millsholm soil is a minor component.

Component: Unnamed (9%)

Generated brief soil descriptions are created for major components. The Unnamed soil is a minor component.

Map Unit: 191—Ryer clay loam, 2 to 9 percent slopes

Component: Ryer (85%)

The Ryer component makes up 85 percent of the map unit. Slopes are 2 to 9 percent. This component is on alluvial fans. The parent material consists of alluvium derived from mixed rocks. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is high. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the R014XE025CA Fine Loamy Bottom ecological site. Nonirrigated land capability classification is 4e. Irrigated land capability classification is 2e. This soil does not meet hydric criteria. The calcium carbonate equivalent within 40 inches, typically, does not exceed 1 percent. There are no saline horizons within 30 inches of the soil surface.

Component: Positas, coarse sandly loam (10%)

Generated brief soil descriptions are created for major components. The Positas soil is a minor component.

As shown in Table 2, the Ryer Clay loam complex, 2% to 9% percent slopes is considered prime farmland by the COSE. The Dibbie Clay Loam, 9 – 15% slopes complex is considered not prime.

Table 2 – Farmland Classifications of the COSE and Corresponding Acreages

Soil	COES Classification	Total Acres	Impacted Acres
Ryer Clay loam, 2 – 9% slopes	Prime Farmland	1.03	1.03
Dibbie Clay Loam, 9 – 15% slopes	Not Prime	1.14	1.14
	Total:	**2.17**	**2.17**

Source: Classifications based on Table SL-2 of the County General Plan's Conservation/Open Space Element

Table 3 provides a summary of farmland classifications for soils on the project site as determined by the FMMP. As shown in Table 4, about 1.14 acres of the project are considered Farmland of Local Potential.

Table 3 – Farmland Classifications of the FMMP and Corresponding Acreages

FMMP Classification	Total Acres	Impacted Acres
Grazing	1.03	1.03
Farmland of Local Potential	1.14	1.14
Total:	**2.17**	**2.17**

Source: Department of Conservation Farmland Mapping and Monitoring Program

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 that are much lower because they are based upon farming and open space uses as opposed to full market value. The project site is within the Adelaida Agricultural Preserve but is not subject to an active Williamson Act contract.

According to California Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% 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 State Board of Forestry and Fire Protection 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 contain any forest land as defined by the PRC.

(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 consists of 2.17 acres of vacant land covered with non-native grasses and six mature oak trees. As shown in Table 2, the project will impact a total of 1.03 acres of land classified as Prime Farmland by the COSE. As shown in Table 3, the project will impact a total of 1.14 acres of Farmland of Local Potential according to the FMMP. These impacts are considered *less than significant* because:

- The small size and irregular shape of the area where important farmland is located make crop production on the project site infeasible.
- The project site is designated for single family residential development and is surrounded by urban residential development to the south and west.
- The conversion of up to 1.14 acres of important farmland is a small fraction of the total productive farmland within the County as mapped by the FMMP and COES.
- The water purveyor for Heritage Ranch (Heritage Ranch Community Services District) does not provide water for agricultural uses.

In addition, the project is consistent with the following policies of the Agriculture Element with regard to the protection and preservation of productive agricultural land:

AGP24: Conversion of Agricultural Land.

a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:

1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Advisory Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.

Discussion: The project site is located within the URL and USL for the community of Heritage Ranch.

2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.

3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.

4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.

Discussion: The project is consistent with the allowable land uses in the Residential Single Family land use category and does not propose a change in the land use designation.

For the above reasons, project impacts would be *less than significant* and *less than cumulatively considerable.*

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

The subject property is located within the Residential Single Family land use category and is not subject to a Williamson Act Contract; single family dwellings are an allowable use. Therefore, as

conditioned, 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 as defined by the Public Resources Code; *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 resources that meet the definition of "forest land" as prescribed in Public Resources Code Section 12220(g):

> *"Forest land" is 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.*

Therefore, there would be *no impact* relating to the conversion of forest land to a non-forest use.

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

The project site is generally surrounded by urban development to the west and south. There is a small area offsite to the east on the adjacent parcel designated for Recreation that shows evidence of previous cultivation; this area does not show signs of recent irrigation or cultivation and appears to be inactive. There are no other nearby agricultural operations that would be affected by the project. Therefore, potential impacts would be *less than significant.*

Conclusion

The project would result in less than significant impacts relating to 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 *less than cumulatively considerable* and no mitigation measures are necessary.

Mitigation

None necessary.

Sources

Provided in Exhibit A.

III. AIR QUALITY

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

Setting

San Luis Obispo County Clean Air Plan

The San Luis Obispo County Air Pollution Control District (SLOAPCD) San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term air pollutant emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and particulate matter 10 micrometers or less in diameter (PM_{10}). The CAP presents a detailed description of the sources and pollutants that impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. Project consistency with the CAP is determined by considering whether the project incorporates the relevant land use planning and transportation control measures and strategies outlined in the CAP.

The County is currently designated as a non-attainment area for ozone and PM_{10} under state ambient air quality standards. Construction and operation of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_X) as well as fugitive dust emissions (PM_{10}) and exhaust particulates.

SLOAPCD Criteria Pollutant Thresholds

The SLOAPCD has developed a CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies determine the significance of project-specific air quality impacts and to determine whether mitigation measures are needed. To assist in this task, the Handbook includes screening criteria to determine the significance of project impacts. For example, according to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM_{10}).

The 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. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHG), and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. The SLOAPCD has established thresholds of significance for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial, and industrial development. Certain types of projects can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (referred to as stationary source emissions). Table 1-1 of the APCD's CEQA Handbook provides screening criteria based on the size of different types of projects that would normally generate sufficient motor vehicle trips that would cause an exceedance of the operational thresholds for ozone precursors. A project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors.

The APCD has also estimated the number of vehicular round trips on an unpaved roadway necessary to exceed the 25 lbs/day threshold of significance for the emission of particulate matter (PM10). According to the APCD estimates, an unpaved roadway of one mile in length carrying 6.0 round trips would likely exceed the 25 lbs/day PM10 threshold.

The prevailing winds in the project vicinity are from the north and west.

Sensitive Receptors

Sensitive receptors are people with 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 nearest sensitive receptors to the site are single-family residences located to the west and south.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout San Luis Obispo County and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. Based on SLOAPCD's NOA Screening Map, the project site is not located in an area identified as having the potential for soils containing NOA.

Developmental Burning

As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

Discussion

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

In order to be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with CAP's land use planning and transportation control measures and strategies (SLOAPCD 2012). These strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the construction of eight single family residences that would typically be occupied by three full-time residents in each unit. The project would not generate a significant number of employees and therefore would not significantly affect the local area's jobs/housing balance.

Adopted transportation control measures include, but are not limited to, a voluntary commute options program, local and regional transit system improvements, bikeway enhancements, and telecommuting programs. The voluntary commute options program targets employers in the county with more than 20 full time employees; the project consists of eight single family residences and would have no employees. The project would not conflict with regional plans for transit system or bikeway improvements.

Overall, the project would not conflict with or obstruct implementation of the CAP; 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 PM_{10} under state ambient air quality standards. Construction and operation of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_X) as well as fugitive dust emissions (PM_{10}).

Construction Emissions

Based on the project description, the project will have an area of disturbance of about 2.17 acres and will involve 11,280 cubic yards (cy) of cut, 4,780 cy of fill and 6,500 cy of export that will be spread on site or used to refill utility trenches. Construction activities will result in the generation of dust, as well as short-term construction vehicle emissions. Using the SLOAPCD's CEQA Air Quality Handbook (2012) and Clarification Memorandum (2017), construction-related emissions were calculated for the project and are shown in Table 4 below.

Table 4 -- Estimated Construction-Related Emissions

Pollutant	Total Estimated Emissions	APCD Emissions Threshold	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x) (combined)	30.25 lbs./day[1]	137 lbs./day	No
	1.20 tons /quarter[1]	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	7.87 lbs. /day[2]	7 lbs./day	**Yes**
	0.23 tons/quarter[2]	0.13 tons/quarter	**Yes**
Fugitive Particulate Matter (PM_{10})	2.0 tons[3]/quarter	2.5 tons/quarter	No

Notes:

1. Based on 16,060 cubic yards of material moved and 0.113 pounds of combined ROG and NOx emissions per cubic yard of material moved and 10 construction days.
2. Based 16,060 cubic yards of material moved and 0.0049 pounds of diesel particulate emissions per cubic yard of material moved and 10 construction days.
3. Based on 2.17 total acres of disturbance and 0.75 tons of PM10 generated per acre of disturbance per month and 10 days of construction.

As shown in Table 4, project construction related emissions are not expected to exceed the daily and quarterly emissions thresholds for ozone precursors or fugitive dust. However, construction-related diesel particulate matter will exceed the SLOAPCD daily and quarterly emissions thresholds and will be considered *less than significant with mitigation*.

Operation-Related Emissions. As discussed in the setting above, a project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors. The project consists of eight single family residences that will likely generate about 72.0 average daily trips. Accordingly, project-specific and cumulative operational impacts are considered a *less than significant* and *less than cumulatively considerable*.

The project site does not require travel on an unpaved roadway.

(c) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity to exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptors are residences located on the properties to the south and west that are all within 1,000 feet of potential construction activities. These residences may be occupied by sensitive receptors, and the close proximity, combined with the prevailing winds could result in exposure to diesel particulates and fugitive dust from construction activities. Therefore, potential impacts to sensitive receptors would be *less than significant with mitigation.*

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

Construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. Following construction of site improvements and future residences, the project site would be limited to residential uses and would not include any components or operational activities that would generate substantial long-term adverse odors. Therefore, odors generated by the project would be short-term, intermittent, and *less than significant*.

The project site is not located in an area identified as containing NOA.

The project does not propose to burn any onsite vegetative materials and would be subject to SLOAPCD restrictions on developmental burning of vegetative material; therefore, the project would have *no impact* relating to substantial air pollutant emissions from such activities.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan but diesel particulate emissions associated with construction activities could adversely impact surrounding sensitive receptors. Therefore, potential impacts to air quality would be *less than significant with mitigation*.

Mitigation

AQ-1 **Fugitive Dust Construction Control Measures. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots,** the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control.;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114.
6. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of

intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.

7. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
8. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork, or demolition (Contact the Compliance Division at 805-781-5912).
9. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities.
10. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
11. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
12. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
13. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
14. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

AQ-2 **ROG, NOx, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. **These measures shall be shown on grading and building plans**:

1. Implement Mitigation Measure AQ-1, as identified above.
2. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,

b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

3. Maintain all construction equipment in proper tune according to manufacturer's specifications.
4. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
5. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
6. Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.
7. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
8. Electrify equipment when possible.
9. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
10. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Sources

Provided in Exhibit A.

IV. BIOLOGICAL RESOURCES

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

Initial Study – Environmental Checklist

Regulatory Setting

Federal Laws and Regulations

Bald and Golden Eagle Protection Act. The Bald and Golden Eagle Protection Act (BGEPA)prohibits anyone, without a permit issued by the Secretary of the Interior, from taking (pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb) bald or golden eagles, including their parts, nests, or eggs. This includes substantially interfering with normal breeding, feeding, or sheltering behavior. Activities that may result in the take of a bald or golden eagle require permits; the three activities eligible for permits include to remove or relocate an eagle nest; to transport, exhibit, collect, or control eagles or eagle parts, and for incidental take of eagles.

Clean Water Act. The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. Permitting is required for filling waters of the U.S. (including wetlands). Permits may be issued on an individual basis or may be covered under approved nationwide permits.

Endangered Species Act. The federal Endangered Species Act (FESA) provides the legal framework for the listing and protection of species (and their habitats) identified as being endangered or threatened with extinction. "Critical Habitat" is a term within the FESA designed to guide actions by federal agencies and is defined as "an area occupied by a species listed as threatened or endangered within which are found physical or geographical features essential to the conservation of the species, or an area not currently occupied by the species which is itself essential to the conservation of the species." Actions that jeopardize endangered or threatened species and/or critical habitat are considered a 'take' under the FESA. "Take" under federal definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Projects that would result in "take" of any federally listed threatened or endangered species, or critical habitats, are required to obtain permits from the USFWS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of FESA, depending on the involvement by the federal government in permitting and/or funding of the project. Through Section 10, it is required to prepare a Habitat Conservation Plan (HCP) to be approved by the United States Fish and Wildlife Service (USFWS), which results in the issuance of an Incidental Take Permit (ITP). Through Section 7, which can only occur when a separate federal nexus in a project exists (prompting interagency consultation), a consultation by the various federal agencies involved can take place to determine appropriate actions to mitigate negative effects on endangered and threatened species and their habitat.

Migratory Bird Treaty Act. All migratory, non-game bird species that are native to the U.S. or its territories are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13), as amended under the Migratory Bird Treaty Reform Act of 2004. MBTA makes it illegal to purposefully take (pursue, hunt, shoot, wound, kill, trap, capture, or collect) any migratory bird, or the parts, nests, or eggs of such a bird, except under the terms of a valid Federal permit. Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA).

State Law and Regulations

California Endangered Species Act. The California Endangered Species Act (CESA), similar to FESA, contains a process for listing of species and regulating potential impacts to listed species. State threatened and endangered species include both plants and wildlife, but do not include invertebrates. The designation "rare species" applies only to California native plants. State threatened and endangered plant species are regulated largely under the Native Plant Preservation Act in conjunction with the CESA. State threatened and endangered animal species are legally protected against "take." The CESA authorizes the California Department of Fish and Wildlife (CDFW) to enter into a memorandum of agreement for take of listed species to issue an incidental take permit for a state-listed threatened and endangered species only if specific criteria are met.

Section 2080 of the CESA prohibits the take of species listed as threatened or endangered pursuant to the Act. Section 2081 allows CDFW to authorize take prohibited under Section 2080 provided that: 1) the taking is incidental to an otherwise lawful activity; 2) the taking will be minimized and fully mitigated; 3) the applicant ensures adequate funding for minimization and mitigation; and 4) the authorization will not jeopardize the continued existence of the listed species.

California Environmental Quality Act (CEQA). CEQA defines a "project" as any action undertaken from public or private entity that requires discretionary governmental review (a non-ministerial permittable action). All "projects" are required to undergo some level of environmental review pursuant to CEQA, unless an exemption applies. CEQA's environmental review process includes an assessment of existing resources, broken up by categories (i.e., air quality, aesthetics, etc.), a catalog of potential impacts to those resources caused by the proposed project, and a quantifiable result determining the level of significance an impact would generate. The goal of environmental review under CEQA is to avoid or mitigate impacts that would lead to a "significant effect" on a given resource; section 15382 of the CEQA Guidelines defines a "significant effect" as *a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.*

California Fish and Game Code (CFGC). The California Fish and Game Code (CFGC) is one of the 29 legal codes that form the general statutory law of California. A myriad of statutes regarding fish and game are specified in the CFGC; the following codes are specifically relevant to the proposed Project:

California Native Plant Protection Act. Sections 1900-1913 of the California Fish and Game Code contain the regulations of the Native Plant Protection Act of 1977. The intent of this act is to help conserve and protect rare and endangered plants in the state. The act allowed the CFGC to designate plants as rare or endangered.

Lake and Streambed Alteration. Section 1602 of the CFGC requires any person, state, or local governmental agency to provide advance written notification to CDFW prior to initiating any activity that would: 1) divert or obstruct the natural flow of, or substantially change or remove material from the bed, channel, or bank of any river, stream, or lake; or 2) result in the disposal or deposition of debris, waste, or other material into any river, stream, or lake. The state definition of "lakes, rivers, and streams" includes all rivers or streams that flow at least periodically or permanently through a well-defined bed or channel with banks that support fish or other aquatic life, and watercourses with surface or subsurface flows that support or have supported riparian vegetation.

Nesting Birds. Sections 3503, 3503.5 and 3513 of CFGC states that it is "unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto," and "unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird" unless authorized.

Regional Water Quality Control Board. The Regional Water Quality Control Board (RWQCB) not only regulates impacts to water quality in federal waters of the U.S. under Section 401 of the Clean Water Act, but also regulates any isolated waters that are impacted under the state Porter Cologne Act utilizing a Waste Discharge Requirement. Discharge of fill material into waters of the State not subject to the jurisdiction of the USACE pursuant to Section 401 of the Clean Water Act may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements or through waiver of waste discharge requirements.

Special Status Species and Sensitive Habitat Regulations

For the purposes of this biological resources assessment, special status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA; animals designated as "Species of Special Concern," "Fully Protected," or "Watch List" by the CDFW; and plants with a California Rare Plant Rank (CRPR) of 1, 2, 3, or 4.

California Natural Diversity Database (CNDDB)

"Special Plants" and "Special Animals" are broad terms used to refer to all the plant and animal taxa inventoried by the CNDDB, regardless of their legal or protection status (CNDDB 2020a and 2020b). The Special Plants list includes vascular plants, high priority bryophytes (mosses, liverworts, and hornworts), and lichens. The Special Animals list is also referred to by the California Department of Fish and Wildlife (CDFW) as the list of "species at risk" or "special status species."

According to the CNDDB (2020a, 2020b), Special Plants and Animals lists include: taxa that are officially listed or proposed for listing by California or the Federal Government as Endangered, Threatened, or Rare; taxa which meet the criteria for listing, as described in Section 15380 of CEQA Guidelines; taxa deemed biologically rare, restricted in range, declining in abundance, or otherwise vulnerable; population(s) in California that may be marginal to the taxon's entire range but are threatened with extirpation in California; and/or taxa closely associated with a habitat that is declining in California at a significant rate. Separately, the Special Plants List includes taxa listed in the California Native Plant Society's Inventory of Rare and Endangered Plants of California, as well as taxa determined to be Sensitive Species by the Bureau of Land Management, U.S. Fish and Wildlife Service, or U.S. Forest Service. The Special Animals List distinctively includes taxa considered by the CDFW to be a Species of Special Concern (SSC) and taxa designated as a special status, sensitive, or declining species by other state or federal agencies.

Federal and State Endangered Species Listings

The Federal and California Endangered Species Acts are the regulatory documents that govern the listing and protection of species, and their habitats, identified as being endangered or threatened with extinction (see Sections 1.5.1and 1.5.2). Possible listing status under both Federal and California ESA includes Endangered and Threatened (FE, FT, CE, or CT). Species in the process of being listed are given the status of either Proposed Federally Endangered/Threatened, Candidate for California Endangered/Threatened (PE, PT, CCE, or CCT). The CESA has one additional status: Rare (CR).

