



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING & BUILDING  
Initial Study – Environmental Checklist

PLN-2039  
04/2019

**Project Title & No. Nelson Parcel Map ED24-167; N-SUB2022-00034; CO22-0040**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

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

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

|                     |                                                                                     |                  |                   |
|---------------------|-------------------------------------------------------------------------------------|------------------|-------------------|
| Blake Maule         |  | Planner          | November 17, 2025 |
| Prepared by (Print) | Signature                                                                           |                  | Date              |
| Eric Hughes         |  | Division Manager | November 17, 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 Peter Nelson for a Vesting Tentative Parcel Map to subdivide an existing 35-acre parcel into three parcels of varying sizes (Parcel 1: 4.75 acres, Parcel 2: 5.68 acres, Parcel 3: 24.94 acres) for the purpose of sale and/or development. The proposed subdivision would use the existing access from Squire Canyon Road. The site is characterized by a level to steeply sloping topography and open space areas to the north and south. Parcel 2 is improved with an approximately 2,576-square foot existing single-family residence served by an on-site well and septic system. Parcels 1 and 3 will need individual septic systems but would have access to one of the 4 on-site wells. The area of disturbance is estimated to be approximately 4.70 acres. The proposed project is within the Residential Suburban land use category and is located at 35 Squire Canyon Road, San Luis Obispo (076-271-058). The site is approximately 0.5 miles east of the Avila Beach Urban Reserve Line and 2 miles east of the community of Avila Beach. The project is within the San Luis Bay Inland Sub Area North of the San Luis Obispo Planning Area.

The location of the project site is shown in Figure 1; the proposed Vesting Tentative Map is provided in Figure 2; an aerial map of the proposed subdivision is shown in Figure 3.

### Baseline Conditions

The project site is located in a rural area of the County and surrounding dominant land uses include residential development with small scale animal keeping and crop production on surrounding parcels ranging in size from 3 acres to 30 acres. The project site consists of an approximately 35-acre site, to be subdivided into three parcels sizes (Parcel 1: 4.75 acres, Parcel 2: 5.68 acres, Parcel 3: 24.94 acres). The project site is documented within Section 28 and 33, Township 31 South, Range 12 East in San Luis Obispo, specifically located adjacent to, and south of Monte Road approximately 3 miles northeast of the Community of Avila Beach.

The property is bordered by Squire Canyon Road to the north and rural residences to the west and east, and agriculture lands to the south. Squire Canyon Road is a County-maintained rural collector that spans approximately 1.75-miles from east to west between Monte Road and Indian Knob Road. The current state of the road is in good condition without any service concerns. The project site is depicted on the central portion

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of the *Pismo Beach, California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle. Elevations on site range from approximately 75 to 230 feet above mean sea level. There are U.S. Fish and Wildlife Service-designated critical habitats, riparian habitats, or potentially jurisdictional hydrologic resources documented at the project site. The vegetation on the parcel comprises Coast live oak woodland, non-native grassland, Deerweed scrub, Fremont cottonwood stands, California sycamore - Coast live oak riparian woodland, Santa Margarita manzanita, and Pismo clarkia. Coast live oak woodland occupies approximately 22.20 acres of the project area. Dominant vegetation within the project area consists of non-native grassland and Coast live oak woodland. The understory is mainly made up of non-native grasses and herbs, such as multiple species of brome grasses (*Bromus* spp.), rabbits foot grass (*Polypogon monspeliensis*), and field hedge parsley (*Torilis arvensis*), among others. Historical aerial photography taken in 2007, 2011, and 2021 shows both the single-family residence and accessory structures (i.e., barn) on the parcel with the same tree cover consistent from past to present.

The existing 35.36-acre parcel development consists of one residence and associated access and utility improvements. Other associated uses include accessory storage structures. Disturbed areas occupy approximately 4.7 acres of the site and include areas that are regularly disturbed by human activities. Vegetation varies depending upon the degree of disturbance or development. The developed areas are largely devoid of vegetation and consist of existing structures and driveway. Disturbed areas are associated with the residences and include areas that are not fully developed but are disturbed due to human activities, for instance vehicle usage, landscaping, and other rural residential activities.

Proposed Parcels 1 and 2 exhibit generally level slopes, while Proposed Parcel 3 exhibits moderately steep slopes for an average slope of approximately 21%, with some areas over 30% towards the west. Within the proposed building envelopes, the site is devoid of documented fault lines, steep slopes, or other conditions that might pose concerns related to landslide risks because the higher-grade slopes reside in the open space easement located in Parcel 3. Within the project boundaries, there are two blue line streams. Noteworthy is the absence of any indication of past or current commercial agriculture or livestock grazing activities on the property.

Parcel 2, containing the existing residence, does not propose new structures; however, tentative map approval and recordation of this map would enable construction of single-family residences, widened roadway easement, septic systems, and leach fields on proposed Parcels 1 and 3. There are 4 existing wells on the property; proposed Parcels 1 and 2 would each have their own well, leaving 2 wells for proposed Parcel 3.

Open space easements were established within proposed parcel 1 (northern) and proposed parcel 3 (southern) during a prior Lot Line Adjustment (SUB2016-00040) for the purpose of protecting open and scenic areas on the parcels.

Additionally, an exception to the CAL FIRE road-width standard has been requested to allow portions of the existing 10-foot-wide driveway to remain at their current width where they cross existing stream culverts, rather than widening them to the standard 20 feet, in order to avoid potential environmental impacts (Figure 4). County Fire has conditionally approved this reduced-width configuration, permitting 12- and 14-foot-wide segments over the existing culverts where a 20-foot width would otherwise be required. The proposed 12-foot-wide secondary emergency vehicle access from Fern Canyon Road will require the establishment of an easement prior to issuance of any construction permits.

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

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**ASSESSOR PARCEL NUMBER(S):** 076-271-058

**Latitude:** 35° 18' 94.0" N      **Longitude:** 120° 69' 12.2" W      **SUPERVISORIAL DISTRICT #** 3

### B. Existing Setting

**Plan Area:** San Luis Obispo      **Sub:** San Luis Bay Inland Sub Area North      **Comm:** Rural

**Land Use Category:** Residential Suburban

**Combining Designation:** Flood Hazard Renewable Energy Overlay

**Parcel Size:** 35.36 acres

**Topography:** Nearly level to moderately sloping

**Vegetation:** Coast live oak woodland, non-native grassland, Deerweed scrub, Fremont cottonwood stands, California sycamore - Coast live oak riparian woodland, Santa Margarita manzanita, and Pismo clarkia.

**Existing Uses:** Residential single-family dwelling and accessory structure

**Surrounding Land Use Categories and Uses:**

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

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

**South:** Agriculture; undeveloped

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

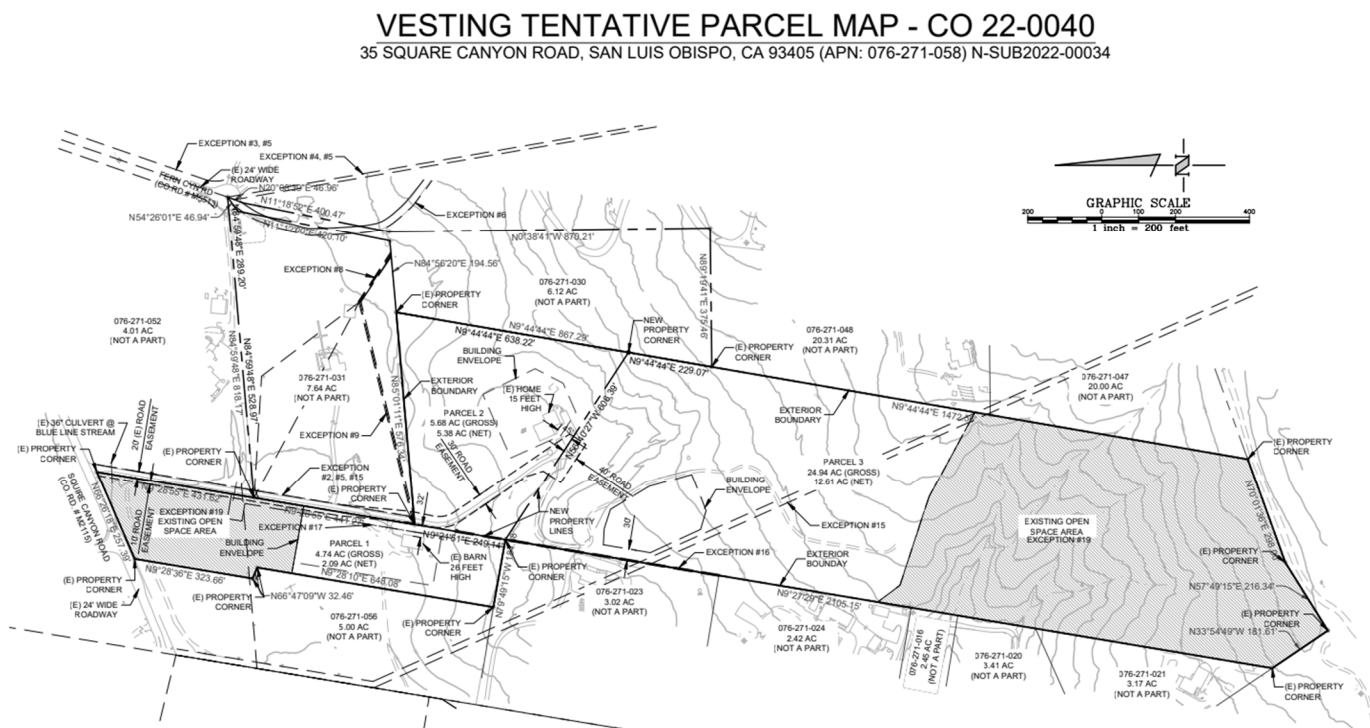
## Initial Study – Environmental Checklist

Figure 1 – Project Location



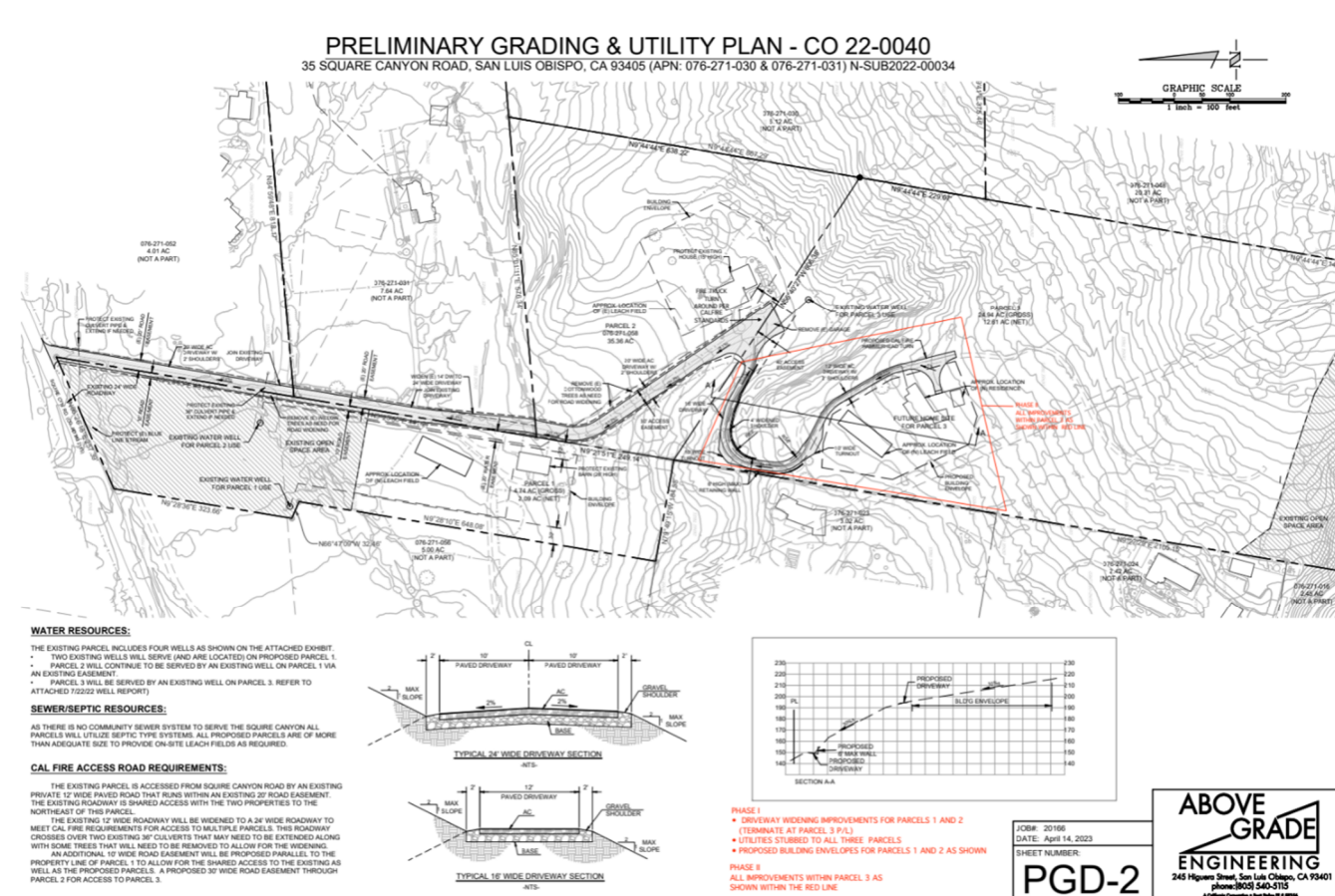
## Initial Study – Environmental Checklist

### Figure 2 –Vesting Tentative Parcel Map



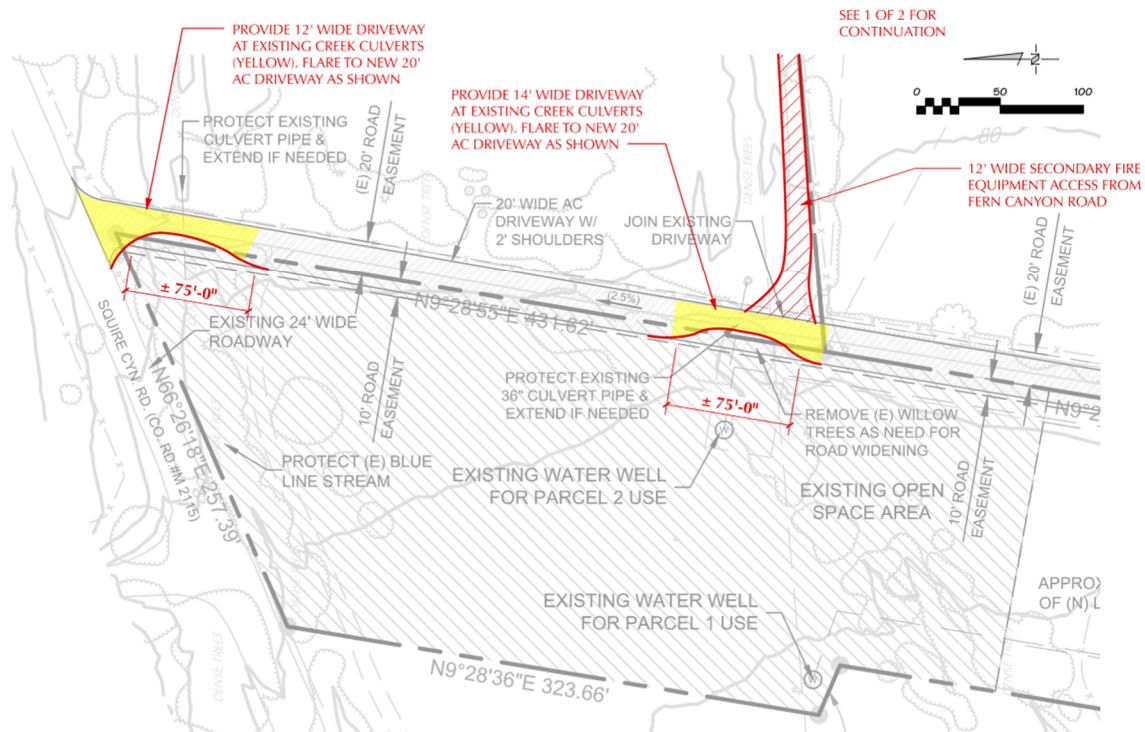
## Initial Study – Environmental Checklist

