COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

Initial Study – Environmental Checklist

PLN-2039
04/2019

Project Title & No. Vesting Tentative Tract 3237 Santa Margarita Ranch LLC / ED25-0161

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

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

DETERMINATION:

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

☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeremy Freund	Jeremy Freund		2/3/26
Prepared by (Print)	Signature		Date
Cheryl Ku	Cheryl Ku		2/3/26
Reviewed by (Print)	Signature		Date

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Project Environmental Analysis

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

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

A. Project

DESCRIPTION: request by **Santa Margarita Ranch LLC** for a Vesting Tentative Tract 3237 N-SUB2024-00085 to subdivide an existing 8.01 acre parcel into six parcels of sizes (1.01 acres, 1.03 acres, 1.03 acres, 1.04 acres, 1.23 acres, 1.65 +/_acres) each for the purpose of sale and/or development. The project includes off-site road improvements, demolition of an existing driveway, and agricultural structures. The project will result in the disturbance of approximately 1.16 acres of a 8.01 parcel. The project includes an adjustment to section 21.03.010 (4) g to allow for a private access easement to serve more than five parcels and a waiver of curb gutter and sidewalks. The proposed project is within the residential suburban land use category and is located at 22937 I Street Santa Margarita. The site is in the Salina River Subarea of the North County Area Plan.

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

The vesting tentative tract map (Figure 4) shows six residential lots along the private road proposed to be named Moore Ridge Road.

Standards for Determining Parcel Size. The minimum size for new parcels in the Residential Suburban category is based upon the terrain of the proposed lots and the type of water and sewage disposal facilities to be used. Minimum parcel size is determined by applying the tests of the Section to the features of the parcels to be created. The allowable minimum size is the largest area obtained from any of the tests, except as provided for cluster divisions by Section 22.22.140. Based on these standards, the minimum parcel size for newly created parcels on the project site is 1 acre. As shown in Table, 1 lot sizes will range from about 1.01 acres to 1.66 acres consistent with these standards.

Table 1 – Lot Sizes

Lot	Parcel Size	
	Gross Area (Acres)	**Net Area (Acres)**
Lot 1	1.26	1.03
Lot 2	1.26	1.03
Lot 3	1.27	1.04
Lot 4	1.49	1.23
Lot 5	1.07	1.01
Lot 6	1.66	1.65
Total	8.01	

Utilities. The vesting tentative map shows a new 8-inch waterline extending to serve each lot from the existing line within the I Street right-of-way. Each lot will have their own onsite wastewater treatment system. A new 8-inch sewer line will be located within the roadway to I Street for future connection to a community sewer treatment plant if one is ever created for the community. Stormwater drainage for the roadway will be collected to a detention basin located on Lot 6. The surface detention basin will be designed with an outlet control structure placed 6" higher than the basin bottom to allow for retention volume before being metered out. Onsite stormwater will be conveyed through sheet flow, vegetated v-ditches, bioretention swales, and area drains. Inlets and storm drains will be designed with sufficient capacity for the 25-year rain event.

Ordinance Modification.

Waiver for the Installation of Curbs, Gutters and Sidewalk

The project also includes a request for a waiver for the installation of curbs, gutters and sidewalks along the project's Moore Ridge Lane and I Street frontage. Under section LUO 22.54.030 D.2., the required improvements may be waived by joint decision of the Director and County Engineer where they determine, based upon the land use designations of the Land Use Element, existing land uses in the site vicinity, and existing and projected needs for drainage and traffic control, that such improvements would be incompatible with the ultimate development of the area. In this case, most of Santa Margarita, except for El Camino Real, lacks curbs, gutters, and sidewalks, including along I Street. The proposed project aims to maintain the town's rural character and remain consistent with the existing development pattern and Moore Ridge Road will be a privately maintained road.

Adjustment to the County's Real Property Division Standards

The project includes a request for an adjustment to the design standards set forth in Section 21.03.010 4(g) of the County's Real Property Division regulations which limit private access easements to serve no more than five parcels, including parcels not owned by the divider. The number of parcels served by any private easement shall include existing parcels and all future parcels which could be created in the future according to the applicable general plan. The applicant adjustment requests to allow the private road easement to serve six parcels. In accordance with section 21.03.020, the review authority (in this case the Planning Commission)

may approve an adjustment to the standards set forth in the County's subdivision regulations upon making certain findings. The project application materials include supporting materials to justify the requested adjustment.

Retention of Agricultural Accessory Structure

The application includes a request to establish a bond for a 5-year term as a condition of approval to retain the agricultural accessory structure on Lot 5 until a single-family residence is constructed. This bond serves as a financial guarantee to allow the temporary use of the existing agricultural structure, with its removal required once the residence is established. Under Section 22.30.060.B, agricultural accessory structures on properties smaller than 10 acres can only be established after a principal use has been established on the site. While the existing structure originally complied with this requirement by sharing a parcel with a single-family residence, the proposed subdivision would render the structure non-compliant; therefore, the bond will ensure compliance with this section.