Global and State Ranks

Global and State Ranks reflect an assessment of the condition of the species (or habitats, see 1.6.6 below) across its entire range. Basic ranks assign a numerical value from 1 to 5, respectively for species with highest risk to most secure. Other ranking variations include rank ranges, rank qualifiers, and infraspecific taxon ranks. All Heritage Programs, such as the CNDDB use the same ranking methodology, originally developed by The Nature Conservancy and now maintained and recently revised by NatureServe. Procedurally, state programs such as the CNDDB develop the State ranks. The Global ranks are determined collaboratively among the Heritage Programs for the states/provinces containing the species. Rank definitions, where G represents Global and S represents State, are as follows:

- **G1/S1:** Critically imperiled globally/in state because of extreme rarity (5 or fewer populations).
- **G2/S2:** Imperiled globally/in state because of rarity (6 to 20 populations).
- **G3/S3:** Vulnerable; rare and local throughout range or in a special habitat or narrowly endemic (on the order of 21 to 100 populations).
- **G4/S4:** Apparently secure globally/in state; uncommon but not rare (of no immediate conservation concern).
- **G5/S5:** Secure; common, widespread, and abundant.
- **G#G#/S#S#:** Rank range - numerical range indicating uncertainty in the status of a species, (e.g., G2G3 more certain than G3, but less certain that G2).
- **G/S#?:** Inexact numeric rank
- **Q:** Questionable taxonomy - Taxonomic distinctiveness of this entity is questionable.
- **T#:** Infraspecific taxa (subspecies or varieties) – indicating an infraspecific taxon that has a lower numerical ranking (rarer) than the given global rank of species.

California Rare Plant Ranks

Plant species are considered rare when their distribution is confined to localized areas, their habitat is threatened, they are declining in abundance, or they are threatened in a portion of their range.

The California Rare Plant Rank (CRPR) categories range from species with a low threat (4) to species that are presumed extinct (1A). All but a few species are endemic to California. All of them are judged to be vulnerable under present circumstances, or to have a high potential for becoming vulnerable. Threat ranks are assigned as decimal values to a CRPR to further define the level of threat to a given species. The rare plant ranks and threat levels are defined below.

- **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
- **0.1:** Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)

- **0.2:** Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
- **0.3:** Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

California Department of Fish and Wildlife Animal Rank

The California Department of Fish and Wildlife (CDFW) assigns one of three ranks to Special Animals: Watch List (WL), Species of Special Concern (SSC), or Fully Protected (FP). Unranked species are referred to by the term Special Animal (SA).

Animals listed as Watch List (WL) are taxa that were previously designated as SSC, but no longer merit that status, or taxa that which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status.

Animals listed as California Species of Special Concern (SSC) may or may not be listed under California or federal Endangered Species Acts. They are considered rare or declining in abundance in California. The Special Concern designation is intended to provide the CDFW biologists, land planners, and managers with lists of species that require special consideration during the planning process to avert continued population declines and potential costly listing under federal and state endangered species laws. For many species of birds, the primary emphasis is on the breeding population in California. For some species that do not breed in California but winter here, emphasis is on wintering range. The SSC designation thus may include a comment regarding the specific protection provided such as nesting or wintering.

Animals listed as Fully Protected (FP) are those species considered by CDFW as rare or faced with possible extinction. Most, but not all, have subsequently been listed under the CESA or FESA. Fully Protected species may not be taken or possessed at any time and no provision of the California Fish and Game code authorizes the issuance of permits or licenses to take any Fully Protected species.

Sensitive Habitats

Sensitive Natural Community is a state-wide designation given by CDFW to specific vegetation associations of ecological importance. Sensitive Natural Communities rarity and ranking involves the knowledge of range and distribution of a given type of vegetation, and the proportion of occurrences that are of good ecological integrity (CDFW 2018a). Evaluation is conducted at both the Global (G) and State (S) levels, resulting in a rank ranging from 1 for very rare and threatened to 5 for demonstrably secure. Natural Communities with ranks of S1-S3 are considered Sensitive Natural Communities in California and may need to be addressed in the environmental review processes of CEQA and its equivalents.

Environmental Setting

A biological resources assessment (BRA) was prepared for the project site in 2018 (Althouse and Meade, Inc.). That report was updated in July 2023 to reflect final project design, current site conditions, and to incorporate information from the Project's Arborist Report (October 2022). Additionally, supplemental information supporting the evaluation of potential for special status wildlife to occur in the Study Area was added in response to a California Department of Fish and Wildlife Early Consultation letter (May 4, 2020). This includes findings of a California Tiger Salamander Site Assessment (2020) and up-to-date reviews of sensitive biological resource records from the California Natural Diversity Database. Plant and wildlife discussions were also updated to reflect species' current regulatory status and accepted nomenclature.

Initial Study – Environmental Checklist

The final study is incorporated herein by reference and available for review in its entirety at the Department of Planning and Building. The BRA included appropriately-timed botanical field surveys and an assessment of potential project impacts to sensitive biological resources. The following is a summary of the findings and recommendations of that study.

Methodology

The biologists consulted relevant plans, policies, and biological information to determine what biological resources may occur near or in the project area. Research included:

- Review of agency plans pertaining to sensitive and special status species
- Queries of special-status species occurrence records
- Review of literature on sensitive species and biological resources in the project area and region

The biologists conducted a search of the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) on-line Inventory of Rare and Endangered Plants of California for special status species and communities known to occur in the nine USGS 7.5-minute quadrangles surrounding the Study Area: Tierra Redondo Mountain, Bradley, San Miguel, Lime Mountain, Adelaida, Paso Robles, Cypress Mountain, York Mountain, and Templeton.

Additional special status species research consisted of reviewing previous biological reports for the area and searching online museum and herbarium specimen records for locality data within San Luis Obispo County. We reviewed online databases of specimen records maintained by the Museum of Vertebrate Zoology at the University of California, Berkeley, the California Academy of Sciences, and the Consortium of California Herbaria. Additional special status species with potential to occur on or near the Study Area were added to our special status species list.

Special status species lists produced by database and literature searches were cross-referenced with the described habitat types in the Study Area to identify all potential special status species that could occur on or near the Study Area. Each special status species that could occur on or near the Study Area is individually discussed.

After review of the literature, the following criteria were used to determine the potential for special-status species to occur within the project area:

- Present: The species was observed in the project area during field surveys.
- High Potential: High habitat quality combined with CNDDB occurrences or other records indicate the species is likely to occur on the project site. Individuals may not have been observed in the project area during field surveys; however, the species likely occurs in the project vicinity and could move into the project site in the future.
- Moderate Potential: CNDDB occurrences or surveys have recorded the species within 10 miles of the project area, and suitable habitat is present. The species could be present, at least seasonally or as a transient.
- Low Potential: Marginally suitable habitat may occur in the project area, but individuals were not observed during surveys and are not expected to be present.
- No Potential: Species, sign, or habitat were not observed on the site during surveys, and suitable habitat is not present.

Field spatial data were collected using mobile devices connected to an Eos Arrow 100® GNSS receiver with sub-meter accuracy. Maps were created by importing GPS data into ArcGIS Pro, a Geographic Information System (GIS) software program. Data were overlaid onto recent aerial imagery for further analysis and visualization (Esri 2021).

Surveys

The Study Area was surveyed for biological resources between 2006 and 2022 as the Project evolved (Table 5). Most recently, wildlife and botanical surveys were conducted in February and April 2022 to document current site conditions and to review for consistency with prior findings for the site. Surveys were conducted on foot to compile species lists, search for special status plants and animals, map habitats, and to photograph the Study Area.

Table 5 -- Biological Surveys

Survey Date	Activities
June 24, 2006	Habitat assessment, botanical and wildlife surveys
September 7, 2006	Botanical and wildlife surveys
September 21, 2011	Habitat assessment, botanical and wildlife surveys
May 14, 208	Habitat assessment, botanical and wildlife surveys
June 28, 2018	Mapping of bunchgrass communities
July 7, 2020	Mapping of bunchgrass communities
February 2, 2022	Botanical and wildlife surveys, oak tree mapping
April 7, 2022	Botanical survey, mapping of bunchgrass communities
April 21, 2022	Oak tree mapping

Habitats/Vegetative Communities of the Project Site

Habitat acreages and distribution in the study area are presented in Table 6 and Figure 8 and described below. It should be noted that the study area for biological resources includes the project site and areas within 50 feet of the project site.

Table 6 -- Habitat Types and Vegetative Communities of the Project Site and the Study Area

Community	Acres On The Project Site	Acres in the Study Area	Percent of Study Area
California annual grassland	1.43	2.05	60%
Purple needlegrass	0.74	0.83	24%
Blue oak woodland	0.00	0.09	2.6%
Developed	0.00	0.44	13%
Total:	2.17	3.40	100.00%

Source: Althouse and Meade, 2023

Coastal Annual Grassland

California annual grassland comprises 2.05 acres of the Study Area. This habitat type is dominant with soft chess (Bromus hordeaceus), wild oats (*Avena fatua*), and Italian ryegrass (*Festuca perennis*), with associate species slender wild oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), nit grass (Gastridium phleoides), foxtail barley (Hordeum murinum), and annual fescue (Festuca myuros). Associate forbs dot the landscape in spring, to include native species such as royal larkspur (*Delphinium variegatum* subsp. *variegatum*), Q tips (*Micropus californicus*), microseris (*Microseris douglasii subsp. douglasii, M. douglasii subsp. tenella*), Padre's shooting star (*Primula clevelandii*), purple sanicle (*Sanicula bipinnatifida*), and Douglas' violet (*Viola douglasii*). Non-native filaree (*Erodium botrys, E.brachycarpum, and E. cicutarium*) is also abundant. California annual grassland habitat in the Study Area conforms to the Wild Oats and Annual Brome Grasslands Alliance (Avena subsp. – Bromus spp.) Herbaceous Semi-Natural Alliance (CA Code 42.027.00; Sawyer et al. 2009). This habitat type does not a have global or state rarity rank and is not considered a sensitive natural community.

Valley Needlegrass Grassland

Two distinct patches of grassland with purple Needlegrass (Stipa pulchra) were mapped in the Study Area, comprising 0.83 acre of the site. Mapped areas of Needlegrass were relatively consistent between survey years. The grassland patches are consistent with the Needlegrass - Melic grass grassland [*Nassella spp. - Melica* spp.] Herbaceous Alliance (CA Code 41.151.00). This Alliance has a global and state rarity of G3G4/S3S4. This habitat type further conforms to the *Nassella pulchra - Avena spp*. – Bromus spp. Association (CA Code 41.151.05; G3S3?) due to the presence of annual oats and bromes intermixed within and surrounding the patches. Purple Needlegrass grassland habitat is a grassland matrix with Stipa pulchra [*Nassella pulchra*] at greater than 30 percent relative cover of the herbaceous layer (Sawyer et al. 2009). This habitat can be found in topographic locations from valley to foothills with deep and high clay content for inland areas and shallow and rocky soils near the coast. Emergent trees and shrubs may be present at low cover; four oak (*Quercus douglasii, Q. lobata*) trees were mapped within this habitat, however shrubs were not present). Associate forbs affiliated with purple Needlegrass grassland included various non-native filaree (*Erodium* spp.), rose clover (*Trifolium hi*rtum), and hairy vetch (*Vicia villosa*), and occasional native lupine (*Lupinus bicolor, L. nanus*). The Needlegrass grassland patches in the Study Area meet the definition thresholds of minimum 30 percent cover of Stipa pulchra, but are limited in size and connectivity to nearby native grasslands and therefore have limited functionality as a native grassland system.

Developed/Ruderal

Developed habitat comprises 0.44 acres of the Study Area and consists of a paved roadway (Gateway Drive), road shoulder, and the Heritage Ranch security kiosk.

Blue Oak Woodland

A small (0.09-acre) portion of the Study Area north of Gateway Drive is comprised of blue oak woodland habitat. The oak woodland parallels an ephemeral stream that originates just east of the Study Area. Oak woodland in this location consists of a moderately dense canopy of blue oaks with an herbaceous understory of forbs and non-native grasses. Native forbs affiliated with woodland habitat included fairy mist (*Pterostegia drymarioides*), bowlesia (*Bowlesia incana*), miner's lettuce (*Claytonia parviflora*), and lacepod (*Thysanocarpus curvipes*), found on banks and within the channel of ephemeral stream. Blue oak woodland in the Study Area conforms to the Blue Oak Woodland and Forest (*Quercus douglasii*) Alliance (CA Code 71.020.00) and has a global and state rarity rank of G4/S4. This habitat is not considered a sensitive natural community

by CDFW, however oak woodlands are a protected resource at the County level.

Aquatic Resources

Approximately 100 linear feet of an unnamed ephemeral stream intersects the northernmost section of the Study Area. The stream drains from east to west with the headwaters beginning approximately 300 feet east of the Study Area. The stream ultimately flows to Snake Creek, approximately 0.5 mile west, which then flows to Lake Nacimiento. A formal wetland delineation will be necessary if future project activities are proposed that may result in placement of fill (e.g., soil, rock, etc.) of the stream. Wetland delineations should be conducted according to state and federal standards to determine the extent of Clean Water Act (CWA) Section 404 waters under jurisdiction of the United States Army Corps of Engineers and Section 401 waters under jurisdiction of the State Water Resource Control Board..

Special Status Resources

Special Status Wildlife Species.

Of the 34 special-status animal species evaluated, appropriate habitat conditions are present in the Study Area for seven as summarized in Table 6 of the BRA. Federal and California State status, global and State rank, and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, potential to occur in the Study Area are described. A comprehensive list of special status animal species reviewed is included as Appendix C. of the BRA.

> *California Tiger Salamander* (CTS; *Ambystoma californiense*) is a federal and state-listed threatened species. This salamander is found in low elevations (3 to 1,054 m) of Central and Northern California where it prefers cismontane and riparian woodland and valley and foothill grasslands (Jennings and Hayes 1994; Loredo et al. 1996; CDFW 2014). The CTS breeding season is from November through February after warm winter rains. It breeds and lays eggs primarily in vernal pools and other temporary rainwater ponds. They require ponds with continuous inundation periods for 70-90 days (USFWS 2016). Metamorphosis usually occurs by July when the CTS will migrate up to 2.2 kilometers (1.3-miles) to dry-season refuge. Adults spend most of their lives underground, typically in burrows of ground squirrels (*Otospermophilus beecheyi)* and other animals. CTS larvae feed mainly on zooplankton but will also eat insect larvae, amphipods and mollusks. Adult CTS feed primarily on earthworms, fish, snails and insects (CDFW 2014). There are no known occurrences of CTS within the 9- quad search area surrounding the project. A CTS Site Assessment was completed for the Project in 2020 (included under Appendix E of the BRA). Based on the findings of the assessment, CTS does not have potential to occur in or adjacent to the Project site.
>
> *Pallid Bat* (*Antrozous pallidus*) is a California Species of Special Concern. The pallid bat is a large, long-eared bat that occurs throughout the state and occupies a wide variety of habitats. Although most common in open, dry areas ideal for foraging with rocky outcrops for roosting, pallid bats are also found regularly in oak and pine woodlands where they roost in caves, mines, rock crevices, hollow trees and buildings (Nowak et al. 1994). The closest reported occurrence of pallid bat is approximately 7 miles northeast of the Study Area (CNDDB #231). Oak trees within the Study Area may provide suitable roosting sites for pallid bat and there is a low potential for the species to occur at the site. No bats were observed in the Study Area during surveys in 2006, 2011, 2018, or 2022, however focused bat surveys were not performed.
>
> *Crotch's bumble bee* (*Bombus crotchii*) is designated by California Department of Fish and Wildlife (CDFW) as a Special Animal and is presently a Candidate for listing as Endangered under the

California Endangered Species Act. Crotch's bumble bee is known from California, western Nevada, and northern Baja California, Mexico. The species inhabits open grassland and scrub habitats. Requirements for this, as well as all bumble bee species, include suitable nesting sites, pollen and nectar sources, and suitable overwintering sites for the queen. The flight period for the queen is approximately February to August, and the flight period for workers and males is from late March through September with a peak in July (Williams et al. 2014). In general, bumble bees forage from a diversity of plants, although individual species can vary greatly in their plant preferences, largely due to differences in tongue length (Hatfield et al. 2015). Crotch bumble bees are classified as a short-tongued species, whose food plants include Asclepias, Chaenactis, Lupinus, Medicago, Phacelia, and Salvia (Williams et al. 2014). Little is known about overwintering for this species, however in general for bumble bees, suitable overwintering sites for queens may include soft, undisturbed soils, leaf litter, or under other debris. Suitable nesting sites may include abandoned rodent burrows, thatched grasses, hollow logs, and old bird nests. The closest reported occurrence of Crotch's bumble bee is 18 miles southeast of the Study Area (CNDDB #79) and is a historical (1959) record from the general vicinity of Atascadero. Suitable nectar sources and potential overwintering and nesting sites are present on the property. The species was not detected during site surveys, however targeted surveys were not performed, and presence cannot be ruled out. Due to historical occurrences and suitable habitat, there is a low potential for the species to be present within the Study Area.

Ferruginous Hawk (*Buteo regalis*) is a Special Animal with wintering individuals tracked by the CDFW due to declining populations throughout its range. Only a very small number of Ferruginous hawk nests have been found in the northeast part of California and the species is considered a winter visitor or migrant to the state. In California the ferruginous hawk is found in great basin grassland, valley and foothill grassland, great basin scrub and pinon and juniper woodlands (CDFW 2022a). The bird prefers large, open grasslands for coursing low in search of prey and scattered trees and shrubs for perching. Its main prey sources are ground squirrel (*Otospermophilus beecheyi*), kangaroo rat (*Dipodomys ssp*.), cottontail (*Sylvilagus spp*.), northern pocket gopher (*Thomomys ssp*.) and white-tailed jackrabbit (*Lepus townsendii)*. They will also eat insects, birds, amphibians and reptiles (Grindrod 1998).

Ferruginous hawk is most common in San Luis Obispo County from approximately October through April (eBird 2022). The CNDDB reports only one wintering occurrence of Ferruginous hawk within the 9 quads surrounding the area (CNDDB #75), however eBird documents several more wintering occurrences in the search area, including one at Lake Nacimiento. The Study Area is relatively small but provides suitable foraging habitat for the species, and the large oak trees may provide suitable roosting sites. Due to known occurrences within the general area there is a low potential for ferruginous hawk to forage or roost on the property between late fall and early spring. No ferruginous hawks were observed during site surveys in 2006, 2011, 2018, or 2022.

Prairie Falcon (*Falco mexicanus*) is a CDFW Watch List species. The species range extends throughout most of the western United States, into southern Canada and portions of Mexico. They are year-round residents in most of California, including San Luis Obispo County. The species utilizes a variety of habitats but is primarily associated with perennial grasslands, savannahs, rangeland, some agricultural fields, and desert scrub areas (CDFW 2014). Nesting sites are usually in a scrape on a sheltered ledge of a cliff overlooking a large, open area. Occasionally the species will use old raven or raptor nests on a cliff. The CNDDB documents two occurrences of nesting Prairie falcons within the 9 quad area surrounding the Study Area, dated between 1977 and 1979; the exact locations are

not provided. eBird reports occasional observations of the species in the Heritage Ranch area. No suitable nesting habitat is present within or adjacent to the Study Area and there is no potential for the animal to nest at the site. There is a low potential for prairie falcon to forage in or pass through the Study Area. No prairie falcons were observed during site surveys in 2006, 2011, 2018, or 2022.