### Figure 3 – Preliminary Grading Plan



## Initial Study – Environmental Checklist

**Figure 4 – Fire Access Road Exception Map**



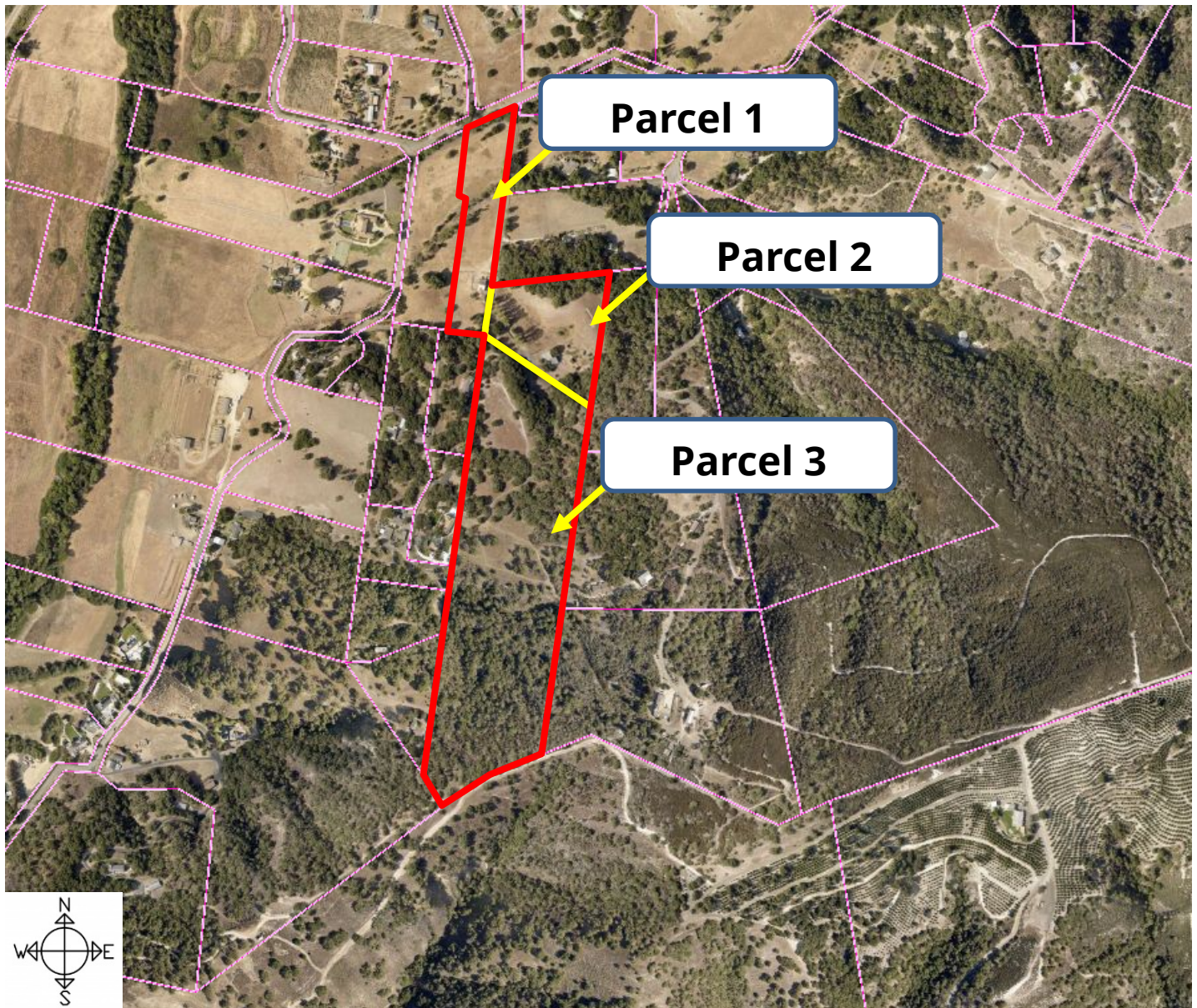
**FIRE ACCESS ROAD EXCEPTION REQUEST - ENLARGED PLAN**  
 35 SQUARE CANYON ROAD, SAN LUIS OBISPO

2 OF 2

**STUDIO  
DESIGN  
GROUP**  
 ARCHITECTS, INC.

## Initial Study – Environmental Checklist

Figure 4 – Aerial View of the Proposed Subdivision



## Initial Study – Environmental Checklist

### C. Environmental Analysis

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

#### I. AESTHETICS

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

#### Setting

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

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

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### *California Scenic Highway Program*

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

### *County of San Luis Obispo Land Use Ordinance*

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

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

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

### *Conservation and Open Space Element*

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

- **Goal VR 1:** The natural and agricultural landscape will continue to be the dominant view in rural parts of the county.
- **Goal VR 2:** The natural and historic character and identity of rural areas will be preserved.

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- **Goal VR 3:** The visual identities of communities will be preserved by maintaining rural separation between them.
- **Goal VR 7:** Views of the night sky and its constellation of stars will be maintained.

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

### *Countywide Design Guidelines*

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

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

### *Existing Conditions*

The site comprises a 35.36-acre parcel undergoing subdivision into three parcels, featuring predominantly level to moderately sloping topography throughout and open space easements on two of the proposed parcels (Parcel 1 & 3). Each proposed parcel will be varying in size (Parcel 1: 4.75 acres, Parcel 2: 5.68 acres, Parcel 3: 24.94 acres). Notably, the site has two intermittent streams and culverts within proposed Parcel 1 in the existing open space easement. Surrounding land use primarily consists of residential areas characterized by scattered oak groves and grassy expanses. The visual aesthetic of the area is well-maintained, with residences discreetly distributed and no prominent scenic features.

Within the immediate vicinity, the predominant land parcels are categorized as Residential Suburban and Agriculture to the south, varying in size from 2 to 292-acres. These parcels host a mix of residential structures, barns, modest rural facilities, and undeveloped lands. This composition contributes to a rural ambiance, where development is in harmony with the natural surroundings.

The project site has minimal visibility from passing vehicles and is effectively screened by strategically positioned vegetation along the street-side property line and intervening topography, ensuring a discreet presence that minimizes exposure to public roads and other public viewing locations. The site's location, existing vegetation and topography ensures that the proposed building areas would blend and integrate with the surrounding environment, offering a level of privacy and seclusion for both the project and its immediate surroundings.

### *Discussion*

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

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

The project is not located along, nor visible from, an identified scenic vista, visually sensitive area, scenic corridor, or an area of high scenic quality that would be seen from key public viewpoints. The

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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 be visually consistent with the type and extent of development in the surrounding area. The project would not result in a noticeable change to public views of the area and, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings and potential impacts would be *less than significant*.

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

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

### Conclusion

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

### Mitigation

None necessary.

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### II. AGRICULTURE AND FORESTRY RESOURCES

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

#### Setting

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

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

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

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

- Briones-Terra Complex, 15 to 20 percent slopes
- Elderly Sandy Loam, 2 to 5 percent slopes
- Gaviota Fine Sandy Loam, 15 to 50 percent slope
- Pismo-Tierra Complex, 9 to 15 percent slopes

Onsite soils include:

- Briones-Terra Complex, 15 to 20 percent slopes. This soil type is found on level terrain within the center portion of the project site. The drainage class is somewhat excessively drained. The parent material of this soil map unit consists of Residuum weathered from sandstone and has no Hydric Soil.
- Elder Sandy Loam, 2 to 5 percent slopes. The soil type is found on the northern portion of the project site. The drainage class is well drained. The parent material of this soil map is Alluvium derived from sedimentary rock and has no Hydric Soil.
- Gaviota Fine Sandy Loam, 15 to 50 percent slope. This soil type is found mostly on the southern part of the site and partially to the east part of the site. The parent material is Loamy Eolian Deposits from the Blackwater Draw Formation and has no hydric soils.
- Pismo-Tierra Complex, 9 to 15 percent slopes. The soil type is found on the most northern point of proposed Parcel 1 on the project site. The drainage class is somewhat excessively drained. The parent material is Residuum weathered from sandstone and has no Hydric Soils.

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The project site does not include land within the Agriculture land use designation and is not within lands subject to a Williamson Act contract.

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

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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?*

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

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

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

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

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

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

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; *no impacts would occur.*

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

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

### Conclusion

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

### Mitigation

None necessary.

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## III. AIR QUALITY

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

*Setting**Regulatory Agencies and Standards*

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), sulfate, carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), visibility reducing particles, lead (Pb), hydrogen sulfide (H<sub>2</sub>S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO<sub>2</sub>, ozone, PM<sub>10</sub> and PM<sub>2.5</sub>, and SO<sub>2</sub>.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with

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NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

### *SLOAPCD Thresholds*

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

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), greenhouse gases (GHG) and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators and other heavy equipment. SLOAPCD has established thresholds of significance for each of these contaminants.

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 (source emissions).

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

### *Air Quality Monitoring*

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

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

### *San Luis Obispo County Clean Air Plan*

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM<sub>10</sub>. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state

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standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

### *Naturally Occurring Asbestos*

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

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

### *Sensitive Receptors*

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses, and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences.

The project site is surrounded by well-spaced residences on 3- to 30-acre parcels. There are nineteen (19) residences within 300 feet and thirty-seven (37) residences within 1,000 feet of the project site.

### *Discussion*

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

The project conflicts with the implementation of the San Luis Obispo County Clean Air Plan which calls for parcels such as this one to not be split below 20 acres and instead promotes the concept of urban infill by directing growth to areas not within the existing URL/VRL boundaries. Mobile sources are the largest contributor to air pollution in San Luis Obispo County and rural parcel subdivisions foster continue dependency on private auto use as the primary means of accessing essential services and other destinations. However, due to the small size of the project, it would not result in a new or substantially difference use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants. Therefore, impacts would be *less than significant*.

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

The County is currently designated as non-attainment for ozone and PM<sub>10</sub> under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO<sub>x</sub>) and fugitive dust emissions (PM<sub>10</sub>).

### *Construction Impacts*

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

**Table 1. SLOAPCD Thresholds of Significance for Construction Activities**

| Pollutant                                                            | Threshold <sup>(1)</sup> |                         |                  |
|----------------------------------------------------------------------|--------------------------|-------------------------|------------------|
|                                                                      | 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 <sub>x</sub> ) | 137 lbs                  | 2.5                     | 6.3 tons         |
| Fugitive Particulate Matter (PM <sub>10</sub> ), Dust <sup>(2)</sup> |                          | 2.5 tons <sup>(2)</sup> |                  |

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<sub>10</sub> quarterly threshold.

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 2 lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The APCD's CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM<sub>10</sub> 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 <sub>x</sub> )           | 42.4                                                                                       | 0.0935                           |
| Fugitive Particulate Matter (PM <sub>10</sub> ) | 0.75 tons/acre/month of construction activity (assuming 22 days of construction per month) |                                  |

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

**Table 3. Proposed Project Estimated Construction Emissions.**

| Pollutant                                       | Total Estimated Emissions | SLOAPCD Threshold |                    | Threshold Exceeded? |
|-------------------------------------------------|---------------------------|-------------------|--------------------|---------------------|
|                                                 |                           | Daily             | Quarterly (Tier 1) |                     |
| ROG + NO <sub>x</sub><br>(combined)             | 148 pounds                | 137 pounds        | 2.5 tons           | No                  |
| Diesel Particulate Matter (DPM)                 | 6.3 pounds                | 7 pounds          | 0.13 tons          | No                  |
| Fugitive Particulate Matter (PM <sub>10</sub> ) | 0.6 tons                  |                   | 2.5 tons           | No                  |

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

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

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

### *Operational Impacts*

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

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

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity to exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptors are residences located on the properties to the north, east, and west that are all within 1,000 feet of potential construction activities. These residences may be occupied by sensitive receptors, and the close proximity, combined with prevailing winds could result in exposure to diesel particulates and fugitive dust from construction activities. Implementation of Mitigation Measures AQ-1 and AQ-2 are included to implement equipment and construction regulations to reduce potential emissions near sensitive receptor locations; therefore, potential impacts to sensitive receptors would be *less than significant with mitigation*.

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

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

### Conclusion

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

### Mitigation

**AQ-1 Fugitive Dust Construction Control Measures.** Prior to 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;
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 of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust

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complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

**AQ-2 ROG, NO<sub>x</sub>, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- a. Implement Mitigation Measure AQ-1, as identified above.
- b. 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:
  - i. 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,
  - ii. 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.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- e. 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.
- f. 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.
- g. Electrify equipment when possible.
- h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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### IV. BIOLOGICAL RESOURCES

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

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### *Setting*

#### *Sensitive Resource Area Designations*

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

The project site is situated within a distinctive setting that warrants careful examination. Regional Sensitive Resource Areas (SRAs) have not been identified, and none exist within the site boundaries or within a reasonably placed buffer area of the site. The site itself, characterized as developed with two open-space easements, has a single-family residence and an agriculture accessory structure (barn), exhibits a low to moderate level of disturbance, with the presence of paved and unpaved road surfaces further defining its nature. Currently, approximately 4.70 acres of the 35-acre site are disturbed. Avila Beach is 2.2-miles west of the project site. On-site, a variety of trees and vegetation enhance the landscape, with coast live oak woodland and non-native grasslands dominating the overall coverage. This detailed site-specific setting analysis ensures a nuanced comprehension of the project's environmental context and potential impact considerations

#### *Federal and State Endangered Species Acts*

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats. CDFW also maintains a Watch List (WL) for species that were previously SSC but no longer merit SSC status, or which do not meet SSC criteria but for which there is concern and a need for additional information to clarify status.

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

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

### *Migratory Bird Treaty Act*

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

### *Oak Woodland Ordinance*

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

The project site does support oak woodland (Coast live oaks). The Open Space Easement on Proposed Parcel 3 protects approximately 12 acres of healthy oak woodland habitat in perpetuity.

### *Clean Water Act and State Porter Cologne Water Quality Control Act*

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction regulates almost all work in, over, and under waters listed as “navigable waters of the U.S.” that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

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

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

### *County of San Luis Obispo General Plan Conservation and Open Space Element*

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats;

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native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order to sustain biological resources. The COSE identifies Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines. Additionally, the County COSE identifies several key goals pertaining to biological resources within the county:

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

### Existing Conditions

This section is largely based on the *Biological Resources Assessment and Botanical Survey 35 Squire Canyon Road Subdivision Project, San Luis Obispo County, California (APN: 076-271-058)*, prepared by LSA Associates, Inc. to evaluate biological resources present at the project site (LSA BIO 2023; LSA BOT 2024).

The project site is located in a rural area and is currently developed with one single-family residence and an agriculture accessory structure (barn). Surrounding areas primarily include scattered rural residential development and accessory structures on similarly arranged 3 to 30-acre parcels. The project site and surrounding area is characterized by level to steeply sloping topography and supports oak woodland, shrubs, herbaceous vegetation, riparian habitat and non-native grassland.

### Special-Status Plants

Special status plant species are defined as the following:

- Plants listed or proposed for listing as threatened or endangered under the Federal Endangered Species Act (FESA) (50 Code of Federal Regulations [CFR] Section 17.12 for listed plants and various notices in the Federal Register for proposed species).
- Plants that are candidates for possible future listing as threatened or endangered under the FESA.
- Plants that meet the definitions of rare or endangered species under the California Environmental Quality Act (CEQA) (State CEQA Guidelines Section 15380).
- Plants considered by CNPS to be "rare, threatened, or endangered" in California (CNPS Ranks 1A, 1B, 2A, and 2B).
- Plants listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 California Code of Regulations [CCR] Section 670.5).

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- Plants listed under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.).
- Plants considered sensitive, rare, or otherwise protected by local agencies or jurisdictions

The biological resources assessment conducted in 2023 for the proposed project included a review of the CDFW California Natural Diversity Database (CNDDDB) and the CNPS rare plant database, which revealed 78 special-status plant species have been previously recorded within a 5-mile radius of the project site. Of these 78 species, 4 species were determined to have potentially suitable habitat on-site. According to the initial botanical survey conducted in 2023 (LSA 2023), the following four special-status plant species have the potential to occur on-site:

- Hoover's bent grass (*Agrostis hooveri*), CRPR 1B.2
- Adobe sanicle (*Sanicula maritima*), CRPR 1B.1
- Chaparral ragwort (*Senecio aphanactis*), CRPR 2B.2
- San Luis Obispo County lupine (*Lupinus ludovicianus*), CRPR 1B.2

During the initial biological resources assessment conducted in August 2023 and an appropriately timed botanical survey conducted in April 2024, the following three special-status species were observed within the project site (LSA 2023).

- Santa Margarita manzanita (*Arctostaphylos pilosula*), CRPR 1B.2
- San Luis Obispo Owl's-clover (*Castilleja densiflora* ssp. *obispoensis*) CRPR 1B.2
- Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*), CRPR 1B.1

### Special-Status Wildlife

Special status animal species are defined as the following:

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

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

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- California red-legged frog (*Rana draytonii*): This is a Federally Threatened and CDFW Species of Special Concern. This species occurs primarily in aquatic habitats such as creeks, ponds, and marshes. Suitable breeding habitat usually includes a minimum depth of 10 to 20 inches and must contain water during the entire development period for eggs and tadpoles. During the wet weather, California red-legged frog (CRLF) often occurs in upland habitats near aquatic sites, and these frogs can disperse widely over upland habitats during wet weather. There are four CNDDDB occurrences within 5 miles of the project area. The proposed building envelope footprints and project area of disturbance could support CRLF breeding habitat. While no CRLF were observed on site, there is a high probability of them occurring within the building envelope footprints/project disturbance limits.
- Coast range newt (*Taricha Torosa Torosa*): This is a CDFW Species of Special Concern. This species occurs primarily in valley-foothill hardwood, valley foothill hardwood-conifer, coastal scrub and mixed chaparral, but is also known from annual grassland and mixed conifer types. Although there are no CNDDDB occurrences for this species, there are several iNaturalist records that have documented this species within the vicinity of the project area. The intermittent streams provide suitable aquatic habitat and the surrounding annual grassland provides suitable terrestrial habitat. No focused surveys were conducted for Coast Range newt and this species was not observed during the field surveys. However, since potential habitat is present, this species could occur within the building envelope footprints/project disturbance limits.
- Northern California legless lizard (*Anniella pulchra*): This is a state species of special concern and typical habitat includes coastal dune scrub, coastal sage scrub, chaparral, woodland, forest, or riparian habitat, and loose, sandy or loamy soils. The closest occurrence was documented 3-miles east of the Survey Area. This species is especially common in coastal dune scrub, oak woodland, valley-foothill grassland, chaparral, and coastal scrub. Within these habitat types, areas with sandy or loose organic soils or where high amounts of leaf litter are favorable. The Survey Area contains suitable soils for this species and furthermore, suitable leaf litter is present beneath oak trees on site. Therefore, this species has potential to occur within the Survey Area. However, no legless lizards were observed during the reconnaissance level field surveys.
- Western pond turtle (*Actinemys marmorata*): This is a CDFW Species of Special Concern species. The typical habitat is associated with permanent or nearly permanent water in a wide variety of habitat types. However, this species will seek refuge under logs or other areas that retain moisture when aquatic features dry up. Western pond turtles require basking sites such as partially submerged logs, rocks, mats of floating vegetation, or open mud banks. There are seven CNDDDB records of occurrence within the project area vicinity. Suitable aquatic habitat is present in the two intermittent streams as well as suitable upland areas for nesting. Since potential habitat is present this species could occur within the building envelope footprints/project disturbance limits.
- Coast horned lizard (*Phrynosoma Coronatum*): Coast horned lizard is a CDFW Species of Special Concern. It occurs in valley foothill hardwood, conifer and riparian habitats, as well as in pine-cypress, juniper and annual grassland habitats. There is one record of coast horned lizard from 2011 located approximately 1.1 miles to the northeast from the project area. Suitable soils and habitat are present in the project area and harvester ants (*Pogonomyrmex* sp.), its primary food source, was also observed in the project area. Since potential habitat is present this species could occur within the building envelope footprints/project disturbance limits.