Baseline Conditions

The project site is an 8.01-acre parcel located at 22937 I Street at the southwestern edge of the town of Santa Margarita, approximately 0.77 miles east of Highway 101 (Figure 2). The parcel features primarily flat topography with an average slope of approximately 7 percent, and there are no drainage features on the site. An existing single-family residence and additional buildings are situated in the southwestern corner. Individual native trees including valley oak, coast live oak, and California black walnut are intermixed with landscaped trees such as pine, cherry plum, and juniper. Most of the trees line both sides of the paved road and surround the residence and outbuildings. According to a tree inventory submitted with the application materials, the project site contains 44 mature oak trees; the stormwater disposal area contains six mature oak trees. The site is within the CSA 23 (Santa Margarita) which provides water services.

The project site is within the Residential Suburban land use designation and is subject to the *Renewable Energy* Combining Designation. Surrounding land uses include single family residences to the north and west on lots ranging in size from 14,520 sf to 5 acres. The surrounding land to the east is undeveloped with gently flat topography and variety of weedy forbs and non-native annual grasses. The land south is the Santa Margarita Ranch which is designated Agriculture and Open Space and includes combination of existing vineyard operations and an agricultural cluster subdivision.

ASSESSOR PARCEL NUMBER(S): 069-091-014

Latitude: 35º 23' 0.22" N **Longitude:** 120.º 36'' 20.68"W **SUPERVISORIAL DISTRICT #** 5

B. Existing Setting

Plan Area: North County **Sub:** Salinas River **Comm:** Santa Margarita

Land Use Category: Residential Suburban

Combining Designation: Renewable Energy

Parcel Size: 8.01 acres

Topography: Gently rolling

Vegetation: Grasses Scattered Oaks

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

Surrounding Land Use Categories and Uses:

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

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

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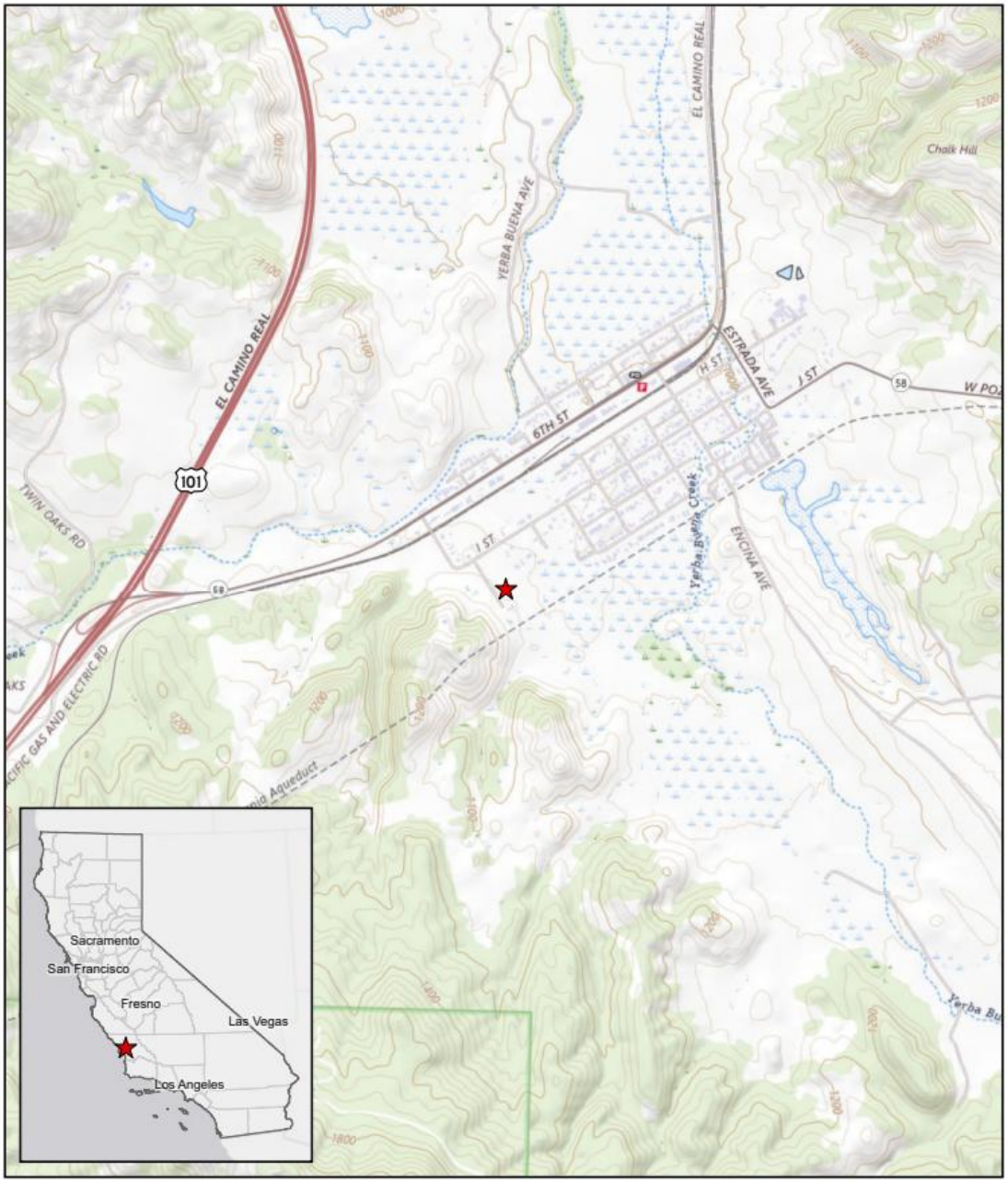