Hoary Bat (*Lasiurus cinereus*) is a Special Animal tracked by CDFW. It is widely distributed throughout most of California, though it is uncommon in southeastern deserts. Roosting habitat is primarily woodlands and forests, and it forages for moths in open areas and along habitat edges (CDFW 2014). Hoary bats roost mainly in dense foliage of medium to large deciduous or coniferous trees, near the ends of branches, typically in trees at the edge of a clearing. Roosting has also been documented in caves, under rock ledges, and in tree hollows (Bolster 2005). The closest reported occurrence of hoary bat is an historical record from approximately 5 miles northeast (CNDDB #111). Oak trees within the study may provide suitable roosting sites for hoary bat and there is a low potential for the species to occur in the study area. No bats were observed in the Study Area during surveys in 2006, 2011, 2018, or 2022, however focused bat surveys were not performed.

*Yellow-billed Magp*ie (*Pica nuttallii*) is a Special Animal that is endemic to the California's Central Valley, Coast Ranges, and Sierra Nevada foothills. The species is a year-round resident of oak savannah and open oak woodlands, where it lives and breeds in communal groups. Nests are large, dome-like structures and typically placed high up in a large tree, often on top of a clump of mistletoe (Kaufmann 2005). No occurrences of the species are reported in the CNDDB, however magpies were observed within and adjacent to the Study Area in April 2022. eBird also reports numerous observations of yellow-billed magpie within Heritage Ranch, including near the Study Area. No magpie nests were observed within the Study Area, however it is likely the species nests in the area and there is a high potential for nesting to occur in the large oak trees within the Study Area.

American Badger (Taxidea taxus) is a California Species of Special Concern with a widespread range across the state (Brehme et al. 2015, CDFW 2022a). It is a permanent but uncommon resident in all parts of California, except for forested regions of the far northwestern corner, and is more abundant in dry, open areas of most shrub and forest habitats (CNDDB 2022a). The American badger requires friable soils to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers (CDFW 2014). The breeding season for badgers is in summer and early fall, and females give birth to litters usually in March and April (CDFW 2014). The closest reported occurrence of the American badger (CNDDB #440) is located approximately 3.5 miles from the Study Area to the northeast on Camp Roberts. The CNDDB documents several additional occurrences of badgers within 5 miles of the Study Area on Camp Roberts in grassland and oak woodland habitats. Grassland and woodland habitat within the Study Area provide a limited amount of suitable habitat for the species. Badgers are highly mobile and could potentially pass through the Study Area, however given the limited amount of habitat and proximity to residential development there is a low potential for the animal to forage or breed in the Study Area. No American badger or sign of badgers, such as dens or dig-outs, was observed during biological surveys in 2006, 2011, 2018, or 2022.

San Joaquin Kit Fox (SJKF; *Vulpes macrotis mutica*) is federally listed as endangered and state listed as threatened. The SJKF is one of two subspecies of kit fox, Vulpes macrotis, which is the smallest canid species in North America. It is endemic to the San Joaquin Valley and a few adjacent valleys in the central region of California (Cypher et al. 2013). The SJKF is primarily nocturnal and typically occurs in annual grassland or mixed shrub/grassland habitats throughout low, rolling hills and in valleys. They

need loose sandy soil in order to dig their burrows. The most suitable habitat for SJKF has low precipitation, sparse vegetation coverage, and high densities of kangaroo rats (Dipodomys spp.). For the SJKF to succeed in an area it needs large expanses of non-fragmented suitable habitat. This type of habitat is decreasing rapidly by conversion into agricultural land or degraded by urban development (Cypher et al. 2013). The closest reported occurrence of the SJKF is approximately 3.4 miles east of the Study Area on the Camp Roberts military base (CNDDB #403). Although SJKF is historically known from Camp Roberts, the population is now extirpated with no records of occurrence on the base for over 16 years. The Study Area lies west of the species historical range and does not contain suitable habitat for kit fox, nor is it contiguous with suitable habitat or potential migration corridors. No sign of SJKF (burrows, tracks, scat) was observed during biological surveys in 2006, 2011, 2018, or 2022 and the species does not have potential to occur in the Study Area.

Critical Habitats and Special Status Natural Communities

No designated critical habitat for federally listed plant species occurs on the site or in adjacent areas. Critical habitat for the south-central California coast steelhead *(Oncorhynchus mykiss irideus* population 9) occurs in creeks several miles to the south, but there are no steelhead streams on the property. Also, suitable habitat for vernal pool fairy shrimp has been identified several miles to the north of the project site. There are no vernal pools present on the project site or vicinity.

Approximately 0.73 acre of purple needlegrass grassland, a sensitive natural community, would be impacted by development of the proposed project. Valley Needlegrass Grassland has a State Rarity Rank of S3.1.

Special-status Plant Species

Of the 60 special status plants evaluated, appropriate habitat and soil conditions are present in the Study Area for seven as summarized below and in Table 4 of the BRA. Federal and California State status, global and State rank, and CNPS rank for each species are given. Also included are typical blooming periods, habitat preference, the potential to occur on site, whether the species was detected in the Study Area. A comprehensive list of special status plant species reviewed is included as Appendix B of the BRA.

Based on analysis of known ecological requirements for the special status plant species reported from the region (see Appendix B), and habitat conditions that were observed in the Study Area, it was determined that one special status plant (small-flowered gypsum-loving larkspur) species has a moderate potential to occur in the Study Area and six additional species have a low potential to occur (Douglas' fiddlneck, dwarf calycadenia, San Luis Obispo owl's clover, Lemmon's jewelflower, Santa Lucia purple amole, and yellow-flowered eriastrum). We discuss these seven species below and describe habitat, range restrictions, known occurrences, and survey results for the Study Area.

Douglas' Fiddleneck (*Amsinckia douglasiana*) is a CRPR 4.2 species endemic to California. It is known to occur on dry, unstable shaly sedimentary slopes in grassland and woodland habitats below 6,069 ft (1,850 m) elevation. It is an annual herb that typically blooms between March and May. The closest known record is approximately 2.8 miles northeast of the Study Area (CCH # SBBG 118643). Soils may not be appropriate for this species; however, grassland habitat is present and there is a low likelihood for this species to occur. Douglas' fiddleneck was not detected during appropriately timed botanical surveys in 2006, 2011, 2018, or 2022, and therefore is not expected to occur on the property.

Dwarf Calycadenia (*Calycadenia villosa*) is a CRPR 1B.1 species endemic to Fresno, Monterey, San Luis Obispo, and Santa Barbara Counties. It is known to occur in chaparral, cismontane woodland, meadows and seep habitats in rocky areas with fine soils between 240 and 1,350 meters elevation. It is an annual herb that typically blooms between May and October. The closest known record is approximately 2.7 miles west of the Study Area (CNDDB 58). The California annual grassland and purple Needlegrass grassland habitats on site are moderately appropriate for dwarf Calycadenia; however, the species was not detected during appropriately timed botanical surveys in 2006, 2011, 2018, or 2022, and therefore is not expected to occur on the property.

San Luis Obispo Owl's Clover (*Castilleja densiflora var. obispoensis*) is a CRPR 1B.2 subspecies endemic to San Luis Obispo County. It is known to occur in coastal grasslands on sandy or clay soils below 400 meters elevation. It is an annual hemi-parasitic herb that typically blooms between March and May. The closest known record is approximately 4.6 miles east of the Study Area on Camp Roberts military base (CNDDB #36). Preferred serpentine soils are not present in the Study Area, though the species can occur in clay grassland habitat. San Luis Obispo owl's clover was not detected during appropriately timed botanical surveys in 2006, 2011, 2018, or 2022, and therefore is not expected to occur on the property.

Lemmon's Jewelflower (*Caulanthus lemmonii*) is a CRPR 1B.2 subspecies endemic to California. It is known to occur on dry, exposed slopes in grassland and pinyon and juniper woodland habitats between 80 and 1,580 meters elevation. It is an annual herb that typically blooms between February and May. The closest known record is an historical record from 1937 located 2.1 miles east. The nearest current occurrence is a 2003 record from 3.6 miles north of the Study Area (CNDDB #44). Habitat in the Study Area is marginal and Lemmon's jewelflower was not detected during appropriately timed botanical surveys in 2006, 2011, 2018, or 2022, and therefore is not expected to occur on the property.

Santa Lucia Purple Amole (*Chlorogalum purpureum var. purpureum*) is listed as Threatened under the Federal Endangered Species Act (FESA) and is a CRPR 1B.1 variety. It is endemic to Monterey and San Luis Obispo Counties. It is known to occur on gravelly and clay substrates in cismontane, chaparral and grassland habitats between 205 and 385 meters. It is a bulbiferous perennial herb that typically blooms between April and June. The closest known record is approximately 3.9 miles northeast of the Study Area (CNDDB 16), where it has a very restricted range on Camp Roberts military base. The habitat and soil in the Study Area are suitable for this species as this species typically is found in meadows and grasslands with a clay loam soil, which are characteristic of the surrounding area. Santa Lucia Purple Amole was not detected in the Study Area during appropriately timed surveys of the site in 2006, 2018, and 2022, and therefore is not expected to occur on the property. 6. Small-Flowered Gypsum-Loving Larkspur (Delphinium gypsophilum subsp. parviflorum) is a CRPR 3.2 subspecies endemic to Monterey and San Luis Obispo Counties. It is known to occur on rocky clay, sometimes serpentine soil, in cismontane woodlands and grasslands habitats between 190 and 350 meters elevation. It is a perennial herb that typically blooms between (March) April and June. The closest known record is approximately 3.5 miles northeast of the Study Area (Consortium of California Herbarium [CCH] SBBG117482). The habitat in the Study Area is suitable for this species as this species typically is found in grassland slopes and open oak woodlands, which are characteristic of the surrounding area. Small-flowered gypsum-loving larkspur was not detected in the Study Area during appropriately timed botanical surveys in 2006, 2018, and 2022, and therefore is not expected

to occur on the property.

Yellow-Flowered Eriastrum (*Eriastrum luteum*) is a CRPR 1B.2 species endemic to Monterey and San Luis Obispo Counties. It is known to occur in broadleaf upland forest, chaparral, and cismontane woodland habitats between 290 and 1,000 meters elevation, usually on sandy or gravelly decomposed granite slopes. It is an annual herb that typically blooms between May and June. The closest known record is approximately 4.3 miles southeast of the Study Area (CNDDB #27). Habitat in the Study Area is suitable for this species, which is typically found in dry slopes, however the species was not detected in the Study Area during appropriately timed surveys of the site in 2006, 2018, and 2022, and therefore is not expected to occur on the property.

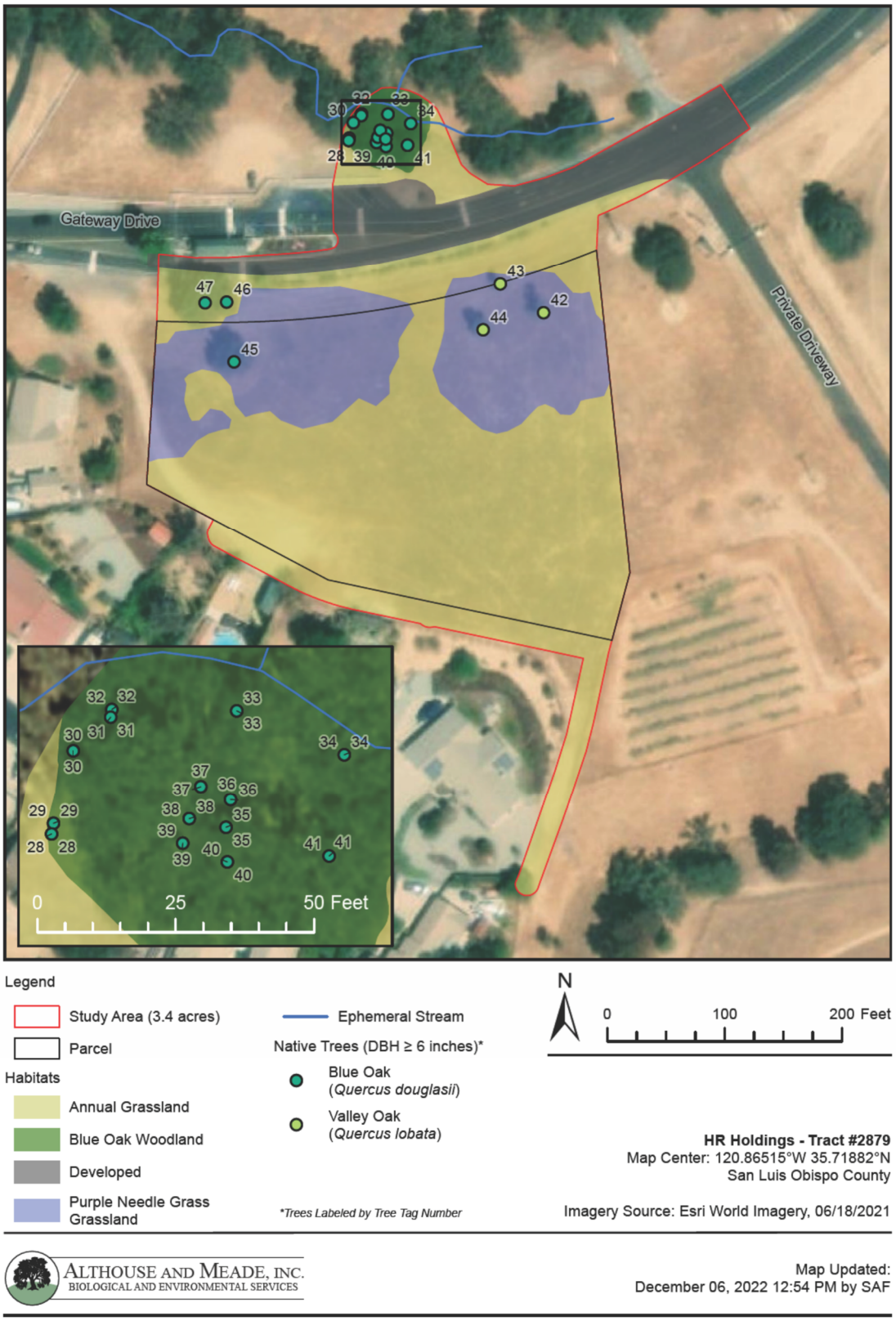

Figure 8 -- Habitats of the Project Site and BRA Study Area

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?*

Habitats

Based on current on- and off-site plans, approximately 1.63 acres of California annual grassland, 0.73 acre of purple Needlegrass grassland, less than 0.003 acre (approximately 125 square feet) of blue oak woodland, and 0.41 acre of developed area would be permanently impacted by the Project. An additional 0.26 acre of annual grassland habitat would be temporarily impacted. Table 7 provides a summary of impacts by habitat by type.

Table 7 -- Summary of Impacted Areas By Habitat Type

Habitat Type	Temporary Impacts (acres)	Permanent Impacts (acres)	Tota Acres
California annual grassland	0.26	1.63	1.89
Purple Needlegrass	0	0.73	0.73
Blue Oak Woodland	0	<0.003	<0.003
Developed	0	0.41	0.41
Total:	0.26	2.77	3.03

Source: Althouse and Meade, Inc., 2023

Annual Grasslands. The proposed residential subdivision would permanently remove approximately 1.63 acres of California annual grassland habitat. Areas within each lot that are outside of the proposed building envelope are not expected to remain as California annual grassland habitat because of landscape, hardscape, and fencing that may be installed around each home. An additional 0.3 acre of temporary impacts to California annual grassland would occur as a result of installation of a sewer line and the easement south of the parcel. The permanent removal of this annual grassland habitat does not significantly affect rare or special status species and thus does not require mitigation. Therefore, impacts to this sensitive natural community are considered *less than significant*.

Purple Needlegrass Grassland. The Study Area has a purple needlegrass grassland community that is consistent with CNPS description for Nassella pulchra Herbaceous Alliance, a sensitive natural community. This community encompasses approximately 0.8 acre of the Study Area and extends outside the parcel to the east and west. The proposed development would permanently remove 0.73 acre of purple needlegrass grassland within the construction envelope. Impacts to this sensitive natural community are considered *less than significant with mitigation*.

Blue Oak Woodland. A small (0.09-acre) portion of the Study Area north of Gateway Drive is comprised of blue oak woodland habitat. A stormwater outfall is proposed within the blue oak woodland habitat and would permanently impact approximately 125 square feet (less than 0.003 acre) of oak woodland habitat. No trees would be removed from the oak woodland habitat. Due to the small amount of habitat being impacted, no mitigation measures are recommended. Impacts to this sensitive natural community are considered *less than significant*.

Developed. Developed areas comprise 0.44 acres of the Study Area and include a paved roadway (Gateway Drive), road shoulder, and the Heritage Ranch security kiosk. Off-site development would result in impacts to 0.41 acre of the developed area. Developed areas are not considered sensitive habitat and temporary and permanent impacts to these areas will not require mitigation.

Special-Status Plants

No special-status plant species were found during the focused plant surveys, and none are expected to occur in the proposed development area due to the disturbed conditions of the site. Therefore, based on the results of a suitably-timed plant survey, project impacts to special status plant species are considered *less than significant*.

Special Status Wildlife

Seven special status animals (pallid bat, hoary bat, Crotch's bumble bee, ferruginous hawk, prairie falcon, yellow-billed magpie, American badger), have some potential to occur in the Study Area. Potential impacts to special status animals are described below.

Pallid Bat and Hoary Bat. Roosting bats and/or maternal bat colonies may be present in trees and snags with appropriate cavities or loose bark. The breeding season for bats is April to October. Project activities such as tree removal and trimming could result in direct impact to bats through injury or mortality. Impacts may also occur through the introduction of artificial light which can alter behavior of bats, their prey, and make them more susceptible to predators such as owls. These impacts are considered *less than significant with mitigation.*

Crotch's Bumble Bee. Crotch's bumble bee may forage and nest onsite. Additionally, queens may overwinter on site. Grading and vegetation removal could result in direct impact to animals through mortality of foraging or overwintering animals, or by crushing or destruction of nests. Indirect impacts may occur as a result of decreased food availability through removal of nectar and pollen sources. As a candidate for listing under the California Endangered Species Act, activities that have potential to impact Crotch's bumble bee. These impacts are considered *less than significant with mitigation.*

Ferruginous Hawk and Prairie Falcon. Any occurrence of ferruginous hawks or prairie falcon in the Study Area would be limited to wintering or foraging. Nesting habitat for these animals is not present. If present during construction, the animals could easily flee the area. No significant impacts to ferruginous hawk or prairie falcon would occur, therefore no avoidance measures are recommended. These impacts are considered *less than significant.*

Yellow-billed Magpie. Yellow-billed magpies may nest in oak trees on or adjacent to the property and could be directly impacted if trees are removed during the nesting season, or indirectly impacted by construction noise leading to nest abandonment. Potential impacts to these special status animals can be avoided. These impacts are considered *less than significant with mitigation.*

American badger. American badger has potential to occur in the Study Area, and the proposed project could potentially impact American badger. No American badgers or sign of this species were observed within the Study Area during any of the field surveys, however because of their transient nature, American badger could forage or den within the Study Area at the time of construction even though they were not found on the site previously. These impacts are considered *less than significant with mitigation.*

Based on the preceding analysis, project impacts to listed wildlife species are considered *less than significant with mitigation*.