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- White-tailed kite (*Elanus leucurus*): The white-tailed is a State Fully Protected bird species. Kites nests in trees at low elevation and are known for distinctive hovering flight when foraging. While there are no CNDDDB records of white-tailed kite, there are many eBird records that have documented the species within the project area vicinity as recent as February 2023. Suitable foraging and nesting habitat is present in the within the building envelope footprints/project disturbance limits and areas immediately adjacent to the these areas that could potentially be affected by project
- Loggerhead shrike (*Lanius ludovicianus*): This is a state species of special concern. Typical habitats include broken woodlands, savannah, pinyon-juniper, Joshua tree, & riparian woodlands, desert oases, scrub & washes. This species prefers open country for hunting, with perches for scanning, and fairly dense shrubs and brush for nesting. There is one CNDDDB record for loggerhead shrike from 2005 located approximately 4.8 miles north of the project area. Additionally, there are many eBird records that have documented the species within the project area vicinity. Suitable foraging and nesting habitat is present within the building envelope footprints/project disturbance limits and areas immediately adjacent to these areas that could potentially be affected by project.
- Purple martin (Progne Subis): Purple martin is a CDFW Species of Special Concern. This species occurs in low elevation habitats such as valley foothill and montane hardwood, valley foothill, montane hardwood-conifer and riparian habitats. Documented purple martin breeding sites are very limited in San Luis Obispo County and there are no known sites in the immediate project vicinity. There are no CNDDDB records for purple martin, however the species has been documented near Laguna Lake as recently as May 2023 (eBird 2023). The building envelope footprints/project disturbance limits and areas immediately adjacent to these areas contains human-made structures and suitable habitat for nesting.
- American badger (*Taxidea Taxus*): American badger is a CDFW Special Species of Concern. The badger is most abundant in drier open stages of most scrub, forest and herbaceous habitats, with friable soils. There are two records of occurrence (CNDDDB 2002, 2008) within project area vicinity. Although the project area contains suitable soils for American badger, no suitable burrows or sign (e.g., tracks, scat, markings) of this species were observed within the project area. Since potential habitat is present this species could occur within the building envelope footprints/project disturbance limits.
- Burrowing owl (*Athene Cunicularia*): Burrowing owl is a CDFW Species of Special Concern. It is found in open, dry grasslands, agricultural and range lands, and desert habitats. Burrowing owls have recently been documented within 5 miles of the study area and while no burrowing owl (or signs of the species) were observed within building envelope footprints/project disturbance limits during the field surveys, burrows within non-native grassland around the existing barn were observed. None of the small mammal burrows observed within the project area exhibited features typical of occupied burrowing owl, although there is some potential for use by these species in the future. These burrows are considered suitable habitat for burrowing owl.
- Other Nesting Birds: Nesting birds are protected under the California Fish and Game Code and most native/migratory species are covered under the federal Migratory Bird Treaty Act. Construction activities that occur during the nesting bird season (typically February 1 through September 30) have the potential to result in the direct or indirect take of nesting birds.

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- **Special-Status Bat Species:** Regardless of status, all bats are protected from take as non-game mammals under Section 4150 of the California Fish and Game Code, and maternity roosting sites are considered protected wildlife nursery habitats. A variety of native bat species could forage over or within the building envelope footprints/project disturbance limits and areas immediately adjacent to these areas. Townsend's big-eared bat may roost in hollow trees or in structures of the project area. Maternity roosts may occur within the trees or buildings.

### *Discussion*

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

The proposed project has the potential to result in direct removal of special-status plant species if construction were to occur within proposed parcel 3 building envelope. In addition, proposed construction activities have the potential to result in direct (i.e., take) or indirect (i.e., noise, dust, light pollution) disturbance to special-status wildlife species if present within the project area during construction. Proposed parcel 3 building envelope construction would require work within an area of identified habitat for Pismo clarkia and existing populations of Pismo clarkia. Additionally, there is Santa Margarita manzanita and San Luis Obispo owl's clover. Recommended measures to avoid or mitigate impacts on identified species include obtaining an Incidental Take Permit and/or providing compensatory mitigation for Pismo clarkia, as well as designating an appropriate open-space area.

### Special-Status Plants

Two non-listed special-status plant species, Santa Margarita manzanita and San Luis Obispo owl's clover, and one federally listed plant species, Pismo clarkia, have been identified within the building envelopes/project disturbance limits. Focused botanical surveys were conducted when regional late-blooming plants were observable. Due to potentially suitable habitat that could potentially support other special-status plants species within the building envelopes/project disturbance limits, an early season survey is recommended to detect any additional annual plant species or special-status plant species that may not have been identifiable during the June/July 2023 surveys. Therefore, Measure BIO-7 is recommended. The proposed project would remove approximately 3 Santa Margarita manzanita, 6 Pismo clarkia, and 4 San Luis Obispo owl's clover as a result of the proposed road widening and development of the proposed residential structures and leach field within proposed parcel 3 building envelope. Although several Pismo clarkia are located on the margins or outside of the proposed parcel 1 building envelope, future land use changes could impact these species. Therefore, measures BIO-8 through BIO-11 are recommended to compensate for permanent impacts to special-status plants including the federally listed Pismo clarkia and the two non-listed special-status plant species. Coordination with the USFWS as part of the Federal Endangered Species Act (FESA) Section 10 Consultation will be required to address project impacts to the federally listed Pismo clarkia.

### Special-Status Wildlife

The building envelopes/project disturbance limits contains suitable aquatic habitat, breeding habitat, and potentially suitable upland/dispersal (non-breeding) habitat for California red-legged frog (CRLF). Portions of the building envelopes/project disturbance limits also support potentially suitable habitat for Coast Range newt, northern California legless lizard, western pond turtle, coast horned lizard,

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burrowing owl, white-tailed kite, loggerhead shrike, purple martin, Townsend's big-eared bat, and American badger.

Grading and future land use changes could have the potential to directly impact habitat that could provide suitable aquatic, foraging, and dispersal habitat for CRLF. As a result, these direct impacts could alter the movement, sheltering, or breeding behaviors of these species. Additionally, grading, future developments, and/or vehicular collision could potentially result in the loss of individuals. Indirect impacts may include noise, vibration, light, and dust created by construction-related activities and future residents/land uses. Overall, the grading and future land use changes could result in direct impacts to CRLF by increasing sediments within suitable aquatic habitat, directly impacts suitable aquatic/upland habitat, and increasing the risk of vehicle collisions. Therefore, recommended measures BIO-13 through BIO-16 would be implemented to further reduce the likelihood of adverse impacts to special-status species.

Indirect temporary impacts on hydrology and water quality could occur during grading and future land use changes. Such impacts include a potential increase in erosion and sediment transport into adjacent or downstream aquatic areas. Chemical spills or leaks of fuel, transmission fluid, lubricating oil, or motor oil from construction equipment could also contaminate waters and degrade their quality. These potential indirect impacts to hydrology and water quality would be avoided or substantially minimized through the implementation of best management practices (BMPs), project design features, and a water quality management plan and/or a storm water pollution and prevention plan (if required). Implementation of recommended Measure BIO-18 would also effectively minimize indirect impacts to hydrology and water quality and would have the added benefit of minimizing the potential for wildlife to enter work areas during construction.

Due to the presence of suitable habitat for Coast Range newt, northern California legless lizard, western pond turtle, coast horned lizard, and American badger, these species have the potential to occur within the grading limits and areas subject to future land use changes. Although, no sign or direct observations of these species were observed, there is some potential for use by these species within the building envelopes/project disturbance limits. Potentially significant direct and indirect impacts, including mortality, harassment, or other forms of incidental take, could occur if construction-related ground disturbance occurs in or around an occupied habitat. Therefore, Measure BIO-15 is recommended to avoid adverse impacts to Coast Range newt, northern California legless lizard, western pond turtle, coast horned lizard, and American badger.

The building envelopes/project disturbance limits and immediate vicinity also contain vegetation and human-made structures that provide suitable nesting habitat for a variety of native and migratory bird species that could support burrowing owl, white-tailed kite, and purple martin, which are protected while nesting. To ensure compliance with the Federal Migratory Bird Treaty Act and California Fish and Game Code Sections 3500–3516, pre-construction nesting bird surveys are recommended to occur prior to any vegetation clearing or construction activities planned to occur during the nesting bird season (February 15 through August 31). Additionally, suitable habitat for Townsend's big-eared bat was also observed. The building envelopes/project disturbance limits could support maternity roosts of special-status or otherwise protected bat species. Any tree trimming or removal would warrant pre-construction nesting bird surveys and/or focused habitat assessment and nighttime maternity season bat surveys to avoid, reduce, or compensate for potentially significant impacts to these species. Therefore, Measure BIO-17 are recommended. Lastly, potential permanent and temporary indirect impacts to wildlife would be substantively minimized or avoided through the implementation of standard construction measures as defined in recommended Measure BIO-18.

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Therefore, with the implementation of these measures, potential impacts related to disturbance of special-status plants and wildlife would be *less than significant with mitigation*.

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

There are mapped blue line creeks and riparian vegetation within or immediately adjacent to the proposed areas of disturbance, but they are within existing open space easements on site. The project site is located within a coast live oak woodland which may facilitate nesting birds and other special status species. Oak trees are keystone species meaning they have disproportionately high effects on ecological community members. Many plant and wildlife species in central California benefit greatly from the presence of oak trees. Mitigation Measures BIO-2, BIO-4, BIO-5, and BIO-6 have been included to avoid impacts to oak trees when feasible, replace impacted oak trees when avoidance is not feasible, conduct preconstruction nesting bird surveys, and to monitor the health of replaced oak trees to ensure successful replacement.

Impacts occur to oak trees when a substantial amount of the root zone is disturbed, typically during grading and trenching activities, or oak trees are physically removed. Standard replacement ratios for impacted oak trees include 2 in-kind replacement trees for every oak tree impacted but not removed, and 4 in-kind replacement trees for every oak tree removed. BIO-4 and BIO-5 require a qualified arborist or biologist, where appropriate, to verify adequate measures are performed and carried out for the life of the project. Therefore, impacts are expected to be *less than significant with mitigation incorporated*.

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

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

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

Based on the [California Essential Habitat Connectivity Project](#), the project site is not located in an identified Essential Connectivity Area. The project site does support habitat features conducive to migratory wildlife species such as oak woodland and other trees for nesting birds. BIO-17 has been included to require mitigation measures should tree disturbing activities occur between February 1 and September 15. These measures include preconstruction surveys performed by a qualified biologist and, when appropriate, non-disturbance buffers up to 250-feet until juvenile birds have successfully fledged their nests. Therefore, the project would not interfere with the movement of resident or migratory fish or wildlife species or wildlife nursery sites and impacts are expected to be *less than significant with mitigation incorporated*.

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

The project is not located within an SRA designated for protection of unique or sensitive endangered vegetation or habitat resources. With mitigation included, the project would not significantly affect

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sensitive habitats or resources identified in the COSE or native tree species protected under the County Oak Woodland Ordinance. The proposed area of disturbance is not known to support sensitive resources that are protected by local policies and plans, but sensitive biological resources are supported nearby. Additionally, the proposed area of disturbance may support sensitive resources at the time of construction. Trees within the project area have the potential to provide nesting habitat for migratory bird species. The project would not result in impacts to existing trees for development of the site. Mitigation Measures BIO-2, BIO-4 through BIO-6, and BIO-17 require replanting of removed and/or impacted trees, which would ensure long-term migratory nesting bird habitat would remain within the project area. Based on implementation of the identified mitigation, implementation of the proposed project would not reduce the availability of nesting habitat for migratory birds within the project area. Therefore, potential impacts would be *less than significant with mitigation*.

As discussed above, Mitigation Measures BIO-1 through BIO-20 have been included to mitigate potential impacts to biological resources through preconstruction surveys, avoidance buffers when feasible, minimize and replacement when avoidance is not feasible, and restore resources when appropriate. Therefore, the project would not result in a conflict with local policies or ordinances protecting biological resources and impacts are expected to be *less than significant with mitigation incorporated*.

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

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

### Conclusion

Based on field observations coupled with the habitat suitability analysis conducted for this assessment, the proposed project would impact regionally occurring special-status natural communities, special-status plants as well as several special-status animal species, and jurisdictional aquatic features. The implementation of the recommended measures by the Project Applicant/future landowner at the time of construction detailed herein would ensure consistency with local policies related to biological resources and would avoid or minimize impacts to the extent practicable. With successful implementation of the recommended mitigation measures, potentially significant impacts on biological resources would be *less than significant with mitigation*.

### Mitigation

**BIO-1 Prior to initiation of map improvements or submittal of grading and/or building permit application**, the applicant shall retain a County-approved biological monitor. The biological monitor shall prepare and submit a biological monitoring plan for review and approval by the San Luis Obispo Department of Planning and Building. The monitoring plan shall detail the responsibilities of the monitor, including, but not limited to: overseeing the installation of protective fencing around all areas identified by the updated botanical surveys (see BIO-7) containing sensitive plant species identified onsite that are not proposed to be removed by the project; ensuring the use of heavy equipment and vehicles are limited to the proposed project work area, existing roadways, and defined staging areas/access points and that the boundaries

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of each work area are clearly defined and marked with visible flagging prior to project initiation; conducting regular inspections/site visits to verify construction activity location, conducting or reviewing the updated botanical surveys required by BIO-7 and preconstruction wildlife surveys required by BIO-15 through BIO-17; conducting the worker awareness training required by BIO-2; and verifying best management practices required by BIO-3 are adhered to.

The applicant shall submit a copy of the approved contract with the biological monitor for the project to include the scope of work that includes the requirements above. The biological monitor shall provide monthly reports to the San Luis Obispo County Department of Planning and Building, which shall include verification that the measures above have been implemented.

**Prior to final of grading and/or construction permits**, a final monitoring report shall be provided to the San Luis Obispo County Department of Planning and Building for review and approval.

**BIO-2 Environmental Awareness Training. Prior to project activities, protective fencing installation, or the mobilization of any equipment on the project site for map improvements or development of each parcel**, an environmental awareness training shall be presented to all construction personnel by a County qualified biologist. The training shall include color photographs and a description of the ecology of all special-status species known or with potential to occur, as well as other sensitive resources requiring avoidance during construction. The training shall also include a description of protection measures required by discretionary permits, an overview of the Federal and California Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required avoidance, minimization, and mitigation measures. Furthermore, crew members will be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction. A sign-in sheet with the name and signature of the County qualified biologist who presented the training, and the names and signatures of the environmental awareness trainees shall be available for inspection. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel.

**BIO-3 Site Maintenance and General Operations. During all map improvement and grading or construction activities**, the following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be printed on all plan sets. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.
- The Project impact area shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits shall be considered environmentally sensitive and shall not be disturbed.
- All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for

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vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up and contain fuel spills and other contaminants.
- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds. The use of pesticides (including rodenticides) and herbicides on the property shall be in compliance with all local, state, and federal regulations to avoid primary and secondary poisoning of sensitive species that may be using the site.
- After completion of the project's construction, all protective fencing/flagging used to delineate sensitive biological resources shall be removed from the project area and disposed of in appropriate waste receptacles or reused.

**BIO-4 Oak Tree Mitigation. Prior to initiation of map improvements or submittal of grading and construction permit application,** for oak tree removals or impacts during project implementation, the applicant shall provide a plan for mitigation (on site if feasible) per the County's guidelines, typically 4:1 for tree removal and 2:1 for impacted trees. This shall include development of an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. A mitigation plan shall be prepared that details the methods and requirements for oak tree mitigation. At a minimum, the plan shall:

- Be prepared by a licensed arborist or qualified botanist and be submitted to the San Luis Obispo County Department of Planning and Building for review and approval prior to submittal of grading and construction permit application or site improvements under the

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map.

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.
- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee). All locations for onsite planting or conservation easements shall be shown on the plans. Any proposed conservation easements shall be of sufficient size to mitigate impacts at the required ratios of 4:1 for removal and 2:1 for impacted trees. If an in-lieu fee is used, the fee amount will be determined at the time of building permits. Fees will be paid to the California Wildlife Conservation Boards Oak Woodlands Conservation Program.
- Describe detailed planting methods, as appropriate.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.
- The mitigation plan shall include details on how plants will be installed (container, acorn, etc.), maintenance techniques, and methods to monitor their establishment.
- An As-Built Planting Plan shall be prepared to track the replacement trees.
- Annual Reports detailing monitoring of the mitigation effort shall be prepared by a licensed arborist or qualified botanist and submitted to the San Luis Obispo County Department of Planning and Building by December 31st of each year following planting. All replacement trees shall be maintained and monitored for a minimum of 7 years to ensure successful establishment. If replacement trees die or do not successfully establish, then additional trees shall be installed and monitored accordingly to meet the plan's success criteria.

**BIO-5 Oak Tree Protection. Prior to and during construction activities for grading or site improvements,** and to the maximum extent feasible, impacts to oak trees and oak woodland habitat shall be avoided and minimized. The following measures shall be implemented prior to and during construction:

- An oak tree monitor shall be named that will be the liaison for the applicant and the County of San Luis Obispo Planning and Building Department. This monitor will be on site to implement the following measures and report back to the County of San Luis Obispo Department of Planning and Building.
- Grading and/or construction plans shall provide a 'Native Tree (Oak) Inventory' that

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accurately identifies the canopy edge and trunk locations of all native trees within 25 feet of the proposed project limits (including ancillary elements, such as trenching); For each of the trees shown, they shall be marked with one of the following 1) to be removed, 2) to be impacted, or 3) to remain intact/protected. This should be noted as the “Native Tree Impact Plan”. Trees identified as ‘impacted’ or ‘to remain protected’ shall be marked in the field as such and protected to the extent possible.

