COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

Initial Study – Environmental Checklist

PLN-2039
04/2019

Project Title & No. Howes Variance N-DRC2025-00003 / ED25-0037

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.

Lane Sutherland		07/29/2025
Prepared by (Print)	Signature	Date
Eric Hughes		07/29/2025
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 Ryan Howes for a Variance (N-DRC2025-00003) to allow grading on slopes exceeding 30% to facilitate the construction of a residential driveway intended to serve a 6,422-square-foot single-story single-family residence, a 1,131-square-foot attached garage, and three outdoor deck areas totaling 689 square feet. The proposed project will result in approximately 0.92 acres of site disturbance. While the proposed structure will not require grading on slopes exceeding 30%, there are multiple locations along the driveway where grading on such slopes will be necessary. Additionally, trenching for utility connections will also occur in areas with slopes exceeding 30%.

The project includes site improvements over approximately 0.92 acres and would involve approximately 1,060 cubic yards of cut and 1,600 cubic yards of fill, including trenching for utilities. The project site is located at 1523 Badger Canyon Lane, at the intersection of Badger Canyon Lane and Fox Canyon Lane, in the unincorporated area of Arroyo Grande. The project site is within the Residential Suburban land use category and lies within the San Luis Bay Inland Sub-Area, South, of the South County Planning Area.

The project location is shown in *Figure 1.*

Slope Standards and Variance Justification

The Land Use Ordinance (LUO Section 22.52.060.B) generally prohibits grading on slopes exceeding 30% unless a Variance is approved. In this case, a Variance is required to allow grading on slopes exceeding 30% in several portions of the site to construct a driveway that provides access from Badger Canyon Lane to the proposed building site. The variance is necessary due to the site's natural topography, which includes steep terrain that cannot be avoided while maintaining feasible and safe vehicle access. The proposed residence itself is sited outside of areas with slopes exceeding 30%, and no structural grading requiring a variance is proposed. The request is considered the minimum necessary to allow reasonable use of the property under the circumstances.

Initial Study – Environmental Checklist

Access, Utilities, and Site Services

Access to the site will be provided via a new private driveway constructed across the existing topography, with design features intended to limit overall grading and environmental disturbance. The driveway will meet applicable County and fire access standards. Utilities including domestic water, wastewater, and electricity will be extended from existing nearby infrastructure, with installation to occur within proposed disturbance areas. Stormwater runoff from new impervious surfaces will be directed to on-site drainage features in accordance with County Public Works standards, and the project will be subject to construction-phase and post-construction stormwater requirements.

Land Use Consistency

The project site is located within the Residential Suburban land use category and is designated for residential development under the County's Land Use Element. The site is within the San Luis Bay Inland Sub-Area, South, of the South County Planning Area. The proposed development is consistent with the allowed uses for this designation and is subject to discretionary review through the County's land use permitting process.

Ordinance Modification. None are requested.

Initial Study – Environmental Checklist

Baseline Conditions

The project site consists of a developed parcel of approximately 19.2 acres located at 1523 Badger Canyon Lane in the unincorporated area east of Arroyo Grande (Figure 2). The site is located in the southeastern portion of San Luis Obispo County, within the San Luis Bay Inland Sub-Area, South, of the South County Planning Area. The site is not served by a community services district; utilities and services will be extended from existing nearby infrastructure. The surrounding area consists of rural residential development interspersed with undeveloped parcels, open space, and oak woodlands.

The project site is within the **Residential Suburban** land use category and is not subject to any applicable combining designation overlays. The nearest major roadway, Corbett Canyon Road, is located approximately 0.12 miles to the southeast and is not designated as a County Scenic Road. The surrounding land is characterized by a mix of rural homes on large lots, undeveloped rolling terrain, and areas of oak woodland and chaparral habitat.

Topography of the site consists of **moderately to very steeply sloping terrain**, with slopes ranging from less than 10% to more than 50%. Multiple areas of the site contain slopes of 30% or greater, particularly along the proposed driveway alignment and in the eastern portion of the parcel. Vegetation on-site includes mixed native and non-native annual grassland, coast live oak woodland, and disturbed areas, as documented in the Biological Resources Assessment prepared by Althouse and Meade, Inc. (August 2024). A total of **70 coast live oak trees** were mapped within and adjacent to the project area, including along the proposed driveway corridor.

ASSESSOR PARCEL NUMBER(S): 044-501-004

Latitude: 35º 9' 19.6" N **Longitude:** 120.º 33'' 47.22" W **SUPERVISORIAL DISTRICT #** 3

B. Existing Setting

Plan Area: South County **Sub:** San Luis Bay (South) **Comm:** Arroyo Grande

Land Use Category:	Residential Suburban
Combining Designation:	None
Parcel Size:	19.2 acres
Topography:	Moderately sloping to very steeply sloping
Vegetation:	Scattered Oaks GrassesOak woodland
Existing Uses:	Single-family residence(s) accessory structures

Surrounding Land Use Categories and Uses:

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

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

Initial Study – Environmental Checklist

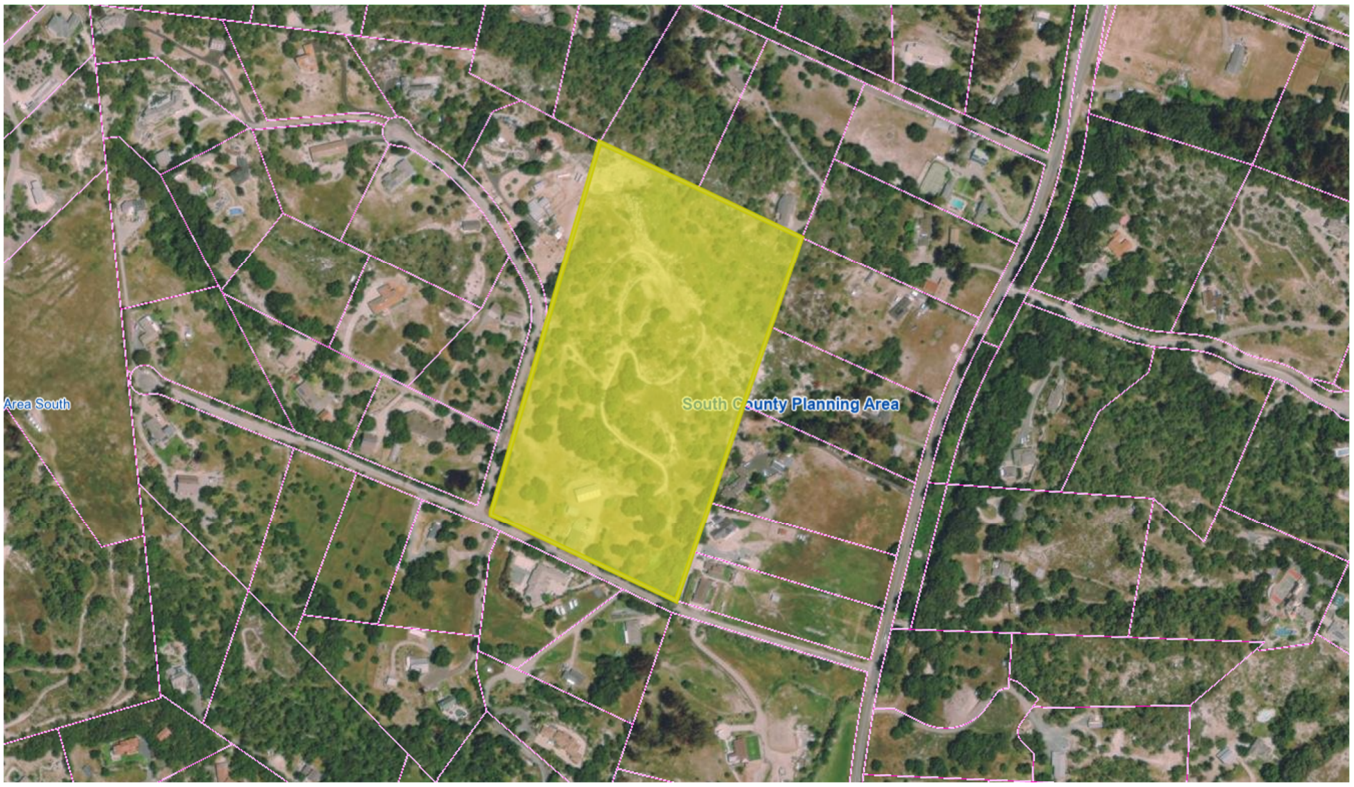


Figure 1 -- Project Location

Initial Study – Environmental Checklist

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

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

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

which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

California Scenic Highway Program

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

County of San Luis Obispo Land Use Ordinance

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

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

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

Conservation and Open Space Element

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

and sense of place. The County COSE identifies several goals for visual resources in rural parts of the county, listed below:

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

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

Countywide Design Guidelines

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

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

Existing Conditions

The project site is located east of the community of Arroyo Grande in a rural area characterized by large parcels with low-density residential development, open grassland, and oak woodlands. The parcel totals approximately 19.2 acres and is currently developed with a single-family residential dwelling and accessory structures. The site features steep topography, natural drainages, and vegetative cover consisting of annual grassland, chaparral, and oak woodland. There are several existing structures on the property, including a residence built in 1900 and altered in 1955, a 620 square foot storage barn built in 1935, and a 3,000 square foot storage barn built in 1989. The surrounding area includes scattered rural residences and undeveloped parcels with similar natural features. Residential development in the area is well integrated into the natural landscape, contributing to a scenic, rural visual character.

The project site is located within the Arroyo Grande NE, California United States Geological Survey (USGS) 7.5-minute series topographic quadrangle map. The elevation on the site ranges from approximately 500 to over 800 feet above mean sea level. Parcels in the vicinity generally range from 5 to 20 acres and support a mixture of rural residential use, grazing land, and natural open space. The visual quality of the area is defined by steep hillsides, native vegetation, and minimal structural development, all of which create a visually cohesive and natural rural setting.

The project site is not located within or adjacent to any designated scenic corridors. Due to the steep terrain and intervening vegetation, the site is not prominently visible from major public view corridors

such as Corbett Canyon Road. While limited views of the property may be available from nearby private properties or portions of Badger Canyon Lane and Fox Canyon Lane, proposed improvements will be consistent with the surrounding rural character and will not introduce visually prominent or incompatible features. The site's natural topography and vegetation help integrate potential development into the broader landscape, maintaining the visual integrity of the area.

To maintain the rural character of the area, the following measures are proposed to significantly reduce potential visual impacts: use of darker exterior building materials, limiting the height of the structure(s), and providing an exterior lighting plan for all proposed development.

Discussion

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

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints and may be officially or informally designated by public agencies or other organizations. Vistas are inherently expansive views, usually from an open area or an elevated point. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas.

The project is not located along, nor visible from, an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. The project site does not provide expansive views of a highly valued landscape for the benefit of the general public. Therefore, the project would not have a substantial adverse effect on a scenic vista and *no impacts would occur.*

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

The project is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. Therefore, *no impacts would occur.*

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

If in a non-urbanized area:

The project is located in a non-urbanized area and would generally be visually consistent with the type and extent of development in the surrounding area. With the implementation of mitigation measures VS-1 through VS-3 the project would not result in a noticeable change to public views of the area and, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings and potential impacts would be *less than significant with mitigation incorporated.*

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

The project does not propose the use or installation of highly reflective materials that would create a substantial source of glare. The project would be generally consistent with the level of existing development in the project vicinity. With implementation of measure VS-3 regarding exterior lighting the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be *less than significant with mitigation.*

Conclusion

To maintain the rural character of the area, the following measures are proposed to significantly reduce potential impacts: use of darker exterior building materials, limiting the height of the structure(s), and providing an exterior lighting plan for all proposed development. The applicant has agreed to incorporate these measures (see attached Developer's Statement) as a part of the project. Therefore, implementation of these measures will reduce the potential visual impacts to *less than significant with mitigation incorporated.*

Mitigation

Aesthetics (VS)

VS-1 **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 25 feet above the existing ground surface.

VS-2 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.

VS-3 **At the time of application for construction permits**, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent property and public roads. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

Initial Study – Environmental Checklist

II. AGRICULTURE AND FORESTRY RESOURCES

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

Initial Study – Environmental Checklist

Setting

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The County of San Luis Obispo Agriculture Element includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report.aspx.

The California Department of Conservation (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.

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

Corralitos sand (2 - 15 % slope)

Gaviota fine sandy loam (15 - 50 % slope)

Onsite soils include:

Corralitos sand (2 - 15 % slope). This gently to moderately sloping, sandy bottom soil is considered well drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: poor filtering capabilities. The soil is considered Class VI without irrigation and Class IV when irrigated.