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

One potentially jurisdictional aquatic feature, an ephemeral stream, is present within the Study Area. A formal wetland delineation will be necessary if future project activities are proposed that may result in placement of fill (e.g., soil, rock, etc.) in the stream. The wetland delineation should be conducted according to state and federal standards to determine the extent of Clean Water Act (CWA) Section 404 waters under jurisdiction of the United States Army Corps of Engineers and Section 401 waters under jurisdiction of the State Water Resource Control Board. These impacts are considered *less than significant with mitigation.*

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

As discussed above under item (b), one potentially jurisdictional aquatic feature, an ephemeral stream, is present within the Study Area. A formal wetland delineation will be necessary if future project activities are proposed that may result in placement of fill (e.g., soil, rock, etc.) in the stream. The wetland delineation should be conducted according to state and federal standards to determine the extent of Clean Water Act (CWA) Section 404 waters under jurisdiction of the United States Army Corps of Engineers and Section 401 waters under jurisdiction of the State Water Resource Control Board. There are no vernal pool resources within the area of disturbance or on nearby properties that would be impacted by the project. Therefore, there would be *no impact* to state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.).

(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?*

Wildlife Corridors

Wildlife corridors and habitat connectivity are important for the movement of wildlife between different populations and habitats. Wildlife movement corridors are defined as areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas

with vegetation cover provide corridors for wildlife travel. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas; and facilitate the exchange of genetic traits between populations (Beier and Loe 1992).

The Study Are is partially contiguous to open space to the north and east; however, the site does not function as a wildlife corridor because it is surrounded by residential development to the south and west. Oak woodland habitat at the north end of the Study Area offers cover and provides some opportunity for wildlife movement.

The Project does not introduce significant features that would be expected to affect wildlife movement through surrounding natural habitats and impacts to wildlife movement are considered *less than significant*.

Migratory Nesting Birds and Sensitive Avian Species
Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the Federal MBTA). Native bird species, protected under the MBTA are likely to nest within the Study Area during the nesting season (generally March 1 through August 15). Direct impacts to nests could occur if nests are destroyed during grading, vegetation removal, or tree removal/trimming conducted during nesting season. Indirect impacts may also occur as a result of noise or human activity leading to nest abandonment.

With the recommended mitigation measures impacts related to interference with the movement of migratory fish or wildlife would be *less than significant with mitigation*.

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

Impacts to, or removal of, mature oak trees (i.e., greater than six inches in diameter at breast height [DBH]) or oak woodland habitat is evaluated under CEQA. As a CEQA Lead Agency, the County of San Luis Obispo currently applies a 4:1 mitigation ratio for removed trees and a 2:1 mitigation ratio for impacted trees.

Twelve living oak trees were mapped in the Study Area; three are within the tract parcel, and the remaining 14 are in or adjacent to off-site improvement areas along Gateway Drive. Out of the 12 trees mapped and assessed, 3 are proposed for removal, 5 will be impacted, and 4 will be avoided

Table 8 – Oak Tree Impacts

Species	Total	Status		
		Remove	Impacts to Critical Root Zone	Avoid
Valley Oak (Q. lobata)	3	3	0	0
Blue Oak (q. douglasii)	9	0	5	4
Total:	12	3	5	4

Source: Althouse and Meade, 2024

As shown in Table 8, Development of the tract would result in the removal of three valley oaks and impacts to the CRZ of five blue oaks. Off-site improvements, including road widening and installation of a stormwater drainage structure would result in impacts (grading, trenching, placing of rip-rap) to the CRZ of 5 blue oaks. This impact is considered *less than significant with mitigation*.

(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 subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with the provisions of an adopted plan and there would be *no impact.*

Conclusion

Upon implementation of mitigation measures BIO-1 and BIO-12 potential impacts to biological resources would be *less than significant*.

Mitigation

BIO-1. Purple needlegrass mitigation. **Prior to recordation of the final tract map.** Impacts to 0.73 acre of purple needlegrass grassland shall be mitigated by creating and/or restoring 0.73 acre of purple needlegrass grassland within a designated open space area in the Heritage Ranch master planned community or other suitable area outside of the Ranch. Creation entails converting a non-purple needlegrass grassland to a purple needlegrass grassland; restoration entails returning degraded purple needlegrass grassland habitat to a pre-existing (or better) condition. A Mitigation Monitoring and Reporting Plan detailing the specifics of the mitigation approach shall be prepared for review and approval by the County prior to issuance of grading permits. At a minimum, the plan shall:

1. Quantify Project impacts to purple needlegrass grassland habitat.
2. Provide site selection and justification.
3. Describe a work plan including methodologies, schedule, plant materials, and implementation strategies.
4. Include a description of annual maintenance and monitoring activities for five years.
5. Describe success criteria, including a minimum 10% relative cover of purple needlegrass at the site after 5 years.
6. Include an adaptive management plan that allows for adjustments to methods or maintenance activities to adapt to unforeseen circumstances.
7. Identify responsible parties.

Mitigation implementation and success shall be monitored for a minimum of five years, which may be extended if necessary, at the discretion of the Department of Planning and Building. Annual reports shall be prepared and sent to the County by December 15th of each year. The habitat shall be fenced for protection.

BIO-2 Oak Tree Mitigation I. At the time of site disturbance associated with tract improvements or on individual lots. Impacts to the oak canopies or critical root zones shall be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage. The CRZ radius is determined using ratio of 1.5 feet for every inch of DBH. For example, a tree with a 10- inch DBH has a 15-foot radius CRZ.

BIO-3 Oak Tree Mitigation II. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. Impacts to oak trees 6 inches dbh or greater shall be mitigated by planting additional oaks on site. Oaks removed shall be replaced in kind at a 4 to 1 ratio. Oaks impacted shall be replaced in kind at a 2 to 1 ratio. Dead oak trees shall not require mitigation. Replacement trees shall be one-gallon containers, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least seven years. When replacement trees are required, the applicant shall provide a replacement and monitoring plan to the satisfaction of the Department of Planning and Building.

BIO-4 Oak Tree Mitigation III. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. Management recommendations from the Arborist Report for HR Holdings – Tract Map 2879 (September 2022) shall be implemented to minimize impacts to oak trees during construction of the Project. Oak tree protection measures shall be shown on all site and grading plans.

Fencing. Prior to any site disturbance, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project and removed only under the direction of the project's Certified Arborist. The owner shall be responsible for maintaining intact fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. Weatherproof signs shall be permanently posted on the fences with the following information: Tree Protection Zone: No personnel, equipment, materials, or vehicles allowed. All areas behind fencing are off limits unless pre-approved by the arborist.

Soil Aeration Methods. Soils within the CRZ that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2-3 feet apart with a 2- to 4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch. All areas within the CRZ of the trees that can be fenced shall receive a 4- 6-inch layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching within CRZ. Trenching within the CRZ must be approved by the project's Certified Arborist and shall be done by hand or with an air spade. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not left ragged. Any roots exposed during construction shall be evaluated and treated by the arborist.

Grading within the CRZ. Grading should not encroach within the CRZ unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding

condition and excavations should not leave the tree on a rapidly draining mound. Any exposed roots shall be covered the same day they are exposed if possible. If they cannot, they must be covered with burlap or another suitable material and wetted down 2 times per day until reburied.

Equipment Operation. Vehicles and heavy equipment shall not be driven under oak trees, as this will contribute to soil compaction. Additionally, there is to be no parking of equipment or personal vehicles in these areas.

Existing Surfaces. The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

Construction Materials and Waste. No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials.

Arborist Monitoring. An arborist shall be present for soil disturbance work within the CRZ of oak trees. Monitoring does not necessarily have to be continuous but observational at times during these activities.

Impacted Root Treatment. Roots impacted during construction (e.g., trenching or grading operations) shall be treated by the arborist on a case-by-case basis using best practices such as clean cuts accompanied by application of appropriate fungicides and insecticides by a licensed pest control applicator.

Pruning. A certified arborist shall direct all pruning. No pruning shall take more than 25 percent of the live crown of any native tree.

Landscape. All landscape within the CRZ shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

Fertilization. As the project moves toward completion, the arborist may suggest either fertilization and/or mycorrhizal inoculation applications that will benefit tree health. Application of mycorrhizal inoculum offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

BIO-5 Jurisdictional Waters. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. As applicable, the applicant shall provide evidence to the County that either no jurisdictional areas will be impacted or that any necessary authorizations from the United States Army Corps of Engineers, State Water Resource Control Board, and/or California Department of Fish and Wildlife have been issued.

BIO-6 Bat pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** A pre-construction survey shall be completed within 7 days prior to removal or trimming of any tree over 10-inches DBH (including dead trees and snags) to determine if they harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist may install one-way valves or other BR-7. Bat eviction plan. If a bat roost is detected during

the maternal season, a minimum 50- foot no-disturbance buffer will be maintained. For roosts that require removal during the non-material season, a one-way valve will be placed over the occupied access point to allow bats to safely leave and prohibit reentry.

BIO-8 Reduce light impact to nocturnal species. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. The applicant shall provide verification to the Department of Planning and Building that the following measures will be implemented for temporary and permanent light sources used during construction/grading activities to minimize potential light impacts to bats and other nocturnal wildlife:

1. Use the lowest intensity lighting appropriate for the task

2. Light only the area intended – keep lights directed and shielded to avoid light spill.

BIO-9 Crotch's bumble bee pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** a focused survey for Crotch's bumble bee shall be performed by a qualified biologist following the guidance set forth in the California Department of Fish and Wildlife (CDFW) Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (June 6, 2023). This includes at least 3 surveys during the Colony Active Period of April – August. If Crotch's bumble bee is detected during the survey the applicant shall consult with CDFW on recommendations for impact avoidance and/or take authorization through acquisition of an Incidental Take Permit, pursuant to Fish and Game Code section 2081 subdivision (b).

BIO-10 Badger pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** A pre-construction survey shall be conducted within thirty days prior to the beginning of work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire Study Area and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers are found in dens on the Property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found within the Study Area during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices.

Initial Study – Environmental Checklist

BIO-11 Nesting bird pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** Within one week prior to ground disturbance activities, if work occurs between March 1 and August 30, nesting bird surveys shall be conducted to determine whether yellow-billed magpie or other bird species protected under the MBTA are nesting within or adjacent to the construction zone. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BIO-12 Retain qualified biologist(s). Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. The applicant shall provide verification to the Department of Planning and Building that a qualified biologist/ biologist(s) have been retained to complete all of the necessary preconstruction surveys which are to occur prior to site disturbance activities.

Sources

Provided in Exhibit A.

V. CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Setting

San Luis Obispo County possesses a rich and diverse cultural heritage and has an abundance of historic and prehistoric cultural resources dating as far back as 9,000 B.C. The County protects and manages cultural resources in accordance with the provisions detailed by CEQA and local ordinances.

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 that 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 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.

Discussion

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

A Phase I Archaeological Surface Survey Report was prepared for the project site in 2018 by Cultural Resource Management Services. The Phase I study included a field survey of the project site as well as a literature search of archival records and previous studies. None of these sources identified any historic resources associated with the project site. Therefore, the project would result in *no impacts* associated with an adverse change in the significance of a historical resources.

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

As discussed under item a., above, a Phase I Archaeological Surface Survey Report was prepared for the project site in 2018. A records and literature search was conducted at the Central Coastal Information Center at the University of California at Santa Barbara which is the state designated regional clearinghouse for archaeological site information for San Luis Obispo County. The records of the State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Historical Landmarks, California Points of Historic Interest and the California Office of Historic Preservation Archaeological Determinations of Eligibility, Rancho Plat Maps, U.S. Geological Survey Historic Topographic Maps., and U.S. Bureau of Land Management General Land Office Records were consulted. No historic property evaluations within a one quarter mile radius of the project location have been recorded with any of these institutions. Two archaeological surveys have been conducted within a quarter mile radius of the project (Gibson 1973, Lee 2007).

A field investigation was conducted on a very hot August 1, 2018. Inspection of the parcel was accomplished using pedestrian transects of approximately two meter intervals. The Tract 2879 site was covered with dried annual grasses. Surface visibility was fair, but abundant rodent backdirt piles afford opportunities for examination. No evidence of prehistoric or historic cultural materials was seen during the field investigation.

Due to the fact that no significant cultural resources were located on the subject property, no further archaeological investigations are recommended. There is always the possibility, however remote, that significant cultural resources could lie buried below the surface. Therefore, if artifacts, burials, or other indicators of significant cultural resources are encountered during grading or other earth-moving construction activities, work should stop immediately and a qualified archaeologist should be called to the site to evaluate the find and suggest mitigation measures, if necessary.

Based on the preceding analysis, 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 and results of the archaeological surface survey, buried human remains are not expected to be present in the area proposed for development. 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 archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant.*

Conclusion

No historic or cultural resources were discovered on the project site. Adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts. Accordingly, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

Initial Study – Environmental Checklist

Mitigation

None required.

Sources

Provided in Exhibit A.

VI. ENERGY

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

Setting

The Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. Approximately 38% of electricity provided by PG&E is sourced from renewable sources and an additional 43% is sourced from non-renewable GHG-free resources (PG&E 2024).

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

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

Local Energy Plans and Policies

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

State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2022 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. While the CBC has strict energy and green-building standards, U-occupancy structures (such as greenhouses used for cultivation activities) are typically not regulated by these standards.

Vehicle Fuel Economy Standards

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

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

In January 2012, CARB approved the Advanced Clean Cars Program which combines the control of Greenhouse Gas (GHG) missions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation, the Advanced Clean Cars II rule, establishes a year-by-year roadmap so that by 2035 100% of new cars and light trucks sold in California will be zero-emission vehicles, including plug-in hybrid electric vehicles. The regulation realizes and codifies the light-duty vehicle goals set forth in Governor Newsom's Executive Order N-79-20.

The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2016).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-

Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of oxides of nitrogen (NO_x) and particulate matter (PM) from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Discussion

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

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

Construction Activities

During construction activities, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the county. Based on the size and scope of proposed earthwork and building construction, the project would not have the potential to result in adverse environmental impacts through its use of diesel fuel for construction equipment, except as it relates to diesel exhaust (See Section III Air Quality). In addition, project contractors save costs by avoiding the wasteful, inefficient, or unnecessary consumption of energy resources, such as idling. Therefore, potentially significant environmental impacts associated with the consumption of energy resources during construction would be avoided and project construction activities would not result in a conflict with a state or local plan for renewable energy or energy efficiency. Therefore, project construction impacts associated with energy use would be *less than significant.*

Project Operations

Electricity and Natural Gas Use. There are no occupied buildings or accessory structures on the project site. The project's operational electricity needs would be met by a connection to PG&E infrastructure. Natural gas is provided by PG&E.

The CBC 2022 Building Energy Efficiency Standards include mandatory energy efficiency standards. A new single family residence is subject to compliance with these standards. Lastly, the new residences will be required to comply with the relevant provisions of the 2022 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.

Therefore, project impacts associated with electricity and natural gas use are considered *less than significant* and *less than cumulatively considerable*.

Fuel Use. Ongoing occupation of the project would result in fuel use associated with motor vehicle trips generated by residential occupancy. All vehicles used by residents would be subject to applicable state and federal fuel economy standards and State-mandated smog inspections.

Based on adherence to applicable state and federal vehicle fuel regulations and the size and scope of proposed activities, project fuel use would not result in a potentially significant environmental impact and would not be wasteful, inefficient, or unnecessary.

Therefore, potential impacts associated with potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources and potential conflict with state or local plans regarding renewable energy or energy efficiency would be *less than significant.* and *less than cumulatively considerable.*

Initial Study – Environmental Checklist

Conclusion

The project would not result in a potentially significant energy demand and inefficient energy use during long-term operations that would be considered wasteful, inefficient and unnecessary. Potential impacts related to energy would be *less than significant* and *less than cumulatively considerable*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

VII. GEOLOGY AND SOILS

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

Initial Study – Environmental Checklist

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

Setting

The project site consists of a vacant, irregularly shaped parcel located on the south side of Gateway Drive. The site is mostly flat and slopes gently to the east. As discussed in section II. of this initial study (Agriculture and Forestry Resources), soils of the project site consist of Dibble clay loam with 9 to 46 percent slopes, and Ryer clay loam with 2 to 9 percent slopes. There are no rock outcroppings or other geologic features.

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 are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity. 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 nearest potentially capable fault line is the Rinconada fault located approximately 2 miles to the east.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. The project site is located within a Geologic Study Area (GSA) combining designation due to the potential for landslides in the area. However, according to maps included in the Safety Element, the project site is located in an area with a low risk of landslides and a low liquefaction potential.

The project site is located on early to late Pleistocene alluvial deposits.

Discussion

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

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

The project site is not located within an Alquist-Priolo Fault Hazard Zone. The potential for ground rupture at the site during ground shaking is considered low. The closest known Quaternary age fault is the Rinconada fault located approximately 2 miles to the east which is considered potentially

active but does not underly the project site. Therefore, there will be *no impact* related to the rupture of a known earthquake fault.

(a-ii) Strong seismic ground shaking?

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.

The most detailed mapping and characterization of regional faults capable of generating sufficient ground motion within the region has been conducted for Pacific Gas and Electric as a part of the Long Term Seismic Studies for Diablo Nuclear Power Plant. These studies identify the Hosgri-San Simeon fault zone (5 mile distance) and the San Andreas fault zone (50 mile distance), both strike-slip type faults, as the primary sources of ground shaking for the Diablo Canyon Nuclear Power Plant. The Hosgri-San Simeon fault is projected to have a maximum credible earthquake of M 8,3 but the more characteristic earthquakes would range from 6 to 7.3 (PGE, 2015).

All new structures constructed on the project site will be subject to the seismic risk standards of the 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. Implementation of the project in compliance with relevant construction codes 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 Safety Element Liquefaction Hazards Map, the project site is located in an area with a low 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?

Based on the Safety Element Landslide Hazards Map the project site is located in an area with a low potential for landslides. Therefore, the potential impacts would be *less than significant.* In addition, the project will be conditioned to comply with CBC building requirements.

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

The project would result in approximately 2.17 acres of site disturbance and would require 11,280 cubic yards (cy) of cut, 4,780 cy of fill and 6,500 cy of export that will be spread on site or used to refill utility trenches. During site preparation and grading/leveling activities, there would be a potential for erosion to occur.

The project application materials include a preliminary grading, drainage and erosion control plan (Figure 6) that includes drainage collection, storage and conveyance infrastructure to ensure runoff does not cause erosion or adversely impact the quality of downstream surface or groundwater bodies.

Section 22.51.120 of the LUO requires any project that would 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 to prepare and implement a sedimentation and erosion control plan. LUO Section 22.51.120 includes requirements for specific erosion control materials and states that Best Management Practices (BMPs) shall be employed to control sedimentation and erosion. These mandatory BMPs are set forth in LUO Section 22.52.150 B. and C. and may include, but are not limited to the following:

- Minimizing the use of impervious surfaces (e.g., installing pervious driveways and walkways);
- Directing runoff from roofs and drives to vegetative strips before it leaves the site;
- Managing runoff on the site (e.g., percolation basins); and other Low Impact Design (LID) techniques.
- The installation of vegetated roadside drainage swales shall be encouraged and, if used, calculated into BMP requirements.
- The combined set of BMPs shall be designed to treat and infiltrate stormwater runoff up to and including the 85th percentile storm event.
- The BMPs shall include measures to minimize post-development loadings of total suspended solids.