- Impacts to the oak canopy or sensitive root zone shall be avoided to the extent feasible. Impacts may include pruning, ground disturbance, or placement of impervious surfaces (e.g., asphalt, permanent structures) within the sensitive root zone; installation of year-round irrigation or other supplemental water within the sensitive root zone; and trunk damage.
- Prior to ground-breaking, tree protection fencing shall be installed as close to the outer limit of the sensitive root zone as practicable for construction operations to protect trees located within 50 feet of construction that will be preserved. The fencing shall be in place throughout the duration of construction. Plastic orange safety fencing shall not be used as it may entangle wildlife. Other demarcations such as t-posts and yellow rope are adequate. Protective measures shall be visible to work crews and be able to remain in good working order for the duration of the construction work. Waterproof signage at protective edge is recommended (e.g., “TREE PROTECTION AREA – STAY OUT”). Grading, trenching, compaction of soil, construction material/equipment storage, or placement of fill shall not occur within these protected areas.
- All construction activity shall occur outside delineation fencing installed for protection of oak trees.
- A licensed arborist or qualified botanist shall be hired to oversee all removal or trimming of existing roots and necessary branch trimming. To minimize impacts from tree trimming, the following approach shall be used:
  - Removal of larger lower branches shall be minimized to 1) avoid making tree top heavy and more susceptible to “blow-overs” (due to wind), 2) to reduce the number of large limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) to retain the wildlife that is found only in the lower branches, 4) retain shade to keep summer temperatures cooler (retains higher soil moisture, creates greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree.
  - If trimming is unavoidable, no more than 10% of the oak canopy shall be removed unless determined necessary by a licensed arborist or qualified botanist.
  - If trimming is done, either a licensed arborist will be used, or trimming techniques accepted by the International Society of Arboriculture will be used. Unless a hazardous or unsafe situation exists, trimming will be done only during the winter for deciduous species.
- Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots are

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exposed during construction, they shall be covered with a layer of soil to match existing topography.

- Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection and reported to the San Luis Obispo County Department of Planning and Building.
- Mitigation shall be implemented consistent with the oak mitigation plan prior to permit final and a CCMF case established for monitoring.

**BIO-6 Native Tree Protection and Mitigation.** If other native trees (e.g., Sycamore) will be removed or impacted during construction activities, as determined by a licensed arborist or qualified botanist, Mitigation Measures BIO-4 and BIO-5 shall be required to mitigate impacts to the trees.

**BIO-7 Updated Botanical Surveys. Prior to initiating map improvement or issuance of grading permits and construction permits for each parcel,** the applicant shall conduct floristic surveys within the proposed disturbance area and a 100-foot buffer for the presence of special status plant species known to occur on site. The floristic surveys shall also include the areas of mapped populations of Pismo clarkia, San Luis Obispo owl's clover, and Santa

Margarita manzanita found in the 2023 and 2024 floristic surveys. Surveys shall be conducted during the appropriate blooming period within one year prior to map improvements or the issuance of grading and construction permits for each parcel in order to evaluate the extent and the abundance of the populations within the proposed ground disturbance area and a 100-foot buffer, including the previously mapped locations in 2023 and 2024.

**The results of these surveys shall be submitted to San Luis Obispo County Department of Planning and Building and/or the California Department of Fish and Wildlife and United States Fish and Wildlife,** as applicable, within 30 days of completing the survey. If surveys are older than one year, or in the event of a below-average rainfall year, the applicant shall submit an updated floristic survey within the proposed disturbance area and a 100-foot buffer for the presence of special status plant species. The San Luis Obispo County Department of Planning and Building may elect to use the best available data from previous surveys efforts. The updated floristic surveys shall also include the areas of mapped populations of Pismo clarkia, San Luis Obispo owl's clover, and Santa Margarita manzanita found in the 2023 and 2024 floristic surveys.

**If impacts to special status plant species cannot be avoided,** the applicant shall implement BIO-8 through BIO-11, as applicable. All construction plans for individual lots that are submitted to the County shall include specifications for the installation of protective fencing to prevent any inadvertent impacts to all sensitive plants or their habitat.

Should project activities at a site location extend beyond one-year, additional floristic surveys shall be conducted at the location on an annual basis until project construction activities are completed. The results of these surveys shall be submitted within 30 days of completing the survey to the San Luis Obispo County Department of Planning and Building **and/or the California Department of Fish and Wildlife and United States Fish and Wildlife,** as applicable.

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**BIO-8 Mitigation plan. If special status plant species are found prior to initiating map improvements or issuance of grading permits and construction permits for each parcel,** the applicants retained County qualified biologist shall submit a mitigation plan to the County of San Luis Obispo Department of Planning and Building for approval. The Mitigation Plan shall outline the methodology for appropriately mitigating impacts to the affected species, developed in coordination with and in accordance with the guidelines approved by the applicable permitting agency, either the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service.

**BIO-9 On-Site Mitigation for Special-Status Plants. Prior initiation of map improvements or issuance of construction permits for each parcel, and if special status plant species are found within the project disturbance footprint or 100-foot buffer based on the updated botanical survey in BIO-7,** a qualified biologist/botanist will identify potential on-site habitat mitigation areas that shall provide permanent protection of Santa Margarita manzanita, Pismo clarkia, and San Luis Obispo owl's clover habitat, if feasible.

If on-site mitigation is feasible, all habitat mitigation and associated lands shall be protected through an open space conservation easements acceptable to the County of San Luis Obispo Planning and Building Department, California Department of Fish and Wildlife, and United States Department of Fish and Wildlife, as applicable. The mitigation area shall accommodate transplanted individual plants, as it replicates the soil type, drainage, slope, exposure, and aspect as closely as possible to occupied habitat that would be impacted by project implementation.

If on-site mitigation is feasible, mitigation for future impacts would include a combination of preserving and enhancing existing on-site populations within the mitigation area and establishing new populations through seed collection and/or transplantation so that the required offset is achieved. The Project Applicant/future landowner shall mitigate impacts to rare plants and other special status plant species at a minimum ratio of 2:1 (preserved and established: impacted) for non-listed special-status plants. Federally listed plants (Pismo clarkia) will be mitigated at a minimum ratio of 3:1 (preserved and established: impacted). The Project Applicant/future landowner shall preserve the remaining occupied habitat for Santa Margarita manzanita, Pismo clarkia, and San Luis Obispo owl's clover onsite.

Under the ITP, impacts to individual Pismo clarkia plants will occur after seed collection. On-site seed collection of remaining populations used to reestablish additional populations shall be limited to no more than 10% of each remaining patch, unless determined by a qualified biologist in consultation with the County of San Luis Obispo Planning and Building Department, California Department of Fish and Wildlife, and United States Department of Fish and Wildlife, as applicable. The topsoil of impacted patches will be collected prior to site grading in order to preserve the seed bank. Topsoil will be relocated to suitable unoccupied habitat areas to promote the expansion of occupied habitat. Using seeds collected from the impacted population and preserved populations on-site, additional patches of the plant shall be reestablished at a 3:1 ratio along appropriate boundaries of preserved oak woodland habitat

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areas. A protective open space conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia as required by BIO-11.

**BIO-10 Habitat Mitigation and Monitoring Plans. Prior to initiating map improvements or issuance of construction permits on individual lots, and if special status plant species are found within the project disturbance footprint or 100-foot buffer based on the updated botanical survey in BIO-7,** the applicant shall submit a restoration plan prepared by a County qualified biologist for special status plant species (not including oaks, oaks are instead subject to BIO-4 and BIO-5) to the San Luis Obispo County Planning and Building Department for review and approval, in consultation with California Department of Fish and Wildlife and United States Fish and Wildlife Service, if necessary. If an Incidental Take Permit or Habitat Conservation Plan are required, the restoration plan shall be consistent with them. At a minimum, the plan shall include:

1. Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment. Restoration areas shall be located within open space and conservation easements on site.
2. Provide for a native plant salvage and seed collection effort prior to ground disturbing activities. Salvaged plants shall include, but not be limited to, special status plant species that may be affected.
3. Updated quantification of impact based on finalized construction improvement plans and quantification of mitigation areas such that the replacement criteria are met.
4. A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
5. For in-kind replacement of Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*), individuals that are removed or impacted shall be replaced in-kind at a 3:1 ratio (based on individual impacts or square feet cover as determined by the County-qualified biologist) within the designated restoration area with 100% success in five years (inclusive of replacement plantings for unsuccessful individuals).
6. For in-kind replacement of Santa Margarita manzanita, individuals that are removed or impacted shall be replaced in-kind at a 2:1 ratio (based on square feet cover) within the designated restoration area with 100% success in 5 years (inclusive of replacement plantings for unsuccessful individuals).
7. For in-kind replacement of San Luis Obispo owl's clover, individuals that are removed or impacted shall be replaced in-kind at a 2:1 ratio (based on square feet cover) within the designated restoration area with 100% success in 5 years (inclusive of replacement plantings for unsuccessful individuals). Prior to any removal or impacts (take) to Federally or State listed species protected under the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA), respectively, the applicant shall provide evidence that an Incidental Take Permit has been obtained and shall also provide a copy of the Habitat Conservation Plan, if applicable, that accompanies the Incidental Take Permit. If the Incidental Take Permit and/or Habitat Conservation Plan have different, additional, and/or more restrictive requirements, the applicant shall only be required to implement this mitigation measure if it is necessary to comply with

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the required mitigation criteria contained herein.

8. Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water, and all other similar supplies. Access shall not result in new or additional impacts to habitat and special-status species. Incorporation of an invasive species control program, which would include the following at a minimum:
  - a. To avoid the spread of invasive species, the contractor will stockpile topsoil and redeposit the stockpiled soil on the slopes after construction is complete, or if heavily infested with invasive species, transport the topsoil to a certified landfill for disposal.
  - b. During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or similar. The restoration planting plans must emphasize the use of native species expected to occur in the area. Project plans must avoid the use of plant species that the Cal-IPC, Cal-EPPC, California Department of Fish and Wildlife, or other resource organizations considers to be invasive or potentially invasive. **Prior to issuance of grading permits**, the San Luis Obispo County Department of Planning and Building shall verify that restoration plans do not include the use of any species considered invasive by the Cal-IPC, Cal-EPPC, or California Department of Fish and Wildlife.

If performance standards detailed in the final restoration plan are not achieved in the onsite mitigation areas, the applicant shall implement an alternative or adaptive mitigation strategy. To achieve the required mitigation, the alternative or adaptive mitigation strategy can include options for offsite mitigation, but only after all onsite mitigation strategies have been exhausted after a minimum of five years. The alternative or adaptive mitigation strategy shall be submitted to the San Luis Obispo County Planning and Building Department for review and approval, in consultation with other appropriate resource agencies including California Department of Fish and Wildlife and United States Fish and Wildlife Service.

**BIO-11 Open Space Easement. Prior to initiating map improvements and prior to recordation of the final parcel map**, a protective conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia. These conservation areas are to be delineated by a qualified biologist/botanist. The applicant shall enter into an agreement with, and in a form acceptable to, the County of San Luis Obispo Department of Planning and Building and/or the California Department of Fish and Wildlife and United States Fish and Wildlife, as applicable, to create open space easements on all areas outside of the proposed building envelopes, roadways, and vegetation clearance areas (i.e., 100-foot buffer from the building envelopes required as defensible space for fire protection) that contain occupied and unoccupied habitat for Pismo clarkia as delineated by a qualified biologist/botanist.

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The terms of the open space easement will allow only activities that help the long-term protection of oak woodlands and native plant species. No structures, grading, site disturbance, native vegetation removal, mowing, disking, off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities (unless specifically proposed for long term protection of native species) are allowed in the open space easement area with the exception of infrastructure such as septic tanks and leach lines, which may be located outside the building envelopes. Any infrastructure located outside building envelopes shall be located so as to not impact sensitive plant species, oak trees, and native trees to the extent practicable. Any impacts to sensitive plant species, oak trees, and native trees will be mitigated per the applicable mitigation measures contained herein.

The following shall apply to the areas within the open space: no oak trees, or other visually significant vegetation, shall be impacted or removed; no activities (including grazing or the keeping of animals) shall be allowed that could adversely impact the open space area. Grazing for weed and invasive plant control may be allowed with an Open Space Management Plan prepared by a County qualified biologist and approved by the San Luis Obispo County Department of Planning and Building, and in consultation with California Department of Fish and Wildlife and United States Fish and Wildlife Service, as applicable. Any removal of non-sensitive vegetation shall be done by hand and by a qualified individual that can identify and avoid those sensitive species as determined in the approved Open Space Management Plan.

Fencing may be allowed along the property lines within the open space easement provided the fencing does not impact oak trees, sensitive plant species, or visually significant vegetation. Fencing shall be limited to six feet in height and shall be horizontally open to allow for wildlife passage (e.g., five strand wire fencing, post and rail, not woven wire or panel fencing). Barbed wire and electric fencing shall not be used.

For the life of the project, the Developer and/or landowner agrees to allow the San Luis Obispo County Department of Planning and Building, a land conservancy, resource agency, or other appropriate entity, the right to enter the open space as shown on the final exhibit to the open space agreement, to ensure compliance with the restrictions and to access the oak woodland and sensitive plant populations. However, prior to entering the open space area, the County of San Luis Obispo Department of Planning and Building, land conservancy, resource agency, or other appropriate entity shall give a 72-hour notice of intent to enter the site.

These provisions shall be detailed in a deed restriction for each parcel and shall be disclosed to all future buyers of the parcels at the time of sale of each lot. Additionally, this should be added to any shared road agreement or maintenance agreement as it relates to shared rights of the subject parcels.

**BIO-12 Open Space Maintenance.** Prior to recordation of the final parcel map, mitigation measures BIO-4 through BIO-11 shall be included as an additional map sheet to the final parcel map.

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**BIO-13 Project Site Delineation. Prior to the start of construction or initiation of site improvements,** the qualified biologist shall clearly delineate (i.e., with stakes, flagging, fencing, and/or temporary signage) the work areas to ensure that no work occurs outside the approved limits of disturbance.

**The protective fencing shall be installed prior to any ground disturbing activities,** at the direction of the qualified biologist, and shall be maintained by the applicant throughout the entire construction work period at the subject location. **Photos of installed fencing shall be submitted prior to the start of construction activities** and included in the submitted monthly reports.

**BIO-14 Special-Status Species Buffer Establishment Avoidance.** Special-status plant species observed on-site shall be avoided, if feasible. The Project Applicant/future landowner shall comply with BIO-9 and BIO-10 for impacts to special status plant species. A qualified biologist shall establish a no disturbance buffer zones around populations that will be preserved. Before construction activities begin, special status plant species populations to be avoided shall be flagged or fenced off. The buffer areas will be determined by the qualified biologist and will take into consideration distance from grading and construction activities, slope of the site, watershed, and potential for erosion. Buffers shall be clearly identified with construction fencing. No construction activities, staging of materials, or parking will be allowed in the buffer areas. The buffer areas will be maintained until all construction activities are completed and **prior to final occupancy.**

**BIO-15 Preconstruction Surveys, Construction Monitoring, and Reporting Within 3 days prior to initiating ground disturbance or construction activities,** a County of San Luis Obispo Department of Planning and Building qualified biologist shall conduct a pre-construction survey to ascertain the presence or absence of special status wildlife species. The special-status species to be covered under this measure include California red-legged frog, Coast Range newt, northern California legless lizard, western pond turtle, coast horned lizard, and American badger. Visual surveys will cover the entire disturbance limits and methodology for preconstruction surveys shall be appropriate for each potentially occurring special status species. A qualified biological monitor shall be present during all vegetation clearing activities (including grading and/or initial ground disturbance) and ground disturbance to ensure avoidance. Special-status species shall be allowed to move out of the work area on their own volition. If avoidance is not feasible, the qualified biologist shall establish a buffer, which would be avoided until the qualified biologist determines that work can proceed.

If removal or relocation of special status species is required, it may only be completed in consultation with the County of San Luis Obispo Department of Planning and Building, California Department of Fish and Wildlife, and/or United States Department of Fish and Wildlife Service, as applicable. Any take of a special status species requires an Incidental Take Permit from the California Department of Fish and Wildlife and/or a Habitat Conservation Plan from the United States Department of Fish and Wildlife, as applicable. Evidence of Incidental Take Permit and/or Habitat Conservation Plan for take of a listed species shall be provided to

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the County of San Luis Obispo Department of Planning and Building **prior to the start of construction activities.**

The results of all pre-construction surveys and compliance monitoring shall be documented and reported to the San Luis Obispo County Department of Planning and Building by the qualified biologist and the documentation shall be available upon request throughout the duration of construction activities.

**BIO-16 Erosion Control and California Red-Legged Frog Exclusionary Fencing. Prior to and during construction activities (i.e., mobilization, staging, grading or construction, tree and vegetation removal or trimming) for parcel map improvements or construction on individual lots,** to avoid erosion and sedimentation impacts to the adjacent aquatic features and to minimize project impacts on hydrology and water quality, grading and construction resulting in ground disturbance shall be limited to the typical dry season (April 15 through October 15), to the extent feasible. Additionally, prior to ground disturbance, the project contractor shall install adequate erosion and sedimentation barriers (e.g., silt fencing, as described below) to prevent any sediment-laden runoff or debris from adjacent aquatic features. This silt fencing shall also serve as a temporary barrier to minimize the potential for California red-legged frog to enter the work areas during construction. The barriers shall consist of 3-foot-tall silt fencing buried to a depth of at least 6 inches below the soil surface along the outer limits of all work areas. These barriers shall be inspected daily by construction personnel and maintained and repaired as necessary for the duration of construction to ensure that they are functional and are not a hazard to California red-legged frog on the outer side of the fence. A qualified biologist shall inspect the completed fence installation for compliance with the specifications cited in this measure. All barriers shall be removed following the completion of construction.

**BIO-17 Nesting Bird and Roosting Bat Surveys and Avoidance. Prior to and during construction activities (i.e., mobilization, staging, grading or construction, tree and vegetation removal or trimming) for parcel map improvements or construction on individual lots,** the County qualified biologist shall conduct preconstruction surveys for potential nesting birds and roosting bats within the recognized breeding season (February 1 to August 15) no more than 5 days prior to the start of such activities. Survey areas shall include the building envelopes/project disturbance limits and areas immediately adjacent to these areas that could potentially be affected by project-related activities such as noise, vibration, increased human activity, and dust, etc. Additionally, all areas within 500 feet of proposed disturbance areas, or a lesser distance if dense vegetation renders a 500-foot survey radius infeasible. The required survey dates may be modified based on local conditions, as determined by the qualified biologist based on observations in the field, with the approval of the County of San Luis Obispo Department of Planning and Building. Documentation of all survey results shall be provided to the County of San Luis Obispo Department of Planning and Building.