Gaviota fine sandy loam (15 - 50 % slope). This moderately to steeply sloping, shallow coarse loamy soil is considered very poorly drained. The soil has high erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest

land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

Discussion

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

While a portion of the project site is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the Farmland Mapping and Monitoring Program (FMMP), completion of the proposed project would not result in the conversion of these designated farmlands. This is because the site is zoned Residential Suburban, not for agricultural use. Additionally, the property has no history of significant farming or agricultural use, and there are no plans for future farming on the site. The proposed project and any future residential development would be consistent with the site's designated land use, surrounding development patterns, and applicable planning guidelines. As such, the project would not impact existing or potential agricultural activities identified by the FMMP. Therefore, the project would not result in the conversion of farmland to non-agricultural use, and *impacts would be less than significant.*

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

The project site does not include land within the Agriculture land use designation or land subject to a Williamson Act contract. Therefore, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *impacts would be less than significant.*

(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; and *impacts would be less than significant.*

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

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; and *impacts would be less than significant.*

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

The project is not located in close proximity to Farmland or forest land and the nature of the project would not conflict with existing agricultural uses. The project would not result in substantial long-term increase in groundwater use, dust or other emissions that could inadvertently reduce water availability or damage crops in the surrounding area. Therefore, the project would not result in changes in the existing environment that could result in the conversion of Farmland to non-agricultural uses or forest land to non-forest uses. and *impacts would be less than significant.*

Initial Study – Environmental Checklist

Conclusion

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

Mitigation

None necessary.

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.

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 on surrounding parcels.

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.

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 a single family residence that would typically be occupied by three full-time residents. The project would not generate 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 single family residential development 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 0.92 acres and will involve 1,060 cubic yards (cy) of cut, 1,600 cy of fill. Construction activities will result in the generation of dust, as well as short-term construction vehicle emissions. The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 1 lists SLOAPCD's general thresholds for determining whether a potentially significant impact could occur as a result of a project's construction activities.

Table 1. SLOAPCD Thresholds of Significance for Construction Activities

Pollutant	**Threshold** (1)		
	Daily	**Quarterly Tier 1**	**Quarterly Tier 2**
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO_X)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM_{10}), Dust (2)		2.5 tons (2)	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM_{10} quarterly threshold.

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 2 below lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The APCD's CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM_{10} quarterly threshold listed above.

Table 2. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203
Oxides of Nitrogen (NO_X)	42.4	0.0935
Fugitive Particulate Matter (PM_{10})	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

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

Table 3. Proposed Project Estimated Construction Emissions.

Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Daily Threshold Exceeded?	Quarterly Threshold Exceeded?
		Daily	Quarterly (Tier 1)		
ROG + NO_X (combined)	3,200 c.y. x .0203 + 3,200 c.y. x .0935 = 364.14 lbs.	137 pounds	2.5 tons	Yes	No (0.182 tons)
Diesel Particulate Matter (DPM)	3,200 c.y. x .0049 = 15.68 lbs.	7 pounds	0.13 tons	Yes	No (0.0078 tons)
Fugitive Particulate Matter (PM_{10})	0.92 acres x 0.75 = 0.69 tons		2.5 tons	No	No

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

dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C).

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

As shown above, the estimated daily and quarterly construction emissions would not exceed SLOACPD's recommended thresholds of significance. Therefore, potential air quality impacts associated with the project construction would be *less than significant.*

Operational Impacts

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on the updated Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds (no operational screening criteria is offered for agricultural uses). Therefore, potential operational emissions would be *less than significant*.

(c) Expose sensitive receptors to substantial pollutant concentrations?

According to the Air Quality Handbook, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions. The nearest sensitive receptor is an off-site residence located approximately 400 feet west of the project site. Due to distance, construction activities have the potential to expose sensitive receptors to substantial pollutant concentrations. As evaluated in item (b), the project has the potential to generate daily emissions resulting in potentially significant construction emissions. Mitigation Measure AQ-1 and AQ-2 have been identified to reduce project construction emissions and the potential to expose sensitive receptors emissions. Operations of the project does not include any features or components that could expose sensitive receptors to substantial pollutant concentrations. With the implementation of the mitigation measures required for item (b) the project would not expose sensitive receptors to substantial pollutant concentrations and impacts would be l*ess 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 development, 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 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

Air Quality (AQ)

AQ-1 **Fugitive Dust Construction Control Measures. Prior to issuance of construction permits,** 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 the exposure 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.

Initial Study – Environmental Checklist

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?	☐	☒	☐	☐

Initial Study – Environmental Checklist

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

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 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

This section evaluates potential impacts to biological resources associated with the proposed grading of a driveway and construction of a single-family residence at 1523 Badger Canyon Lane (APN 044-501-004) in unincorporated San Luis Obispo County. The analysis is based on the Biological Resources Assessment (BRA) prepared by Althouse and Meade, Inc (A&M). in August 2024 and is intended to support environmental review under the California Environmental Quality Act (CEQA).

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

Biologists from Althouse and Meade, Inc. conducted a comprehensive biological resources assessment to evaluate the presence or potential occurrence of sensitive habitats and special-status species within the project site. The analysis included a review of current environmental conditions and relevant biological databases, along with a reconnaissance-level field survey.

A&M has a long history of biological resource evaluation on the subject Property, going back to 2003. A botanical assessment was prepared in 2003 (A&M 2003), updated in 2005 (A&M 2005), and updated again in 2010 (A&M 2010b), with a proposed project impact analysis also prepared in 2010 (A&M 2010a). Biological survey information and results can be found in those documents.

On April 28, 2022, A&M Certified Botanist Kristen Andersen (California Certified Botanist #0049) and Biologist Valerie Mattos conducted a pedestrian survey to inventory plant and wildlife species, describe habitat types, and to collect photographic documentation on the Property. Ms. Andersen and Principal Biologist Jason Dart completed a botanical and wildlife survey on May 5, 2022. A late season botanical survey was completed on June 21, 2022.

Identification of botanical resources includes field observations and laboratory analysis of collected material. Botanical surveys were conducted on April 28, May 5, and June 21, 2022, according to agency guidelines (USFWS 2000, CDFW 2018, and CNPS 2001). Botanical surveys were appropriately timed to identify all special status plant species known from the region that have potential to occur in the Property

Initial Study – Environmental Checklist

Desktop Review

The following sources were consulted to evaluate potential biological constraints:

- California Natural Diversity Database (CNDDB; CDFW 2024)
- California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants (2024)
- U.S. Fish and Wildlife Service (USFWS) Environmental Conservation Online System (ECOS)
- San Luis Obispo County Land Use Ordinance (Title 22), Conservation and Open Space Element, and other applicable plans and policies
- Althouse and Meade's internal geodatabase and GIS layers of known special-status species occurrences

Field Survey

Surveys included walking meandering transects throughout the proposed disturbance footprint and surrounding accessible areas to document:

- Habitat types and vegetation communities
- Presence of or suitable habitat for special-status plant and wildlife species
- Occurrence of native oak trees and evidence of wildlife use
- Evidence of jurisdictional features such as wetlands, drainages, or riparian vegetation (none were observed)

The information gathered through both desktop and field review informed the assessment of potential impacts and recommended mitigation.

Biologists conducted a desktop review of publicly available biological databases and internal GIS resources to identify special-status species and natural communities with potential to occur in the vicinity of the project. This review included queries of the California Natural Diversity Database (CNDDB, Rarefind 5), the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants, and the U.S. Fish and Wildlife Service's Environmental Conservation Online System (ECOS). Althouse and Meade's in-house geodatabase, which contains species occurrence records and habitat mapping from prior field studies in San Luis Obispo County, was also consulted. Species identified through the desktop review were evaluated in the context of habitat types observed during the field survey to determine their potential to occur on site.

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.

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

Community	Acres On The Project Site	Percent of Study Area
Chamise Chaparral	11.01	59.46%
Coast Live Oak Woodland	2.65	14.33%
Developed Land	0.66	3.57%
Disturbed Land	1.21	6.54%
Veldt Grass Perennial Grassland	2.82	15.23%
Willow Riparian	0.16	.87%
Total:	18.51	100.00%

Source: Althouse and Meade, 2024

Chamise Chaparral

Chamise Chaparral is the dominant vegetation community on site, covering approximately 11.01 acres (59.46%) of the Study Area. This habitat is characterized by a dense shrub canopy of chamise (Adenostoma fasciculatum), with interspersed individuals of wedge-leaf ceanothus (Ceanothus cuneatus), hoaryleaf ceanothus (C. crassifolius), bigberry manzanita (Arctostaphylos glauca), and poison oak (Toxicodendron diversilobum). This community conforms to the Chamise Chaparral Alliance (CA Code 37.101.00), which does not carry a state or global rarity rank and is not considered a sensitive natural community by CDFW.

Coast Live Oak Woodland

Coast Live Oak Woodland covers approximately 2.65 acres (14.33%) of the Study Area and consists of a moderately dense canopy of coast live oak (Quercus agrifolia) trees with an understory of native and non-native grasses and forbs. This habitat conforms to the Coast Live Oak Woodland and Forest Alliance (CA Code 71.040.00), which is assigned a global and state rarity rank of G4/S4. While not designated as sensitive by CDFW, oak woodlands are considered a protected resource under the San Luis Obispo County Land Use Ordinance.

Developed Land

Developed land comprises approximately 0.66 acres (3.57%) of the Study Area. This category includes existing structures, paved surfaces, driveways, and other built features, primarily concentrated around the existing residential and access areas.

Disturbed Land

Disturbed land covers 1.21 acres (6.54%) of the Study Area and consists of areas with physical evidence of past grading, clearing, or weed management. Vegetation is patchy and typically composed of ruderal species, including non-native grasses such as wild oats (Avena spp.) and bromes (Bromus spp.), along with scattered herbaceous weeds. This land cover type does not correspond to a recognized vegetation alliance and is not considered sensitive.

Veldt Grass Perennial Grassland

Veldt Grass Perennial Grassland occupies 2.82 acres (15.23%) of the Study Area. It is dominated by veldt grass (Ehrharta calycina), an invasive perennial grass that forms dense, monotypic stands. The

dominance of veldt grass suppresses native herbaceous cover and can alter fire behavior and ecological function. Although not classified as a sensitive natural community by CDFW, veldt grass is recognized as an invasive species of concern in California.

Willow Riparian

A narrow band of Willow Riparian habitat occurs along a drainage swale in the southeastern portion of the Study Area, covering approximately 0.16 acres (0.87%). This area supports a limited number of arroyo willow (Salix lasiolepis) and mulefat (Baccharis salicifolia) with an understory of herbaceous species. The willow riparian habitat conforms to the Central Coast Arroyo Willow Thicket Alliance (CA Code 61.302.00), which is considered sensitive by CDFW and has a global/state rank of G3/S3. Although limited in extent, this habitat type may support nesting birds and provides some ecological connectivity within the landscape.

Aquatic Resources

An unnamed ephemeral drainage swale traverses the southeastern portion of the Study Area. The feature flows in a generally southward direction and appears to originate upslope near the eastern property boundary. Although no standing water, saturation, or hydrophytic vegetation was observed during the field survey, the drainage supports a narrow band of riparian vegetation, including arroyo willow (Salix lasiolepis) and mulefat (Baccharis salicifolia), and is mapped as Willow Riparian habitat.

The drainage does not appear on USGS topographic maps and is not identified as a blue-line stream. No formal jurisdictional delineation has been conducted to date. If future project activities propose any placement of fill or modification within this feature, a jurisdictional delineation should be conducted by a qualified wetland specialist in accordance with U.S. Army Corps of Engineers (USACE) guidelines to determine potential waters of the United States subject to regulation under Section 404 of the Clean Water Act, and associated review under Section 401 by the Regional Water Quality Control Board (RWQCB). The feature may also be subject to California Department of Fish and Wildlife (CDFW) jurisdiction under Section 1600 et seq. of the Fish and Game Code due to its riparian vegetation.

Special Status Wildlife

Based on an analysis of known ecological requirements for the special-status wildlife species reported or known from the region (Appendix C), and the habitat conditions that were observed on the Property, it was determined that 9 special status animal species have some potential to occur within the Property. One species has a high potential to occur (Northern California legless lizard), 5 species have a moderate potential to occur (Pallid bat, Crotch's bumble bee, white-tailed kite, coast horned lizard, American badger), and 3 species have a low potential to occur on the Property (California red-legged frog, Obscure bumblebee, Western bumblebee). Each species is discussed below and summarized in Table 5.

The analysis considered both direct observations and the presence of suitable habitat types such as chamise chaparral, coast live oak woodland, grassland openings, and ephemeral drainages. Species-specific evaluations were guided by database records, agency status listings, and habitat characteristics observed in the field.

A comprehensive list of special status animal species reviewed is included as Appendix C. of the BRA.

Northern California Legless Lizard *(Anniella pulchra)* is a California Species of Special Concern that occurs from Contra Costa to Santa Barbara County. It has a Global Rank of G3 and a State Rank of S3, both of which indicate that this species is considered Vulnerable. Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong root systems (Kuhnz et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Slobodchikoff and Doyen 1977; Jennings and Hayes 1994). The closest reported occurrence of the northern California legless lizard is approximately 4 miles northwest (CNDDB # 169; 2011). No Northern California legless lizards were observed on the Property during 2022 surveys. However, due to the suitable oak woodland and chaparral habitat and friable soils, Northern California legless lizard has a high potential to occur on the Property.

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 the pallid bat is approximately 10 miles northwest (CNDDB #77; 2000). No pallid bats were observed during 2024 surveys. Due to large trees within oak woodland habitat that may be suitable for roosting, the pallid bat has a moderate potential to occur in the Property.