Figure 1 -- Project Location

Figure 2 – Aerial View/Existing Conditions

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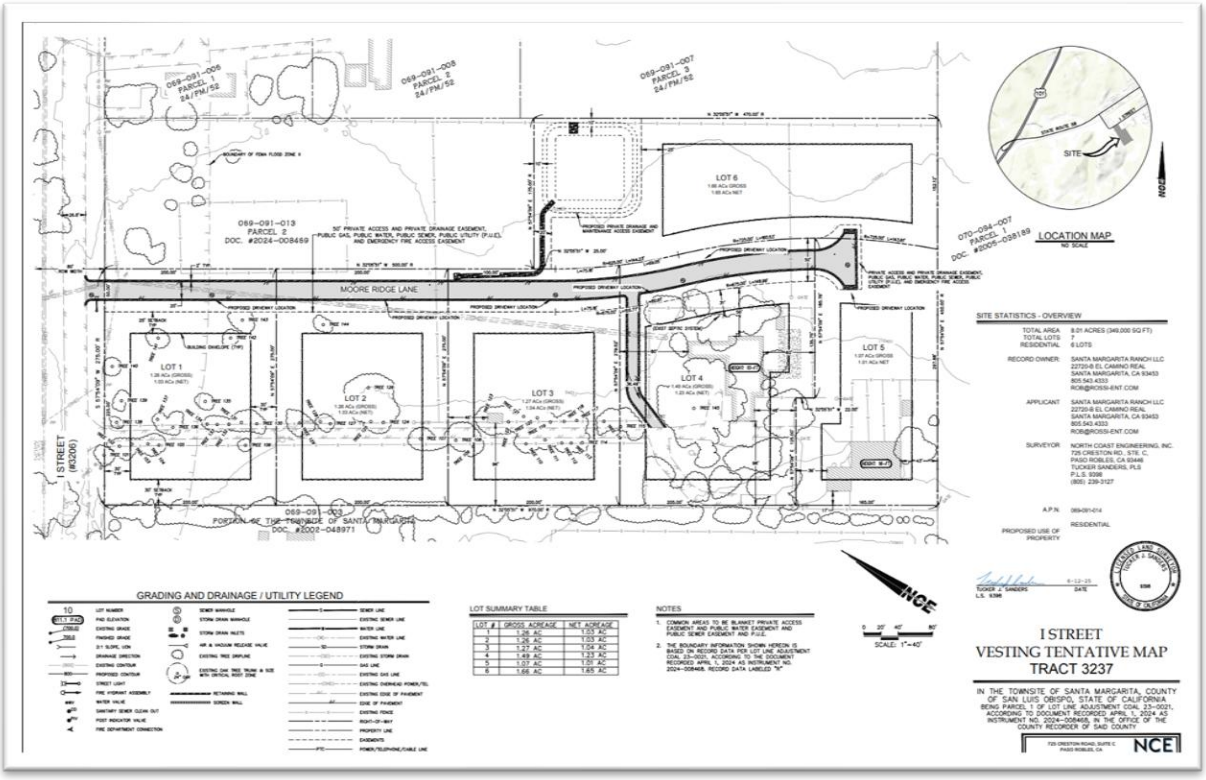