If breeding birds with active nests are found prior to or during construction, a biological monitor shall establish an avoidance buffer around the nest for ground-based construction

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activities and no activities will be allowed within the buffer(s) until the young have fledged from the nest or the nest fails. Buffers shall be 500 feet for raptors and 100 feet for non-raptor species. Buffers may be adjusted to reflect existing conditions including ambient noise, topography, and disturbance with the approval of the San Luis Obispo County Department of Planning and Building and must be based on evidence that a reduced buffer will not pose a threat to the success of the nest.

For active nests identified within the survey area, the biological monitor(s) shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the buffer(s) until the nesting cycle is complete or the nest fails. The biological monitor(s) shall be responsible for documenting the results of the surveys and ongoing monitoring and will provide a copy of the monitoring reports to the San Luis Obispo County Department of Planning and Building.

All trees to be removed as part of project-related construction activities will be removed outside of the nesting season to avoid additional impacts to nesting birds. If removal during the nesting season can't be avoided, trees (tree to be removed/impacted and any surrounding trees that are within 100 feet of the tree canopy to be removed/impacted) will be thoroughly surveyed by a County-qualified biologist to ensure that no nests are present. If nests are found within these trees and contain eggs or young, the biological monitor shall establish avoidance buffers as described above until the young have fledged the nest or the nest fails.

**BIO-18 Construction Site Housekeeping.** Habitat subject to construction disturbances and other types of ongoing project-related disturbance activities shall be minimized by adhering to the following measures:

- a) The project disturbance limits shall be clearly marked with construction fencing (or other highly visible material).
- b) All equipment used onsite shall be properly maintained such that no leaks of oil, fuel, hydraulic fluid, or residues occur. Provisions shall be in place to remediate any accidental spills. All equipment shall only be stored in the designated equipment staging area. Construction vehicles shall be confined to a pre-defined equipment access path no greater than the minimum width necessary to complete necessary construction activities.
- c) The Project Applicant/future landowner shall designate one or more construction equipment filling and storage areas within the designated development to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by the County and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.
- d) Project-related vehicles shall observe a daytime speed limit of 20 miles per hour (mph) throughout the site, except on County roads and State and federal highways. Night-time

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construction shall be minimized to the extent possible. However, if it does occur, then the speed limit shall be reduced to 10 mph. Off-road traffic outside of the approved disturbance limits shall be prohibited.

- e) To prevent inadvertent entrapment of animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2-feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.
- f) For the duration of construction activities, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least daily from the construction site.
- g) Pets, such as dogs or cats, shall not be permitted on the building envelopes/project disturbance limits during construction to prevent harassment, injury, or death of wildlife in the project vicinity.
- h) Use of rodenticides and herbicides in building envelopes/project disturbance limits shall be restricted. This is necessary to prevent primary or secondary poisoning of predators and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation.

**BIO-19 Delineation Verification with Resource Agencies and Permitting. Prior to issuance of grading or building permits for parcel improvements or development of individual parcels,** any permit submittals shall include a site plan showing the approximate locations of the intermittent streams (or jurisdictional wetlands) on the property as determined by the County qualified Biologist, and indicate approximate 50-foot setbacks, which shall be flagged in the field prior to construction.

**If modifications (i.e., grading or disturbance) to the intermittent streams will occur** as determined by a County qualified biologist, a formal jurisdictional delineation survey and report shall be submitted to resource agencies for verification of the extent of waters of the State, waters of the U.S., and California Fish and Game Code Section 1602 jurisdiction within the building envelopes/project disturbance limits. If one or more agencies determines that impacts to jurisdictional aquatic resources would occur, appropriate permits shall be obtained prior to disturbance of jurisdictional resources, and all required measures shall be implemented. If impacts to jurisdictional aquatic resources will occur, the Project Applicant/future landowner shall provide proof of the required agency consultations to the

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County of San Luis Obispo Department of Planning and Building prior to initiation of project-related activities within the identified aquatic features.

**BIO-20 Prepare and Implement a Compensatory Mitigation Plan (CMP) for Impacts to Jurisdictional Aquatic Resources. Prior to initiation of map improvements or prior to submittal of grading and/or construction permit applications.** If impacts to jurisdictional aquatic resources will occur, and following completion of the jurisdictional delineation verification from the resource agencies (Mitigation Measure BIO-19), the Project Applicant/future landowner will prepare and implement a Compensatory Mitigation Plan (CMP). The CMP will identify mitigation to address permanent loss, including functions and values, of jurisdictional aquatic resources. Compensatory mitigation may involve the restoration, establishment, enhancement, and/or preservation of aquatic resources through one or more of the following methods

- a) Purchase of credits from an agency-approved mitigation bank.
- b) Preservation of aquatic resources through acquisition of property.
- c) On site or off site establishment, restoration, or enhancement of aquatic resources.

A 2:1 compensation-to-impact ratio will be used for compensatory mitigation for wetlands, and a 1:1 compensation-to-impact ratio will be used for compensatory mitigation for non-wetlands, unless higher ratios are required pursuant to regulatory authorizations.

For mitigation involving establishment, restoration, enhancement, or preservation of aquatic resources by the Project Applicant/future landowner the CMP will contain the following information:

- a) **Objectives.** A description of the resource types and amounts that will be provided, the type of compensation (i.e., restoration, establishment, enhancement, and/or preservation), and the manner in which the resource functions of the compensatory mitigation project will address the needs of the watershed or ecoregion.
- b) **Site selection.** A description of the factors considered during the term sustainability of the resource.
- c) **Adaptive management plan.** A management strategy to address changes in site conditions or other components of the compensatory mitigation project.
- d) **Financial assurances.** A description of financial assurances that will be provided to ensure that the compensatory mitigation will be successful and protected in the long-term.

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In circumstances where the Project Applicant/future landowner intends to fulfill compensatory mitigation obligations by securing credits from approved mitigation banks or in-lieu fee programs, the CMP need only include the name of the specific mitigation bank or in-lieu fee program to be used, the method for calculating credits, and other applicable information regarding the program and agency consultations.

### V. CULTURAL RESOURCES

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

#### Setting

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

As defined by CEQA, a historical resource includes:

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

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

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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 Hokaan-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 located in a designated Archaeological Sensitive Area or Historic Site on the northwest corner of the project site where there is an existing open space easement.

A Phase 1 Archaeological Surface Survey was conducted for the proposed parcel, focusing solely on the building envelopes within each proposed parcel. The survey assessed the potential presence of cultural resources and included the results of a background review and a pedestrian survey of the project area (Padre Associates, Inc., 2023). During the pedestrian field survey, no cultural resources or evidence of cultural resources were observed. However, the report recommended that a qualified archaeologist and a Native American representative be present during any ground disturbance related to the proposed road widening east of the existing open space area.

If buried cultural materials are encountered during construction, County Code Sections 19.02.070 and 22.10.040 require that all ground disturbance shall cease until a qualified archaeologist is contacted to evaluate the nature, integrity, and significance of the deposit in compliance with state and federal law.

### Discussion

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

The project site does not contain any buildings or structures, and implementation of the project would not require the removal or demolition of any on-site structures that could be eligible for listing as a cultural or historical resource. The site does include an area on the northwest corner, designated as a Historic Site (H) under the Historic Site combining designation, where there is an existing open space easement. Therefore, the project would not result in any adverse impacts to historical resources, and *no significant impacts would occur*.

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

Based on a review of previous archaeological surveys conducted in the project vicinity, only one previously identified archaeological resource exists within 0.5 miles of the project site: cultural resource CA-SLO-522, located in the northwest portion of the site. Site CA-SLO-522 is approximately 118 feet west of the proposed driveway access, which is slated for widening as part of the project. On-site monitoring by a qualified archaeologist and a Native American representative is recommended during any ground disturbance related to the proposed road widening.

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Additionally, the project site is not situated in an area considered culturally sensitive due to the absence of physical features typically associated with prehistoric occupation. The project does not involve substantial earthmoving activities that could disturb subsurface archaeological resources.

While there are no known archaeological resources within the project area, the implementation of the project could potentially lead to an adverse change to archaeological resources in the surrounding area. There is a possibility of an inadvertent discovery of unknown cultural resources within the proposed work area. Mitigation Measures CR-1 through CR-5 have been identified to require on-site monitoring during initial site-disturbing activities.

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 with mitigation incorporated*.

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

The project would require ground disturbance due to the proposed road widening, which have the potential to uncover or disturb unknown human remains if present within the project area. The project would be required to comply with California Health and Safety Code Section 7050.5 and County LUO Section 22.10.040, which identifies the proper protocol in the event of inadvertent discovery of human remains, including the cessation of work within the vicinity of the discovery, identification of human remains by a qualified coroner, and if the remains identified to be of Native American descent, contact with the Native American Heritage Council (NAHC).

Based on the results of the Phase 1 Archaeological Surface Survey prepared for the proposed project there are no known cultural archaeological resources within the project area and no additional studies are required (Padre Associates, inc. 2023) However, implementation of the project may potentially result in the disturbance of human remains that have the potential to occur in the surrounding area as there is potential for inadvertent discovery of unknown cultural resources if present within the proposed work area. Mitigation Measures CR-1 through CR-5 have been identified and included for the requirement of a qualified archaeologist and Native American representative provide monitoring of ground disturbance related to the proposed widening.

Lastly, the project would be required to comply with County LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per County LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on the requirements of compliance with Health and Safety Code Section 7050.5, County LUO Section 22.10.040, the Monitoring Plan, and limited amount of proposed ground disturbance, and implementation of Mitigation Measures CR-1 through CR-5, development of the proposed project is not anticipated to disturb human remains; therefore, potential impacts would be *less than significant with mitigation incorporated*.

## Initial Study – Environmental Checklist

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### Conclusion

There are no known historical or archaeological cultural resources within the immediate project area. Based on required compliance with Health and Safety Code Section 7050.5, County LUO 22.10.040, implementation of the proposed project is not anticipated to disturb unknown cultural resources. Mitigation Measures CR-1 through CR-5 have been included to avoid and/or minimize potential impacts related to cultural and historical resources. Upon implementation of the identified mitigation measures, policy, and procedure, potential impacts related to cultural resources would be *less than significant with mitigation*.

### Mitigation

- CR-1**      **Contract. Prior to issuance of grading and/or construction permit**, the applicant shall provide evidence that they have retained a qualified Archaeologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for cultural resources.
- CR-2**      **Worker Environmental Awareness Training. Prior to County Permit issuance or Final Map improvements**, the Project Archaeologist shall provide a copy of the Worker Environmental Awareness training for Cultural Resources to the County for review. **Prior to any proposed construction ground disturbing activities associated with road widening**, project personnel (e.g., contractors, construction workers) shall be briefed by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training shall include established procedures for temporarily halting or redirection of work in the event of a discovery, identification and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.
- CR-3**      **Monitoring Plan. Prior to the issuance of any permits**, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the County Environmental Coordinator. The monitoring plan shall include at a minimum:
- List of personnel involved in the monitoring activities;
  - Description of how the monitoring shall occur;
  - Description of the frequency of monitoring (e.g., part time, spot checking);
  - Description of what resources are expected to be encountered;
  - Description of circumstances that would result in the halting of work at the project site (e.g., what is considered “significant” archaeological resources);
  - Description of procedures for halting work on the site and notification procedures; and
  - Description of monitoring reporting procedures.

## Initial Study – Environmental Checklist

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- CR-4**      **Cultural Resource Monitoring.** *During initial ground disturbing construction activities*, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined acceptable by the archaeologist and Native American monitor, monitoring frequency may be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resources until such a time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
- CR-5**      **Monitoring Report.** *Prior to final inspection, and upon completion of all monitoring/mitigation activities*, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all mitigation measures have been met.

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## VI. ENERGY

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

*Setting*

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

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

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

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

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

## Initial Study – Environmental Checklist

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The County LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO Section 22.14.100). The project is located within the Renewable Energy Area combining designation.

### Discussion

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

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

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

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

### Conclusion

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

### Mitigation

None necessary.

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## VII. GEOLOGY AND SOILS

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

## Initial Study – Environmental Checklist

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### *Setting*

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

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The project's proximity to the nearest known active or potentially active fault line is approximately 26-miles east, where the potentially active fault line runs parallel to the eastern County boarder.

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

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

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

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of

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soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. Onsite soils include:

- Briones-Terra Complex, 15 to 20 percent slopes. This soil type is found on level terrain within the center portion of the project site. The drainage class is somewhat excessively drained. The parent material of this soil map unit consists of Residuum weathered from sandstone and has no Hydric Soil.
- Elder Sandy Loam, 2 to 5 percent slopes. The soil type is found on the northern portion of the project site. The drainage class is well drained. The parent material of this soil map is Alluvium derived from sedimentary rock and has no Hydric Soil.
- Gaviota Fine Sandy Loam, 15 to 50 percent slope. This soil type is found mostly on the southern part of the site and partially to the east part of the site. The parent material is Loamy Eolian Deposits from the Blackwater Draw Formation and has no hydric soils.
- Pismo-Tierra Complex, 9 to 15 percent slopes. The soil type is found on the most northern point of proposed Parcel 1 on the project site. The drainage class is somewhat excessively drained. The parent material is Residuum weathered from sandstone and has no Hydric Soils.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate, with the exception of construction of one single-story single family residence, agricultural uses not involving a building, agricultural accessory structures, and alterations or additions to any structure which does not exceed 50 percent of the assessed value of the structure. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault within an Earthquake Fault Zone (LUO 22.14.070).

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

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

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

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significance of resources that may exist within the proposed development and provide mitigation measures to reduce potential impacts to paleontological resources.

### Discussion

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

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

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

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

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

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

Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with 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?*

The project site, outside of the Open Space easement over the steeper westernmost portion, has relatively flat topography. Based on the County Safety Element Landslide Hazards Map, the majority of the parcel and all development areas are within moderate potential for landslide risk. Therefore, the project would not result in significant adverse effects associated with landslides and impacts would be *less than significant*.

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

The project does not include substantial vegetation removal or grading. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (LUO 22.52.120) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant*.

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

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, a small area in the western end of the parcel is identified as high potential for landslide, primarily over a small area of 30% slopes. However, this area is heavily covered in oak woodland with no evidence of erosion or slope instability, and is within a conservation easement that prevents tree removal or disturbance. The development areas of the project are not located in areas with slopes susceptible to local failure or landslide.

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

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

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

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

The proposed on-site septic system would be designed in a manner that is consistent with soil conditions at the site; therefore, impacts would be *less than significant*.

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

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

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### Conclusion

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

### Mitigation

Not necessary.

## VIII. GREENHOUSE GAS EMISSIONS

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

### Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), 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<sub>2</sub>/year (MT CO<sub>2</sub>e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bright Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO<sub>2</sub>/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.

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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.

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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.

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### IX. HAZARDS AND HAZARDOUS MATERIALS

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

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### Setting

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

The 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 very high hazard, and the estimated emergency response time is 0-5 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

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

### Discussion

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

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

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the

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

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

The closest existing or proposed school is located 1.2-miles west of the project site. The project site is not located within 0.25-mile of an existing or proposed school facility; therefore, *no impacts would occur*.

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

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

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

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

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

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

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

The project site is located in an area of rural development with patchy to dense oak woodlands and moderate to steep slopes. The Squire Canyon neighborhood is surrounded on the east and south by large-lot ranchlands and undeveloped wildland, defined as areas in which development is essentially nonexistent, except for roads, railroads, power lines, and similar infrastructure, and in which structures, if present, are widely scattered. The subdivision creates two new lots for residential development and creates a third parcel with an existing residence. All improvements and future new development 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. These measures would include fire-resistant construction materials, adequate water storage, and defensible space around structures. Therefore, potential impacts would be *less than significant*.

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### Conclusion

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

### Mitigation

None necessary.

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### X. HYDROLOGY AND WATER QUALITY

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

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### *Setting*

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

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

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

The project site is within the See Canyon sub-watershed of the Central Coast watershed and is located approximately 5 miles southwest 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

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

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. A portion of the subject parcel is located within a Flood Hazard combining designation, and the nearest watercourse are two intermittent streams in the Flood Hazard zone which cross the northern part of the project site. An Open Space Easement has been recorded over the entire Flood Hazard area including the two parallel streams on the northern portion of the parcel, adjacent to Squire Canyon Road. The intermittent streams run in a westerly direction and converge with San Luis Obispo Creek approximately 0.25 miles west of the project site.

### Discussion

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

The subject parcel contains two (2) intermittent streams and is in proximity to the San Luis Obispo Creek. These waterways will not be adversely affected by project construction or operation, because the onsite tributaries and wetland area between them are protected in an Open Space easement. Implementation of the project will not substantially change the volume or velocity of runoff leaving any point of the site or result in a significant increase in impervious surface area. The project site where building areas are located is comprised of gently rolling slopes and does not pose a risk to downslope runoff, sedimentation, erosion, or runoff. The project would not substantially affect surface water or groundwater quality. Therefore, the impact 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

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Management Act (SGMA). The project is creating two new parcels for residential development, and reconfiguring the parcel size around the existing home and 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 contains two (2) intermittent streams in conservation open space, which meet with the nearby San Luis Obispo Creek. The waterways will not be subject to risk associated with erosion or siltation as the result of subdivision or residential construction due to the open space easement and the location of building areas. The project would not result in greater than 1 acre of site disturbance for roadway widening and would be required to implement an 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, in the project site only the open space easement in the northern part of the site is located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. Therefore, *no impacts would occur*.

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

Based on the County Safety Element, the project site is primarily outside the 100-year flood zone. While the northern portion of the parcel is within the flood zone, this area is designated to remain undeveloped as open space and will not be affected by the project. Additionally, the site is not located within an area that would be inundated in the event of dam failure. 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

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body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

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

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by SGMA. The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. The project would not conflict with the Central Coastal Basin Plan, SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, *no impacts would occur*.