Obscure Bumble Bee (*Bombus caliginosus*) is designated by California Department of Fish and Wildlife (CDFW) as a Special Animal and has a Global Rank of G2G3 and a State Rank of S1S2 (NatureServe 2018). The State Rank of S1S2 is indicative of uncertainty regarding whether this species is Critically Imperiled or Imperiled, meaning the taxon is between rare and extremely rare due to steep declines, restricted range, minimal populations (5-20 or fewer), and/or other factors making it very vulnerable to extirpation from the state. The species' Global Rank indicates that it is Imperiled/Vulnerable (CDFW 2022), meaning it is at a moderate to high risk of extinction due to restricted or fairly restricted range, with few or relatively few populations or occurrences. There is cause for long-term concern due to declines or other factors such as climate change, habitat loss, and disease (Williams and Osborne 2009; Fürst et al. 2014). It is considered uncommon throughout its range, which stretches along the Pacific Coast from southern British Columbia to southern California with scattered occurrence records from the east side of California's Central Valley. Obscure bumble bee inhabits open coastal grasslands and meadows with colonies occurring underground and/or in abandoned birds' nests. The closest reported occurrence is located approximately 10 miles northwest (CNDDB #250; 2009). This species was not observed in or around the Property during surveys. However, due to the presence of open grassland and suitable food plant genera, this species has a low potential to occur.

Crotch's Bumble Bee *(Bombus crotchii)* is designated by 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. In California, the flight period for the queen is approximately February to late October, peaking in early April, with a second pulse in July and the flight period for workers and males is from late March through September with a peak in July (Thorp et al. 1983). 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's 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. The closest reported occurrence of Crotch's bumble bee is approximately 10 miles northwest of the Property (CNDDB #250; 2009). Five more occurrences have been recorded within approximately 11 miles of the Property (iNaturalist 2024, Xerces 2024), Due to suitable grassland and scrub habitat with available pollen and nectar sources on the Property, the site is potentially suitable for Crotch's bumble bee and there is moderate potential for the species to occur. This species was not observed on or near the Property during site surveys, however focused surveys have not been conducted.

Western Bumble Bee *(Bombus occidentalis)* is neither federally nor state listed; however, it is a designated Sensitive species under the United States Forest Service (USFS), and it has a Global Rank of G2G3 (imperiled and vulnerable) and a State Rank of S1 (critically imperiled). The closest record for this species is historical (1936) and is 8.2 miles west (CNDDB #279).

White-tailed Kite *(Elanus leucurus)* is a CDFW Fully Protected species that can be found throughout California but known to forage and nest in certain areas of California in fluctuating numbers (CNDDB 2024b; Lehman 2018). The species nests primarily in evergreen trees, especially coast live oaks, near meadows, marshes, farmlands or grasslands where it forages on small animals, especially voles (Dunk 1995). Communal nocturnal roosts sites, which may shift in location, are often used from early fall to early winter. The closest CNDDB record is a nest site 7.3 miles northwest of Property (CNDDB #169; 2017). The Property has suitable oak woodland habitat for nesting and roosting, as well as marginally suitable foraging habitat. White-tailed kite was not observed in the Property during 2022 site surveys, has a moderate potential to occur due to the presence of suitable oak woodland nesting and roosting habitat in combination with the presence of nearby suitable open areas for foraging.

Coast Horned Lizard *(alternate name Blainville's horned lizard; Phrynosoma blainvillii)* is a California Species of Special Concern. The coast horned lizard is distributed from northern Baja California through Northern California occurring in open areas of valley foothill hardwood, conifer, riparian, pine-cypress, juniper and annual grassland habitats. This species needs friable sandy soil with rocks and logs essential for burrows and reproduction (Laudenslayer 2007, Gerson 2011). Appropriate habitat for the coast horned lizard must include an abundance of native harvester ant (Pogonomyrmex and Messor). The non-native Argentine ant (Linepithema humile) is detrimental to horned lizard food resources as it often outcompetes the native harvester ant, and the horned lizard does not eat Argentine ants (Gerson 2011). The closest reported occurrence of the coast horned lizard is 2.8 miles east (CNDDB #680; 2007). The Property contains suitable open habitat and sandy, friable soils for this species, Coast horned lizards and suitable food sources (harvester ants) were not observed during 2022 surveys. This species has a

moderate potential to occur based on the suitable open habitats and friable soils present on the Property.

California Red-legged Frog *(Rana draytonii, CRLF)* is a federally listed threatened species and a California Species of Special Concern. The main habitat types for the CRLF are deep, still or slow-moving sources of water in lowlands and foothills with shrubby, riparian, or vegetative shorelines for cover (CDFW 2021, CNDDB 2024a, Jennings and Hayes 1994). The most suitable vegetation types for cover are cattails (Typha spp.), arroyo willow (Salix lasiolepis), and bulrushes (Scirpus spp.; Jennings and Hayes 1994). Along with its aquatic habitat, the CRLF also utilizes upland habitat for seeking food, shelter and as migration corridors between breeding and non-breeding sites. When out of the water it will shelter under natural or manmade debris and burrow into moist leaf litter or small animal burrows (USFWS 2010). The closest reported occurrence of CRLF to the Property is approximately 1.5 miles south (CNDDB #418; 2000). The seasonal wetland in the southeast corner of the Property is marginally suitable habitat for the CRLF. This species was not observed during 2022 surveys; however, the presence of potential habitat and nearby records suggest this species has a low potential to occur in the Property.

American Badger *(Taxidea taxus)* is a California Species of Special Concern that is widely distributed in California. It tends to occur in open habitats such as grasslands and requires friable soil for digging burrows (Brehme et al. 2015). The nearest CNDDB record for this species is 2 miles southwest of the Property. The friable, sandy soils on the Property, along with the patches of open grassland and disturbed habitat, are suitable for this species. Although American badgers were not detected during spring and summer surveys, there is a moderate potential for this species to occur based on the occurrence of suitable habitat and nearby occurrence records.

Habitat Connectivity and Wildlife Movement

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). Wildlife movement corridors are considered sensitive by resource and conservation agencies.

While local wildlife movement within the project area is likely, the area does not serve as a throughway for wildlife to access off-site habitats and therefore does not function as a significant regional wildlife movement corridor.

Special Status Plant Species

Based on an analysis of known ecological requirements for the special status plant species reported from the region (Appendix B), and the habitat conditions that were observed on the Property, it was determined that 14 special status plant species have some potential to occur on site (Table 3). One additional special status plant species, Chorizanthe rectispina, was previously reported from the site but that was later determined to be a misidentification of a common taxon. Three special status plant species

are confirmed to occur (Santa Margarita manzanita, San Luis Obispo owl's clover, and paniculate tarplant).

Hoover's Bent Grass (*Agrostis hooveri)* is a CRPR 1B.2 species endemic to San Luis Obispo and Santa Barbara Counties. It is known to occur in coastal mountains on dry sandy soils of woodlands, chaparral, and grasslands below elevation. It is a perennial bunchgrass that typically blooms between April and July. The closest known record is approximately 0.75 miles northwest of the Property (CNDDB #27). The sandy soils within the coast live oak woodland and chamise chaparral habitats on the Property are suitable for this species. Hoover's bent grass was not detected on the Property during the 2022 spring and summer botanical surveys and was determined to have a low potential to occur on the Property.

Santa Margarita Manzanita *(Arctostaphylos pilosula)* is a CRPR 1B.2 species endemic to San Luis Obispo County. This taxon was formerly known as Wells' manzanita (Arctostaphylos wellsii). It is known to occur on sandy soils, sandstone outcrops and stabilized sand dunes in chaparral, cismontane woodland, closed-cone coniferous forest and broadleaf upland forest habitats between 75- and 1,100-meters elevation. It is a shrub that typically blooms between December and May. Santa Margarita manzanita has a previous record from the Property (CNDDB #29), and was detected at multiple locations within the Property during 2022 spring and summer botanical surveys (see Photo 10 and Photo 11). It occurs in the oak woodland and chamise chaparral habitats as well as disturbed habitats on the Property (Figure 4).

San Luis Mariposa Lily *(Calochortus obispoensis)* is a CRPR 1B.2 species endemic to San Luis Obispo County. It is known to occur on serpentine and occasionally sandstone soils in grassland, coastal scrub, chaparral and cismontane woodland habitats between 50 to 730 meters elevation. It is a bulbiferous perennial herb that typically blooms between May and July. The closest known record is approximately 0.8-mile northwest of the Property on a sandstone outcrop (CNDDB #8). The habitat in the Property is likely unsuitable for this species, which mostly occurs on serpentine soils. Where it is found off of serpentine soils, it typically occurs in sandstone rocky outcrop habitats which are present on the Property. San Luis mariposa lily was not detected on the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur on site.

San Luis Obispo Owl's-clover *(Castilleja densiflora subsp. 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. Botanical surveys of the Property in 2003 did not identify this rare variety, but 2 isolated individuals were documented onsite in 2005 and again in 2010. The sandy soil and grassland habitat on the Property are suitable for this species. San Luis Obispo owl's clover was not detected on the Property during spring and summer 2022 botanical surveys. The locations of the isolated individuals observed during past surveys are outside the development area and this species is not expected to be impacted by the currently proposed Project.

Straight-awned Spineflower *(Chorizanthe rectispina)* is a CRPR 1B.3 species endemic to Monterey, San Luis Obispo, and Santa Barbara Counties. It is known to occur on sand or gravel in open areas of chaparral, cismontane woodland, and coastal scrub habitats between 85- and 1,035-meters elevation, often on granite-derived soils. It is an annual herb that typically blooms between April and July. CNDDB

search results show a previous record for straight awned spineflower on the Property (CNDDB #19); however, this was later determined to be a misidentification of a similar species, Chorizanthe obovata, as determined by A&M Certified Botanist Jason Dart (CBB 0069). Straight-awned spineflower does not occur in the Arroyo Grande area and will not be affected by the currently proposed Project.

Pismo Clarkia *(Clarkia speciosa subsp. immaculata)* is listed Endangered species under Federal Endangered Species Act (FESA), is listed Rare by the State of California under the Native Plant Protection Act (NPPA) and is a CRPR 1B.1 subspecies that is endemic to southern San Luis Obispo County. It is known to occur on sandy soils in grassland, openings in chaparral, and cismontane woodland habitats between 25- and 185-meters elevation. It is an annual herb that typically blooms between May and July. Three occurrences were recorded within a mile of the Property: ~ 0.5 miles northeast (CNDDB # 18, 2003), ~0.7 miles south (CNDDB # 20, 2016), and ~0.8 miles southeast (CNDDB # 26, 2016). The chaparral woodland habitat including the grasslands with sandy soils in the Property is suitable for this species. However, Pismo clarkia was not detected on the Property during the spring/summer 2003, 2005, and 2022 surveys and was therefore determined to have a moderate potential to occur on the Property.

Paniculate Tarplant *(Deinandra paniculata)* is a CRPR 4.2 species with a range extending from the San Francisco Bay area south to northern Baja California, Mexico. It is known to occur on sandy soils in grassland, coastal scrub, and vernal pool habitats between 25- and 940- meters elevation. It is an annual herb that typically blooms between May and November. closest known record is approximately 8 miles east-northeast of the Property (UCJEPS # UC1792815). The sandy soils and open habitats (grassland, disturbed areas) on the Property are suitable for paniculate tarplant, and it was detected on the Property during the spring and summer 2022 botanical surveys. Within the Property, this species has been found multiple locations, primarily in disturbed habitat.

Saint's Daisy *(Erigeron sanctarum)* is a CRPR 4.2 species endemic to the central coast of California. It is known to occur in chaparral, coastal scrub, and openings in woodlands between 75- and 245-meters elevation. It is a rhizomatous perennial herb that typically blooms between March and July. The closest known record is approximately 1.4 miles northwest of the Property (OBI168494, 2015). CNDDB does not have any records of this species within nine quads of the -roperty. The coastal woodland with sandy soil on the Property is suitable for this species. Saint's Daisy was not detected on the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur based on the lack of extant populations.

Mesa Horkelia *(Horkelia cuneata var. puberula)* is a CRPR 1B.1 variety endemic to California, ranging from San Luis Obispo County south to San Diego County. It occurs on sandy and gravelly substrates in chaparral, coastal scrub, and cismontane woodland habitats between 70- and 810-meters elevation. It is a perennial herb that typically blooms between February and September. The closest known record is approximately 0.5mile west of the Property (CNDDB #95, 1977), and the most recent record within a mile is 0.7-mile east (CNDDB #94, 2010). The chaparral and coast live oak habitats in combination with- the sandy soil on the Property are suitable habitats for this species. Although it was not detected on the Property during spring and summer surveys, it is considered to have a high potential to occur on the Property.

San Luis Obispo County Lupine *(Lupinus ludovicianus)* is a CRPR 1B.2 species endemic to San Luis Obispo County. It is known to occur on sandstone or sandy substrates in chaparral and cismontane woodland habitats between 50- and 525-meters elevation. It is a perennial herb that typically blooms between April and July. The closest known record is approximately 1.8 miles northwest of the Property (CNDDB #10, 1906) and the most current record is 4.3 miles northwest of the Property (CNDDB #25, 2007). The chaparral and coast live oak habitats in combination with the sandy soil on the Property are potentially suitable for this species, though not optimal. San Luis Obispo County lupine was not detected in the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur on the Property.