Figure 3 – Vesting Tentative Tract Map

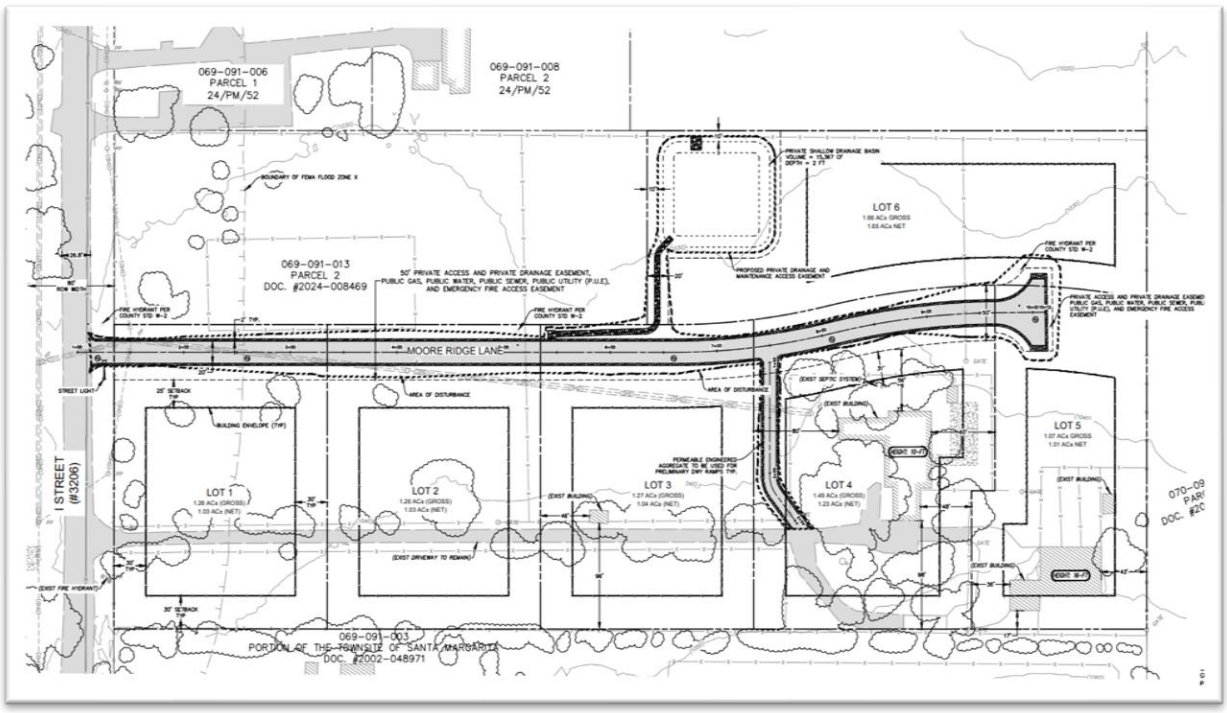

Figure 4 – Improvement Plans

Figure 5 – Biological Study Area

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C. Environmental Analysis

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

I. AESTHETICS

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

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Setting

As discussed in the Baseline Conditions, the project site consists of an approximately 8.01-acre parcel located at 22937 I Street, at the southwestern edge of the community of Santa Margarita, approximately 0.77 miles east of U.S. Highway 101 (Figure 2). The site is developed with an existing single-family residence and associated agricultural structures located in the southwestern portion of the parcel, with the remainder of the site historically used for crop production. Surrounding land uses include single-family residences to the north and west on lots ranging in size from approximately 14,520 square feet to 5 acres. Lands to the east are undeveloped and generally flat, characterized by weedy forbs and non-native annual grasses. Lands to the south are part of the Santa Margarita Ranch, designated Agriculture and Open Space, and include vineyard operations and an agricultural cluster subdivision.

The project site features generally flat to gently sloping topography, with an average slope of approximately 7 percent. Native trees, including valley oak, coast live oak, and California black walnut, are intermixed with landscaped species such as pine, cherry plum, and juniper. Many of the existing trees are concentrated along both sides of the existing paved driveway and around the residence and outbuildings. According to the tree inventory and arborist reports submitted with the application, the site contains native oak trees in generally good condition, with one dead blue oak identified. No designated scenic vistas or formally protected visual resources are located on the site.

The visual character of the project site and surrounding area is reflective of the rural residential and agricultural setting of Santa Margarita, consisting of large parcels, scattered residences, open fields, and mature trees. Public views of the project site are primarily available from I Street, a local roadway serving the surrounding residential area. Views from I Street include the existing residence, trees lining the driveway, and open agricultural land. The proposed subdivision would introduce a private roadway (proposed as Moore Ridge Lane), new residential parcels, and associated infrastructure consistent with the existing rural development pattern of the area.

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

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

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

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

- Objective RU-5: Fences and screening should reflect an area's rural quality.

- Objective RU-7: Landscaping should be consistent with the type of plants naturally occurring in the County and should limit the need for irrigation.

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

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

Discussion

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

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

Although the project site and surrounding area exhibit a rural residential and agricultural character with locally valued visual qualities, the site is not located along a designated scenic highway or scenic vista. Public views of the site are limited to I Street, a local roadway serving nearby residential parcels, and do not constitute expansive or regionally significant scenic vistas. Development associated with the proposed subdivision would be consistent with the existing visual character of the area and would not substantially degrade scenic landscapes as viewed from public roads or other public viewing areas. Therefore, the project would result in *no impact* to scenic vistas.

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

The project site is not located along a State Scenic Highway or County-designated scenic roadway. Public views of the site are primarily limited to I Street, a local roadway serving nearby residential parcels within the community of Santa Margarita. I Street does not function as a scenic corridor and does not provide expansive or regionally significant scenic views. No state scenic highways or designated scenic routes traverse or adjoin the project site.

The site contains native trees, including oak species, which contribute to the local rural character; however, these trees are not identified as scenic resources associated with a designated scenic highway. Additionally, while the site includes existing structures, none are listed or eligible historic resources contributing to a scenic corridor. Development under the proposed vesting tentative tract map would introduce residential uses and associated infrastructure consistent with the existing residential pattern along I Street and would not result in substantial damage to scenic resources as viewed from a scenic highway.

Therefore, the project would result in *no impact* related to damage of scenic resources within a state or county scenic highway.

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

The project site is located within the community of Santa Margarita, which exhibits a rural residential development pattern characterized by large parcels, scattered single-family residences, agricultural uses, and mature trees. Public views of the project site are primarily available from I Street, a local roadway that serves nearby residential properties and provides views of the existing residence, trees lining the driveway, and open agricultural land.

The proposed vesting tentative tract map would introduce six residential parcels and a private roadway within an area already characterized by low-density residential development. The scale and arrangement of future development would be consistent with surrounding land uses and parcel sizes and would not introduce visually dominant features or elements that would substantially alter the existing visual character of the area. While development would result in changes to the site's appearance, these changes would reflect a continuation of the established rural residential pattern along I Street rather than a substantial degradation of public views.