Compliance with these mandatory BMPs will ensure water quality is protected from potential impacts associated with the construction and occupancy of the project. The plans will be reviewed by the County Building and Public Works Departments to ensure compliance.

In addition, the project may be subject to Regional Water Quality Control Board (RWQCB) requirements for preparation of a Storm Water Pollution Prevention Plan (SWPPP) (LUO Section 22.52.130), which may include the preparation of a Storm Water Control Plan to further minimize on-site erosion. Upon implementation of the recommended BMPs, impacts related to soil erosion would be *less than significant*.

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

As discussed above under item a-iv, based on the Safety Element Landslide Hazards Map, the project site is located in an area with a low landslide risk.

Based on the Safety Element and U.S. Geological Survey (USGS) data, the project is not located in an area of historical or current land subsidence (USGS 2019) and is located in an area with low potential for liquefaction risk. Due to the distance to the nearest active fault zone and topography of the project site, lateral spreading is not likely to occur on-site.

The project will be conditioned to comply with the CBC standards designed to significantly reduce potential risks associated with unstable earth conditions. 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?

According to the NRCS, soils underlying the area of have a moderate shrink-swell potential. The project will be required to comply with applicable CBC standards designed to reduce potential risks

associated with expansive soils. Therefore, potential impacts associated with expansive soil would be *less than significant with mitigation.*

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

The project is within the service area of the wastewater collection, treatment and disposal system operated by the Heritage Ranch Community Services District. Therefore, the project will have *no impact* associated with soils incapable of adequately supporting the use of septic tanks.

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

The underlying geologic material is considered to have low to moderate paleontological sensitivity (County of Monterey 2014, SWCA Environmental Consultants 2019). Potential impacts to paleontological resources would be *less than significant.*

Conclusion

The project site is not subject to significant geologic hazards such as landslides and shallow groundwater. Based on the preceding analysis, compliance with the relevant provisions of the CBC will reduce impacts associated with geology and geologic hazards to *less than significant*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

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

Setting

Greenhouse gasses (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO_2) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth's climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

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

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

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

The initial Scoping Plan was approved by CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

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

In 2023, the SLOAPCD released an update to these thresholds with their *2023 Administrative Update Version to APCD Board Adopted April 2012 Version*. These updated thresholds were developed by creating updated GHG emissions inventories for 2005 and 2018 for the incorporated cities and unincorporated areas in SLO county to consider whether jurisdictions were on track with the AB 32 GHG reduction target. Then, target GHG emissions for SLO county in 2020, 2030, and 2045 were calculated to be consistent with reduction targets specified in AB 32, SB 32, and AB 1279. Thresholds for the years in between those evaluated were linearly interpolated, and annual GHG efficiency thresholds were adjusted to factor in GHG reductions needed for new development using information from the City of SLO's 2020 qualified Climate Action Plan's Appendix C – CEQA GHG Emissions Thresholds and Guidance. A project's initial operating year should be used to determine which of the updated GHG Bright Line Thresholds for new residential, commercial, and mixed-use development is applicable to the project. For projects with an initial operating year of 2030 or earlier, GHG emissions at or below the applicable threshold for that year are contributing to the state's SB 32 GHG reduction target. For projects with an initial operational year after 2030, GHG emissions at or below the applicable threshold for that year are contributing to the state's AB 1279 target of reaching carbon neutrality by 2045. Table 9 shows the GHG Bright-Line Thresholds for projects with an initial operating year between 2023 and 2030.

Table 9 -- San Luis Obispo County Bright-Line CEQA GHG Thresholds Between 2023 and 2030 for Residential, Commercial, and Mix-use Development Projects

Year	2023	2024	2025	2026	2027	2028	2029	2030
GHG Bright-Line Thresholds (MT/Yr)	980	930	880	830	780	740	690	650

If the lead agency determines that a proposed project's operational phase GHG emissions are below the applicable threshold, then the project's GHG impacts would be deemed less than significant and consistent with state and local GHG reduction goals.

EnergyWise Plan

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

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

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

Discussion

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

The California Energy Emissions Model (CalEEMod, 2022) was utilized to estimate the project's annual construction related and operational carbon dioxide equivalent emissions in metric tons (MTCO2e; Table 10). The estimated emissions were then compared with the interim threshold of 690 MMTCO2e per year to determine significance.

Table 10 – Operational GHG Emissions

Project Component	Quantity	Emissions Rate (Annual $MTCO_2e$/)		Estimated Projected Annual CO_2 Emissions (MT/year) Without Mitigation[1]
		Construction	Operation	
Single Family Residences	8	1.87	11.8	290

Sources: County of San Luis Obispo Department of Planning and Building, 2023, CalEEMOD version 2022

Notes:

1. CalEEMOD CalEEMOD version 2022

As shown in Table 10, project-related GHG emissions will be well below the 690 MTCO2e interim threshold. As stated above, a project estimated to generate less than 690 MMTCO2e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

Therefore, potential impacts associated with GHG emissions would be *less than significant and less than cumulatively considerable*.

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

Energy inefficiency contributes to higher GHG emissions which in turn may conflict with the following state and local plans for energy efficiency.

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

Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	All new energy using fixtures will satisfy current energy efficiency requirements.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	The proposed dwellings will be subject to current building codes relating to energy efficiency.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	

San Luis Obispo County 2023 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS). The 2023 RTP, which was adopted by the SLOCOG Board in June 2023, provides a collective vision for the region's future balancing transportation and housing needs with social, economic, and environmental goals. The Plan identified and tested growth scenarios to accommodate the coming 42,000 new people, 18,000 new homes, and 18,000 new jobs. The plan helps guide future planning efforts and policy decisions that affect transportation, including its relationship with housing and land use that will reduce greenhouse gas emissions in our region. The 2023 RTP provides recommendations to help cities and the County of San Luis Obispo make important decisions about transportation, housing, and land-use. The 2023 RTP provides forward looking recommendations out to 2045 because many local government decisions will influence the region's long-term growth and development over the coming decades.

The RTP includes the region's Sustainable Communities Strategy and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, transit-oriented communities, preserving important habitat and agricultural areas, and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. The RTP and SCS provide guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommend strategies for community planning such as encouraging mixed-use, infill development that facilitate the use of modes of travel other than motor vehicles. The project consists of an infill residential subdivision with urban utilities and within the community of Heritage Ranch and in this sense can be considered consistent with aspects of the SCS that encourage infill development. However, Heritage Ranch is located in a relatively remote area of the County about 13 miles west of the City of Paso Robles and is not served by transit and is lacking in employment centers. Commute trips for work, shopping, medical and other services are correspondingly lengthy as discussed in section XVII. Transportation.

As discussed in Section III. Air Quality, the project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development are generally not applicable. The project would result in the construction and occupancy of eight single family residences that would typically be occupied by three residents each. Therefore the project would not significantly affect the local area's jobs/housing balance.

California Air Resources Board (CARB) 2022 Scoping Plan. Pursuant to AB 32, the California Air Resources Board (CARB or Board) prepared and adopted the initial Scoping Plan to "*identify and make recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives*" in order to achieve the 2020 goal, and to achieve "*the maximum technologically feasible and cost-effective GHG emissions reductions*" by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

The 2022 Climate Change Scoping Plan recommends strategies to achieve carbon neutrality by 2045 or earlier, outlining a technologically feasible, cost-effective, and equity-focused path to achieve the state's climate target. The 2022 plan, addressing recent legislation and direction from Governor Newsom, extends and expands upon earlier scoping plans with a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045. The 2022 plan also takes the unprecedented step of adding carbon neutrality as a science-based guide and touchstone for California's climate work. The plan outlines how carbon neutrality can be achieved by taking steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the state's natural and working lands and using a variety of mechanical approaches.

The strategies described in the 2022 Scoping Plan are programmatic and intended to be implemented state-wide and industry-wide. They are therefore not applicable at the level of an individual project. However, as discussed in Section XVII. Transportation, the project is not expected to generate a significant increase in construction-related or operational traffic trips or Vehicle Miles Traveled (VMT) which is consistent with Scoping Plan strategies for reducing vehicle miles traveled. Overall, the project would have a *less than significant impact* relating to consistency with adopted plans and policies aimed at reducing GHG emissions.

Conclusion

GHG emissions would be *less than significant and less than cumulatively considerable* and consistent with plans adopted to reduce GHG emissions.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

IX. HAZARDS AND HAZARDOUS MATERIALS

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

Initial Study – Environmental Checklist

Setting

The Hazardous Waste and Substances Site List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, 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. The project is not located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (State Water Resources Control Board [SWRCB] 2021; California Department of Toxic Substance Control [DTSC] 2021).

The County 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.

The California Health and Safety Code provides regulations pertaining to the abatement of fire-related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The Safety Element of the County of San Luis Obispo General Plan provides a Fire Hazard Zones Map that indicates unincorporated areas in the county within moderate, high, and very high fire hazard severity zones. The project is located within the State Responsibility Area. Based on the Safety Element map of response times, it would take approximately less than 5 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

The project site is not located within an Airport Review Area.

Discussion

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

Construction activities may involve the use of oils, fuels, and solvents. In the event of a leak or spill, persons, soil, and vegetation down-slope from the site may be affected. The use, storage, and transport of hazardous materials is regulated by DTSC (22 Cal. Code of Regulations Section 66001, et seq.). The use of hazardous materials on the project site for construction and maintenance is required to be in compliance with local, state, and federal regulations. In addition, compliance with best management practices (BMPs) for the use and storage of hazardous materials would also address impacts. These BMPs may include, but are not limited to, the following:

- Determining whether a product constitutes a hazardous material in accordance with federal and state regulations;
- Properly characterizing the physical properties, reactivity, fire and explosion hazards of the various materials;
- Using storage containers that are appropriate for the quantity and characteristics of the materials;
- Properly labeling of containers and maintaining a complete and up to date inventory;
- Ongoing inspection and maintenance of containers in good condition;
- Proper storage of incompatible, ignitable and/or reactive wastes;

Project operations would involve the intermittent use of small amounts of household hazardous materials such as fertilizer and pesticides that are not expected to be acutely hazardous.

The project will be conditioned to comply with all applicable fire protection standards as determined by County Fire, including, but not limited to, preparation of a fire safety plan. Compliance with the Uniform Fire Code and the recommendations of CalFire will ensure that potential impacts associated with hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials would be *less than significant.*

(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Oils, gasoline, lubricants, fuels, and other potentially hazardous substances would be used and temporarily stored onsite during construction activities. A spill or leak of these materials under accident conditions during construction activities could create a potentially significant hazard to the surrounding environment. Mitigation measures HAZ-1 and HAZ-2 have been recommended to reduce potential impacts associated with upset or accident conditions during project construction.

Through required compliance with these standards and mitigation measures, potential operational hazards associated with the use of ethanol onsite would be effectively minimized. Therefore, potential impacts associated with hazards to the public or the environment through reasonably foreseeable upset or accident conditions would be *less than significant with mitigation.*

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

The closest school facility is located approximately 1.75 miles to the north of the project site. Therefore, the project site is not located within 0.25 mile of an existing or proposed school; 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 the California DTSC's Envirostor and SWRCB's GeoTracker, the project site is not listed on, nor is it located in close proximity to, a site listed on the Cortese List, which is a list of hazardous materials sites compiled pursuant to CGC Section 65962.5; 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 nearest airstrip in proximity to the project site is the Paso Robles Airport located approximately 10 miles east of the site. The project site is not located within an Airport Review designation or adjacent to a private airstrip. 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 impacts would occur.*

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

The project may require temporary road closures to construct the water line and storm drain connections within Gateway Drive. However, any road closures would be required to be designed to accommodate emergency vehicle access. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, 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 within the community of Heritage Ranch and about one mile from the Heritage Ranch Fire Station (Station 33). The project will be conditioned to implement building and site improvements in accordance with the Fire Code, as detailed in the referral response letter (CalFire, February 2, 2024), including, but not limited to implementation of a fire safety plan. Therefore, potential impacts associated with exposure of people or structures to significant risk involving wildland fires would be *less than significant.*

Conclusion

The project may include the use of potentially hazardous materials during construction. Mitigation measures have been identified below to reduce potential impacts associated with routine transport, use, and disposal of these materials, as well as potential hazards associated with upset and accident conditions and wildland fire risk. Upon implementation of measures HAZ-1 and HAZ-2, potential impacts associated with hazards and hazardous materials would be *less than significant with mitigation.*

Mitigation

HAZ-1 **Equipment Maintenance and Refueling.** During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

HAZ-2 **Spill Response Protocol.** During all construction activities, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.

Sources

Provided in Exhibit A.

X. HYDROLOGY AND WATER QUALITY

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

Initial Study – Environmental Checklist

Setting

The project site is not crossed by any creeks or ephemeral drainages. Snake Creek is the nearest 'blue line' creek to the project site, located about 0.3 miles to the north. An unnamed ephemeral drainage that is tributary to Snake Creek is located about 0.2 miles to the south of the project site.

The RWQCB's Water Quality Control Plan for the Central Coast Basin (Basin Plan; RWQCB 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 RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

In accordance with the LUO, a project that would 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 is required to prepare a drainage plan for review and approval by the County. A drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing. The LUO also requires the preparation of an erosion and sedimentation control plan for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

The County Department of Public Works is responsible for ensuring that new construction sites implement Best Management Practices (BMPs) during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to minimize on-site sedimentation and erosion. There are several types of projects that are exempt from preparing a SWPPP, including routine maintenance to existing developments, emergency construction activities, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the LUO.

The project site is not located within a groundwater basin as identified by Bulletin 118 of the Department of Water Resources. Water is provided by the Heritage Ranch Community Services District (HRCSD). To serve its residents, the HRCSD operates a water treatment plant (WTP) that sources water exclusively from the Nacimiento River through an infiltration gallery well. The HRCSD is entitled to 889 acre-feet per year from the River. According to the 2016-2018 Resource Summary Report, no Levels of Severity (LOS) have been assigned to the HRCSD regarding water supply or delivery. This means that water demand projected over a period exceeding the LOS timeframe of 20 years will not equal or exceed the estimated dependable supply.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element of the County of San Luis Obispo General Plan establishes policies to reduce flood hazards and reduce flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas.

Discussion

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

The project will involve 11,280 cubic yards (cy) of cut, 4,780 cy of fill and 6,500 cy of export and an area of disturbance of about 2.17 acres. During site preparation and grading/leveling activities, there would be a potential for erosion to occur. Accordingly, a sedimentation and erosion control plan will be required to minimize the potential for soil erosion, which will be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation. In addition, the project is located outside of a stormwater management area (MS4) and proposes a disturbance area greater than 1.0 acre, therefore, the project will be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) by a qualified SWPPP developer in order to demonstrate compliance with the Federal Clean Water Act which prohibits certain discharges of stormwater containing pollutants.

The project application materials include a detailed preliminary grading, grading and erosion control plan (Figure 6) that includes drainage collection, storage and conveyance infrastructure to ensure runoff does not cause erosion or adversely impact the quality of downstream surface or groundwater bodies. Stormwater drainage will be collected to a detention basin located on Lot 1 and conveyed to a rock-lined percolation area located adjacent to an ephemeral drainage about 650 feet to the west on the north side of Gateway Drive. Upon implementation of the BMPs included in the Preliminary Stormwater Control Plan as well as compliance with the standards required by the CZLUO and RWQCB,

The project will be conditioned to require all potentially hazardous materials to be stored, refilled, and dispensed on-site in full compliance with applicable County Department of Environmental Health standards and Mitigation Measures HAZ-1 and HAZ-2, and compliance with existing County and state water quality, sedimentation, and erosion control standards. Therefore, the project would not result in a violation of any water quality standards, discharge into surface waters, or otherwise alter surface water quality; therefore, 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?*

Project water demand would be served by the Heritage Ranch Community Services District who derives all of their supplies from Lake Nacimiento. The District has issued a conditional intent-to-serve letter indicating that the District possesses adequate water and infrastructure of serve the project. Therefore, the project would have *no impact* on groundwater resources.

(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 will involve 11,280 cubic yards (cy) of cut, 4,780 cy of fill and 6,500 cy of export and an area of disturbance of about 2.17 acres. The project application materials include a detailed preliminary grading, grading and erosion control plan (Figure 6) that includes drainage collection, storage and conveyance infrastructure to ensure runoff does not cause erosion or adversely impact

the quality of downstream surface or groundwater bodies. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation.

The project is located within the County of San Luis Obispo Municipal Stormwater Management Area (MS4 Coverage Area) and compliance with the Central Coast Post-Construction Requirements (Resolution R3-2013-00032) may be required. At the time of application for construction permits, the applicant will be required to complete a Stormwater Control Plan (SWCP) Application and supporting documents or Stormwater Post Construction Requirements Wavier Request Form.

The application materials include a Preliminary Stormwater Control Plan (PSCP) prepared by a registered civil engineer (Figure 6). Upon implementation of the stormwater control plan, as well as compliance with the standards required by the LUO and RWQCB, project impacts would be *less than significant.*

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

According to the Safety Element Flood Hazard Map, the project site is not within an area affected by the 100-year or 500-years storms.

As discussed above, the project application materials include a preliminary grading and erosion control plan that includes drainage collection, storage, and conveyance infrastructure to ensure runoff does not adversely impact the quality of downstream surface or groundwater bodies.

The project will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site.

Based on required compliance with applicable state and County drainage and stormwater control regulations, as well as implementation of the Preliminary Stormwater Control Plan, project impacts associated with increased surface runoff resulting in flooding on- or off-site 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 will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. As discussed in item c-ii, above, the application materials include a Preliminary Stormwater Control Plan (PSCP) prepared by a registered civil engineer and illustrated by Figure 6. Based on required compliance with applicable state and County drainage and stormwater control regulations, as well as implementation of the Preliminary Stormwater Control Plan, project impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant.*

(c-iv) Impede or redirect flood flows?

Based on the Safety Element Flood Hazard Map, the project site is not located within a 100-year flood zone. Therefore, *no impacts would occur.*

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

Based on the Safety Element Flood Hazard Map, the project site is not located within a 100-year flood zone (County of San Luis Obispo 2013). Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an evacuation area with the potential for inundation by a tsunami (CDOC 2023). The project site is located about 2 miles east of Lake Nacimiento, a large surface water body that may produce a seiche in the event of a strong earthquake in the area. However, given the distance to the lake, the project site is not expected to affected by a seiche. 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?

As discussed in the setting, the project is required to comply with relevant permitting of the RWQCB. The project will be served by a community water system that derives all of its supply from Lake Nacimiento. Therefore, potential impacts associated with conflict or obstruction of a water quality control plan or sustainable groundwater management plan would be *less than significant.*

Conclusion

The project will result in *less than significant impacts* associated with water supply, water quality and hydrology.