Jones' Bush Mallow *(Malacothamnus jonesii)* is a CRPR 4.3 species endemic to Monterey, San Luis Obispo, and Santa Barbara Counties. It is known to occur in chaparral and cismontane woodland habitats between 160- and 1,075-meters elevation. It is a deciduous perennial shrub that typically blooms between March and October. The closest known records are approximately 4.1 miles southeast of the Property (UC #1122022, 1930). The chamise chaparral and coast live oak woodland on the Property is suitable for this species. Jones' bush mallow was not detected on the Property during spring and summer 2022 surveys and is considered to have a low potential to occur based on the lack of nearby extant populations.

Southern Curly-leaved Monardella *(Monardella sinuata subsp. sinuata)* is listed as a CRPR 1B.2 species, typically found in sandy soils of coastal strand and sagebrush scrub in lower elevations less than 300 meters, where it blooms from April to September. The closest known record is from 1947 and is approximately 3.7 miles west of the Property (OBI #107861, 1947). CNDDB does not have any occurrence records of this species within nine quads of the Property. The oak woodland with sandy soil in the Property is suitable for this species. Southern curly-leaved monardella was not detected on the Property during spring and summer 2022 surveys and is considered to have a low potential to occur based on the lack of extant populations.

California Spineflower *(Mucronea californica)* is a CRPR 4.2 species endemic to California from Monterey to San Diego Counties. It is an annual herb that grows in sandy soils in grassland, coastal scrub, dune, woodland, and chaparral habitats between 0- and 1,400-meters elevation. It typically blooms between March and July, occasionally to August. The closest known record is from 2013 and is approximately 1-mile southeast of the Property (OBI #150465, 2013). The sandy soil and oak woodland, grassland, chaparral habitats are suitable for this species. California spineflower was not detected on the Property during spring and summer 2022 surveys but is considered to have a moderate potential to occur based on the presence of suitable habitat and nearby occurrence records.

Michael's Rein Orchid *(Piperia michaelii)* is a CRPR 4.2 species endemic to California with scattered occurrences throughout the state. It is known to occur in cismontane woodland, closed-cone coniferous forest, lower montane coniferous forest, chaparral, coastal scrub and coastal bluff scrub habitats on dry sites with abundant leaf mulch, often near oaks between 3- and 915-meters elevation. It is a perennial herb that typically blooms between April and August. The closest known record is approximately 0.8-mile east-southeast of the Property (OBI #151982). The coast live oak woodland habitat on the Property is suitable for this species. Michael's rein orchid was not detected on the Property during spring and

summer 2022 surveys, but it is considered to have a moderate potential to occur based on the presence of suitable habitat and nearby occurrence records.

Chaparral Ragwort *(Senecio aphanactis)* is a CRPR 2B.2 species widely distributed in California. It is known to occur in coastal scrub, chaparral and cismontane woodland habitats sometimes on alkaline sites between 15- and 800-meters elevation. It is an annual herb that typically blooms between January and May. The closest recent records are approximately 1.4 miles north-northeast of the Property (CNDDB #60). The chamise chaparral and coast live oak woodland on the Property are suitable habitats for this species. Chaparral ragwort was not detected on the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur.

Listed Plant Species with No Potential to Occur

Based on an analysis of known ecological requirements for the special status plant species from the region (Appendix B), and the habitat conditions that were observed on the Property, it was determined that ten plant species (Marsh sandwort (FE/CE), Chorro Creek bog thistle (FE/CE), Surf thistle (CT), La Graciosa thistle (FE/CT), Beach spectaclepod (CT), Indian Knob mountainbalm (FE/CE), Nipomo Mesa lupine (FE/CE), Gambel's water cress (FE/CT), adobe sanicle (CR), and Cuesta Pass checkerbloom (CR)), which are listed under FESA and/or CESA, have no potential to occur on the Property (Appendix B).

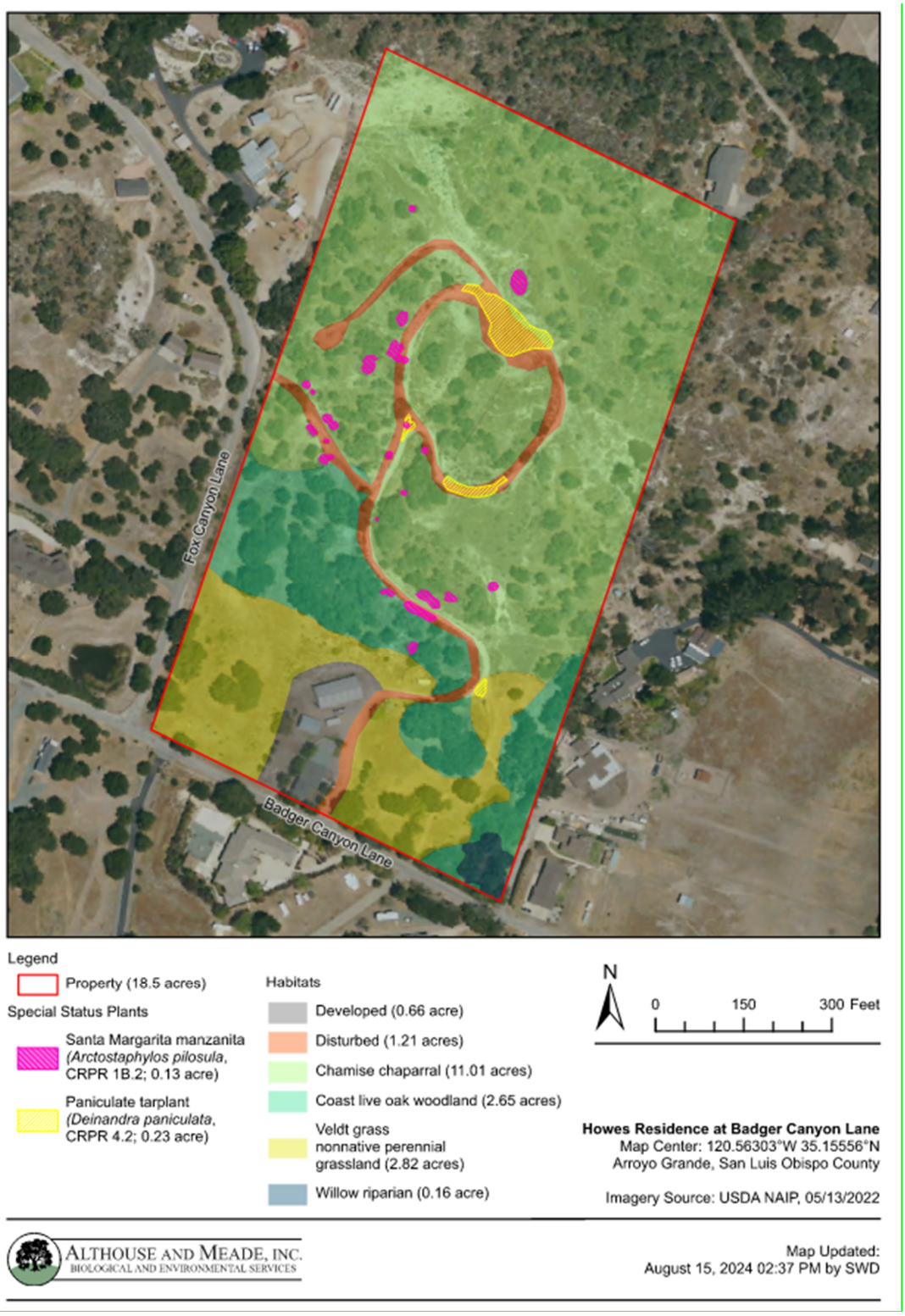


Figure 8 -- Habitats of the Project Site and BRA Study Area

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

Project development would result in permanent impacts to approximately 0.87 acre of natural habitat types, including 0.38 acre of chamise chaparral, 0.17 acre of coastal live oak woodland, and 0.32 acre of disturbed habitat. Temporary impacts would affect approximately 18.51 acres, including 11.01 acres of chamise chaparral, 2.65 acres of coastal live oak woodland, 2.82 acres of veldt grass perennial grassland, 1.21 acres of disturbed habitat, 0.66 acre of developed area, and 0.16 acre of willow riparian habitat. No permanent impacts are anticipated to veldt grass, developed, or riparian habitat types. The total area of habitat impacted (temporary and permanent) is approximately 18.51 acres. A detailed summary of habitat impacts is provided in Table 7.

Table 7 -- Summary of Impacted Areas By Habitat Type

Habitat Type	Temporary Impacts (acres)	Permanent Impacts (acres)	Tota Acres
Chamise chaparral	11.01	0.38	3.45%
Coastal live oak woodland	2.65	0.17	6.42%
Developed	0.66	0.00	0%
Disturbed	1.21	0.32	26.45%
Veldt grass perennial grassland	2.82	0.00	0%
Willow riparian	0.16	0.00	0%
Total:	18.51	0.87	4.7%

Source: Althouse and Meade, Inc., 2024

Chamise chaparral

An estimated 0.38-acre of the 11.01 acres (approximately 3.45 percent) of chamise chaparral on the Property would be impacted by the Project. The Project would remove the native shrubs in these areas, resulting in a permanent impact. Impacts to the chamise chaparral habitat, a common and widespread vegetation community, are not considered significant except where those impacts affect other sensitive biological resources such as rare plants, oak trees, sensitive wildlife, or nesting birds. No mitigation is recommended for permanent loss of chamise chaparral habitat.

Coast Live Oak Woodland

The proposed Project would impact an estimated 0.17-acre coast live oak woodland habitat on the site, accounting for approximately 6.42 percent of the 2.65 acres of coastal oak woodland habitat on the Property. Oak woodlands are considered a sensitive natural community because they provide an important native habitat for plants and wildlife and are in decline across California. Oak woodlands are afforded some level of protection through the California Oak Woodland Conservation Act as implemented through the Oak Woodland Ordinance, No. 3346, Chapter 22.58 of the Land Use Ordinance (LUO) (San Luis Obispo County 2008). Minor impacts to oak woodland habitat are typically mitigated as impacts to individual oak trees (see Section 4.2).

Developed

No impacts on the developed habitat are proposed under the scope of the project and no mitigation measures are recommended.

Disturbed

An estimated 0.32-acre of disturbed habitat would be permanently impacted by the project development. Impacts to disturbed lands do not require mitigation except where these habitat impacts affect other sensitive biological resources such as nesting birds, rare plants and sensitive animals.

Veldt grass perennial grassland

No impacts to veldt grass perennial grassland habitat are proposed under the scope of this Project and no mitigation measures are recommended).

Willow riparian

No impacts to willow riparian habitat are proposed under the scope of this Project and no mitigation measures are recommended.

Special-Status Plants

Based on an analysis of known ecological requirements for the special status plant species reported from the region (Appendix B), and the habitat conditions that were observed on the Property, it was determined that 14 special status plant species have some potential to occur on site (Table 3). One additional special status plant species, Chorizanthe rectispina, was previously reported from the site but that was later determined to be a misidentification of a common taxon. Three special status plant species are confirmed to occur (Santa Margarita manzanita, San Luis Obispo owl's clover, and paniculate tarplant).

Hoover's Bent Grass (*Agrostis hooveri)* is a CRPR 1B.2 species endemic to San Luis Obispo and Santa Barbara Counties. It is known to occur in coastal mountains on dry sandy soils of woodlands, chaparral, and grasslands below elevation. It is a perennial bunchgrass that typically blooms between April and July. The closest known record is approximately 0.75 miles northwest of the Property (CNDDB #27). The sandy soils within the coast live oak woodland and chamise chaparral habitats on the Property are suitable for this species. Hoover's bent grass was not detected on the Property during

the 2022 spring and summer botanical surveys and was determined to have a low potential to occur on the Property.

Santa Margarita Manzanita *(Arctostaphylos pilosula)* is a CRPR 1B.2 species endemic to San Luis Obispo County. This taxon was formerly known as Wells' manzanita (Arctostaphylos wellsii). It is known to occur on sandy soils, sandstone outcrops and stabilized sand dunes in chaparral, cismontane woodland, closed-cone coniferous forest and broadleaf upland forest habitats between 75- and 1,100-meters elevation. It is a shrub that typically blooms between December and May. Santa Margarita manzanita has a previous record from the Property (CNDDB #29), and was detected at multiple locations within the Property during 2022 spring and summer botanical surveys (see Photo 10 and Photo 11). It occurs in the oak woodland and chamise chaparral habitats as well as disturbed habitats on the Property (Figure 4).

San Luis Mariposa Lily *(Calochortus obispoensis)* is a CRPR 1B.2 species endemic to San Luis Obispo County. It is known to occur on serpentine and occasionally sandstone soils in grassland, coastal scrub, chaparral and cismontane woodland habitats between 50 to 730 meters elevation. It is a bulbiferous perennial herb that typically blooms between May and July. The closest known record is approximately 0.8-mile northwest of the Property on a sandstone outcrop (CNDDB #8). The habitat in the Property is likely unsuitable for this species, which mostly occurs on serpentine soils. Where it is found off of serpentine soils, it typically occurs in sandstone rocky outcrop habitats which are present on the Property. San Luis mariposa lily was not detected on the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur on site.

San Luis Obispo Owl's-clover *(Castilleja densiflora subsp. 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. Botanical surveys of the Property in 2003 did not identify this rare variety, but 2 isolated individuals were documented onsite in 2005 and again in 2010. The sandy soil and grassland habitat on the Property are suitable for this species. San Luis Obispo owl's clover was not detected on the Property during spring and summer 2022 botanical surveys. The locations of the isolated individuals observed during past surveys are outside the development area and this species is not expected to be impacted by the currently proposed Project.