The project is located within the Residential Suburban land use category, and no applicable scenic overlay or scenic quality regulations would be conflicted by the proposed subdivision. Based on the limited extent of public viewing opportunities and the compatibility of the proposed development with surrounding land uses, project-related impacts associated with the degradation of existing visual character or quality of public views 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 proposed vesting tentative tract map would allow for the future development of single-family residences on five additional residential lots in addition to the existing single family residence. At this time, no specific lighting plans have been submitted for future residential development. While exterior lighting would be expected as part of typical residential use for safety and functional purposes, such lighting would be consistent with lighting associated with existing residences in the surrounding area.

Public views of the project site are limited primarily to I Street, a local roadway serving nearby residences. Given the low-density residential context of the area and the absence of nearby public recreation areas or scenic viewpoints, any future residential lighting would not introduce a substantial new source of light or glare distinguishable from existing development in the vicinity.

Future development of the project would be required to comply with County standards for exterior lighting, including requirements intended to minimize light spillover and glare. With adherence to these standards, the creation of new sources of light or glare would not substantially affect public views or the nighttime visual character of the area. Therefore, impacts related to light and glare would be *less than significant.*

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Conclusion

The project will have a less than significant impact on scenic vistas and would not result in a substantial change to scenic resources in the area. The project would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. New sources of light will be subject to compliance with the County's exterior lighting standards as prescribed in LUO Section 22.10.060. Impacts to aesthetic resources would be *less than significant*.

Mitigation

None are required.

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II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

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

CEQA compliance, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land as "agricultural land." Non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

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

Soils of the site are described in detail below.

Component: Arbuckle fine sandy loam, 2 to 9 percent slopes (101)

The Arbuckle fine sandy loam component makes up 100 percent of the soil map unit (101). Slopes are 2 to 9 percent. This component is the dominant soil type represented in the Property accounting for 100 percent of the project footprint. The typical soil profile contains a top layer of fine sandy loam (0 to 29 inches), a middle layer of sandy clay loam (29 to 53 inches), all over a final layer of stratified sandy loam to very gravelly sandy clay loam (53 to 62 inches). The soil class is considered well drained with a medium runoff class. This soil class formed from terraces derived from alluvium from mixed rock sources (USDA 2024).

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

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

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

The project site consists of approximately 8.01 acres and supports two habitat types: cropland classified as Avena ssp. – Bromus spp. Herbaceous Semi-Natural Alliance, and areas of disturbed land associated with existing development and agricultural activities. Although the site is mapped as "prime farmland if irrigated," the parcel is designated Residential Suburban and contains existing residential and agricultural development. Based on the site's zoning, existing conditions, and permitted development pattern, the project site does not represent agricultural land of substantial long-term value that would be converted or eliminated by the proposed subdivision. Therefore, impacts related to agricultural resources would be *less than significant* because:

- The small size and shape of the area where important farmland is located make crop production on the project site less than optimal.
- The project site is designated for residential uses and is surrounded by nearby residential development patterns.
- The conversion of farmable soils on site is a small fraction of the total productive farmland within the County as mapped by the FMMP and COES.

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

AGP24: Conversion of Agricultural Land.

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

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

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

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

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

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

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

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

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

The subject property is located within the Residential Suburban land use category and is not subject to a Williamson Act Contract; single family dwellings are an allowable use. Therefore, as conditioned, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur.*

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

The project site does not include land use designations or zoning for forest land or timberland as defined by the Public Resources Code; *no impacts would occur.*

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

The project site does not support resources that meet the definition of "forest land" as prescribed in Public Resources Code Section 12220(g):

> *"Forest land" is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.*

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

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

The project site is generally surrounded by urban development to the north, east, and west. There are no other nearby agricultural operations that would be affected by the project. Therefore, potential impacts would be *less than significant.*

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

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III. AIR QUALITY

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

Setting

San Luis Obispo County Clean Air Plan

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

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

SLOAPCD Criteria Pollutant Thresholds

The SLOAPCD has developed a CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies determine the significance of project-specific air quality impacts and to determine whether mitigation measures are needed. To assist in this task, the Handbook includes screening criteria to determine the significance of project impacts. For example, according to the

Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM_{10}).

The use of heavy equipment and earth-moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality. Combustion emissions, such as nitrogen oxides (NOx), reactive organic gases (ROG), greenhouse gases (GHG), and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. The SLOAPCD has established thresholds of significance for each of these contaminants.

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

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

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

Sensitive Receptors

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

Naturally Occurring Asbestos

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

Developmental Burning

As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and

issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

Discussion

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

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

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

Overall, the project would not conflict with or obstruct implementation of the CAP; therefore, impacts would be *less than significant.*

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

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

Construction Emissions

The project includes onsite grading and drainage improvements for a new private access road, and utility connections. Site grading will be conducted in accordance with the approved Vesting Tentative Tract Map and the County of San Luis Obispo Public Works Design Standards. Site improvements will consist of a new 20-foot-wide private access road with 2-foot shoulders within a private easement, that will include a hammerhead turnaround on Lot 5 and a small portion of Lot 6. Other site improvements include site drainage improvements, a private drainage basin on Lot 6, a new driveway extending from the shared driveway to the existing single-family residence on Lot 4, and the installation of utility connections. The project will result in 1.16 acres of site disturbance, with 2,595.43 CY of cut and 1,434.23 CY of fill, resulting in a net cut of 1,161.20 cubic yards. Construction activities will result in the generation of dust, as well as short-term construction vehicle emissions. Using the

SLOAPCD's CEQA Air Quality Handbook (2012) and Clarification Memorandum (2017), construction-related emissions were calculated for the project and are shown in Table 2 below.