### Conclusion

Although a portion of the subject parcel is located within the 100-year flood zone, the proposed development areas of the resulting lots are outside of this zone and do not include existing drainages or other surface waters. The project would create two new residential parcels for development and a third parcel with an existing home. Due to the parcel sizes and existing Open Space Easements, the land division 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. Additionally, any proposed new development will be subject to County drainage and erosion control standards. Therefore, potential impacts related to hydrology and water quality *would be less than significant and no mitigation measures are necessary*.

### Mitigation

None necessary.

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### XI. LAND USE AND PLANNING

|                                                                                                                                                                                         | Potentially<br>Significant<br>Impact | Less<br>Significant<br>with<br>Mitigation<br>Incorporated | Less<br>Significant<br>Impact | Less<br>Than<br>Significant<br>Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-----------------------------------------------------------|-------------------------------|---------------------------------------|-------------------------------------|
| <i>Would the project:</i>                                                                                                                                                               |                                      |                                                           |                               |                                       |                                     |
| (a) Physically divide an established community?                                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                                  | <input type="checkbox"/>      | <input type="checkbox"/>              | <input checked="" type="checkbox"/> |
| (b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>             | <input type="checkbox"/>                                  | <input type="checkbox"/>      | <input type="checkbox"/>              | <input checked="" type="checkbox"/> |

#### Setting

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

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

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

#### Discussion

##### (a) Physically divide an established community?

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

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

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

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

### Conclusion

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

### Mitigation

None necessary.

## XII. MINERAL RESOURCES

|                                                                                                                                                                         | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|------------------------------------|-------------------------------------|
| <i>Would the project:</i>                                                                                                                                               |                                      |                                                                |                                    |                                     |
| (a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| (b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

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### 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.

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### Mitigation

None necessary.

### XIII. NOISE

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

### Setting

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

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

- Residential development, except temporary dwellings
- Schools – preschool to secondary, college and university, specialized education and training
- Health care services (e.g., hospitals, clinics, etc.)

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- 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.
- The project site is surrounded by well-spaced residences on 3 to 30-acre parcels. There are fourteen (14) residences within 300-feet and twenty-five (25) residences within 1,000-feet of the project site.

### Discussion

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

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

**Table 3. Maximum allowable exterior noise level standards<sup>(1)</sup>**

| Sound Levels                                         | Daytime<br>7 a.m. to 10 p.m. | Nighttime <sup>(2)</sup> |
|------------------------------------------------------|------------------------------|--------------------------|
| Hourly Equivalent Sound Level (L <sub>eq</sub> , 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

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

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

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

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

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

### Conclusion

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

### Mitigation

None necessary.

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### XIV. POPULATION AND HOUSING

|                                                                                                                                                                                                                      | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No Impact                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|-------------------------------------|-------------------------------------|
| <i>Would the project:</i>                                                                                                                                                                                            |                                      |                                                                |                                     |                                     |
| (a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

#### Setting

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

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

The project site is currently developed with one existing single-family residence, agriculture accessory structure, and minimal landscaping.

#### Discussion

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

The project consists of a rural subdivision of land to create two additional residential parcels from one lot with an existing residence. The project will not result in construction of numerous new homes or businesses or the extension or establishment of roads, utilities, or other infrastructure that would induce development and population growth in new areas. The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. Therefore, the project would not directly or indirectly induce substantial growth and potential impacts would be *less than significant*.

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

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

### Conclusion

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

### Mitigation

None necessary.

## XV. PUBLIC SERVICES

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

### Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call

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and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The project would be served by County Fire Station #62 – Avila Valley, located approximately 1.5-miles west of the project site. The parcel has an emergency response time of 0-5 minutes.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest sheriff's station is the South Station in Oceano, located approximately 10.4-miles from the project site.

San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project is located within San Luis Coastal District, San Luis Coastal educates more than 7,500 students who attend San Luis Coastal School District's ten elementary schools, two middle schools, three comprehensive high schools, and one adult education program. Based on the County's 2016-2018 Resource Summary Report, schools within the San Luis Coastal School District are currently operating at acceptable capacities and levels).

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The Bob Jones trail is located approximately .85-miles southwest of the project site. Additionally, the Avila Beach Golf Resort, Golf course is located approximately 3-miles west of the project site.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (State Government Code 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to 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 would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. Based on the limited nature of development proposed, the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities. In addition,

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the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant*.

### *Police protection?*

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

### *Schools?*

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

### *Parks?*

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

### *Other public facilities?*

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

### *Conclusion*

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

### *Mitigation*

None necessary.

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### XVI. RECREATION

|                                                                                                                                                                                                                 | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact  | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|-------------------------------------|-------------------------------------|
| (a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

#### Setting

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

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

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

#### Discussion

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

The project would not result in substantial growth within the area and would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. Approval of the parcel map creates two new lots for single-family residential development, and redefines the parcel size for the existing residence. Payment of standard development impact fees

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

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### *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.

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.

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The subject property is located on Squire Canyon Road, a County public road accessed from Monte Road on the east side of 101 at San Luis Bay Drive. The Project's driveway access is approximately 0.5 miles east of the US 101 onramp at San Luis Bay Drive. There is also access to US 101 from Monte Road to the south, approximately 1 mile from Squire Canyon Road. The project will utilize shared driveway access for the proposed two new vacant parcels and the existing residence on the third lot. The application was routed to and reviewed by County Public Works and County Fire. The projects request for an exception to the CalFire road width standards. County Fire conditionally approved the reduced width of the access road with 12 and 14-feet over the existing culverts where a 20-foot width is normally required. The proposed 12-foot-wide secondary emergency vehicle access from Fern Canyon Road will be required to have an easement prior to approval of any construction permits.

### 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. The resulting Marginal increases in traffic can be accommodated by existing local streets and the projects conditions for additional fire access and would not result in any long-term impacts 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 parcel map would result in creating two new lots for residential development, which are not proposed to be developed concurrent with the map. The new lots would potentially/likely be developed independently at different times. The increase in vehicle traffic in the neighborhood would be minimal. 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

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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 proposed subdivision would utilize existing roadways and the existing point of access, which has the capacity to serve the added density. The project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *no impacts would occur*.

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

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

### Conclusion

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

### Mitigation

None necessary.

## XVIII. TRIBAL CULTURAL RESOURCES

|                                                                                                                                                                                                                                                                                                                                                                                                 | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>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: |                                      |                                                                |                                    |           |

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|                                                                                                                                                                                                                                                                                                                                                                                                                           | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|------------------------------------|--------------------------|
| (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or                                                                                                                                                                                                                           | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                            | <input type="checkbox"/>           | <input type="checkbox"/> |
| (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>             | <input checked="" type="checkbox"/>                            | <input type="checkbox"/>           | <input type="checkbox"/> |

### Setting

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

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

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

## Initial Study – Environmental Checklist

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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 was conducted to the Salinan Tribe of Monterey and San Luis Obispo Counties, Yak Tityu Tityu Yak Tilhini Northern Chumash, and Northern Chumash Tribal Council. No response was received from any of the tribes contacted.

### Discussion

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. The project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires: 1) that in the event resources are encountered during project construction, construction activities shall cease; 2) 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, 3) the disposition of artifacts may be accomplished in accordance with state and federal law.

Based on the results of the Phase 1 Archaeological Surface Survey and record search prepared for the proposed project, there are no known cultural archaeological resources within the project area and no additional studies are required (Padre Associates, Inc. 2023). However, there is potential for unknown cultural resources or human remains that may be present within the proposed driveway widening work area or new parcel building site areas. Therefore, implementation of the project may potentially result in the inadvertent discovery or disturbance of unknown resources or human remains. Mitigation Measures CR-1 through CR-5 have been identified and included for the requirement of a qualified archaeologist and Native American representative provide monitoring of ground disturbance related to the proposed widening, and to require this condition for any residential permits on the proposed new lots. Lastly, the project would be required to comply with County LUO Section 22.10.040 for the protection of unknown cultural resources as a result of inadvertent discovery. Per County LUO Section 22.10.040, in the event an unknown cultural resource site is encountered, all work within the vicinity of the find must be halted until a qualified archaeologist is retained to evaluate the nature, integrity, and significance of the find. Based on the requirements of compliance with Health and Safety Code Section 7050.5, County LUO Section 22.10.040, the Monitoring Plan, and limited amount of proposed ground disturbance, and implementation of Mitigation Measures CR-1 through CR-5, development of the proposed project is not anticipated to disturb human remains. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant with mitigation incorporated*.

## Initial Study – Environmental Checklist

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

The project site does not contain any known resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040). While there are no known archaeological resources within the project area, the implementation of the project could potentially lead to an adverse change to archaeological resources in the surrounding area. There is a possibility of an inadvertent discovery of unknown cultural resources within the proposed work areas. Mitigation Measures CR-1 through CR-5 have been identified to require on-site monitoring during initial site-disturbing activities for the map improvements and during residential development in the future. Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant with mitigation incorporated*.

### Conclusion

There are no known historical or archaeological cultural resources within the immediate project area. Based on required compliance with Health and Safety Code Section 7050.5, County LUO 22.10.040, implementation of the proposed project is not anticipated to disturb unknown cultural resources. Mitigation Measures CR-1 through CR-5 have been included to avoid and/or minimize potential impacts related to cultural and historical resources during final map improvements and future construction. Upon implementation of the identified mitigation measures, policy, and procedure, potential impacts related to cultural resources would be *less than significant with mitigation*.

### Mitigation

- CR-1**      **Contract. Prior to issuance of grading and/or construction permit for any part of the subdivision property (including construction of new homes),** the applicant shall provide evidence that they have retained a qualified Archaeologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for cultural resources.
- CR-2**      **Worker Environmental Awareness Training. Prior to any proposed construction ground disturbing activities associated with road widening,** project personnel (e.g., contractors, construction workers) shall be briefed by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training shall include established procedures for temporarily halting or redirection of work in the event of a discovery, identification and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.

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- CR-3**      **Monitoring Plan. *Prior to the start of construction***, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of the frequency of monitoring (e.g., part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered “significant” archaeological resources);
  - f. Description of procedures for halting work on the site and notification procedures; and
  - g. Description of monitoring reporting procedures.
- CR-4**      **Cultural Resource Monitoring. *During initial ground disturbing construction activities***, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined acceptable by the archaeologist and Native American monitor, monitoring frequency may be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity and the archaeologist shall be immediately notified. The precise area of construction activity buffer around the discovered resources shall be determined by the archaeologist in the field until such a time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
- CR-5**      **Monitoring Report. *Prior to final inspection, and upon completion of all monitoring/mitigation activities***, the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all mitigation measures have been met.

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## XIX. UTILITIES AND SERVICE SYSTEMS

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

*Setting*

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

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

## Initial Study – Environmental Checklist

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

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the City of San Luis Obispo, Chicago Grade Landfill, located near the community of Templeton, and Paso Robles Landfill, located east of the City of Paso Robles. The solid waste needs of the existing residence and proposed new lots would be served by South County Sanitary, which serves Avila Beach, Grover Beach, Nipomo, Oceano, and Pismo Beach.

### Discussion

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

The project consists of a subdivision of a 35-acre rural parcel with a residence into three parcels, creating two new lots for residential development. There are four existing wells on the property within an open space conservation easement between two creek channels on Proposed Lot 1, that will serve the project. Concurrent lot development is not proposed on lots 1 and 3 with the land division. The land division would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications. The proposed lot sizes (Lot 1 = 4.75 acres, Lot 3 = 25 acres) for new residential development are sufficiently large that required new septic systems would not result in significant environmental effects. No utility relocations are proposed. Therefore, potential impacts would be *less than significant*.

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

The project would be consistent with existing and planned levels and types of development in the project area and would utilize existing water wells on the property to serve two new vacant parcels and one existing residence on a redefined third parcel. Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. Operational water demands to serve three residential lots would be incrementally higher than current use for one residence, but not would not exceed the available supply. Therefore, potential impacts on water supplies would be *less than significant*.

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

The project would be served by individual onsite wastewater disposal systems, and would not increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, *no impact would occur*.

## Initial Study – Environmental Checklist

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- (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 for the subdivision improvements would result in the generation of minimal solid waste materials; the future development of new homes would be subject to County permit requirements for managing construction waste. The two new parcels, when developed, would not create a significant long-term increase in solid waste. Local landfills have adequate permit capacity to serve the project, and the land division as proposed would not generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

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

### *Conclusion*

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

### *Mitigation*

None necessary.

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### XX. WILDFIRE

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

#### Setting

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

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

## Initial Study – Environmental Checklist

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

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

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

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

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

The access to the project site from Squire Canyon Road is an existing 20-foot wide easement, which has two narrow culvert crossings over the two intermittent streams that run parallel to Squire Canyon Road and merge with San Luis Obispo Creek to the west.

The Applicant requested an exception to CalFire standards with the application. The request for Exception would retain the culvert crossings at 12 and 14 feet in width, while widening the entire easement to 30' and widening the paved access to 20' wide with 2' shoulders along the full length, except at the two culvert crossings. The northerly culvert crossing would be 12' across at the narrowest and less than 24 feet wide for a distance of approximately 75 feet. The southern crossing would be 14' across at the narrowest point, and less than 24' wide for about 75'. The request includes provision of a 12' foot wide secondary emergency access road off the shared driveway near the eastern culvert crossing to connect to Fern Canyon Road. CalFire reviewed the tentative map application under referral and provided conditional approval of the exception (McLean, 8/8/2024). The new emergency access road would be within an easement that would cross an adjacent parcel (APN 076-279-059 to the east to reach Fern Canyon Road. The proposed wider

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driveway on the subject lot and the second road to Fern Canyon improve emergency access for the immediate area and would adequately serve the proposed two-lot increase in density.

### Discussion

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

Approval and recordation of the proposed subdivision of one 35-acre lot into three lots would be consistent with the Residential Suburban land use, and with the improvements and exceptions would provide adequate emergency egress and fire access. Therefore, the 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 and surrounding roadways would be maintained throughout the duration of the subdivision improvements. Offsite road closures are not expected during driveway improvement construction, or during residential development in the future. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

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

The project site is moderately sloping within the development areas, and does contain substantial vegetation. As conditioned by Calfire, and with the improvements proposed, the resulting two new residential lots would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be *less than significant*.

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

The project's improvements and future residential development would be required by map conditions and the CalFire exception approval to ensure adequate water storage and emergency access. Therefore, the project would not require the installation or maintenance of utility or wildfire protection infrastructure and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. Therefore, potential impacts would be *less than significant*.

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

The majority of the project site is moderately sloping and development would not be located near steep slopes or in an area subject to downstream flooding or landslides. The project site is in a very high wildfire risk area and does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

## Initial Study – Environmental Checklist

### Conclusion

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

### Mitigation

None necessary.

## XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

### Setting

Refer to setting information provided above.

## Initial Study – Environmental Checklist

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### Discussion

- (a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Based on the nature and scale of proposed subdivision and future residential development, the project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory with the implementation of the proposed mitigation measures. See mitigation measures BIO-1 through BIO-18. Potential impacts would be *less than significant with mitigation*.

- (b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

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

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

Based on the nature and scale of the project, the project would not result in a substantial adverse direct or indirect effect on human beings. Potential impacts would be *less than significant*.

### Conclusion

Potential impacts would be less than significant with implementation of BIO measures BIO-1 through BIO-18 and the proposed mitigation and minimalization measures.

### Mitigation

None necessary.

## 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       |
|-------------------------------------|-------------------------------------------|----------------|
| <input checked="" type="checkbox"/> | County Public Works Department            | In File**      |
| <input checked="" type="checkbox"/> | County Environmental Health Services      | In File**      |
| <input type="checkbox"/>            | County Agricultural Commissioner's Office | Not Applicable |
| <input type="checkbox"/>            | County Airport Manager                    | Not Applicable |
| <input type="checkbox"/>            | Airport Land Use Commission               | Not Applicable |
| <input checked="" type="checkbox"/> | Air Pollution Control District            | In File**      |
| <input type="checkbox"/>            | County Sheriff's Department               | Not Applicable |
| <input checked="" type="checkbox"/> | Regional Water Quality Control Board      | None           |
| <input type="checkbox"/>            | CA Coastal Commission                     | Not Applicable |
| <input checked="" type="checkbox"/> | CA Department of Fish and Wildlife        | None           |
| <input type="checkbox"/>            | CA Department of Forestry (Cal Fire)      | Not Applicable |
| <input type="checkbox"/>            | CA Department of Transportation           | Not Applicable |
| <input type="checkbox"/>            | Community Services District               | Not Applicable |
| <input type="checkbox"/>            | Other _____                               | Not Applicable |
| <input type="checkbox"/>            | Other _____                               | Not Applicable |

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

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

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

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

- Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California, Second Edition. University of California Press, Berkeley.
- California Native Plant Society (CNPS). 2023. Inventory of Rare and Endangered Plants (online edition v8). Available at: <http://cnps.org/cnps/rareplants/inventory/>. July 2023.
- California Department of Fish and Wildlife (CDFW). 2023. California Natural Diversity Data Base (CNDDB). Special Animals List. July 2023. Periodic publication. 67 pp.
- \_\_\_\_\_. 2023. State of California, Department of Fish and Wildlife Biogeographic Data Branch. California Natural Diversity Database (CNDDB). Rarefind Version 5. July 2021. Rarefind query of the USGS 7.5-minute quads seven-quad review area – Morro Bay South, San Luis Obispo, Lopez Mtn., Port San Luis, Pismo Beach, Arroyo Grande NE, and Oceano r and GIS query of occurrences within a 5-mile buffer (project vicinity).
- County of San Luis Obispo. 2010. 2035 General Plan County of San Luis Obispo, Conservation and Open Space Element. Last updated: May 2010.
- Crother, B.I., ed. 2012. Scientific and Standard English Names of Amphibians and Reptiles of North America North of Mexico. Society for the Study of Amphibians and Reptiles (SSAR) Herpetological Circular 39. Available at: [http://ssarherps.org/wp-content/uploads/2014/07/HC\\_39\\_7thEd.pdf](http://ssarherps.org/wp-content/uploads/2014/07/HC_39_7thEd.pdf)
- eBird. 2023. eBird: An online database of bird distribution and abundance. eBird, Cornell Lab of Ornithology, Ithaca, New York. Available: <http://www.ebird.org>. Last accessed: July 26, 2023.
- Environmental Protection Agency (EPA) and Department of the Army (DOA). 2020. The Navigable Waters Protection Rule: Definition of “Waters of the United States.” 85 Federal Register 22250. Available at: <https://www.federalregister.gov/documents/2020/04/21/2020-02500/the-navigable-waters-protection-rule-definition-of-waters-of-the-united-states>
- LSA Associates, Inc. (LSA). 2023. Biological Resources Assessment for 35 Squire Canyon Road Subdivision N-SUB2022-00034/CO-22-0040 APN 076-271-058. August 2023.
- LSA Associates, Inc. (LSA). 2024. Memorandum to Biological Resources Assessment for 35 Squire Canyon Road Subdivision N-SUB2022-00034/CO-22-0040 APN 076-271-058. April 2024.
- Natural Resource Conservation Service (NRCS). 2023. Web Soil Survey. Available at <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>.
- Padres Associates, Inc. (Padre). 2023. Phase I Archaeological Study, 35 Squire Canyon Road (APN 076-271-058). June 2023.
- Sawyer, J., T. Keeler-Wolf, and J. Evans. 2009. A Manual of California Vegetation. 2nd edition. California Native Plant Society. Sacramento, California: California Native Plant Society. 1,300 pp.
- State Water Resources Control Board (SWRCB). 2019. State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State [For Inclusion in the Water Quality Control Plans for

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Inland Surface Waters and Enclosed Bays and Estuaries and Ocean Waters of California]. Adopted April 2, 2019. Effective May 28, 2020. Available at: [https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/procedures\\_conformed.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/procedures_conformed.pdf)

United States Fish and Wildlife Service (USFWS). 2015. USFWS Critical Habitat Mapper. Available at: <http://ecos.fws.gov/crithab/>. Last accessed June 2023.