Mitigation

None are required.

Sources

See Exhibit A.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Physically divide an established community?	☐	☐	☒	☐
(b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

Setting

The LUO was established to guide and manage the future growth in the county in accordance with the County of San Luis Obispo General Plan; regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; minimize adverse effects on the public resulting from inappropriate creation, location, use, or design of buildings or land uses; and 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 General Plan.

The Land Use Element (LUE) of the County of San Luis Obispo General Plan provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic growth principles to define and focus the County's proactive 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 parcel and adjacent properties within the unincorporated county are all within the Residential Single Family land use designation.

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 located within the area governed by the Heritage Ranch Village Plan which is within the Nacimiento Sub Area of the North County Planning Area. In addition, the project site is subject to the *Geologic Study Area* (discussed in Section VIII. Geology) and the *Camp Roberts Influence Area* Combining Designations. New development within the Camp Roberts Influence Area is required to be circulated to the management of the army base for their review and comment.

Initial Study – Environmental Checklist

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 *impacts would be less than significant.*

(b) *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

Consistency With the Land Use Ordinance

The minimum parcel size in the Residential Single Family land use category is determined by the type of roadway serving the site, the average slope of the areas under each parcel, and the type of wastewater disposal to be provided, as described in the standards set forth in LUO Section 22.22.080. Based on these standards, the minimum parcel size for newly created parcels on the project site is 6,000 square feet. As shown in Table, 1 lot sizes will range from about 8,385 sq.ft. to about 13,647 sq.ft. consistent with the LUO standards.

Consistency With the North County Area Plan – Planning Area Standards

There are no planning area standards that apply to the project site. The project is not located within the area subject to the Sensitive Resource combining designation for Nacimiento Lake Drive.

Policies and Programs of the General Plan Housing Element

The Housing Element (adopted in 2020) sets forth goals, policies and implementation programs to ensure that the unincorporated areas of the County provide safe, sound, affordable housing for County residents. Within the context of the Housing Element, 'affordable' refers to a cost for housing that is available to a full range of household incomes, while allowing for expenditures on other living expenses. Generally, housing is considered "affordable" if total housing costs do not exceed 30 percent of total household income. The Housing Element defines these household income categories as follows:

Extremely low-income: No more than 30 percent of county median income.

Very low-income: Greater than 30 percent but no more than 50 percent of county median income.

Low-income: Greater than 50 percent but no more than 80 percent of county median income.

Moderate-income: Greater than 80 percent but no more than 120 percent of county median income.

Workforce-income category: No more than 160 percent of county median income.

Above moderate-income: Above 120 percent of county median income.

In accordance with State law, the Housing Element must be updated every eight years. For each Housing Element cycle, the State Department of Housing and Community Development produces a Regional Housing Needs Allocation for the county which is then distributed among the County and

the seven incorporated cities by the Council of Governments (SLOCOG). According to the 2019 Regional Housing Needs Assessment, the methodology for making these allocations is based on a jurisdiction's proportional share of population and jobs and is aimed at improving the intraregional jobs/housing imbalance. The share of dwelling units allocated to the unincorporated county is provided below by income category:

Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
400	401	505	585	1,365	3,256

Source: 2020-2028 Housing Element, Table 4.1.

The Housing Element provides an assessment of vacant land within the urban areas of the unincorporated county to demonstrate that there is sufficient land designated for housing development to construct the County's projected Regional Housing Need of 3,256 units. The analysis includes an inventory of vacant sites and assumes an average residential density of 18 units per acre, based on actual densities achieved by approved residential development within the unincorporated areas of the County. The analysis (summarized in Table 7.5 of the Housing Element) demonstrates that there are sufficient vacant parcels designated for housing development to accommodate the construction of about 1,459 dwellings affordable to Extremely Low, Very Low, and Low income households. This number exceeds the 1,306 units allocated to the unincorporated areas for these income categories. However, an important qualification to this analysis should be noted:

- Although the analysis identifies a number of sites where the construction of affordable housing is feasible, it does not identify specific communities or sites where affordable housing *must* be constructed to meet the Regional Housing Need. Rather, the provision of affordable housing is considered a regional problem to be solved throughout the unincorporated county. As a result, Housing Element strategies aimed at achieving the County's Regional Housing Need may not address the 'affordability gap' within a given unincorporated community.

The project is consistent with the residential density allowable within the Residential Single Family Residential land use category and will help the County achieve its regional fair share of market-rate housing consistent with the goals, policies and programs of the Housing Element.

In sum, the project would be required to implement measures to mitigate potential impacts associated with air quality, biological resources, and hazardous materials; therefore, with mitigation, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects and impacts would be *less than significant with mitigation.*

Conclusion

The project is consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan and LUO. The project, as it may be conditioned, was found to be consistent with standards and policies set forth in the County of San Luis Obispo General Plan, the San Luis Obispo Area Plan, the SLOAPCD Clean Air Plan, and other land use policies for this area. The project will be conditioned to comply with standards set forth by County Fire and the County Public Works Department.

Initial Study – Environmental Checklist

Potential impacts related to land use and planning would be *less than significant with mitigation* measures associated with air quality, biological resources, hazards and hazardous materials.

Mitigation

Implement mitigation measures AQ-1 and AQ-2, BIO-1 through BIO-12, HAZ-1 and HAZ-2.

Sources

Provided in Exhibit A.

XII. MINERAL RESOURCES

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

Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (California PRC 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 [CGS] 2015):

- **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 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 California PRC Sections 2710 et seq. (SMARA); and
3. Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County 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.

Initial Study – Environmental Checklist

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?*

Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, the project site is not located within an area that has been evaluated for mineral resources and is not in close proximity to an active mine (CGS 2021).

In addition, based on Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area. The project is not located within a designated mineral resource zone area or within an Extractive Resource Area combining designation. There are no known mineral resources in the project area; therefore, there would be *no impact* to mineral resources.

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

The project 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, there would be *no impact* to mineral resources.

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XIII. NOISE

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

Setting

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

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

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

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

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

The LUO establishes standards for acceptable exterior and interior noise levels and describes 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 11 -- 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 existing ambient noise environment is characterized by traffic on Gateway Drive. The nearest sensitive receptors are offsite residences located less than 1,000 feet to the west and south of potential construction areas.

The 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, traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

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?*

Construction Impacts. According to the 2005 Federal Highway Administration's Roadway Construction Noise Mode Database, noise associated with heavy construction equipment can range from about 73 to 101 dBA for non-impact equipment. Noise levels 50 feet from stationary equipment can range from 68 to 88 dBA, with. Table 12 provides an estimate of noise generated by temporary construction activities that may be used for construction of the project.

Table 12 -- Estimate of Noise From Construction Equipment

Equipment	Quantity	dBA at 50 Feet[1]
Backhoe	1	78
Dozer	1	82
Excavator	1	81
Dump Truck	1	76
Generator	1	81
Pickup Truck	2	75
Total:	7	872

Notes:

1. Source: Federal Highway Administration's Roadway Construction Noise Mode Database.
2. Assumes all equipment are operating concurrently.

As shown in Table 12, construction related noise would likely temporarily exceed the maximum hourly daytime levels allowed by the County's noise standards at the nearest property line. 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 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*.

Operational Impacts. Operational noise will be limited to motor vehicle traffic and maintenance activities associated with home ownership. Therefore, operational noise will be below County standards and impacts would be *less than significant*.

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 is not expected to require the use of pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. In addition, construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration. 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 nearest airstrip in proximity to the project site is the Paso Robles Airport located approximately 10 miles to the east. The project site is not located within an Airport Review designation or adjacent

to a private airstrip. 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 LUO standards. Operational noise levels will be less than the standards set forth in the LUO and are considered less than significant. No other potentially significant impacts were identified, and no mitigation measures are necessary.

Mitigation

None are required.

Sources

Provided in Exhibit A.

XIV. POPULATION AND HOUSING

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

Setting

The Housing Element of the County of San Luis Obispo General Plan 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.

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 provide limited financing to projects relating to affordable housing throughout the county.

The project site is currently vacant.

Discussion

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

The project proposes construction of eight residences that would be occupied by about three persons each. Employed residents would not require new or additional housing as a result of the proposed project. The project would not generate new employment opportunities that would encourage population growth in the area. The project does not include the extension or establishment of new roads, utilities, or other infrastructure to the site that would induce development and population growth in new areas. In addition, the project would be subject to inclusionary housing fees to offset any potential increased need for housing in the area. Therefore, the project would not directly or indirectly induce substantial growth and impacts would be *less than significant.*

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

The project would not displace existing housing or necessitate the construction of replacement housing elsewhere; therefore, impacts would be *less than significant.*

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county, and the project would be served by CAL FIRE station #33, located approximately 1.1 miles west of the project site. Emergency personnel would be able to reach the site within less than 5 minutes of receiving a call.

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 County Station in Templeton, and the South Station in Oceano. The project would be served by the County Sheriff's Office, and the nearest sheriff station is located approximately 13 miles to the south in the community of Templeton.

Initial Study – Environmental Checklist

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project site is located within the San Miguel Unified Elementary School District, and the Paso Robles Joint Unified School District.

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (CGC Section 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to the 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 will be designed to comply with all applicable fire safety rules and regulations, including the California Fire Code and California PRC, which require access roads to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures, and potential installation of a water storage tank for fire protection (if fire sprinklers are required). The project will be conditioned to implement all requirements identified by the County Fire Department for the project, as detailed in the referral response letter from CalFire (letter of February 2, 2024), including items to be completed prior to final inspection/operation, but not limited to implementation of a fire safety plan. Based on the limited amount of development proposed, the project would not create a significant new demand for fire services. In addition, the project will be subject to public facility fees to offset the increased cumulative demand on fire protection services. Therefore, impacts would be *less than significant*. Additional information regarding wildfire hazard impacts is discussed in Section XX, Wildfire. Additional information regarding fire related hazard impacts is discussed in Section IX, Hazards and Hazardous Materials.

Police protection?

The project would be subject to public facility fees to offset the project's cumulative 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/Housing, the project would not induce significant population growth and would not result in the need for additional school services or facilities. However, the project would be subject to school impact fees, pursuant to California Education Code Section 17620, to help fund construction or reconstruction of school facilities. Therefore, impacts would be *less than significant*.

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, there would be *no impacts* related to other public facilities.

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 are necessary.

Sources

Provided in Exhibit A.

XVI. RECREATION

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

Setting

The Parks and Recreation Element (Recreation Element) of the County of San Luis Obispo General Plan establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. The nearest public park to the project site is the Lake Nacimiento Park located about 3 miles to the north which is owned and operated by Monterey County. Heritage Ranch is a private community with considerable open space, active and passive recreational facilities that includes open space, equestrian trails, tennis courts and water sports.

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.

Initial Study – Environmental Checklist

Discussion

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

The project proposes the construction of eight single family residences that could be occupied by as many as three persons each for a total of 24 total new residents. The project is not proposed in a location that would affect any existing public trail, park, recreational facility, and/or natural area. The project would not result in substantial growth within the area and would not substantially increase demand on any proximate existing public 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.*

(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, impacts would be *less than significant.*

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 are necessary.

Sources

Provided in Exhibit A.

XVII. TRANSPORTATION

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

Setting

The County 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 County has established Level of Service (LOS) "C" or better for rural roadways. The project site is currently undeveloped and generates no traffic. The project site is served by Gateway Drive, a privately maintained collector. The project site is not located in an adopted Road Impact Fee area.

In 2013 SB 743 was signed into law with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions" and required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts as determined by the CEQA process. As a result, in December 2018, the California Natural Resources Agency certified and adopted updates to the State CEQA Guidelines. The revisions included new requirements related to the implementation of SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis under CEQA (as detailed in Section 15064.3[b]). The County of San Luis Obispo has developed a Vehicle Miles Traveled (VMT) Program (Transportation Impact Analysis Guidelines; Rincon, October 2020 & VMT Thresholds Study; GHD, March 2021). The program provides operating thresholds and includes a screening tool for evaluating VMT impacts.

Initial Study – Environmental Checklist

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County of San Luis Obispo General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. Due to the remote location of the project site, there are no pedestrian, bicycle, or public transit facilities serving of the project site.

The 2023 Regional Transportation Plan (RTP) is the region's long-range (2023-2045) plan and Sustainable Communities Strategy (SCS). The RTP provides a collective vision for the region's future balancing transportation and housing needs with social, economic, and environmental goals. The Plan identified and tested growth scenarios to accommodate the coming 42,000 new people, 18,000 new homes, and 18,000 new jobs. The plan helps guide future planning efforts and policy decisions that affect transportation, including its relationship with housing and land use that will reduce greenhouse gas emissions in our region.

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. Motor vehicle trips associated with the project are expected to be about: 9.6 x 8 = 78 trips per day. Construction activities will require temporary construction trips to and from the site.

The project would not noticeably impact traffic operations on Gateway Drive or Nacimiento Lake Road, a County-maintained arterial, and is not expected to reduce levels of service on nearby roads, conflict with adopted policies, plans or programs for transportation, and would not cause congestion on the local circulatory network. The project is not expected to generate significant foot or bicycle traffic, or generate significant public transit demand and would have a *less than significant* impact on levels of service/conditions for these 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 or reduce the Level of Service below LOS "C". 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 2023 RTP. Therefore, potential impacts would be *less than significant*.

The project includes a request for a waiver for the installation of curbs, gutters and sidewalks along the project's Gateway Drive frontage and along the proposed cul-de-sac as allowed by LUO section 22.54.030.D.. Under section 22.54.030 D.3., the required frontage improvements may be waived by joint decision of the Director and County Engineer where they determine, based upon the land use designations of the Land Use Element, existing land uses in the site vicinity, and existing and projected needs for drainage and traffic control, that such improvements would be incompatible with the ultimate development of the area. In this case, the existing development within Heritage Ranch is served by private streets without curbs, gutters or sidewalks.

The project also includes a request for an adjustment to the design standards set forth in Section 21.03 of the County's Real Property Division regulations to allow a 47 foot right of way for the proposed cul-de-sac street where 50 feet is required. In accordance with section 21.03.020, the review authority

(in this case the Planning Commission) may approve an adjustment to the standards set forth in the County's subdivision regulations upon making certain findings. The application project includes supporting materials to justify the requested adjustment.

The project was referred to the Public Works Department and no significant traffic impacts were identified and no mitigation measures above what are already required by existing regulations are necessary. Therefore, project impacts associated with a conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities are considered *less than significant*.

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

Section 15064.3 of the CEQA Guidelines requires that a CEQA compliance document include an assessment of whether a project would generate potentially significant levels of VMT. To assist in these efforts, the County of San Luis Obispo has developed new Transportation Impact Analysis Guidelines (TIAG) (March 2021) that include thresholds of significance for VMT as well as screening criteria and methodologies for performing VMT analysis.

The TIAG is accompanied by a VMT screening model that compares the current (baseline) per capita VMT in a particular VMT impact zone with future per capita VMT inclusive of the project. As a result, the VMT analysis of a given project is also considered to be a cumulative impact analysis. Therefore, even though the subject project is being considered concurrently with Tract 3110 for the consideration of cumulative impacts, we have not assessed the VMT associated with both projects taken together.

Map Based Screening. The TIAG includes two maps that depict areas of the unincorporated county where residential and work-based projects would generate an average VMT that is 15% below (or lower than) the baseline VMT metric (or 85% of the baseline or lower) and would therefore not require a VMT analysis. According to Figure 1 of the TIAG screening maps, the Heritage Ranch area is not located within one of these areas. Therefore, Tract 2879 does not meet this screening criteria. However, if VMT generated by a project is not presumed to be less than significant based on these screening maps, it does not necessarily mean that the project would have a VMT impact, only that a less than significant impact cannot be assumed, and that a VMT analysis would be necessary to make that determination.

Project Size. Small projects that are found to be consistent with the San Luis Obispo Council of Governments Sustainable Communities Strategies (SLOCOG SCS) or San Luis Obispo County General Plan and generate fewer than 110 daily trips are considered to have a less than significant VMT impact. According to the TIAG, a single family residential project with 11 or fewer units would generate less than 110 daily trips and would be considered to have a less than significant impact on VMT. Since the project is consistent with the Heritage Ranch Village Plan and proposes eight single family residential lots, it is considered to have VMT impacts that are *less than significant* and less *than cumulatively considerable*.

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

A project referral package was sent to the Public Works Department; in their response letter of December 26, 2024, the Public Works Department did not raise any concerns regarding the sight distance associated with the proposed private cul-de-sac at its intersection with Gateway Drive. Nonetheless, a sight distance and speed evaluation was prepared for the intersection (Rick

Engineering, August 7, 2020) which is incorporated by reference and available for review at the County Planning Department located at 976 Osos Street, San Luis Obispo. The study concludes that sight distance provided for the intersection meets or exceeds the minimum stopping sight distance requirement set forth by County Standard A-5a. Therefore, project impacts related to traffic hazards are considered *less than significant*.

The project will be conditioned to construct all access improvements from N. Ocean Avenue consistent with County standards.

(d) Result in inadequate emergency access?

The project will be conditioned to construct all roadways and access improvements consistent with County standards, as they may be amended by the requested waiver and adjustment. 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 impacts would be *less than significant*.

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.

Mitigation

None are required.

Sources

Provided in Exhibit A.

XVIII. TRIBAL CULTURAL RESOURCES

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
	(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒
	(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the CRHR; or
    b. Included in a local register of historical resources as defined in subdivision (k) of California PRC Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC Section 5024.1(c).

Initial Study – Environmental Checklist

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 specific 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.

In accordance with AB 52 Cultural Resources requirements, outreach to the Salinan Tribe of Monterey and San Luis Obispo Counties, tiṭyu tiṭyu yak tiłhini Northern Chumash, and Northern Chumash Tribal Council.

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)?*

According to the Phase I cultural resources survey, there are no known, previously documented historical resources associated with the project site. Also according to the Phase I study, the project site does not contain any known tribal cultural resources that have been listed or have 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 requirements for Archaeologically Sensitive Areas, 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, there would be *no impact* related to a substantial adverse change in the significance of tribal cultural resources.

(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.*

As discussed in Section V. Cultural Resources, the project site does not contain features typically associated with cultural resources in the areas of disturbance.

In accordance with AB 52 Cultural Resources requirements, outreach to the Salinan Tribe of Monterey and San Luis Obispo Counties, tiṭyu tiṭyu yak tiłhini Northern Chumash, and Northern Chumash Tribal Council. The County received one response from the Northern Chumash Tribal Council (e-mail from Fred Collins, April 23, 2020) stating that they have no further comments regarding the project.

If human remains are discovered during future construction within APN 012-352-058, work must stop at the discovery location and any nearby area suspected to contain human remains (California Public Resources Code [PRC] 7050.5). The San Luis Obispo County Coroner must be contacted to determine whether the cause of death should be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (PRC 5097). The coroner will contact the NAHC. The NAHC will contact the most likely descendant (MLD) who will be afforded the opportunity to recommend means for treatment of the human remains following protocols in PRC 5097.98.