Table 2 -- Estimated Construction-Related Emissions

Pollutant	Total Estimated Emissions	APCD Emissions Threshold	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO_x) (combined)	45.85 lbs./day[1]	137 lbs./day	No
	0.23 tons /quarter[1]	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	1.97 lbs. /day[2]	7 lbs./day	No
	0.01 tons/quarter[2]	0.13 tons/quarter	No
Fugitive Particulate Matter (PM_{10})	1.19 tons[3]/quarter	2.5 tons/quarter	No

Notes:

1. Based on 4,030 cubic yards of material moved and 0.113 pounds of combined ROG and NOx emissions per cubic yard of material moved and 10 construction days.
2. Based 4,030 cubic yards of material moved and 0.0049 pounds of diesel particulate emissions per cubic yard of material moved and 10 construction days.
3. Based on 1.16 total acres of disturbance and 0.75 tons of PM10 generated per acre of disturbance per month and 10 days of construction.

As shown in Table 2, project construction related emissions are not expected to exceed the daily and quarterly emissions thresholds for ozone precursors or fugitive dust and construction-related diesel particulate matter will not exceed the SLOAPCD daily and quarterly emissions thresholds. Therefore, the project would be considered *less than significant*.

Operation-Related Emissions. As discussed in the setting above, a project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors. The project consists of an anticipated 5 new single family residences that will likely generate about 45-50 average daily trips based on a screening-level residential trip generation estimate (approximately 9–10 ADT per dwelling unit). Accordingly, project-specific and cumulative operational impacts are considered a *less than significant* and *less than cumulatively considerable*.

(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. As described above in response to (b), the project would not generate significant construction-related or operational emissions and would, therefore, not expose sensitive receptors to substantial pollutant concentrations. Operational emissions would not substantially increase and implementation of

standard LUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions.

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

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

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

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

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

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and diesel particulate emissions associated with construction activities would not adversely impact surrounding sensitive receptors. Therefore, potential impacts to air quality would be *less than significant*.

Mitigation

None necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

IV. BIOLOGICAL RESOURCES

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

Initial Study – Environmental Checklist

Regulatory Setting

Federal Laws and Regulations

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

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

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

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

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

State Law and Regulations

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

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

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

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

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

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

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

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

Special Status Species and Sensitive Habitat Regulations

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

California Natural Diversity Database (CNDDB)

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

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

Federal and State Endangered Species Listings

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

Global and State Ranks

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

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

California Rare Plant Ranks

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

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

- **1A:** Plants presumed extirpated in California and either rare or extinct elsewhere.
- **1B:** Plants rare, threatened, or endangered in California and elsewhere.
- **2A:** Plants presumed extirpated in California, but common elsewhere
- **2B:** Plants rare, threatened, or endangered in California, but more common elsewhere
- **4:** Plants of limited distribution - a watch list
- **0.1:** Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)

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

California Department of Fish and Wildlife Animal Rank

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

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

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

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

Sensitive Habitats

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

Environmental Setting

A Biological Resources Assessment (BRA) was prepared for the proposed Vesting Tentative Tract Map 3237 by Althouse and Meade, Inc. to evaluate existing biological conditions and potential impacts associated with the subdivision of the project site. The BRA was based on field surveys conducted in October 2024, background research, and a review of relevant biological databases and literature. The assessment characterizes on-site habitat types, evaluates the potential presence of special-status plant and wildlife species, and provides impact analysis relevant to the proposed project.

In addition, a tree inventory and arborist evaluation was prepared by Timber Works Tree Service following field surveys conducted on May 23, 2025, to document the species, size, condition, and location of native oak

trees on the site and to evaluate potential effects associated with removal of the existing paved driveway and future development. The arborist report focuses on oak trees located adjacent to or within the dripline of the existing driveway and provides recommendations regarding tree protection and preservation.

Information from the Biological Resources Assessment, tree inventory, and arborist evaluation was reviewed and relied upon to describe baseline biological conditions at the project site and to support the environmental analysis presented in this Initial Study.

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

Methodology

Evaluation of biological resources for the proposed project was based on a review of available technical studies, background information, and regulatory sources prepared in support of the project, including the Biological Resources Assessment (BRA) and associated appendices. Background research was conducted to identify biological resources that may occur on or near the project site and to inform the environmental analysis under CEQA. This review included, but was not limited to:

- Review of applicable local, regional, and state plans and policies pertaining to biological resources and special-status species;
- Review of special-status species occurrence records and databases relevant to the project site and surrounding area;
- Review of available biological literature and prior biological studies prepared for the region, including previously completed biological resource assessments;
- Review of publicly available planning documents addressing existing and historical land uses at and surrounding the project site, such as General Plan designations.