\_\_\_\_\_. 2010. Revised Designation of Critical Habitat for the California Red-legged Frog Final Rule. Federal Register 7 (1): 12816-12959.

\_\_\_\_\_. 2005a. USFWS Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog. Sacramento, CA.

\_\_\_\_\_. 2002. Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*). Portland, Oregon.

\_\_\_\_\_. 2023a. Environmental Conservation Online System (ECOS). Information for Planning and Conservation (IPaC) Trust Resources Report. June 2023. Available at: <http://ecos.fws.gov/ecp/>.

\_\_\_\_\_. 2023b. USFWS Critical Habitat Polygons. Available at: <http://ecos.fws.gov/crithab/>. June 2023.

\_\_\_\_\_. 2023c. USFWS National Wetlands Inventory (NWI), Online Mapper Tool. Available at: <https://www.fws.gov/wetlands/data/mapper.html>

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### Exhibit B - Mitigation Summary

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

#### Air Quality

**AQ-1 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:

7. Reduce the amount of the disturbed area where possible;
8. 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;
9. All dirt stock-pile areas shall be sprayed daily as needed;
10. 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;
11. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
12. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

**AQ-2 ROG, NO<sub>x</sub>, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:

- j. Implement Mitigation Measure AQ-1, as identified above.
- k. 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:
  - iii. 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,
  - iv. 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

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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.

- l. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- m. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- n. 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.
- o. 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.
- p. Electrify equipment when possible.
- q. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- r. 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 Prior to initiation of map improvements or submittal of grading and/or building permit application**, the applicant shall retain a County-approved biological monitor. The biological monitor shall prepare and submit a biological monitoring plan for review and approval by the San Luis Obispo Department of Planning and Building. The monitoring plan shall detail the responsibilities of the monitor, including, but not limited to: overseeing the installation of protective fencing around all areas identified by the updated botanical surveys (see BIO-7) containing sensitive plant species identified onsite that are not proposed to be removed by the project; ensuring the use of heavy equipment and vehicles are limited to the proposed project work area, existing roadways, and defined staging areas/access points and that the boundaries of each work area are clearly defined and marked with visible flagging prior to project initiation; conducting regular inspections/site visits to verify construction activity location, conducting or reviewing the updated botanical surveys required by BIO-7 and preconstruction wildlife surveys required by BIO-15 through BIO-17; conducting the worker awareness training required by BIO-2; and verifying best management practices required by BIO-3 are adhered to.

The applicant shall submit a copy of the approved contract with the biological monitor for the project to include the scope of work that includes the requirements above. The biological monitor shall provide monthly reports to the San Luis Obispo County Department of Planning and Building, which shall include verification that the measures above have been implemented.

**Prior to final of grading and/or construction permits**, a final monitoring report shall be provided to the San Luis Obispo County Department of Planning and Building for review and approval.

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**BIO-2 Environmental Awareness Training.** Prior to project activities, protective fencing installation, or the mobilization of any equipment on the project site for map improvements or development of each parcel, an environmental awareness training shall be presented to all construction personnel by a County qualified biologist. The training shall include color photographs and a description of the ecology of all special-status species known or with potential to occur, as well as other sensitive resources requiring avoidance during construction. The training shall also include a description of protection measures required by discretionary permits, an overview of the Federal and California Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required avoidance, minimization, and mitigation measures. Furthermore, crew members will be briefed on the reporting process in the event that an inadvertent injury should occur to a special-status species during construction. A sign-in sheet with the name and signature of the County qualified biologist who presented the training, and the names and signatures of the environmental awareness trainees shall be available for inspection. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel.

**BIO-3 Site Maintenance and General Operations.** During all map improvement and grading or construction activities, the following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be printed on all plan sets. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.
- The Project impact area shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits shall be considered environmentally sensitive and shall not be disturbed.
- All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from

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aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).

- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 100 feet from sensitive habitat. Sandbags and/or absorbent pads and spill control kits shall always be available on site to clean up and contain fuel spills and other contaminants.
- Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
- Plastic monofilament netting (erosion control matting) or similar material will not be used on site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds. The use of pesticides (including rodenticides) and herbicides on the property shall be in compliance with all local, state, and federal regulations to avoid primary and secondary poisoning of sensitive species that may be using the site.
- After completion of the project's construction, all protective fencing/flagging used to delineate sensitive biological resources shall be removed from the project area and disposed of in appropriate waste receptacles or reused.

**BIO-4 Oak Tree Mitigation. Prior to initiation of map improvements or submittal of grading and construction permit application,** for oak tree removals or impacts during project implementation, the applicant shall provide a plan for mitigation (on site if feasible) per the County's guidelines, typically 4:1 for tree removal and 2:1 for impacted trees. This shall include development of an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. A mitigation plan shall be prepared that details the methods and requirements for oak tree mitigation. At a minimum, the plan shall:

- Be prepared by a licensed arborist or qualified botanist and be submitted to the San Luis Obispo County Department of Planning and Building for review and approval prior to submittal of grading and construction permit application or site improvements under the map.
- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.
- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee). All locations for onsite planting or

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conservation easements shall be shown on the plans. Any proposed conservation easements shall be of sufficient size to mitigate impacts at the required ratios of 4:1 for removal and 2:1 for impacted trees. If an in lieu fee is used, the fee amount will be determined at the time of building permits. Fees will be paid to the California Wildlife Conservation Boards Oak Woodlands Conservation Program.

- Describe detailed planting methods, as appropriate.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.
- The mitigation plan shall include details on how plants will be installed (container, acorn, etc.), maintenance techniques, and methods to monitor their establishment.
- An As-Built Planting Plan shall be prepared to track the replacement trees.
- Annual Reports detailing monitoring of the mitigation effort shall be prepared by a licensed arborist or qualified botanist and submitted to the San Luis Obispo County Department of Planning and Building by December 31st of each year following planting. All replacement trees shall be maintained and monitored for a minimum of 7 years to ensure successful establishment. If replacement trees die or do not successfully establish, then additional trees shall be installed and monitored accordingly to meet the plan's success criteria.

**BIO-5 Oak Tree Protection.** Prior to and during construction activities for grading or site improvements, and to the maximum extent feasible, impacts to oak trees and oak woodland habitat shall be avoided and minimized. The following measures shall be implemented prior to and during construction:

- An oak tree monitor shall be named that will be the liaison for the applicant and the County of San Luis Obispo Planning and Building Department. This monitor will be on site to implement the following measures and report back to the County of San Luis Obispo Department of Planning and Building.
- Grading and/or construction plans shall provide a 'Native Tree (Oak) Inventory' that accurately identifies the canopy edge and trunk locations of all native trees within 25 feet of the proposed project limits (including ancillary elements, such as trenching); For each of the trees shown, they shall be marked with one of the following 1) to be removed, 2) to be impacted, or 3) to remain intact/protected. This should be noted as the "Native Tree Impact Plan". Trees identified as 'impacted' or 'to remain protected' shall be marked in the field as such and protected to the extent possible.
- Impacts to the oak canopy or sensitive root zone shall be avoided to the extent feasible. Impacts may include pruning, ground disturbance, or placement of impervious surfaces (e.g., asphalt, permanent structures) within the sensitive root zone; installation of year-round irrigation or other supplemental water within the sensitive root zone; and trunk damage.

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- Prior to ground-breaking, tree protection fencing shall be installed as close to the outer limit of the sensitive root zone as practicable for construction operations to protect trees located within 50 feet of construction that will be preserved. The fencing shall be in place throughout the duration of construction. Plastic orange safety fencing shall not be used as it may entangle wildlife. Other demarcations such as t-posts and yellow rope are adequate. Protective measures shall be visible to work crews and be able to remain in good working order for the duration of the construction work. Waterproof signage at protective edge is recommended (e.g., "TREE PROTECTION AREA – STAY OUT"). Grading, trenching, compaction of soil, construction material/equipment storage, or placement offill shall not occur within these protected areas.
- All construction activity shall occur outside delineation fencing installed for protection of oak trees.
- A licensed arborist or qualified botanist shall be hired to oversee all removal or trimming of existing roots and necessary branch trimming. To minimize impacts from tree trimming, the following approach shall be used:
  - Removal of larger lower branches shall be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs" (due to wind), 2) to reduce the number of large limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) to retain the wildlife that is found only in the lower branches, 4) retain shade to keep summer temperatures cooler (retains higher soil moisture, creates greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree.
  - If trimming is unavoidable, no more than 10% of the oak canopy shall be removed unless determined necessary by a licensed arborist or qualified botanist.
  - If trimming is done, either a licensed arborist will be used, or trimming techniques accepted by the International Society of Arboriculture will be used. Unless a hazardous or unsafe situation exists, trimming will be done only during the winter for deciduous species.
- Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots are exposed during construction, they shall be covered with a layer of soil to match existing topography.
- Impacts to oak trees shall be assessed by a licensed arborist or qualified botanist prior to final inspection and reported to the San Luis Obispo County Department of Planning and Building.
- Mitigation shall be implemented consistent with the oak mitigation plan prior to permit final and a CCMF case established for monitoring.

**BIO-6 Native Tree Protection and Mitigation.** If other native trees (e.g., Sycamore) will be removed or impacted during construction activities, as determined by a licensed arborist or qualified

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botanist, Mitigation Measures BIO-4 and BIO-5 shall be required to mitigate impacts to the trees.

**BIO-7 Updated Botanical Surveys. Prior to initiating map improvement or issuance of grading permits and construction permits for each parcel,** the applicant shall conduct floristic surveys within the proposed disturbance area and a 100-foot buffer for the presence of special status plant species known to occur on site. The floristic surveys shall also include the areas of mapped populations of Pismo clarkia, San Luis Obispo owl's clover, and Santa Margarita manzanita found in the 2023 and 2024 floristic surveys. Surveys shall be conducted during the appropriate blooming period within one year prior to map improvements or the issuance of grading and construction permits for each parcel in order to evaluate the extent and the abundance of the populations within the proposed ground disturbance area and a 100-foot buffer, including the previously mapped locations in 2023 and 2024.

**The results of these surveys shall be submitted to San Luis Obispo County Department of Planning and Building and/or the California Department of Fish and Wildlife and United States Fish and Wildlife,** as applicable, within 30 days of completing the survey. If surveys are older than one year, or in the event of a below-average rainfall year, the applicant shall submit an updated floristic survey within the proposed disturbance area and a 100-foot buffer for the presence of special status plant species. The San Luis Obispo County Department of Planning and Building may elect to use the best available data from previous surveys efforts. The updated floristic surveys shall also include the areas of mapped populations of Pismo clarkia, San Luis Obispo owl's clover, and Santa Margarita manzanita found in the 2023 and 2024 floristic surveys.

**If impacts to special status plant species cannot be avoided,** the applicant shall implement BIO-8 through BIO-11, as applicable. All construction plans for individual lots that are submitted to the County shall include specifications for the installation of protective fencing to prevent any inadvertent impacts to all sensitive plants or their habitat.

Should project activities at a site location extend beyond one-year, additional floristic surveys shall be conducted at the location on an annual basis until project construction activities are completed. The results of these surveys shall be submitted within 30 days of completing the survey to the San Luis Obispo County Department of Planning and Building **and/or the California Department of Fish and Wildlife and United States Fish and Wildlife,** as applicable.

**BIO-8 Mitigation plan. If special status plant species are found prior to initiating map improvements or issuance of grading permits and construction permits for each parcel,** the applicants retained County qualified biologist shall submit a mitigation plan to the County of San Luis Obispo Department of Planning and Building for approval. The Mitigation Plan shall outline the methodology for appropriately mitigating impacts to the affected species, developed in coordination with and in accordance with the guidelines approved by the applicable permitting agency, either the California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service.

**BIO-9 On-Site Mitigation for Special-Status Plants. Prior initiation of map improvements or issuance of construction permits for each parcel, and if special status plant species are found within the project disturbance footprint or 100-foot buffer based on the updated**

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**botanical survey in BIO-7**, a qualified biologist/botanist will identify potential on-site habitat mitigation areas that shall provide permanent protection of Santa Margarita manzanita, Pismo clarkia, and San Luis Obispo owl's clover habitat, if feasible.

If on-site mitigation is feasible, all habitat mitigation and associated lands shall be protected through an open space conservation easements acceptable to the County of San Luis Obispo Planning and Building Department, California Department of Fish and Wildlife, and United States Department of Fish and Wildlife, as applicable. The mitigation area shall accommodate transplanted individual plants, as it replicates the soil type, drainage, slope, exposure, and aspect as closely as possible to occupied habitat that would be impacted by project implementation.

If on-site mitigation is feasible, mitigation for future impacts would include a combination of preserving and enhancing existing on-site populations within the mitigation area and establishing new populations through seed collection and/or transplantation so that the required offset is achieved. The Project Applicant/future landowner shall mitigate impacts to rare plants and other special status plant species at a minimum ratio of 2:1 (preserved and established: impacted) for non-listed special-status plants. Federally listed plants (Pismo clarkia) will be mitigated at a minimum ratio of 3:1 (preserved and established: impacted). The Project Applicant/future landowner shall preserve the remaining occupied habitat for Santa Margarita manzanita, Pismo clarkia, and San Luis Obispo owl's clover onsite.

Under the ITP, impacts to individual Pismo clarkia plants will occur after seed collection. On-site seed collection of remaining populations used to reestablish additional populations shall be limited to no more than 10% of each remaining patch, unless determined by a qualified biologist in consultation with the County of San Luis Obispo Planning and Building Department, California Department of Fish and Wildlife, and United States Department of Fish and Wildlife, as applicable. The topsoil of impacted patches will be collected prior to site grading in order to preserve the seed bank. Topsoil will be relocated to suitable unoccupied habitat areas to promote the expansion of occupied habitat. Using seeds collected from the impacted population and preserved populations on-site, additional patches of the plant shall be reestablished at a 3:1 ratio along appropriate boundaries of preserved oak woodland habitat areas. A protective open space conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia as required by BIO-11.

**BIO-10 Habitat Mitigation and Monitoring Plans. Prior to initiating map improvements or issuance of construction permits on individual lots, and if special status plant species are found within the project disturbance footprint or 100-foot buffer based on the updated botanical survey in BIO-7**, the applicant shall submit a restoration plan prepared by a County qualified biologist for special status plant species (not including oaks, oaks are instead subject to BIO-4 and BIO-5) to the San Luis Obispo County Planning and Building Department for review and approval, in consultation with California Department of Fish and Wildlife and

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United States Fish and Wildlife Service, if necessary. If an Incidental Take Permit or Habitat Conservation Plan are required, the restoration plan shall be consistent with them. At a minimum, the plan shall include:

9. Identification of locations, amounts, size and types of plants to be replanted, as well as any other necessary components (e.g., temporary irrigation, amendments, etc.) to ensure successful reestablishment. Restoration areas shall be located within open space and conservation easements on site.
10. Provide for a native plant salvage and seed collection effort prior to ground disturbing activities. Salvaged plants shall include, but not be limited to, special status plant species that may be affected.
11. Updated quantification of impact based on finalized construction improvement plans and quantification of mitigation areas such that the replacement criteria are met.
12. A program schedule and success criteria for a minimum five-year monitoring and reporting program that is structured to ensure the success of the restoration plan.
13. For in-kind replacement of Pismo clarkia (*Clarkia speciosa* ssp. *immaculata*), individuals that are removed or impacted shall be replaced in-kind at a 3:1 ratio (based on individual impacts or square feet cover as determined by the County-qualified biologist) within the designated restoration area with 100% success in five years (inclusive of replacement plantings for unsuccessful individuals).
14. For in-kind replacement of Santa Margarita manzanita, individuals that are removed or impacted shall be replaced in-kind at a 2:1 ratio (based on square feet cover) within the designated restoration area with 100% success in 5 years (inclusive of replacement plantings for unsuccessful individuals).
15. For in-kind replacement of San Luis Obispo owl's clover, individuals that are removed or impacted shall be replaced in-kind at a 2:1 ratio (based on square feet cover) within the designated restoration area with 100% success in 5 years (inclusive of replacement plantings for unsuccessful individuals). Prior to any removal or impacts (take) to Federally or State listed species protected under the Federal Endangered Species Act (FESA) or California Endangered Species Act (CESA), respectively, the applicant shall provide evidence that an Incidental Take Permit has been obtained and shall also provide a copy of the Habitat Conservation Plan, if applicable, that accompanies the Incidental Take Permit. If the Incidental Take Permit and/or Habitat Conservation Plan have different, additional, and/or more restrictive requirements, the applicant shall only be required to implement this mitigation measure if it is necessary to comply with the required mitigation criteria contained herein.
16. Identification of access and methods of materials transport to the restoration area, including personnel, vehicles, tools, plants, irrigation equipment, water, and all other similar supplies. Access shall not result in new or additional impacts to habitat and special-status species. Incorporation of an invasive species control program, which would include the following at a minimum:
  - a. To avoid the spread of invasive species, the contractor will stockpile topsoil and redeposit the stockpiled soil on the slopes after construction is complete, or if heavily infested with invasive species, transport the topsoil to a certified landfill for disposal.
  - b. During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material.