Straight-awned Spineflower *(Chorizanthe rectispina)* is a CRPR 1B.3 species endemic to Monterey, San Luis Obispo, and Santa Barbara Counties. It is known to occur on sand or gravel in open areas of chaparral, cismontane woodland, and coastal scrub habitats between 85- and 1,035-meters elevation, often on granite-derived soils. It is an annual herb that typically blooms between April and July. CNDDB search results show a previous record for straight awned spineflower on the Property (CNDDB #19); however, this was later determined to be a misidentification of a similar species, Chorizanthe obovata, as determined by A&M Certified Botanist Jason Dart (CBB 0069). Straight-awned spineflower does not occur in the Arroyo Grande area and will not be affected by the currently proposed Project.

Pismo Clarkia *(Clarkia speciosa subsp. immaculata)* is listed Endangered species under Federal Endangered Species Act (FESA), is listed Rare by the State of California under the Native Plant Protection Act (NPPA) and is a CRPR 1B.1 subspecies that is endemic to southern San Luis Obispo County. It is known to occur on sandy soils in grassland, openings in chaparral, and cismontane

woodland habitats between 25- and 185-meters elevation. It is an annual herb that typically blooms between May and July. Three occurrences were recorded within a mile of the Property: ~ 0.5 miles northeast (CNDDB # 18, 2003), ~0.7 miles south (CNDDB # 20, 2016), and ~0.8 miles southeast (CNDDB # 26, 2016). The chaparral woodland habitat including the grasslands with sandy soils in the Property is suitable for this species. However, Pismo clarkia was not detected on the Property during the spring/summer 2003, 2005, and 2022 surveys and was therefore determined to have a moderate potential to occur on the Property.

Paniculate Tarplant *(Deinandra paniculata)* is a CRPR 4.2 species with a range extending from the San Francisco Bay area south to northern Baja California, Mexico. It is known to occur on sandy soils in grassland, coastal scrub, and vernal pool habitats between 25- and 940- meters elevation. It is an annual herb that typically blooms between May and November. closest known record is approximately 8 miles east-northeast of the Property (UCJEPS # UC1792815). The sandy soils and open habitats (grassland, disturbed areas) on the Property are suitable for paniculate tarplant, and it was detected on the Property during the spring and summer 2022 botanical surveys. Within the Property, this species has been found multiple locations, primarily in disturbed habitat.

Saint's Daisy *(Erigeron sanctarum)* is a CRPR 4.2 species endemic to the central coast of California. It is known to occur in chaparral, coastal scrub, and openings in woodlands between 75- and 245-meters elevation. It is a rhizomatous perennial herb that typically blooms between March and July. The closest known record is approximately 1.4 miles northwest of the Property (OBI168494, 2015). CNDDB does not have any records of this species within nine quads of the -roperty. The coastal woodland with sandy soil on the Property is suitable for this species. Saint's Daisy was not detected on the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur based on the lack of extant populations.

Mesa Horkelia *(Horkelia cuneata var. puberula)* is a CRPR 1B.1 variety endemic to California, ranging from San Luis Obispo County south to San Diego County. It occurs on sandy and gravelly substrates in chaparral, coastal scrub, and cismontane woodland habitats between 70- and 810-meters elevation. It is a perennial herb that typically blooms between February and September. The closest known record is approximately 0.5mile west of the Property (CNDDB #95, 1977), and the most recent record within a mile is 0.7-mile east (CNDDB #94, 2010). The chaparral and coast live oak habitats in combination with- the sandy soil on the Property are suitable habitats for this species. Although it was not detected on the Property during spring and summer surveys, it is considered to have a high potential to occur on the Property.

San Luis Obispo County Lupine *(Lupinus ludovicianus)* is a CRPR 1B.2 species endemic to San Luis Obispo County. It is known to occur on sandstone or sandy substrates in chaparral and cismontane woodland habitats between 50- and 525-meters elevation. It is a perennial herb that typically blooms between April and July. The closest known record is approximately 1.8 miles northwest of the Property (CNDDB #10, 1906) and the most current record is 4.3 miles northwest of the Property (CNDDB #25, 2007). The chaparral and coast live oak habitats in combination with the sandy soil on the Property are potentially suitable for this species, though not optimal. San Luis Obispo County lupine was not detected in the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur on the Property.

Jones' Bush Mallow *(Malacothamnus jonesii)* is a CRPR 4.3 species endemic to Monterey, San Luis Obispo, and Santa Barbara Counties. It is known to occur in chaparral and cismontane woodland habitats between 160- and 1,075-meters elevation. It is a deciduous perennial shrub that typically blooms between March and October. The closest known records are approximately 4.1 miles southeast of the Property (UC #1122022, 1930). The chamise chaparral and coast live oak woodland on the Property is suitable for this species. Jones' bush mallow was not detected on the Property during spring and summer 2022 surveys and is considered to have a low potential to occur based on the lack of nearby extant populations.

Southern Curly-leaved Monardella *(Monardella sinuata subsp. sinuata)* is listed as a CRPR 1B.2 species, typically found in sandy soils of coastal strand and sagebrush scrub in lower elevations less than 300 meters, where it blooms from April to September. The closest known record is from 1947 and is approximately 3.7 miles west of the Property (OBI #107861, 1947). CNDDB does not have any occurrence records of this species within nine quads of the Property. The oak woodland with sandy soil in the Property is suitable for this species. Southern curly-leaved monardella was not detected on the Property during spring and summer 2022 surveys and is considered to have a low potential to occur based on the lack of extant populations.

California Spineflower *(Mucronea californica)* is a CRPR 4.2 species endemic to California from Monterey to San Diego Counties. It is an annual herb that grows in sandy soils in grassland, coastal scrub, dune, woodland, and chaparral habitats between 0- and 1,400-meters elevation. It typically blooms between March and July, occasionally to August. The closest known record is from 2013 and is approximately 1-mile southeast of the Property (OBI #150465, 2013). The sandy soil and oak woodland, grassland, chaparral habitats are suitable for this species. California spineflower was not detected on the Property during spring and summer 2022 surveys but is considered to have a moderate potential to occur based on the presence of suitable habitat and nearby occurrence records.

Michael's Rein Orchid *(Piperia michaelii)* is a CRPR 4.2 species endemic to California with scattered occurrences throughout the state. It is known to occur in cismontane woodland, closed-cone coniferous forest, lower montane coniferous forest, chaparral, coastal scrub and coastal bluff scrub habitats on dry sites with abundant leaf mulch, often near oaks between 3- and 915-meters elevation. It is a perennial herb that typically blooms between April and August. The closest known record is approximately 0.8-mile east-southeast of the Property (OBI #151982). The coast live oak woodland habitat on the Property is suitable for this species. Michael's rein orchid was not detected on the Property during spring and summer 2022 surveys, but it is considered to have a moderate potential to occur based on the presence of suitable habitat and nearby occurrence records.

Chaparral Ragwort *(Senecio aphanactis)* is a CRPR 2B.2 species widely distributed in California. It is known to occur in coastal scrub, chaparral and cismontane woodland habitats sometimes on alkaline sites between 15- and 800-meters elevation. It is an annual herb that typically blooms between January and May. The closest recent records are approximately 1.4 miles north-northeast of the Property (CNDDB #60). The chamise chaparral and coast live oak woodland on the Property are suitable habitats for this species. Chaparral ragwort was not detected on the Property during the spring and summer 2022 surveys and is considered to have a low potential to occur.

Special Status Wildlife

Based on an analysis of known ecological requirements for the special-status wildlife species reported or known from the region (Appendix C), and the habitat conditions that were observed on the Property, it was determined that 9 special status animal species have some potential to occur within the Property. One species has a high potential to occur (Northern California legless lizard), 5 species have a moderate potential to occur (Pallid bat, Crotch's bumble bee, white-tailed kite, coast horned lizard, American badger), and 3 species have a low potential to occur on the Property (California red-legged frog, Obscure bumblebee, Western bumblebee). Each species is discussed below and summarized in Table 5.

The analysis considered both direct observations and the presence of suitable habitat types such as chamise chaparral, coast live oak woodland, grassland openings, and ephemeral drainages. Species-specific evaluations were guided by database records, agency status listings, and habitat characteristics observed in the field.

A comprehensive list of special status animal species reviewed is included as Appendix C. of the BRA.

Northern California Legless Lizard *(Anniella pulchra)* is a California Species of Special Concern that occurs from Contra Costa to Santa Barbara County. It has a Global Rank of G3 and a State Rank of S3, both of which indicate that this species is considered Vulnerable. Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong root systems (Kuhnz et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Slobodchikoff and Doyen 1977; Jennings and Hayes 1994). The closest reported occurrence of the northern California legless lizard is approximately 4 miles northwest (CNDDB # 169; 2011). No Northern California legless lizards were observed on the Property during 2022 surveys. However, due to the suitable oak woodland and chaparral habitat and friable soils, Northern California legless lizard has a high potential to occur on the Property.

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 the pallid bat is approximately 10 miles northwest (CNDDB #77; 2000). No pallid bats were observed during 2024 surveys. Due to large trees within oak woodland habitat that may be suitable for roosting, the pallid bat has a moderate potential to occur in the Property.

Obscure Bumble Bee (*Bombus caliginosus*) is designated by California Department of Fish and Wildlife (CDFW) as a Special Animal and has a Global Rank of G2G3 and a State Rank of S1S2 (NatureServe 2018). The State Rank of S1S2 is indicative of uncertainty regarding whether this species is Critically Imperiled or Imperiled, meaning the taxon is between rare and extremely rare due to steep declines, restricted range, minimal populations (5-20 or fewer), and/or other factors making it very vulnerable to extirpation from the state. The species' Global Rank indicates that it is Imperiled/Vulnerable (CDFW 2022), meaning it is at a moderate to high risk of extinction due to

restricted or fairly restricted range, with few or relatively few populations or occurrences. There is cause for long-term concern due to declines or other factors such as climate change, habitat loss, and disease (Williams and Osborne 2009; Fürst et al. 2014). It is considered uncommon throughout its range, which stretches along the Pacific Coast from southern British Columbia to southern California with scattered occurrence records from the east side of California's Central Valley. Obscure bumble bee inhabits open coastal grasslands and meadows with colonies occurring underground and/or in abandoned birds' nests. The closest reported occurrence is located approximately 10 miles northwest (CNDDB #250; 2009). This species was not observed in or around the Property during surveys. However, due to the presence of open grassland and suitable food plant genera, this species has a low potential to occur.

Crotch's Bumble Bee *(Bombus crotchii)* is designated by 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. In California, the flight period for the queen is approximately February to late October, peaking in early April, with a second pulse in July and the flight period for workers and males is from late March through September with a peak in July (Thorp et al. 1983). 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's 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. The closest reported occurrence of Crotch's bumble bee is approximately 10 miles northwest of the Property (CNDDB #250; 2009). Five more occurrences have been recorded within approximately 11 miles of the Property (iNaturalist 2024, Xerces 2024), Due to suitable grassland and scrub habitat with available pollen and nectar sources on the Property, the site is potentially suitable for Crotch's bumble bee and there is moderate potential for the species to occur. This species was not observed on or near the Property during site surveys, however focused surveys have not been conducted.

Western Bumble Bee *(Bombus occidentalis)* is neither federally nor state listed; however, it is a designated Sensitive species under the United States Forest Service (USFS), and it has a Global Rank of G2G3 (imperiled and vulnerable) and a State Rank of S1 (critically imperiled). The closest record for this species is historical (1936) and is 8.2 miles west (CNDDB #279).

White-tailed Kite *(Elanus leucurus)* is a CDFW Fully Protected species that can be found throughout California but known to forage and nest in certain areas of California in fluctuating numbers (CNDDB 2024b; Lehman 2018). The species nests primarily in evergreen trees, especially coast live oaks, near meadows, marshes, farmlands or grasslands where it forages on small animals, especially voles (Dunk 1995). Communal nocturnal roosts sites, which may shift in location, are often used from early fall to early winter. The closest CNDDB record is a nest site 7.3 miles northwest of Property (CNDDB #169; 2017). The Property has suitable oak woodland habitat for nesting and roosting, as well as marginally suitable foraging habitat. White-tailed kite was not observed in the Property during 2022 site surveys,

has a moderate potential to occur due to the presence of suitable oak woodland nesting and roosting habitat in combination with the presence of nearby suitable open areas for foraging.

Coast Horned Lizard *(alternate name Blainville's horned lizard; Phrynosoma blainvillii)* is a California Species of Special Concern. The coast horned lizard is distributed from northern Baja California through Northern California occurring in open areas of valley foothill hardwood, conifer, riparian, pine-cypress, juniper and annual grassland habitats. This species needs friable sandy soil with rocks and logs essential for burrows and reproduction (Laudenslayer 2007, Gerson 2011). Appropriate habitat for the coast horned lizard must include an abundance of native harvester ant (Pogonomyrmex and Messor). The non-native Argentine ant (Linepithema humile) is detrimental to horned lizard food resources as it often outcompetes the native harvester ant, and the horned lizard does not eat Argentine ants (Gerson 2011). The closest reported occurrence of the coast horned lizard is 2.8 miles east (CNDDB #680; 2007). The Property contains suitable open habitat and sandy, friable soils for this species, Coast horned lizards and suitable food sources (harvester ants) were not observed during 2022 surveys. This species has a moderate potential to occur based on the suitable open habitats and friable soils present on the Property.