Compliance with existing regulations (LUO 22.10.040) would reduce potential impacts to *less than significant*.

Conclusion

Cultural resources are not expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with applicable 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.*

Mitigation

None are required.

Sources

Provided in Exhibit A.

XIX. UTILITIES AND SERVICE SYSTEMS

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
(d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The County Department of Public Works provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The 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 on-site wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

The project site is within the service area of the Heritage Ranch Community Services District (HRCSD) which was formed in 1990 (Figure 1). The HRCSD is authorized to provide water supply, wastewater, solid waste collection and disposal, parks and recreation and to operate a gas station within its service area. To serve its

residents, the HRCSD operates a water treatment plant (WTP) that sources water exclusively from the Nacimiento River through an infiltration gallery well. The treatment plant removes contaminats and treats the water to ensure a healthful water supply for its residents. The treatment plant is regularly monitored by the State of California for compliance with State and Federal standards and regulations. HRCSD also provides its customers with an annual Consumer Confidence Report; this report is required by the California Department of Drinking Water and becomes available to all HRCSD customers in April of each year.

The HRCSD Board last approved a Five-Year Capital Improvement Program (CIP) on August 18, 2022, for water and sewer operations. It is customary for the District to develop and project key capital improvement projects anticipated to occur during 5-year time period increments. Some of the capital improvement projects are required in part to serve future growth, while other CIPs are meant to serve existing customer needs. The overall costs get incorporated into customer water and sewer rate structure revisions. In the case where a capital project is needed to increase capacity to serve new development, that cost will be paid for by the developer at the time of development.

The Department of Public Works is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB's Construction General Permit. PG&E is the primary electricity provider and both PG&E and SoCalGas provide natural gas services for urban and rural communities within the county. The project would be served by an existing well. The project's energy needs would be provided by PG&E.

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 the Chicago Grade landfill.

Discussion

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

Water Supply

As discussed above, HRCSD operates a water treatment plant (WTP) that sources water exclusively from the Nacimiento River through an infiltration gallery well. During dead pool conditions (the period when water can no longer be released through the dam/reservoir elevation below 670 feet), water can no longer be gravity fed to the lower outlet works of the dam. At this reservoir elevation, the Nacimiento River is not capable of receiving gravity fed water from the outlet works of the dam and HRCSD (gallery wells downstream of the dam) will be without a water supply.

In 2016 HRCSD installed an emergency connection to the Nacimiento Water Project (NWP) pipeline. This emergency connection would provide the District with the ability to convey up to 491 acre-feet per year of Nacimiento raw lake water directly to the WTP for processing. This would only occur when lake water cannot be released through the dam to the District's downstream gallery wells for river water intake to the WTP. This emergency water project would only operate during drought years and would provide access to the District's sole potable water supply source through the Nacimiento Pipeline. Without this emergency connection project, the District would not be able to provide water during drought conditions for life, health and safety to their residents. This supply of water is considered sufficient to meet the minimum needs of the community during drought conditions and implementing water shortage use restrictions per the District's water restriction

codes/requirements. It should be noted that any water taken from the emergency connection would remain within the District's current Nacimiento Water allocation and the District would not be able to draw from this emergency connection such that they exceed their contractual water allocation.

The water supply main located in Gateway Drive is sized to accommodate demand associated with the project site (discussed below). Overall water system improvements identified by the HRCSD will enable the District to deliver water for the next 20 years or more. Assuming timely implementation of the improvements outlined in the CIP, the project, as conditioned, would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, impacts would be *less than significant*.

Wastewater

Heritage Ranch CSD Water Reclamation Facility is an extended aeration facility. Aeration treatment relies on aerobic bacteria to digest the sewage, which gets discharged to an unnamed ephemeral drainageway that is a tributary to the Nacimiento River 4.2 miles downstream of the discharge point. HRCSD has an aging secondary wastewater treatment pond system and must upgrade their Water Reclamation Facility (WRF) to ensure compliance with NPDES and Waste Discharge Requirements imposed by the RWQCB. According to HRCSD WRF Upgrade design plans, the District's NPDES Permit was revised, and the Regional Board also issued a Time Schedule Order which acknowledges the District is unable to immediately comply with the copper, un-ionized ammonia, and nitrate effluent limits. HRCSD is working on major upgrades to come into compliance with these effluent limits. The project will also set the district up for recycled water programs. District staff anticipate the facility upgrades to be completed by the end of 2027. Improvements to the wastewater system identified in the District's CIP will accommodate development of the project site.

Assuming timely implementation of the improvements outlined in the CIP, the project, as conditioned, would not result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, impacts would be *less than significant*.

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

The HRCSD is entitled to 889 acre-feet per year from the Nacimiento River. The remaining water allocation within the Village of Heritage Ranch (211 AFY) is held by private landowners and the County. The District has allocated all its available contracted water supply to 2,076 approved residential lots. There are an additional 18 water meters serving a variety of commercial, recreational and public uses, and while these uses do add to the water demand, they do not count against the build-out limit for residential lots.

As of 2022, of the 2,076 approved residential lots served by the HRCSD, 1,932 have active meters with an approximate demand of 464 AFY and 144 are vacant unmetered lots (estimated reserved demand of 35 AFY). Therefore, the water demand associated with existing development plus the remining vacant lots is about 499 AFY, or about 56 percent of the District's entitled water supply. The average water demand per residential water meter varies between 0.16 and 0.27 AFY/ lot, with the lower amount occurring during extreme drought conditions and the standard amount being 0.24 AFY/lot. Assuming eight residential lots are constructed on the project site, along with ornamental landscaping, water demand associated with the project would be about: 8 X 0.24 AFY = 1.92 AFY.

This equates to a total demand within the HRCSD service area of about 501 AFY, which is about 57 percent of the District's total entitled water supply.

According to a letter from HRCSD dated January 5, 2024, the District issued a Conditional Will Serve Letter to the property owner that expired on July 20, 2024. According to the letter, if the conditions of letter can be met a final Will-Serve Letter will be issued.

Therefore, as conditioned, impacts related to 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?

As discussed above under item b), the HRCSD operates a wastewater collection, treatment and disposal system. The existing average daily flow is estimated at 0.13 MGD or 145 AFY with a maximum monthly flow of 0.16 MGD or 179 AFY, according to the HRCSD 2017 Recycled Water Study. It is important to note that wastewater demand will differ from water demand because there are residents within the HRCSD service area that are on septic.

Based on a future population of 4,800 (for wastewater needs) and a per capita flow of 55 gpd the estimated average daily flow was determined to be 0.26 MGD or 291 AFY with a maximum monthly flow of 0.34 MGD. Future average daily flows, inclusive of the project, will be about 65 percent of the original plant design hydraulic capacity of 0.4 MGD. Therefore, the wastewater collection and treatment system can accommodate development of the project.

Continued implementation of the District's 2022 CIP will enable the District to remedy existing system deficiencies, accommodate future wastewater flow and achieve State effluent requirements. Therefore, *impacts will be less than significant.*

(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

HRCSD is the solid waste authority and has a Franchise Agreement with San Miguel Garbage Company to provide solid waste services within the District. The current agreement expires January 31, 2032. The agreement allows the San Miguel Garbage Company to include the furnishing of all labor, supervision, equipment, materials, supplies, and all other items necessary to perform the services (refuse collection, disposal and recycling activities). The District reserves the right to revise its laws and regulations pertaining to solid waste collection and disposal in order to protect public health, safety and welfare. Funding for solid waste collection and disposal activities comes primarily from fees charged to residents.

The nearest landfill to the site is the Chicago Grade Landfill located approximately 15 miles to the southeast. The landfill has a remaining capacity of approximately 8.8 million cubic yards. The incremental amount of waste generated by the project that is not recycled/reused would be within the service capacity of the landfill. 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*.

(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 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.*

Mitigation

None are required.

Sources

Provided in Exhibit A.

XX. WILDFIRE

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

Setting

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by 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 project would be located within the State Responsibility Area, and, based on County Fire's referral response letter, it would take less than 5 minutes to respond to a call regarding fire or life safety.

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

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;

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

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

The 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, developing and implementing mitigation efforts to reduce the threat of fire, requiring fire resistant material 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 EOP outlines the emergency measures that are essential for protecting 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?

The project may require temporary road closures to construct the storm drain and water line connections within Gateway Drive. However, any road closures would be required to be designed to accommodate emergency vehicle access. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans. 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.

Based on the County's Land Use View tool and Dam and Levee Failure Plan, the project is not located within an area that would be inundated in the event of a dam failure or tsunami. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, no impacts related to emergency plans would occur.

Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant.*

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

The eight residences will be located on moderately sloping land at the tow of the slope heading north toward the SR 1 right-of-way. Winds in the area vary from 6-8 miles per hour and primarily come from the north and west. As described in Section 6, Geology and Soils, the numerical slope analysis concluded that the potential for landslides affecting either group of parcels is low, and the project is not proposing disturbance in areas of steep slopes that would be conducive to the formation of debris flows off site.

The site is located within a State Responsibility Area and, based on the County's fire response time map, it would take less than 5 minutes to respond to a call regarding fire or life safety. The project would be designed to comply with all fire safety rules and regulations, including the California Fire Code and Public Resources Code, which includes improvements to the site to accommodate emergency vehicle access, vegetation clearing or trimming, and installation of a water storage tank for fire protection. The project will be conditioned to comply with all applicable fire protection standards as determined by County Fire, as detailed in the referral response letter (County Fire, February 2, 2024), including, but not limited to implementation of a fire safety plan, and the applicant will be required to comply with the requirements of the plan for the life of the project. Compliance with the Uniform Fire Code and the recommendations of CalFIRE will ensure that potential impacts associated with slope, prevailing winds, and other factors will be *less than significant*.

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 design and construction are required to comply with all fire safety rules and regulations, including the California Fire Code and Public Resources Code, which includes construction of an access road/driveway to accommodate emergency vehicle access, vegetation clearing or trimming around all proposed structures, and installation of fire sprinklers. These infrastructure improvements would reduce fire risk. 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 eight residences will be located on gently sloping land on the south side of Gateway Drive, and separated from the adjacent single family residences by an equestrian path. Winds in the area vary from 6-8 miles per hour and primarily come from the north and west. As described in Section 6, Geology and Soils, the potential for landslides affecting the project site is low, and the project is not proposing disturbance in areas of steep slopes that would be conducive to the formation of debris flows off site. Based on the design of the project and the characteristics of the surrounding terrain, the project will not include design elements that would expose people or structures to significant risks such as 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*.

Initial Study – Environmental Checklist

Conclusion

As conditioned, 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 are required.

Sources

Provided in Exhibit A.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
(b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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?*

As discussed in each of the preceding topical sections, upon implementation of identified mitigation measures, the proposed project would not result in significant impacts to biological resources and would not 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, 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. Therefore, impacts would be *less than significant with mitigation incorporated.*

(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 State CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." Section 15355 of the State CEQA Guidelines further states that individual effects can be various changes related to a single project or the change involved in a number of other closely related past, present, and reasonably foreseeable future projects. The State CEQA Guidelines state that the discussion of cumulative impacts should reflect the severity of the impacts as well as the likelihood of their occurrence. However, the discussion need not be as detailed as the discussion of environmental impacts attributable to the project alone. Furthermore, the discussion should remain practical and reasonable in considering other projects and related cumulatively considerable impacts.

Tract 2879 is being processed concurrently with a similar residential subdivision on land owned by the same property owner (SUB2020-00026, Tract 3110) located about two miles to the north. The two projects may be constructed concurrently and are considered reasonably foreseeable for the consideration of cumulative impacts. The location of the two projects is shown in Figure 9 and project characteristics are summarized in Table 13.

Table 13 -- Summary of Reasonably Foreseeable Cumulative Projects and Selected Cumulative Impacts

Characteristics	Tract 2879	Tract 3110
Total Area	2.17 acres	13.59 acres
Area of Disturbance	2.17 acres	10.97 acres
Total Residential Lots	8	52
Lots Devoted to Storm Drainage Basins	0	2
Open Space Lots	0	3
Lots Devoted to Private Streets	1	0
Total Lots:	9	57

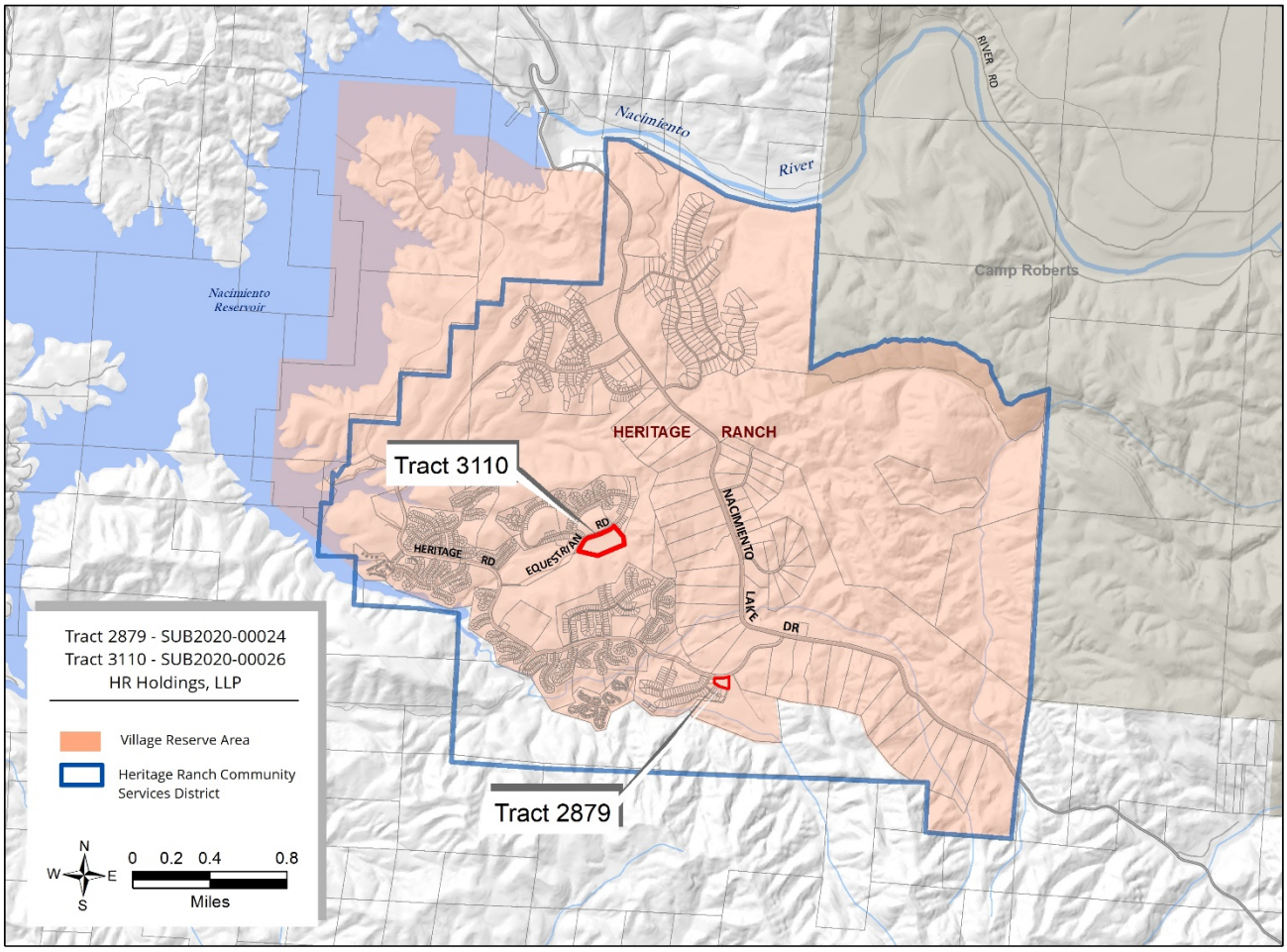

Figure 9 – Location of Reasonably Foreseeable Cumulative Projects

Aesthetics

The analysis provided in Section I., Aesthetics, concludes that the project will result in development that is consistent with the type, scale, character and location of surrounding properties and areas visible from public vantages and would not adversely impact views from Nacimiento Lake Drive. Project impacts, when combined with additional development and activities likely to occur on surrounding properties within the viewshed are considered *less than cumulatively considerable*.

Agriculture and Forestry Resources

The analysis provided in Section II, Agriculture and Forestry Resources, indicates that the project would result in the permanent conversion of about 1.1 acres of Prime farmland. Together with Tract 3110, both projects will result in the permanent conversion of about 14.55 acres of Prime farmland. This impact is considered less than significant and less than cumulatively considerable because:

- The small size and irregular shape of the areas on both parcels where Prime soils are located make crop production on each project site infeasible.
- Both project sites are designated for single family residential development and are surrounded by urban residential development.
- The conversion of up to 14.55 acres of important farmland is a small fraction of the total productive farmland within the County as mapped by the FMMP and COES.
- The HRCSD does not provide water for agricultural uses.

In addition, no potential impacts to forest land or timberland would occur. The project would not result in a conflict with existing zoning for agricultural use or with the existing Williamson Act contract. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the project's potential impacts to agriculture and forestry resources is considered *less than cumulatively considerable*.

Air Quality

The analysis provided in Section III, Air Quality, concludes that the project's potential construction-related emissions would exceed SLOAPCD thresholds of significance for construction emissions. In addition, construction related emissions could adversely impact sensitive receptors on the surrounding parcels. Tract 3110 covers about 10.97 acres and would result in similar impacts associated with grading, fugitive dust and diesel particulate matter. With implementation of recommended mitigation measures AQ-1 and AQ-2, project construction, operational, and cumulative impacts would be *less than cumulatively considerable with mitigation*.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified avoidance and mitigation measures for special-status wildlife species and their habitats, potential jurisdictional waters, and oak trees. With implementation of measures BIO-1 through BIO-12 potential impacts to biological resources would be less than significant.

Tract 3110 covers about 10.97 acres and would result in similar impacts to annual grassland, oak trees and listed plant and animal species. Based on the mitigation measures identified to reduce potential project impacts, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be *less than cumulatively considerable with mitigation*.

Cultural Resources

The analysis provided in Section V. Cultural Resources concludes that project development would not result in significant impacts to cultural resources and project related impacts are considered less than significant. Tract 3110 covers about 10.97 acres and would be subject to site specific cultural resources surveys and, if necessary, mitigation measures.

Therefore, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with cultural resources would be *less than cumulatively considerable*.

Energy

The analysis provided in Section VI. Energy concludes that the project's contribution to the overall increased demand for electricity and natural gas would not have the potential to result in potentially cumulatively considerable environmental impacts the wasteful, inefficient and unnecessary use of energy because the residences will be required to comply with relevant building codes relating to energy conservation. Total energy demand between Tract 2879 and Tract 3110 is estimated to be about 22,393,120 kW which is considered less than cumulatively considerable. because each project will be required to comply with mandatory energy-savings features. Therefore, the project's environmental impacts associated with energy use would be *less than cumulatively considerable*.