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If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species; or the material must consist of purchased clean material such as crushed aggregate, sorted rock, or similar. The restoration planting plans must emphasize the use of native species expected to occur in the area. Project plans must avoid the use of plant species that the Cal-IPC, Cal-EPPC, California Department of Fish and Wildlife, or other resource organizations considers to be invasive or potentially invasive.

**Prior to issuance of grading permits**, the San Luis Obispo County Department of Planning and Building shall verify that restoration plans do not include the use of any species considered invasive by the Cal-IPC, Cal-EPPC, or California Department of Fish and Wildlife.

If performance standards detailed in the final restoration plan are not achieved in the onsite mitigation areas, the applicant shall implement an alternative or adaptive mitigation strategy. To achieve the required mitigation, the alternative or adaptive mitigation strategy can include options for offsite mitigation, but only after all onsite mitigation strategies have been exhausted after a minimum of five years. The alternative or adaptive mitigation strategy shall be submitted to the San Luis Obispo County Planning and Building Department for review and approval, in consultation with other appropriate resource agencies including California Department of Fish and Wildlife and United States Fish and Wildlife Service.

**BIO-11 Open Space Easement. Prior to initiating map improvements and prior to recordation of the final parcel map**, a protective conservation easement shall be placed over on-site habitats that contain occupied and unoccupied habitat suitable for Pismo clarkia. These conservation areas are to be delineated by a qualified biologist/botanist. The applicant shall enter into an agreement with, and in a form acceptable to, the County of San Luis Obispo Department of Planning and Building and/or the California Department of Fish and Wildlife and United States Fish and Wildlife, as applicable, to create open space easements on all areas outside of the proposed building envelopes, roadways, and vegetation clearance areas (i.e., 100-foot buffer from the building envelopes required as defensible space for fire protection) that contain occupied and unoccupied habitat for Pismo clarkia as delineated by a qualified biologist/botanist.

The terms of the open space easement will allow only activities that help the long-term protection of oak woodlands and native plant species. No structures, grading, site disturbance, native vegetation removal, mowing, disking, off-road vehicle use, crop production, equestrian uses, or other animal raising or keeping activities (unless specifically proposed for long term protection of native species) are allowed in the open space easement area with the exception of infrastructure such as septic tanks and leach lines, which may be located outside the building envelopes. Any infrastructure located outside building envelopes shall be located so as to not impact sensitive plant species, oak trees, and native trees to the extent practicable. Any impacts to sensitive plant species, oak trees, and native trees will be mitigated per the applicable mitigation measures contained herein.

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The following shall apply to the areas within the open space: no oak trees, or other visually significant vegetation, shall be impacted or removed; no activities (including grazing or the keeping of animals) shall be allowed that could adversely impact the open space area. Grazing for weed and invasive plant control may be allowed with an Open Space Management Plan prepared by a County qualified biologist and approved by the San Luis Obispo County Department of Planning and Building, and in consultation with California Department of Fish and Wildlife and United States Fish and Wildlife Service, as applicable. Any removal of non-sensitive vegetation shall be done by hand and by a qualified individual that can identify and avoid those sensitive species as determined in the approved Open Space Management Plan.

Fencing may be allowed along the property lines within the open space easement provided the fencing does not impact oak trees, sensitive plant species, or visually significant vegetation. Fencing shall be limited to six feet in height and shall be horizontally open to allow for wildlife passage (e.g., five strand wire fencing, post and rail, not woven wire or panel fencing). Barbed wire and electric fencing shall not be used.

For the life of the project, the Developer and/or landowner agrees to allow the San Luis Obispo County Department of Planning and Building, a land conservancy, resource agency, or other appropriate entity, the right to enter the open space as shown on the final exhibit to the open space agreement, to ensure compliance with the restrictions and to access the oak woodland and sensitive plant populations. However, prior to entering the open space area, the County of San Luis Obispo Department of Planning and Building, land conservancy, resource agency, or other appropriate entity shall give a 72-hour notice of intent to enter the site.

These provisions shall be detailed in a deed restriction for each parcel and shall be disclosed to all future buyers of the parcels at the time of sale of each lot. Additionally, this should be added to any shared road agreement or maintenance agreement as it relates to shared rights of the subject parcels.

**BIO-12 Open Space Maintenance.** Prior to recordation of the final parcel map, mitigation measures BIO-4 through BIO-11 shall be included as an additional map sheet to the final parcel map.

**BIO-13 Project Site Delineation.** Prior to the start of construction or initiation of site improvements, the qualified biologist shall clearly delineate (i.e., with stakes, flagging, fencing, and/or temporary signage) the work areas to ensure that no work occurs outside the approved limits of disturbance.

**The protective fencing shall be installed prior to any ground disturbing activities**, at the direction of the qualified biologist, and shall be maintained by the applicant throughout the entire construction work period at the subject location. **Photos of installed fencing shall be submitted prior to the start of construction activities** and included in the submitted monthly reports.

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**BIO-14 Special-Status Species Buffer Establishment Avoidance.** Special-status plant species observed on-site shall be avoided, if feasible. The Project Applicant/future landowner shall comply with BIO-9 and BIO-10 for impacts to special status plant species. A qualified biologist shall establish a no disturbance buffer zones around populations that will be preserved. Before construction activities begin, special status plant species populations to be avoided shall be flagged or fenced off. The buffer areas will be determined by the qualified biologist and will take into consideration distance from grading and construction activities, slope of the site, watershed, and potential for erosion. Buffers shall be clearly identified with construction fencing. No construction activities, staging of materials, or parking will be allowed in the buffer areas. The buffer areas will be maintained until all construction activities are completed and **prior to final occupancy.**

**BIO-15 Preconstruction Surveys, Construction Monitoring, and Reporting Within 3 days prior to initiating ground disturbance or construction activities,** a County of San Luis Obispo Department of Planning and Building qualified biologist shall conduct a pre-construction survey to ascertain the presence or absence of special status wildlife species. The special-status species to be covered under this measure include California red-legged frog, Coast Range newt, northern California legless lizard, western pond turtle, coast horned lizard, and American badger. Visual surveys will cover the entire disturbance limits and methodology for preconstruction surveys shall be appropriate for each potentially occurring special status species. A qualified biological monitor shall be present during all vegetation clearing activities (including grading and/or initial ground disturbance) and ground disturbance to ensure avoidance. Special-status species shall be allowed to move out of the work area on their own volition. If avoidance is not feasible, the qualified biologist shall establish a buffer, which would be avoided until the qualified biologist determines that work can proceed.

If removal or relocation of special status species is required, it may only be completed in consultation with the County of San Luis Obispo Department of Planning and Building, California Department of Fish and Wildlife, and/or United States Department of Fish and Wildlife Service, as applicable. Any take of a special status species requires an Incidental Take Permit from the California Department of Fish and Wildlife and/or a Habitat Conservation Plan from the United States Department of Fish and Wildlife, as applicable. Evidence of Incidental Take Permit and/or Habitat Conservation Plan for take of a listed species shall be provided to the County of San Luis Obispo Department of Planning and Building **prior to the start of construction activities.**

The results of all pre-construction surveys and compliance monitoring shall be documented and reported to the San Luis Obispo County Department of Planning and Building by the qualified biologist and the documentation shall be available upon request throughout the duration of construction activities.

**BIO-16 Erosion Control and California Red-Legged Frog Exclusionary Fencing. Prior to and during construction activities (i.e., mobilization, staging, grading or construction, tree and**

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**vegetation removal or trimming) for parcel map improvements or construction on individual lots**, to avoid erosion and sedimentation impacts to the adjacent aquatic features and to minimize project impacts on hydrology and water quality, grading and construction resulting in ground disturbance shall be limited to the typical dry season (April 15 through October 15), to the extent feasible. Additionally, prior to ground disturbance, the project contractor shall install adequate erosion and sedimentation barriers (e.g., silt fencing, as described below) to prevent any sediment-laden runoff or debris from adjacent aquatic features. This silt fencing shall also serve as a temporary barrier to minimize the potential for California red-legged frog to enter the work areas during construction. The barriers shall consist of 3-foot-tall silt fencing buried to a depth of at least 6 inches below the soil surface along the outer limits of all work areas. These barriers shall be inspected daily by construction personnel and maintained and repaired as necessary for the duration of construction to ensure that they are functional and are not a hazard to California red-legged frog on the outer side of the fence. A qualified biologist shall inspect the completed fence installation for compliance with the specifications cited in this measure. All barriers shall be removed following the completion of construction.

**BIO-17 Nesting Bird and Roosting Bat Surveys and Avoidance. Prior to and during construction activities (i.e., mobilization, staging, grading or construction, tree and vegetation removal or trimming) for parcel map improvements or construction on individual lots**, the County qualified biologist shall conduct preconstruction surveys for potential nesting birds and roosting bats within the recognized breeding season (February 1 to August 15) no more than 5 days prior to the start of such activities. Survey areas shall include the building envelopes/project disturbance limits and areas immediately adjacent to these areas that could potentially be affected by project-related activities such as noise, vibration, increased human activity, and dust, etc. Additionally, all areas within 500 feet of proposed disturbance areas, or a lesser distance if dense vegetation renders a 500-foot survey radius infeasible. The required survey dates may be modified based on local conditions, as determined by the qualified biologist based on observations in the field, with the approval of the County of San Luis Obispo Department of Planning and Building. Documentation of all survey results shall be provided to the County of San Luis Obispo Department of Planning and Building.

If breeding birds with active nests are found prior to or during construction, a biological monitor shall establish an avoidance buffer around the nest for ground-based construction activities and no activities will be allowed within the buffer(s) until the young have fledged from the nest or the nest fails. Buffers shall be 500 feet for raptors and 100 feet for non-raptor species. Buffers may be adjusted to reflect existing conditions including ambient noise, topography, and disturbance with the approval of the San Luis Obispo County Department of Planning and Building and must be based on evidence that a reduced buffer will not pose a threat to the success of the nest.

For active nests identified within the survey area, the biological monitor(s) shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the buffer(s) until the nesting cycle is complete or the nest fails. The biological monitor(s) shall be responsible for documenting the results of the surveys and

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ongoing monitoring and will provide a copy of the monitoring reports to the San Luis Obispo County Department of Planning and Building.

All trees to be removed as part of project-related construction activities will be removed outside of the nesting season to avoid additional impacts to nesting birds. If removal during the nesting season can't be avoided, trees (tree to be removed/impacted and any surrounding trees that are within 100 feet of the tree canopy to be removed/impacted) will be thoroughly surveyed by a County-qualified biologist to ensure that no nests are present. If nests are found within these trees and contain eggs or young, the biological monitor shall establish avoidance buffers as described above until the young have fledged the nest or the nest fails.

**BIO-18 Construction Site Housekeeping.** Habitat subject to construction disturbances and other types of ongoing project-related disturbance activities shall be minimized by adhering to the following measures:

- i) The project disturbance limits shall be clearly marked with construction fencing (or other highly visible material).
- j) All equipment used onsite shall be properly maintained such that no leaks of oil, fuel, hydraulic fluid, or residues occur. Provisions shall be in place to remediate any accidental spills. All equipment shall only be stored in the designated equipment staging area. Construction vehicles shall be confined to a pre-defined equipment access path no greater than the minimum width necessary to complete necessary construction activities.
- k) The Project Applicant/future landowner shall designate one or more construction equipment filling and storage areas within the designated development to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless otherwise approved by the County and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.
- l) Project-related vehicles shall observe a daytime speed limit of 20 miles per hour (mph) throughout the site, except on County roads and State and federal highways. Night-time construction shall be minimized to the extent possible. However, if it does occur, then the speed limit shall be reduced to 10 mph. Off-road traffic outside of the approved disturbance limits shall be prohibited.
- m) To prevent inadvertent entrapment of animals during the construction phase of the project, all excavated, steep-walled holes or trenches more than 2-feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape.

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- n) For the duration of construction activities, all food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least daily from the construction site.
- o) Pets, such as dogs or cats, shall not be permitted on the building envelopes/project disturbance limits during construction to prevent harassment, injury, or death of wildlife in the project vicinity.
- p) Use of rodenticides and herbicides in building envelopes/project disturbance limits shall be restricted. This is necessary to prevent primary or secondary poisoning of predators and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and federal legislation.

**BIO-19 Delineation Verification with Resource Agencies and Permitting. Prior to issuance of grading or building permits for parcel improvements or development of individual parcels,** any permit submittals shall include a site plan showing the approximate locations of the intermittent streams (or jurisdictional wetlands) on the property as determined by the County qualified Biologist, and indicate approximate 50-foot setbacks, which shall be flagged in the field prior to construction.

**If modifications (i.e., grading or disturbance) to the intermittent streams will occur** as determined by a County qualified biologist, a formal jurisdictional delineation survey and report shall be submitted to resource agencies for verification of the extent of waters of the State, waters of the U.S., and California Fish and Game Code Section 1602 jurisdiction within the building envelopes/project disturbance limits. If one or more agencies determines that impacts to jurisdictional aquatic resources would occur, appropriate permits shall be obtained prior to disturbance of jurisdictional resources, and all required measures shall be implemented. If impacts to jurisdictional aquatic resources will occur, the Project Applicant/future landowner shall provide proof of the required agency consultations to the County of San Luis Obispo Department of Planning and Building prior to initiation of project-related activities within the identified aquatic features.

**BIO-20 Prepare and Implement a Compensatory Mitigation Plan (CMP) for Impacts to Jurisdictional Aquatic Resources. Prior to initiation of map improvements or prior to submittal of grading and/or construction permit applications.** If impacts to jurisdictional aquatic resources will occur, and following completion of the jurisdictional delineation verification from the resource agencies (Mitigation Measure BIO-19), the Project Applicant/future landowner will prepare and implement a Compensatory Mitigation Plan (CMP). The CMP will identify mitigation to address permanent loss, including functions and values, of jurisdictional aquatic resources. Compensatory mitigation may involve the

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restoration, establishment, enhancement, and/or preservation of aquatic resources through one or more of the following methods

- a) Purchase of credits from an agency-approved mitigation bank.
- b) Preservation of aquatic resources through acquisition of property.
- c) On site or off site establishment, restoration, or enhancement of aquatic resources.

A 2:1 compensation-to-impact ratio will be used for compensatory mitigation for wetlands, and a 1:1 compensation-to-impact ratio will be used for compensatory mitigation for non-wetlands, unless higher ratios are required pursuant to regulatory authorizations.

For mitigation involving establishment, restoration, enhancement, or preservation of aquatic resources by the Project Applicant/future landowner the CMP will contain the following information:

- e) **Objectives.** A description of the resource types and amounts that will be provided, the type of compensation (i.e., restoration, establishment, enhancement, and/or preservation), and the manner in which the resource functions of the compensatory mitigation project will address the needs of the watershed or ecoregion.
- f) **Site selection.** A description of the factors considered during the term sustainability of the resource.
- g) **Adaptive management plan.** A management strategy to address changes in site conditions or other components of the compensatory mitigation project.
- h) **Financial assurances.** A description of financial assurances that will be provided to ensure that the compensatory mitigation will be successful and protected in the long-term.

In circumstances where the Project Applicant/future landowner intends to fulfill compensatory mitigation obligations by securing credits from approved mitigation banks or in-lieu fee programs, the CMP need only include the name of the specific mitigation bank or in-lieu fee program to be used, the method for calculating credits, and other applicable information regarding the program and agency consultations.

### Cultural Resources

**CR-1**      **Contract.** *Prior to issuance of grading and/or construction permit*, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of

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Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for cultural resources.

- CR-2**      **Worker Environmental Awareness Training.** *Prior to any proposed construction ground disturbing activities associated with road widening*, project personnel (e.g., contractors, construction workers) shall be briefed by a qualified archaeologist (retained on-call by applicant) about the potential and procedures for inadvertent discovery of prehistoric and historic archaeological resources. In addition, the training shall include established procedures for temporarily halting or redirection of work in the event of a discovery, identification and evaluation procedures for finds, and a discussion on the importance of, and the legal basis for, the protection of archaeological resources. Personnel will be given a training brochure/handout regarding identification of cultural resources, protocols for inadvertent discoveries, and contact procedures in the event of a discovery.
- CR-3**      **Monitoring Plan.** *Prior to the start of construction*, the applicant shall submit a monitoring plan, prepared by a subsurface-qualified archaeologist, for review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
  - b. Description of how the monitoring shall occur;
  - c. Description of the frequency of monitoring (e.g., part time, spot checking);
  - d. Description of what resources are expected to be encountered;
  - e. Description of circumstances that would result in the halting of work at the project site (e.g., what is considered “significant” archaeological resources);
  - f. Description of procedures for halting work on the site and notification procedures; and
  - g. Description of monitoring reporting procedures.
- CR-4**      **Cultural Resource Monitoring.** *During initial ground disturbing construction activities*, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. After initial ground disturbance, if determined acceptable by the archaeologist and Native American monitor, monitoring frequency may be adjusted to reflect the potential for buried cultural resources. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resources until such a time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.
- CR-5**      **Monitoring Report.** *Prior to final inspection, and upon completion of all monitoring/mitigation activities*, the consulting archaeologist shall submit a report to the

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Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all mitigation measures have been met.