As documented in the BRA, database searches were conducted by the project biologist using the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California on October 21, 2024. The search area included the Santa Margarita USGS 7.5-minute quadrangle and the eight surrounding quadrangles. Results from database and literature searches were used to compile lists of sensitive plant and wildlife species with potential to occur in the project vicinity.

Species identified through background research were evaluated based on their known habitat requirements and the habitat types documented within the project site. Determinations regarding the potential for occurrence of special-status species were informed by this information and are summarized in Appendix B and Appendix C of the BRA, which are incorporated by reference into this environmental document.

Lists of special-status plant and wildlife species identified through database queries and literature review were reviewed and evaluated in relation to the habitat types documented within the Study Area, as described in the Biological Resources Assessment (BRA). Species identified as having potential to occur on or near the project site are summarized in Table 4 and Table 6 of the BRA, which are incorporated by reference into this document.

Initial Study – Environmental Checklist

As documented in the BRA, determinations regarding the potential for special-status species to occur within the Study Area were based on a review of habitat conditions, database records, literature sources, and results of field surveys. The following categories were used to characterize species' potential for occurrence:

- Present: The species was observed within the project site during biological field surveys.
- High Potential: Suitable habitat is present within the Study Area, and occurrence records indicate the species is likely to occur on or immediately adjacent to the project site. The species may not have been observed during field surveys but is expected to occur in the area and, for wildlife species, may move into the project site in the future.
- Moderate Potential: Moderately suitable habitat is present, and occurrence records or prior surveys document the species in the vicinity of the project site. Although the species was not observed during surveys, it may be present on a seasonal or transient basis.
- Low Potential: Limited or marginally suitable habitat is present, and there are no recent occurrence records in the vicinity of the project site. The species was not observed during surveys and is not expected to occur.
- No Potential: Suitable habitat is not present within the Study Area and/or the species is not known to occur in the region.

Each special-status species identified as having potential to occur on or near the project site is individually evaluated and discussed in the Biological Resources Assessment, specifically in Sections 3.7.1 and 3.8.1, which provide the basis for the impact analysis presented in this Initial Study.

Surveys

Biological resources within the Study Area were evaluated through preparation of a Biological Resources Assessment (BRA) conducted for the proposed Vesting Tentative Tract Map. The BRA was prepared by a qualified biological consultant and included a review of existing conditions, identification and mapping of on-site habitat types, and an evaluation of the potential presence of special-status plant and wildlife species based on site conditions and regional records. Field reconnaissance was conducted to document existing biological resources, including vegetation communities and wildlife use of the site, and to inform the assessment of potential impacts associated with the proposed subdivision.

In addition, a tree inventory and arborist evaluation was prepared by Timber Works Tree Service, with field surveys conducted on May 23, 2025, by Dan Ponti, ISA Certified Arborist #0847. The arborist report documented the species, size, condition, and location of native oak trees on the project site, with particular focus on trees located adjacent to or within the dripline of the existing paved driveway. The arborist evaluation assessed potential effects associated with removal of the existing driveway and future development and provided recommendations regarding tree protection and preservation. Information from the biological assessment and arborist reports was used to characterize baseline biological conditions for the project and to support impact analysis under CEQA. The project will include impacts to trees within the project frontage which will impacted due to required frontage improvements. The project has been conditioned to replace any native oaks trees at a ratio of 2 replacement trees for each tree impacted and 4 replacement trees for each tree removed.

Table 3 -- Biological Surveys

Survey Date	Activities
May 23, 2025	Tree Survey Report
May 23, 2025	Tree Inventory Mapping
November, 2024	Habitat assessment, botanical and wildlife surveys
2018	Biological Resources Assessment
2019	Biological Resources Assessment
2008	Biological Resources Assessment
May 23, 2025	Tree Survey Report
May 23, 2025	Tree Inventory Mapping

Habitats/Vegetative Communities of the Project Site

Habitat acreages and distribution in the study area are presented in Table 4 and Figure 5 and described below.

Table 4 -- Habitat Types and Vegetative Communities of the Project Site and the Study Area

Community	Acres in the Study Area	Acres of Study Area Impacted
Cropland	9.2	3.2
Developed	0.8	0.4
Total:	10	36%

Source: Althouse and Meade, 2024

Implementation of the proposed project would result in impacts to fallow cropland and developed areas, as summarized in Table 4. Project-related activities would permanently disturb approximately 1.2 acres of fallow cropland and 0.4 acres of developed land. In addition, approximately 2 acres of fallow cropland would be subject to temporary disturbance during construction. No temporary impacts to developed land are anticipated. Impacts to fallow cropland and developed areas are not considered significant on their own, except where project-related disturbance could affect other sensitive biological resources, including special-status wildlife, oak trees, or nesting birds.

Critical Habitats and Special Status Natural Communities

No designated critical habitat for federally listed plant species occurs on the site or in adjacent areas. No potential wetlands or jurisdictional waters occur in the Study Area. There are no sensitive natural communities in the Study Area.

Special Status Resources

Special Status Wildlife Species.