Geology and Soils

As discussed in Section VII. Geology and Soils, the project is not located within an Alquist-Priolo Fault Hazard Zone and would be required to comply with the CBC and other applicable standards to ensure the effects of ground instability or a potential seismic event would be minimized through compliance with current engineering practices and techniques. Therefore, project related impacts to soils and geologic resources is considered *less than cumulatively considerable*. Based on the underlying geologic formation, the project's potential impacts to previously unknown paleontological resources would be *less than significant* and *less than cumulatively considerable.*

Greenhouse Gas Emissions

As discussed in Section VI, Energy, the project, is estimated to generate approximately 34 metric tons of CO_2 per year. Together with Tract 3110, both projects are expected to generate about 252 MTCo2e per year. As stated in Section VIII., a project estimated to generate less than 690 MMTCO2e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

Therefore, cumulative impacts associated with GHG emissions would be *less than cumulatively considerable*.

Hazards and Hazardous Materials

As discussed in Section IX. Hazards and Hazardous Materials, construction activities may include the use of hazardous materials that could result in potential hazards through routine transport, use, and disposal as well as under upset or accident conditions. Mitigation measures HAZ-1 and HAZ-2 have been identified to reduce potential impacts by restricting the location of equipment maintenance, refueling and other potentially hazardous activities, and identifying the appropriate response protocol for immediate cleanup of any spills.

Project impacts associated with hazards and hazardous materials would be *less than cumulatively considerable with mitigation.*

Hydrology and Water Quality

As discussed in Section X. Hydrology and Water Quality, the project is not expected to require the construction of additional water supply infrastructure that would result in a significant impact on the environment. Continued implementation of the District's 5 year CIP will ensure the District can serve both projects.

With regard to stormwater runoff, as discussed in Section X. Hydrology and Water Quality, the application materials include calculations that demonstrate post-construction runoff will satisfy NPDES standards and will not adversely impact downstream properties or improvements.

Tract 3110 will be required to meet County and State standards for water quality and erosion prevention. Therefore, project impacts are considered *less than cumulatively considerable*.

Noise

As discussed in Section XIII, Noise, project related noise associated with construction activities and outdoor cultivation would be less than significant.

Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the subject project to potential noise impacts is considered *less than cumulatively considerable*.

Population and Housing

The most recent projection of regional growth for San Luis Obispo County is the 2050 Regional Growth Forecast (RGF) for San Luis Obispo County, prepared and adopted by SLOCOG in 2017. Using the Medium Scenario, the total county population, housing, and employment for both incorporated and unincorporated areas is projected to increase at an average annual rate of 0.50% per year. Between 2015 and 2050, the County's population is projected to increase by 44,000, or about 1,260 residents per year. Within the unincorporated area, the population is expected to increase by about 19,500 residents, or about 557 per year. Employment is expected to increase by about 6,441, or about 184 per year.

The project could be expected to be occupied by about 24 residents, plus 156 residents of Tract 3110 for a total of 180 residents. When considered with the potential impacts of other reasonably foreseeable development in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered *less than cumulatively considerable*.

Public Services

The project would be subject to adopted public facility (County) and school (CGC Section 65995 et seq.) fee programs to offset impacts to public services. Therefore, when considered with the potential impacts of other reasonably foreseeable projects, the contribution of the subject project to potential public services impacts would be less than cumulatively considerable.

Transportation

Local Traffic Impacts. Total ADT with Tract 2879 combined with Tract 3110 is estimated to be about 577. As discussed in Section XVII, Transportation, the project would not result in a conflict with a plan or policy addressing the circulation system, or increase hazards due to a geometric design feature. Therefore, the project's potential traffic impacts would be *less than cumulatively considerable*.

Moreover, each project is required to mitigate the project-specific impacts to the transportation network. Such mitigation may include, but is not limited to, the installation of roadway and intersection improvements necessary to serve the project and the payment of applicable road improvement fees. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the subject project to local roadway impacts would be *less than cumulatively considerable*.

County Fire access requirements will be enforced as conditions of approval.

Vehicle Miles Traveled. Based on the screening criteria provided in the County's Transportation Impact Analysis Guidelines, the small size of the project is expected to have an impact on VMT that is considered de minimis and will therefore be *less than significant* and *less than cumulatively considerable*.

Other Impact Issue Areas

Based on the project's less-than-significant impacts and the discretionary review of all surrounding reasonably foreseeable future development, the project's potential impacts associated with the following issue areas would be *less than cumulatively considerable*:

- Land Use Planning;
- Mineral Resources;
- Recreation;
- Tribal Cultural Resources;
- Utilities and Service Systems; and
- Wildfire.

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

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. In addition, implementation of mitigation measures AQ-1 and AQ-2, HAZ-1 and HAZ-2, and identified in in the resource sections above would reduce potential adverse effects on human beings to less than significant; therefore, impacts would be *less than significant with mitigation.*

Conclusion

Potential impacts would be less than significant upon implementation of mitigation measures identified in the resource sections above.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	**In File****
☒	County Environmental Health Services	**In File****
☐	County Agricultural Commissioner's Office	**None**
☐	County Airport Manager	**Not Applicable**
☐	Airport Land Use Commission	**Not Applicable**
☒	Air Pollution Control District	**In File****
☐	County Sheriff's Department	**None**
☒	Regional Water Quality Control Board	**None**
☐	CA Coastal Commission	**Not Applicable**
☒	CA Department of Fish and Wildlife	**None**
☒	CA Department of Forestry (Cal Fire)	**In File****
☐	CA Department of Transportation	**None**
☐	Community Services District	**Not Applicable**
☒	Other Heritage Ranch CSD	**In File****
☒	Other AB 52 Tribes	**In File****

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

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

☒ Project File for the Subject Application

County Documents

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

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

Other Documents

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

Initial Study – Environmental Checklist

The project application materials are incorporated by reference in their entirety and available for review at the Department of Planning and Building, 976 Osos Street, Suite 200, San Luis Obispo. In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Project-Specific Studies and Supporting Materials

Project application materials

Althouse and Meade, Inc., September, 2022 and August 2024, Arborist Report for HR Holdings Tract 2879

Althouse and Meade, Inc., August 2024, Biological Resource Consistency Review for HR Holdings Tract 2879

Althouse and Meade, Inc., July 2018, July 2023, Biological Report for HR Holdings Tract 2879

Althouse and Meade, Inc., July 2020, Tiger Salamander Site Assessment

CRMS August, 2018, Archaeological Resources Inventory of Tracts 2879 and 3110

FIRMA, October 2024, Preliminary Landscape Plan for Tract 2879

Letter of October 16, 2023, Adjustment Request for Reduced Right of Way Width

Rick Engineering Company, December 5, 2024, Preliminary Improvement Plans, Tract 2879

Rick Engineering Company, December 5, 2024, Vesting Tentative Tract 2879

Rick Engineering Company, 202o, Sight Distance Exhibit for Tract 2879

Agency And Tribal Review

Department of Public Works, December 26, 2024 referral response letter

Stormwater Management, letter of January 18, 2024

Environmental Health – Acknowledgement of preliminary evidence of water and wastewater services date September 17, 2024

Heritage Ranch CSD – Response to project referral, January 5, 2024

County Fire – the project is to comply with all fire safety rules and regulations. (Wells, May 15, 2021)

AB52 – Response from Fred Collins, NCTC dated April 23, 2020.

Other County References

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Barros, Ana M.G., Jose M.C. Pereira, Max A. Moritz, and Scott L. Stephens. 2013. Spatial Characterization of Wildfire Orientation Patterns in California. Forests 2013, 4; Pp 197-217." 2013.

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California Department of Transportation (Caltrans). 2019. California Scenic Highways Mapping Tool. Available at: < https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=f0259b1ad0fe4093a5604c9b838a486a>.

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County of San Luis Obispo. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016.

County of San Luis Obispo, 2021, Transportation Impact Analysis Guidelines and VMT Sketch Planning Tool

Diblee, Thomas W., Jr. 2004. Geologic Map of the Creston & Shedd Canyon Quadrangles, San Luis Obispo County, California. National Geologic Map Database. Available at: <https://ngmdb.usgs.gov/Prodesc/proddesc_71748.htm>.

Department of Planning and Building website: https://www.slocounty.ca.gov/Departments/Planning-Building/Department-Services/Agriculture,-Water,-and-Energy/Water-Programs/Programs-and-Services/PRGWB-Area-of-Severe-Decline.aspx

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Pacific Gas and Electric (PG&E). 2019. Delivering Low-Emission Energy. Available at: <https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energy-solutions.page>.

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Exhibit B - Mitigation Summary Table

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

Air Quality

AQ-1 **Fugitive Dust Construction Control Measures. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots,** the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans:

15. Reduce the amount of the disturbed area where possible;
16. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible. When water use is a concern due to drought conditions, the contractor or builder shall consider use of a dust suppressant that is effective for the specific site conditions to reduce the amount of water used for dust control.;
17. All dirt stock-pile areas shall be sprayed daily as needed;
18. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
19. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) or otherwise comply with California Vehicle Code (CVC) Section 23114.
20. "Track-Out" is defined as sand or soil that adheres to and/or agglomerates on the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto any highway or street as described in CVC Section 23113 and California Water Code 13304. To prevent 'track out', designate access points and require all employees, subcontractors, and others to use them. Install and operate a 'track-out prevention device' where vehicles enter and exit unpaved roads onto paved streets. The 'track-out prevention device' can be any device or combination of devices that are effective at preventing track out, located at the point of intersection of an unpaved area and a paved road. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.
21. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
22. The contractor or builder shall designate a person or persons whose responsibility is to ensure any fugitive dust emissions do not result in a nuisance and to enhance the implementation of the mitigation measures as necessary to minimize dust complaints and reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Their duties shall include holidays and weekend periods when work may not be in progress (for example, wind-blown dust could be generated on an open dirt lot). The name and telephone number of such persons shall be provided to the APCD Compliance Division

prior to the start of any grading, earthwork, or demolition (Contact the Compliance Division at 805-781-5912).

23. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities.
24. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
25. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
26. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
27. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.
28. Take additional measures as needed to ensure dust from the project site is not impacting areas outside the project boundary.

AQ-2 **ROG, NOx, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NOx), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures **shall be shown on grading and building plans**:

11. Implement Mitigation Measure AQ-1, as identified above.
12. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
    a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
    b. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
13. Maintain all construction equipment in proper tune according to manufacturer's specifications.
14. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
15. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines and comply with the State Off-Road Regulation.
16. Use on-road heavy-duty trucks that meet the CARB's 2010 or cleaner certification standard for on-road heavy-duty diesel engines and comply with the State On-Road Regulation.

17. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
18. Electrify equipment when possible.
19. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
20. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Biological Resources

BIO-1. Purple needlegrass mitigation. **Prior to recordation of the final tract map.** Impacts to 0.73 acre of purple needlegrass grassland shall be mitigated by creating and/or restoring 0.73 acre of purple needlegrass grassland within a designated open space area in the Heritage Ranch master planned community or other suitable area outside of the Ranch. Creation entails converting a non-purple needlegrass grassland to a purple needlegrass grassland; restoration entails returning degraded purple needlegrass grassland habitat to a pre-existing (or better) condition. A Mitigation Monitoring and Reporting Plan detailing the specifics of the mitigation approach shall be prepared for review and approval by the County prior to issuance of grading permits. At a minimum, the plan shall:

8. Quantify Project impacts to purple needlegrass grassland habitat.
9. Provide site selection and justification.
10. Describe a work plan including methodologies, schedule, plant materials, and implementation strategies.
11. Include a description of annual maintenance and monitoring activities for five years.
12. Describe success criteria, including a minimum 10% relative cover of purple needlegrass at the site after 5 years.
13. Include an adaptive management plan that allows for adjustments to methods or maintenance activities to adapt to unforeseen circumstances.
14. Identify responsible parties.

Mitigation implementation and success shall be monitored for a minimum of five years, which may be extended if necessary, at the discretion of the Department of Planning and Building. Annual reports shall be prepared and sent to the County by December 15th of each year. The habitat shall be fenced for protection.

BIO-2 Oak Tree Mitigation I. **At the time of site disturbance associated with tract improvements or on individual lots.** Impacts to the oak canopies or critical root zones shall be avoided where practicable. Impacts include pruning, any ground disturbance within the dripline or CRZ of the tree (whichever distance is greater), and trunk damage. The CRZ radius is determined using ratio of 1.5 feet for every inch of DBH. For example, a tree with a 10- inch DBH has a 15-foot radius CRZ.

BIO-3 Oak Tree Mitigation II. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. Impacts to oak trees 6 inches dbh or greater shall be mitigated by planting additional oaks on site. Oaks removed shall be replaced in kind at a 4 to 1 ratio. Oaks impacted shall be replaced in kind at a 2 to 1 ratio. Dead oak trees shall not require mitigation. Replacement trees shall be one-gallon containers, of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained (browse protection, weed reduction, and irrigation, as needed) and monitored annually for at least seven years. When replacement trees are required, the applicant shall provide a replacement and monitoring plan to the satisfaction of the Department of Planning and Building.

BIO-4 Oak Tree Mitigation III. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. Management recommendations from the Arborist Report for HR Holdings – Tract Map 2879 (September 2022) shall be implemented to minimize impacts to oak trees during construction of the Project. Oak tree protection measures shall be shown on all site and grading plans.

Fencing. Prior to any site disturbance, tree protection fencing shall be installed as close to the outer limit of the CRZ as practicable for construction operations. The fencing shall be in place throughout the duration of the project and removed only under the direction of the project's Certified Arborist. The owner shall be responsible for maintaining intact fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. Weatherproof signs shall be permanently posted on the fences with the following information: Tree Protection Zone: No personnel, equipment, materials, or vehicles allowed. All areas behind fencing are off limits unless pre-approved by the arborist.

Soil Aeration Methods. Soils within the CRZ that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18 inches deep, 2-3 feet apart with a 2- to 4-inch auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch. All areas within the CRZ of the trees that can be fenced shall receive a 4- 6-inch layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching within CRZ. Trenching within the CRZ must be approved by the project's Certified Arborist and shall be done by hand or with an air spade. All major roots shall be avoided whenever possible. All exposed roots larger than 1 inch in diameter shall be clean cut with sharp pruning tools and not left ragged. Any roots exposed during construction shall be evaluated and treated by the arborist.

Grading within the CRZ. Grading should not encroach within the CRZ unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound. Any exposed roots shall be covered the same day they are exposed if possible. If they cannot, they must be covered with burlap or another suitable material and wetted down 2 times per day until reburied.

Equipment Operation. Vehicles and heavy equipment shall not be driven under oak trees, as this will contribute to soil compaction. Additionally, there is to be no parking of equipment or personal vehicles in these areas.

Existing Surfaces. The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

Construction Materials and Waste. No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials.

Arborist Monitoring. An arborist shall be present for soil disturbance work within the CRZ of oak trees. Monitoring does not necessarily have to be continuous but observational at times during these activities.

Impacted Root Treatment. Roots impacted during construction (e.g., trenching or grading operations) shall be treated by the arborist on a case-by-case basis using best practices such as clean cuts accompanied by application of appropriate fungicides and insecticides by a licensed pest control applicator.

Pruning. A certified arborist shall direct all pruning. No pruning shall take more than 25 percent of the live crown of any native tree.

Landscape. All landscape within the CRZ shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.

Fertilization. As the project moves toward completion, the arborist may suggest either fertilization and/or mycorrhizal inoculation applications that will benefit tree health. Application of mycorrhizal inoculum offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

BIO-5 Jurisdictional Waters. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. As applicable, the applicant shall provide evidence to the County that either no jurisdictional areas will be impacted or that any necessary authorizations from the United States Army Corps of Engineers, State Water Resource Control Board, and/or California Department of Fish and Wildlife have been issued.

BIO-6 Bat pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** A pre-construction survey shall be completed within 7 days prior to removal or trimming of any tree over 10-inches DBH (including dead trees and snags) to determine if they harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist may install one-way valves or other BR-7. Bat eviction plan. If a bat roost is detected during the maternal season, a minimum 50- foot no-disturbance buffer will be maintained. For roosts that require removal during the non-material season, a one-way valve will be placed over the occupied access point to allow bats to safely leave and prohibit reentry.

BIO-8 Reduce light impact to nocturnal species. Prior to acceptance of tract improvements & prior to issuance of construction permits on individual lots. The applicant shall provide verification to the Department of Planning and Building that the following measures will be implemented for

temporary and permanent light sources used during construction/grading activities to minimize potential light impacts to bats and other nocturnal wildlife:

3. Use the lowest intensity lighting appropriate for the task

4. Light only the area intended – keep lights directed and shielded to avoid light spill.

BIO-9 Crotch's bumble bee pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** a focused survey for Crotch's bumble bee shall be performed by a qualified biologist following the guidance set forth in the California Department of Fish and Wildlife (CDFW) Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (June 6, 2023). This includes at least 3 surveys during the Colony Active Period of April – August. If Crotch's bumble bee is detected during the survey the applicant shall consult with CDFW on recommendations for impact avoidance and/or take authorization through acquisition of an Incidental Take Permit, pursuant to Fish and Game Code section 2081 subdivision (b).

BIO-10 Badger pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** A pre-construction survey shall be conducted within thirty days prior to the beginning of work on the site to identify if badgers are using the site. The results of the survey shall be sent to the project manager and the County of San Luis Obispo. If the pre-construction survey finds potential badger dens, they shall be inspected to determine whether they are occupied. The survey shall cover the entire Study Area and shall examine both old and new dens. If potential badger dens are too long to completely inspect from the entrance, a fiber optic scope shall be used to examine the den to the end. Inactive dens may be excavated by hand with a shovel to prevent reuse of dens during construction. If badgers are found in dens on the Property between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Between July 1st and February 1st all potential badger dens shall be inspected to determine if badgers are present. During the winter badgers do not truly hibernate but are inactive and asleep in their dens for several days at a time. Because they can be torpid during the winter, they are vulnerable to disturbances that may collapse their dens before they rouse and emerge. Therefore, surveys shall be conducted for badger dens throughout the year. If badger dens are found within the Study Area during the pre-construction survey, the CDFW wildlife biologist for the area shall be contacted to review current allowable management practices.

BIO-11 Nesting bird pre-construction survey. **Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots.** Within one week prior to ground disturbance activities, if work occurs between March 1 and August 30, nesting bird surveys shall be conducted to determine whether yellow-billed magpie or other bird species protected under the MBTA are nesting within or adjacent to the construction zone. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. A pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging

of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BIO-12 Retain qualified biologist(s). Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. The applicant shall provide verification to the Department of Planning and Building that a qualified biologist/ biologist(s) have been retained to complete all of the necessary preconstruction surveys which are to occur prior to site disturbance activities.

Hazards and Hazardous Materials

HAZ-1 Equipment maintenance and refueling. During all construction activities, the cleaning, refueling, and maintenance of equipment and vehicles shall occur only within designated staging areas. The staging areas shall conform to all Best Management Practices applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles shall be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills.

HAZ-2 Spill response protocol. **During all construction activities**, all project-related spills of hazardous materials shall be cleaned up immediately. Appropriate spill prevention and cleanup materials shall be onsite at all times during construction.