California Red-legged Frog *(Rana draytonii, CRLF)* is a federally listed threatened species and a California Species of Special Concern. The main habitat types for the CRLF are deep, still or slow-moving sources of water in lowlands and foothills with shrubby, riparian, or vegetative shorelines for cover (CDFW 2021, CNDDB 2024a, Jennings and Hayes 1994). The most suitable vegetation types for cover are cattails (Typha spp.), arroyo willow (Salix lasiolepis), and bulrushes (Scirpus spp.; Jennings and Hayes 1994). Along with its aquatic habitat, the CRLF also utilizes upland habitat for seeking food, shelter and as migration corridors between breeding and non-breeding sites. When out of the water it will shelter under natural or manmade debris and burrow into moist leaf litter or small animal burrows (USFWS 2010). The closest reported occurrence of CRLF to the Property is approximately 1.5 miles south (CNDDB #418; 2000). The seasonal wetland in the southeast corner of the Property is marginally suitable habitat for the CRLF. This species was not observed during 2022 surveys; however, the presence of potential habitat and nearby records suggest this species has a low potential to occur in the Property.

American Badger *(Taxidea taxus)* is a California Species of Special Concern that is widely distributed in California. It tends to occur in open habitats such as grasslands and requires friable soil for digging burrows (Brehme et al. 2015). The nearest CNDDB record for this species is 2 miles southwest of the Property. The friable, sandy soils on the Property, along with the patches of open grassland and disturbed habitat, are suitable for this species. Although American badgers were not detected during spring and summer surveys, there is a moderate potential for this species to occur based on the occurrence of suitable habitat and nearby occurrence records.

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?

The project site supports several vegetation communities, including chamise chaparral, coastal live oak woodland, veldt grass-dominated perennial grassland, disturbed areas, and a narrow band of arroyo willow riparian habitat along the northern drainage. No permanent impacts to riparian habitat are proposed.

In addition, the coastal live oak woodland and riparian willow vegetation qualify as sensitive natural communities per CDFW's definitions. Temporary impacts to oak woodland and riparian habitat are expected. No removal of oak trees or direct alteration of the riparian corridor is proposed, though avoidance and protection measures are necessary due to the proximity of grading to these resources. There are no mapped blue line creeks within or immediately adjacent to the proposed areas of disturbance. The project site is located within a coast live oak woodland which may facilitate nesting birds and other special status species. Oak trees are keystone species meaning they have disproportionately high effects on ecological community members. Many plant and wildlife species in central California benefit greatly from the presence of oak trees. Mitigation Measures have been included to avoid impacts to oak trees when feasible, replace impacted oak trees when avoidance is not feasible, and to monitor the health of replaced oak trees to ensure successful replacement.

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

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

A single ephemeral drainage crosses the northern portion of the project site. This feature was observed during the biological survey and is described in the BRA. It supports arroyo willow riparian habitat, a biologically sensitive community. Project plans reviewed for the BRA indicate no permanent fill or direct alteration of the ephemeral drainage. As stated in the BRA the project was designed to avoid impacts to potentially jurisdictional wetlands and/or waters. *Therefore, impacts are expected to be less than significant.*

(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). Wildlife movement corridors are considered sensitive by resource and conservation agencies.

While local wildlife movement within the project area is likely, the area does not serve as a throughway for wildlife to access off-site habitats and therefore does not function as a significant regional wildlife movement corridor.

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 ar 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.

Coast live oak trees may be removed for development of the main access road. Grading and construction activities near oak trees have potential to affect critical root zones (CRZ) and tree canopy. Oak trees not proposed for removal should be protected during construction.

The proposed Project would impact an estimated 0.17-acre coast live oak woodland habitat on the site, accounting for approximately 6.42 percent of the 2.65 acres of coastal oak woodland habitat on the Property. Oak woodlands are considered a sensitive natural community because they provide an important native habitat for plants and wildlife and are in decline across California. Oak woodlands are afforded some level of protection through the California Oak Woodland Conservation Act as implemented through the Oak Woodland Ordinance, No. 3346, Chapter 22.58 of the Land Use Ordinance (LUO) (San Luis Obispo County 2008). Minor impacts to oak woodland habitat are typically mitigated as impacts to individual oak trees. 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 through BIO-13 potential impacts to biological resources would be *less than significant*.

Mitigation

BIO-1 **Oak Tree Avoidance and Protection Plan**. **Prior to Issuance of Construction and/ or Grading Permits.** Native oak trees in and near the Project footprint shall be protected in place. All oak trees 6 inches in diameter or greater shall be shown on grading plans. Canopy pruning may be conducted under the direction of a licensed Arborist in a manner that would not result in a decrease in tree health. The CRZs of native oak trees shall be defined as an area of root space equivalent to 1.5 times the radius of the canopy dripline (e.g.: a 10-foot radius canopy has a CRZ of 15- feet around the trunk). Impacts include any ground disturbance within the CRZ, such as grading, trenching, parking vehicles, or staging materials. After permit issuance and prior to commencement of construction, protective high visibility fencing shall be installed at the outer limit of the CRZ. The fencing shall be marked with signage indicating No Access – Tree Protection Zone or similar text. Fencing shall be maintained in good condition for the duration of construction. Prior to issuance of conduction and/or grading permits, the project applicant shall provide an Oak Tree Avoidance and Protection Plan detailing how the project will conform with the requirements of BIO-1.

BIO-2 **As-Built Oak Tree Impact Report. Prior to Final.** A licensed Arborist or qualified Botanist shall inspect and approve tree protective fencing prior to start of earthwork. If tree protection fencing placed at the limits of the CRZ must be temporarily removed to complete construction activities, an Arborist or Botanist shall be present. If grading or other ground disturbance occurs within oak tree CRZ, or if trimming or pruning of oak tree limbs/branches occur, the tree and area of impact shall be mapped in the field and recorded. Any roots of 1-inch diameter or greater that are exposed during grading that cannot be saved, should be cut clean with a sharp pruning tool and treated per Arborist direction. Upon completion of earthwork, an As-built Oak Tree Impact Report shall be provided to the County that includes an assessment of tree impacts and removals that occurred, and required mitigation (typically replacement at a 2:1 mitigation ratio for impacted oak trees and 4:1 ratio for removed oak trees).

BIO-3 **Oak Tree Mitigation/ Monitoring Plan. Prior to Final.** Impacted and removed oaks documented in the As-built Oak Tree Impact Report shall be replaced using the appropriate mitigation ratio and a mitigation plan shall be prepared and approved by the County of San Luis Obispo. The mitigation plan shall incorporate the most current County standards for mitigating impacts to oak trees. Impacts to oak trees with a DBH of 6 inches or greater shall be mitigated by planting additional trees on site. Oaks removed shall be replaced in kind at a 4:1 ratio (i.e., four replacement trees per one removed tree). Oaks impacted shall be replaced in kind at a 2:1 ratio. Replacement trees shall be a minimum of one gallon in size, 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 five years. A mitigation monitoring plan will be prepared that outlines success criteria and provides a timeline for monitoring replacement trees. Annual reports will be provided to the County that will include monitoring results and recommendations for tree

establishment success. The Oak Tree Mitigation Plan shall incorporate a grand total of all oak tree mitigation (expected and as-built replacement) and explain monitoring activities to ensure success.

BIO-4 Manzanita Avoidance and Protection. At the Time of Submittal for Construction and/ or Grading Permits. The project arborist or qualified biologist shall provide a Manzanita avoidance and protection plan ensuring the project plans conform with the avoidance and protection measures required for Manzanita populations.

BIO-5 Manzanita Avoidance and Protection. During Construction Activities & Prior to Final. Santa Margarita manzanita shrubs shall be avoided where feasible, consistent with the Manzanita avoidance and protection plan submitted at the time of submittal and verified prior to issuance. Upon completion of grading staking, the project botanist shall meet with the construction manager to make in-field determinations for manzanita protection. All manzanita shrubs within 25 feet of grading limits shall be fenced and protected for the duration of construction. Where shrubs cannot be avoided, the botanist will recommend pruning or removal. The Botanist shall be present for all pruning and removals. A final manzanita avoidance and protection report shall be prepared and submitted to the County detailing impacts and removals of manzanita shrubs. If impacts to Santa Margarita manzanita cannot be fully avoided, a manzanita mitigation and monitoring plan shall be prepared by the project biologist and provided to the County.

BIO-6 Manzanita Mitigation and Monitoring Plan. Prior to Final. If Santa Margarita manzanita cannot be fully avoided, a manzanita mitigation and monitoring plan (MMP) shall be prepared that provides for 1:1 replacement of removed shrubs. The goal of the MMP shall be the retention of a viable population of Santa Margarita manzanita on the Property.

1. The mitigation plan shall require that plant materials (seeds or cuttings) come from the site so that genetic material of the original population will be maintained.
2. The plan shall be subject to approval by the County.
3. The mitigation site shall be within a deed restricted area and shall be maintained and monitored for a minimum of five years.

BIO-7 Paniculate Tarplant Onsite Mitigation Plan. Prior to Issuance of Construction and/ or Grading Permits. Mitigation for permanent impacts to Paniculate Tarplant, a CRPR 4.2 species, shall be preservation and/or creation of tarplant habitat by collecting seed from onsite tarplants to be impacted by the Project and dispersing the seed within a pre-determined mitigation site selected based on similar grassland/disturbed habitat and soil conditions. The mitigation area shall be mapped, and an onsite mitigation report prepared by a qualified biologist shall be submitted to the County prior to issuance of construction and/ or grading permits.

BIO-8 Paniculate Tarplant Onsite Mitigation. Prior to Final. Upon completion of BIO-7 and the Paniculate Tarplant onsite mitigation plan, the applicant shall provide the final report prepared by the project biologist detailing the methods and activities utilized to complete the Paniculate Tarplant onsite mitigation plan and any mitigation completed. The mitigation area shall be complete and an onsite mitigation report prepared by a qualified biologist detailing the final results shall be submitted to the County prior final.

BIO-9 Worker Environmental Awareness Program (WEAP). Prior to Site Disturbance. A qualified biological monitor shall provide WEAP training to all personnel associated with the project within 30 days prior to initiation of site disturbance and/or construction, to avoid or reduce impacts to

biological resources. At a minimum, the training shall include information on the protection of nesting birds, oak woodlands, and special status species present and with potential to occur on the site. A fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers, and other personnel involved with the construction of the project. Prior to start of work, the applicant shall provide a sign-in sheet that includes all of the members who attended the training; the sheet shall be signed by the biologist who provided the training.

BIO-10 Preconstruction Survey for Nesting Birds. Prior to Site Disturbance. Within one week of ground disturbance activities, if work occurs between February 1 and September 15, nesting bird surveys shall be conducted. 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 preconstruction survey report shall be submitted to the County 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 and/or species present. No work shall begin until the County has been provided the nesting bird survey results and/ or confirmed work is clear to begin.

BIO-11 Biological Monitoring. During Construction Activities & Prior to Final. Qualified biological monitor(s) shall be present onsite during ground or vegetation disturbing construction. Prior to the start of construction activities each day, biologist(s) will survey the work sites for wildlife. A biologist will look under parked vehicles and heavy equipment frequently (especially every morning before work starts). Species captured during surveys or construction activities will be relocated to the nearest suitable habitat outside of the Project area. Work shall stop in the unlikely event that federal, or state listed species are present, and the appropriate agency shall be contacted. Prior to Final, the project biologist shall provide a comprehensive report detailing the time and date each monitoring event occurred and any findings or measures taken as a part of the monitoring.

BIO-12 Bat Preconstruction Survey. Prior to Site Disturbance. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. The survey may include visual inspection of potential roost trees and/or acoustic surveys using bat detectors. If a non- maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife and the County, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in a similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed. No work shall begin until the County has been provided the required bat preconstruction survey results and/or confirmed work is clear to begin.

BIO-13 American Badger Preconstruction Survey. Prior to Site Disturbance. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are present. 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 impact area, plus a 500-foot buffer, 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 re-use 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. Exclusion of badgers from dens may only be done during the non-breeding season by a qualified biologist experienced in den exclusions. Dens must be fully excavated and backfilled after eviction is complete.

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 therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American inhabitation, Spanish missionaries, and immigrant settlers.

As defined by CEQA, a historical resource includes:

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

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

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

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

The subject property is situated northwest of the intersection of Fox Canyon Lane and Badger Canyon Lane. The project is not located in the vicinity of any natural water features (creek, wetland, river, etc.) The project area is within a rural residential environment, with roads, infrastructure, and neighboring development defining the project site boundaries.

The portion of the site proposed development is located on steeper slopes and does not exhibit qualities typically associated with archaeological resources in the vicinity; including (but not limited to) features such as year-round water resources, habitable camp sites, tool making resources (e.g., rock outcrops), travel corridors (e.g., ridgelines), hunting and gathering resources (e.g., oak woodlands, vantage points for observing game), or proximity to known archaeological sites.

Discussion

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

The project site was previously developed with a residence and accessory structures and does not contain any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of historical resources and *no impacts would occur.*

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

The project site does not exhibit qualities typically associated with archaeological resources in the vicinity and is not located in proximity to known archaeological sites. As such, the potential for intact archaeological deposits existing on the property is considered to be low and further archaeological studies would not be required.

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

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

Based on existing conditions 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*.

Mitigation

None required.

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) emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation, 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 occupied buildings or accessory structures on the project site. As applicable, 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 residence 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.*

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.

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

Setting

The approximately 18.51-acre project site is located on the west side of Badger Canyon Lane in the Arroyo Grande area of San Luis Obispo County. The site is developed with an existing single-family residence, a dirt access road, and a previously graded building pad. Vegetation includes annual grasses, shrubs, and scattered trees. Topography ranges from approximately 355 to 450 feet above mean sea level and slopes generally to the south.

A July 2024 geologic evaluation prepared by GeoSolutions, Inc. assessed the site's geologic setting and the stability of a proposed access road to serve a new secondary residence. The evaluation identified that the project area is underlain by sandstone of the Edna Member of the Pismo Formation, a fine- to coarse-grained arkosic to quartzose marine sandstone. The material was described as moderately weathered, slightly to moderately fractured, and moderately hard. No groundwater was encountered near the surface.

No active or potentially active earthquake faults are known to traverse the site. The nearest mapped fault is the Rinconada Fault, located approximately 2 miles to the east. The site is not located within an Alquist-Priolo Earthquake Fault Zone.

Slope stability analyses were performed at proposed cut slopes along the new access road. No existing or historic landslides were identified in the vicinity of the site, and surficial slope conditions were generally stable. While localized erosion and minor accumulation of talus and sand at the base of cut slopes is anticipated, the report concluded that all proposed slopes are stable when designed at gradients of 0.5:1 to 1:1 (horizontal: vertical), and can be constructed using conventional grading techniques.

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 not located within a Geologic Study Area (GSA) combining designation.

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 Earthquake Fault Zone. The nearest fault is the Rinconada Fault, located approximately 2 miles to the east. Based on available geologic data and site-specific investigations, the potential for surface rupture due to faulting at the project site is low. Therefore, there will be *no impact* related to the rupture of a known earthquake fault.

(a-ii) Strong seismic ground shaking?

Ground shaking refers to the motion that occurs in response to local and regional earthquakes. Seismic ground shaking is influenced by the proximity of the site to an earthquake fault, the intensity of the seismic event, and the underlying soil composition.

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 due to the absence of shallow groundwater and the presence of well-consolidated sandstone. In addition, the project will be conditioned to comply with CBC building requirements. Therefore, the potential impacts would be *less than significant.*

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

The project would result in approximately 0.92 acre of site disturbance and involve an estimated 1,060 cubic yards of cut and 1,600 cubic yards of fill to construct a new access driveway serving a proposed secondary residence. Approximately 540 cubic yards of excess material would be exported from the site. During grading and site preparation activities, there is potential for erosion to occur, particularly along cut and fill slopes.

The project application materials include a preliminary grading, drainage and erosion control plan 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 moderate 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?

The site is underlain by sandstone bedrock with no significant clay content. The potential for expansive soils is low and was not identified as a concern in the geologic evaluation. Therefore, potential impacts associated with expansive soil would be *less than significant.*

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

The project site is not served by a public sewer system. Wastewater from the proposed secondary residence would be treated using a new onsite septic system. Suitability of the site for a septic system is being reviewed by the County Environmental Health Services Division as part of the overall land use permit process. Based on the size of the parcel, underlying geologic materials, and absence of shallow groundwater, there is no indication that the site is incapable of supporting a septic system. Final approval will require confirmation through a percolation test and septic system design consistent with County standards. Therefore, potential impacts associated with soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems would be *less than significant.*

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

The underlying Pismo Formation is a marine sedimentary unit that can be fossiliferous in other locations; however, no unique paleontological resources or sensitive geologic features were identified during the site evaluation. Standard County measures for accidental discovery of fossils during grading will be implemented. Therefore, potential impacts associated with 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 geological report provided by Geo Solutions and relevant provisions of the CBC will reduce impacts associated with geology and geologic hazards to *less than significant*.

Mitigation

None are required.

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 gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (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 is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO_2/year (MT CO_2e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bight Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO_2/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

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

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

efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the State's GHG reduction goals and require ARB to regulate sources of GHGs to meet a state goal of reducing GHG emissions to 1990 levels by 2020, 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. The initial Scoping Plan was first approved by ARB on December 11, 2008 and is updated every five years. The first update of the Scoping Plan was approved by the ARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030-2035) toward reaching the 2050 goals. The most recent update released by ARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

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

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

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

Discussion

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

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

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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?	☐	☐	☒	☐

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: https://calepa.ca.gov/sitecleanup/corteselist/. The project site is not within close proximity to any site included on the Cortese List, EnviroStor database, or GEoTracker database.

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

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

Discussion

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

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

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant with mitigation.*

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

The closest existing or proposed school is located 2.1 miles west-northwest of the project site. The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *no impacts would occur.*

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

Based on a search of the California Department of Toxic Substance Control's EnviroStar database, the State Water Resources Control Board's Geotracker database, and CalEPA's Cortese List website, there are no hazardous waste cleanup sites within the project site. Therefore, *no impacts would occur.*

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

The project site is not located within an airport land use plan, therefore, *no impacts would occur.*

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

Implementation of the proposed project would not result in a significant temporary or permanent impact on any adopted emergency response plans or emergency evacuation plans. No breaks in utility service or road closures would occur as a result of project implementation. Any construction-related detours would include proper signage and notification and would be short-term and limited in nature and duration. Therefore, potential impacts would be *less than significant*.

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

The project is not located within or adjacent to a wildland area. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential *impacts would be less than significant.*

Conclusion

The project does not propose the routine transport, use, handling, or disposal of hazardous substances. It is not located within proximity to any known contaminated sites and is not within close proximity to populations that could be substantially affected by upset or release of hazardous substances. Project implementation would not subject people or structures to substantial risks associated with wildland fires and would not impair implementation or interfere with any adopted emergency response or evacuation plan. The project is located within a High Fire Hazard Severity Zone and referred to CalFire for input and recommendation for meeting the Fire Code upon project permitting. Project construction activities and equipment to pose the risk of accidental spills and mitigation measures have been identified to further minimize these risks. Therefore, potential impacts related to hazards and hazardous materials would be *less than significant with mitigation.*

Mitigation

Hazards and Hazardous Materials (HAZ)

HAZ-1 **Prior to Issuance of Construction and/ or Grading Permits.** The following should be placed on the plans as a note and incorporated into the awareness training. 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 **Prior to Issuance of Construction and/ or Grading Permits.** The following should be placed on the plans as a note and incorporated into the awareness training. 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.

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?	☐	☐	☒	☐

Setting

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

The RWQCB's Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The Regional Board implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The U.S. Army Corps of Engineers (USACE), through Section 404 of the CWA, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. are typically identified by the presence of an ordinary high water mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. The State Water Resources Control Board (SWRCB) and nine RWQCBs regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the state.

The project site is within the San Luis Obispo Valley sub basin of the San Luis Obispo Valley Basin and is located approximately .85 miles southeast of the City of San Luis Obispo, CA.

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

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

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

geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site has a very small portion of land located within a Flood Hazard combining designation. The nearest watercourse is Davenport Creek, which runs parallel to the project site for approximately 300 feet along the southwest corner of the property boundary.

Discussion

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

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

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

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

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

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

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

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

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

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

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

(c-iv) Impede or redirect flood flows?

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

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

As discussed in the setting, the project site does not lie within a designated groundwater basin subject to preparation of a sustainable groundwater management plan. Therefore, impacts would *be less than significant.*

Conclusion

None of the project site is within the 100-year flood zone and coupled with existing standards and regulation for potential development within said zone, any potential impacts due to future development proposals

would be limited. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. Therefore, potential impacts related to hydrology and water quality would be *less than significant* and no mitigation measures are necessary.

Mitigation

None necessary.

XI. LAND USE AND PLANNING

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 General Plan, to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands, to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses, and to protect and enhance significant natural, historic, archeological, and scenic resources within the county. The LUO is the primary tool used by the County to carry out the goals, objectives, and policies of the County General Plan.

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

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

Discussion

(a) Physically divide an established community?

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of

development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur.*

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

The project would be consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan, inland LUO, and the COSE. The project is consistent with existing surrounding developments and does not create potential impacts to sensitive on-site resources; therefore, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. The project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. *No impacts would occur.*

Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Therefore, in relation to land use and planning, *no impacts would occur* and no mitigation measures are necessary.

Mitigation

None necessary.

XII. MINERAL RESOURCES

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

Setting

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

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

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

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

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

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource

extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

Initial Study – Environmental Checklist

XIII. NOISE

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

Setting

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

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

- Residential development, except temporary dwellings
- Schools – preschool to secondary, college and university, specialized education and training
- Health care services (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 (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear.

- There are no significant sources of noise as shown by the County Noise Counter mapping layer.

Discussion

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

The County of San Luis Obispo LUO establishes acceptable standards for exterior and interior noise levels and 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 3. Maximum allowable exterior noise level standards(1)

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

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

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

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

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

The project does not propose any uses or features that would generate a significant permanent source of mobile or stationary noise sources. Ambient noise levels at the project site and in

surrounding areas after project implementation would not be significantly different than existing levels. Therefore, potential operational noise impacts would be less than significant.

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

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

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational ground borne noise or vibration. Therefore, impacts related to exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels would be *less than significant.*

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

The project site is not located within an airport land use plan, private airstrip , or public airport or public use airport and is impacts related would result in no impacts.

Conclusion

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

Mitigation

None necessary.

XIV. POPULATION AND HOUSING

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

Setting

The County of San Luis Obispo General Plan Housing Element recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The Housing Element includes an analysis of vacant and underutilized land located in urban areas that 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.

Discussion

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

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

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

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

Conclusion

Potential impacts to population and housing would be less than significant and no mitigation measures are necessary.

Mitigation: None necessary.

XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by CAL FIRE, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county, and 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.

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 Lucia Mar 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, 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.

XVI. RECREATION

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

Setting

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

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 plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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 project is located off of Badger Canyon Road, the portion along the property frontage is a county-maintained roadway.

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

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

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

The 2019 RTP, adopted June 5, 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the region and creates a framework for project priorities. SLOCOG represents and works with the County of San Luis Obispo as well as the Cities within the county in facilitating the development of the RTP.

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

The County's Framework for Planning (Inland), includes the Land Use and Circulation Elements of the County's General Plan. The Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations.

Discussion

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

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

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

Based on the Technical Advisory on Evaluating Transportation Impacts in CEQA, projects that do not indicate substantial evidence that a project would generate a potentially significant level of VMT, that are consistent with an SCS or general plan, or that would generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact (OPR 2018).

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

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, *potential impacts would be less than significant.*

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

The project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *potential impacts would be less than significant.*

(d) Result in inadequate emergency access?

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area Therefore, the project would not adversely affect existing emergency access and therefore, *potential 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. Therefore, potential impacts related to transportation would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

XVIII. TRIBAL CULTURAL RESOURCES

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

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, tit̓u tit̓u yak tiłhini Northern Chumash, and Northern Chumash Tribal Council were sent.

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, tit̓u tit̓u yak tiłhini Northern Chumash, and Northern Chumash Tribal Council. No tribes requested consultation.

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.

XIX. UTILITIES AND SERVICE SYSTEMS

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

Setting

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

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

is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. The project would be served by an existing on-site 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.

Discussion

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

The subject parcel will be served an on-site well which would serve the proposed residence and landscaping. Based on the project description, the project, as conditioned, is not expected to result in a substantial increase in the demand for water, wastewater, or stormwater collection, treatment, or disposal facilities that would require the construction of new or expanded facilities other than those on site necessary to serve the project. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications; no new or expanded facilities would be required. *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 subject parcel will be served by an on-site well, which will provide water for the residence, and landscaping. The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Potential impacts associated with groundwater supplies *would be less than significant.*

(c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

The project proposes the use of an on-site wastewater treatment system. No additional demand will be added to a community's provider's existing commitments. Therefore, impacts associated with wastewater collection and treatment capacity *are considered 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?*

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.*

Initial Study – Environmental Checklist

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.

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?

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

(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?

Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Due to these factors 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 residence will be located on a relatively level area of the project site in an area surrounded by scattered oak trees, chaparral, and annual grasses. Although the project is proposing disturbance in areas of steep slopes; as described in Section VI., Geology and Soils, the potential for landslides on the project site and the area of disturbance is considered moderate. The project includes the construction of a residence that would incorporate the provisions of a complete grading, drainage and erosion control plan consistent with County and CalFire standards. Therefore, the project will not expose the occupants to significant risks such as downslope or downstream, flooding or landslides, as a result of runoff, post fire slope instability, or drainage changes and project *impacts would be less than significant.*

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.

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.

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 the surrounding properties and areas visible from public vantages. Project impacts, with implementation of VR-1 though VR-3 are considered *less than cumulatively considerable with mitigation.*

Agriculture and Forestry Resources

The analysis provided in Section II, Agriculture and Forestry Resources, indicates that the project would have a less than significant impact on important farmland and would not result in the conversion of surrounding farmland to another use. 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 adjoining parcels. 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-13 potential impacts to biological resources and cumulative impacts 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. Therefore, when considered with the potential impacts of other reasonably foreseeable developments 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 residence would be required to comply with relevant building codes relating to energy conservation. 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 would not generate significant GHG emissions above existing levels and would not exceed any applicable GHG thresholds, contribute considerably to cumulatively significant GHG emissions, or conflict with plans adopted to reduce GHG emissions. 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.

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. 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 two to three residents, not including any future proposed accessory dwelling unit(s). Therefore, 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

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*.

The County has not yet identified an appropriate model or method to estimate VMT for proposed land use development projects. State CEQA Guidelines Section 15064.3(b) states that if existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively.

The most recent estimate of total VMT for the county is from 2013, at which time total VMT per day was estimated to be 7,862,000 VMT. Assuming a 1% annual growth in VMT during the intervening 6 years, the current daily total is estimated to be around 8,333,720 VMT. Accordingly, the VMT associated with other development throughout the county is estimated to result in a marginal

increase in the total county VMT. The marginal increase in VMT is not expected to result in a reduction of the level of service on county streets and intersections.

Moreover, each new project will be 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 roadway impacts would be *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.

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	**None**
☐	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)	**None**
☐	CA Department of Transportation	**None**
☐	Community Services District	**Not Applicable**
☐	Other _____	**Not Applicable**
☒	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
☒ South County Area Plan/San Luis Bay 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

N-DRC2025-00003

Agency And Tribal Review

Department of Public Works, February 24, 2025 referral response letter

Department of Environmental Health, March 11, 2025 referral response letter

Other County References

_____. 2017. Clarification Memorandum for the San Luis Obispo County Air Pollution Control District's 2012

_____. 2015. Geotracker. Available at: <http://geotracker.waterboards.ca.gov/>

_____. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016.

_____. 2016. Emergency Operation Plan. December 2016.

_____. 2018. San Luis Obispo County Parks & Recreation Group Day Use & Facilities. Available at: <https://slocountyparks.com/day-use-parks/>

_____. 2018. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTUS Policy) Fact Sheet. August 2018.

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.

CAL FIRE. 2007. "Draft Fire Hazard Severity Zones in Local Responsibility Areas." Available at <http://frap.fire.ca.gov/webdata/maps/san_luis_obispo/fhszl06_1_map.40.pdf>

California Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Available at: <https://www.envirostor.dtsc.ca.gov/public/>

California Department of Transportation (Caltrans). 2008. Scenic Highway Guidelines. October 2008.

California Geological Survey (CGS). 2015. CGS Information Warehouse: Mineral Land Classification. Available at <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>

California State Water Resources Control Board. 2012. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems. June 19th, 2012.

CEQA Air Quality Handbook. November 2017.

County of San Luis Obispo Department of Planning and Building. 2018. Onsite Wastewater Treatment System Local Agency Management Program. January 18th, 2018.

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

Department of Conservation (DOC). 2019. San Luis Obispo County Tsunami Inundation Maps. Available at: < https://www.conservation.ca.gov/cgs/tsunami/maps/San-Luis-Obispo>.

Kirk Consulting. Howes Variance N-DRC2025-00003 Project Description. January 2025.

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>.

San Luis Obispo Air Pollution Control District (SLOAPCD). 2012. CEQA Air Quality Handbook. April 2012.

San Luis Obispo Council of Governments (SLOCOG). 2019. Responsibilities. Available at: <https://slocog.org/about/responsibilities>.

San Luis Obispo County. 1999. General Plan Safety Element.

State Water Resources Control Board (SWRCB). 2015. GeoTracker. Available at <http://geotracker.waterboards.ca.gov/>

Althouse and Meade, Inc. Biological Resource Assessment, Howes Residence 1523 Badger Canyon Lane, San Luis Obispo County, California. August 2024.

Geo Solutions. Geologic Evaluation, Howes Residence 1523 Badger Canyon Lane, San Luis Obispo County, California. July 24, 2024.

U.S. Department of Agriculture (USDA). 1983. Soil Survey of San Luis Obispo County, California, Paso Robles Area. U.S. Department of Agriculture, Soil Conservation Service. May 1983. Available at:<https://www.nrcs.usda.gov/Internet/FSE_MANUSCRIPTS/california/sanluisCA1983/sanluisCA1983.pdf>

U.S. Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory Surface Waters and Wetlands. May 5, 2019. Available at: https://www.fws.gov/wetlands/data/Mapper.html

United States Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: <https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html>

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.

Aesthetics

VS-1 **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 25 feet above the existing ground surface.

VS-2 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.

VS-3 **At the time of application for construction permits**, the applicant shall provide an exterior lighting plan. The plan shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent property and public roads. All lighting poles, fixtures, and hoods shall be dark colored. This plan shall be implemented prior to final inspection or occupancy, whichever occurs first.

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:

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.

Biological Resources

BIO-1 Oak Tree Avoidance and Protection Plan. Prior to Issuance of Construction and/ or Grading Permits. Native oak trees in and near the Project footprint shall be protected in place. All oak trees 6 inches in diameter or greater shall be shown on grading plans. Canopy pruning may be conducted under the direction of a licensed Arborist in a manner that would not result in a decrease in tree health. The CRZs of native oak trees shall be defined as an area of root space equivalent to 1.5 times the radius of the canopy dripline (e.g.: a 10-foot radius canopy has a CRZ of 15- feet around the trunk). Impacts include any ground disturbance within the CRZ, such as grading, trenching, parking vehicles, or staging materials. After permit issuance and prior to commencement of construction, protective high visibility fencing shall be installed at the outer limit of the CRZ. The fencing shall be marked with signage indicating No Access – Tree Protection Zone or similar text. Fencing shall be maintained in good condition for the duration of construction. Prior to issuance of conduction and/ or grading permits, the project applicant shall provide an Oak Tree Avoidance and Protection Plan detailing how the project will conform with the requirements of BIO-1.

BIO-2 As-Built Oak Tree Impact Report. Prior to Final. A licensed Arborist or qualified Botanist shall inspect and approve tree protective fencing prior to start of earthwork. If tree protection fencing placed at the limits of the CRZ must be temporarily removed to complete construction activities, an

Arborist or Botanist shall be present. If grading or other ground disturbance occurs within oak tree CRZ, or if trimming or pruning of oak tree limbs/branches occur, the tree and area of impact shall be mapped in the field and recorded. Any roots of 1-inch diameter or greater that are exposed during grading that cannot be saved, should be cut clean with a sharp pruning tool and treated per Arborist direction. Upon completion of earthwork, an As-built Oak Tree Impact Report shall be provided to the County that includes an assessment of tree impacts and removals that occurred, and required mitigation (typically replacement at a 2:1 mitigation ratio for impacted oak trees and 4:1 ratio for removed oak trees).

BIO-3 Oak Tree Mitigation/ Monitoring Plan. Prior to Final. Impacted and removed oaks documented in the As-built Oak Tree Impact Report shall be replaced using the appropriate mitigation ratio and a mitigation plan shall be prepared and approved by the County of San Luis Obispo. The mitigation plan shall incorporate the most current County standards for mitigating impacts to oak trees. Impacts to oak trees with a DBH of 6 inches or greater shall be mitigated by planting additional trees on site. Oaks removed shall be replaced in kind at a 4:1 ratio (i.e., four replacement trees per one removed tree). Oaks impacted shall be replaced in kind at a 2:1 ratio. Replacement trees shall be a minimum of one gallon in size, 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 five years. A mitigation monitoring plan will be prepared that outlines success criteria and provides a timeline for monitoring replacement trees. Annual reports will be provided to the County that will include monitoring results and recommendations for tree establishment success. The Oak Tree Mitigation Plan shall incorporate a grand total of all oak tree mitigation (expected and as-built replacement) and explain monitoring activities to ensure success.

BIO-4 Manzanita Avoidance and Protection. At the Time of Submittal for Construction and/ or Grading Permits. The project arborist or qualified biologist shall provide a Manzanita avoidance and protection plan ensuring the project plans conform with the avoidance and protection measures required for Manzanita populations.

BIO-5 Manzanita Avoidance and Protection. During Construction Activities & Prior to Final. Santa Margarita manzanita shrubs shall be avoided where feasible, consistent with the Manzanita avoidance and protection plan submitted at the time of submittal and verified prior to issuance. Upon completion of grading staking, the project botanist shall meet with the construction manager to make in-field determinations for manzanita protection. All manzanita shrubs within 25 feet of grading limits shall be fenced and protected for the duration of construction. Where shrubs cannot be avoided, the botanist will recommend pruning or removal. The Botanist shall be present for all pruning and removals. A final manzanita avoidance and protection report shall be prepared and submitted to the County detailing impacts and removals of manzanita shrubs. If impacts to Santa Margarita manzanita cannot be fully avoided, a manzanita mitigation and monitoring plan shall be prepared by the project biologist and provided to the County.

BIO-6 Manzanita Mitigation and Monitoring Plan. Prior to Final. If Santa Margarita manzanita cannot be fully avoided, a manzanita mitigation and monitoring plan (MMP) shall be prepared that provides for 1:1 replacement of removed shrubs. The goal of the MMP shall be the retention of a viable population of Santa Margarita manzanita on the Property.

1. The mitigation plan shall require that plant materials (seeds or cuttings) come from the site so that genetic material of the original population will be maintained.
2. The plan shall be subject to approval by the County.

3. The mitigation site shall be within a deed restricted area and shall be maintained and monitored for a minimum of five years.

BIO-7 Paniculate Tarplant Onsite Mitigation Plan. Prior to Issuance of Construction and/ or Grading Permits. Mitigation for permanent impacts to Paniculate Tarplant, a CRPR 4.2 species, shall be preservation and/or creation of tarplant habitat by collecting seed from onsite tarplants to be impacted by the Project and dispersing the seed within a pre-determined mitigation site selected based on similar grassland/disturbed habitat and soil conditions. The mitigation area shall be mapped, and an onsite mitigation report prepared by a qualified biologist shall be submitted to the County prior to issuance of construction and/ or grading permits.

BIO-8 Paniculate Tarplant Onsite Mitigation. Prior to Final. Upon completion of BIO-7 and the Paniculate Tarplant onsite mitigation plan, the applicant shall provide the final report prepared by the project biologist detailing the methods and activities utilized to complete the Paniculate Tarplant onsite mitigation plan and any mitigation completed. The mitigation area shall be complete and an onsite mitigation report prepared by a qualified biologist detailing the final shall be submitted to the County prior final.

BIO-9 Worker Environmental Awareness Program (WEAP). Prior to Site Disturbance. A qualified biological monitor shall provide WEAP training to all personnel associated with the project within 30 days prior to initiation of site disturbance and/or construction, to avoid or reduce impacts to biological resources. At a minimum, the training shall include information on the protection of nesting birds, oak woodlands, and special status species present and with potential to occur on the site. A fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers, and other personnel involved with the construction of the project. Prior to start of work, the applicant shall provide a sign in sheet that includes all of the members who attended the training, the sheet shall be signed by the biologist who provided the training.

BIO-10 Preconstruction Survey for Nesting Birds. Prior to Site Disturbance. Within one week of ground disturbance activities, if work occurs between February 1 and September 15, nesting bird surveys shall be conducted. 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 preconstruction survey report shall be submitted to the County 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 and/or species present. No work shall begin until the County has been provided the nesting bird survey results and/ or confirmed work is clear to begin.

BIO-11 Biological Monitoring. During Construction Activities & Prior to Final. Qualified biological monitor(s) shall be present onsite during ground or vegetation disturbing construction. Prior to the start of construction activities each day, biologist(s) will survey the work sites for wildlife. A biologist will look under parked vehicles and heavy equipment frequently (especially every morning before work starts). Species captured during surveys or construction activities will be relocated to the nearest suitable habitat outside of the Project area. Work shall stop in the unlikely event that federal, or state listed species are present, and the appropriate agency shall be contacted. Prior to Final, the project biologist shall provide a comprehensive report detailing the time and date each monitoring event occurred and any findings or measures taken as a part of the monitoring.

BIO-12 Bat Preconstruction Survey. Prior to Site Disturbance. Prior to removal of any trees over 20 inches DBH, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming harbor sensitive bat species or maternal bat colonies. The survey may include visual inspection of potential roost trees and/or acoustic surveys using bat detectors. If a non- maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Wildlife and the County, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in a similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed. No work shall begin until the County has been provided the required bat preconstruction survey results and/ or confirmed work is clear to begin.

BIO-13 American Badger Preconstruction Survey. Prior to Site Disturbance. A preconstruction survey shall be conducted within thirty days of beginning work on the site to identify if badgers are present. 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 impact area, plus a 500-foot buffer, 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 re-use 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. Exclusion of badgers from dens may only be done during the non-breeding season by a qualified biologist experienced in den exclusions. Dens must be fully excavated and backfilled after eviction is complete.

Hazards and Hazardous Materials

HAZ-1 Prior to Issuance of Construction and/ or Grading Permits. The following should be placed on the plans as a note and incorporated into the awareness training. 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 Prior to Issuance of Construction and/ or Grading Permits. The following should be placed on the plans as a note and incorporated into the awareness training. 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.