Of the 7 special-status animal species evaluated, appropriate habitat conditions are present in the Study Area for two special status wildlife species. Federal and California State status, global and State rank, and CDFW listing status for each species are given. Typical nesting or breeding period, habitat preference, and potential to occur in the Study Area are described. A comprehensive list of special status animal species reviewed is included as Table 6 of the BRA.

Northern California legless lizard (Anniella pulchra) is a California Species of Special Concern that occurs from Contra Costa to Santa Barbara County. It has a Global Rank of G3 and a State Rank of S3, both of which indicate that this species is considered Vulnerable. This species includes the subspecies formerly treated as A. pulchra nigra and A. pulchra pulchra which was shown to be an invalid designation (Pearse and Pogson 2000). Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong roots systems (Kuhnz et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Slobodchikoff and Doyen 1977; Jennings and Hayes 1994). The closest reported occurrence of the Northern California legless lizard is located approximately 0.01-mile north of the Study Area (CNDDB #163) in 1960. A more recent record, from 2003, is located approximately 3.41-miles southeast of the Study Area (CNDDB #76). Leaf litter beneath tree canopies could provide suitable habitat for legless lizards. However, being that the trees are spread out and not contiguous with an oak woodland and because the site has been disturbed by agriculture and is largely devoid of vegetation, California legless lizard has a low potential to occur on site. The species was not detected during the biological survey on October 29, 2024.

California Glossy Snake (Arizona elegans occidentalis) is a California Species of Special Concern. California glossy snake (Arizona elegans occidentalis) is a subspecies of the glossy snake and is considered a California Species of Special Concern. The subspecies' range extends from Baja California, Mexico, north to the central San Joaquin Valley. The California glossy snake is found in a variety of habitats, including grasslands, shrublands, chaparral, and woodlands where it feeds on lizards and small mammals. The species is nocturnal and primarily spends daylight hours in mammal burrows or under rocks (Thomson 2016). The nearest reported occurrence of California glossy snake is approximately 8.82 miles northeast of the Study Area (CNDDB #42) near the west side of O'Donovan Road and Highway 58 intersection in 1981. Habitat and soil conditions are disturbed and likely unsuitable for the species based on the Althouse and Meade, Inc. Biological Resource Assessment for I Street VTM T3237, Santa Margarita, San Luis Obispo County 25 November 2024, and therefore, there is a low potential for the species to occur in the Study Area. California glossy snake was not detected during the biological survey on October 29, 2024.

Burrowing owl (Athene cunicularia) is a California Species of Special Concern. In October 2024 it was approved by the California Fish and Game Commission to be a Candidate species under CESA. It is a small, rare owl that occupies abandoned mammal holes in the ground, most notably those of the California ground squirrel (Otospermophilus beecheyi). In California, the burrowing owl is a year-round resident in the Carrizo Plain, Central Valley, Imperial Valley and the San Francisco Bay region. In the winter months, burrowing owl individuals from other western populations will augment the year-round Californian populations (Shuford and Gardali 2008). The breeding season is generally from March through August. Suitable habitat types for

the burrowing owl are dry, open annual or perennial grasslands and deserts with an abundance of burrows (CDFW 2014; CDFW 2018). Specific habitats where the owl is found include coastal prairie, coastal scrub, great basin, Mojavean and Sonoran Desert scrub, valley and foothill grassland habitats (CDFW 2018). While burrowing owls usually nest in burrows created by California ground squirrel, the owl is also known to inhabit badger and fox dens and man-made holes, such as pipes and culverts. Rarely, it has been known to dig its own burrow in softer soil types (Coulombe 1971; Gervais et al. 2008). Burrows with high horizontal visibility and low vegetation coverage are preferred but burrows with dense vegetation with high perch sites will be used (Green and Anthony 1989). Orthoptera are the main food source for the owl, but it will also consume other insects, as well as amphibians, carrion, small mammals, reptiles and birds (York et al. 2002; Gervais et al. 2008; CDFW 2014). The closest reported occurrence of the burrowing owl is approximately 6.01 miles southwest of the Study Area (CNDDB #573) in an open grassland in 2003. There are limited small mammal burrows large enough for the species, and likely low prey availability. Burrowing owls have a low potential to occur on site. The species was not detected during the biological survey on October 29, 2024.

Ferruginous Hawk (*Buteo regalis*) is a California Watch List species tracked by the CDFW due to declining populations throughout its range. It has a Global Rank of G4 (Apparently Secure) and a State Rank of S3S4, meaning it is uncertain whether this species can be considered Vulnerable (S3) or Apparently Secure (S4). Only a very small number of ferruginous hawk nests have been found in the northeast part of California and the species is considered a winter visitor or migrant to the state. In California, the ferruginous hawk is found in great basin, valley and foothill grassland, great basin scrub and pinon and juniper woodlands (CDFW 2018). The bird prefers large, open grasslands for coursing low in search of prey, and scattered trees, power poles, and shrubs for perching. The ferruginous hawk tends to avoid habitat near human development (Travsky and Beauvais 2005; CDFW 2014). Its main prey sources are ground squirrel (Otospermophilus beecheyi), kangaroo rat (Dipodomys spp.), cottontail (Sylvilagus spp.), northern pocket gopher (Thomomys spp.) and white-tailed jackrabbit (Lepus townsendii). They will also eat insects, birds, amphibians and reptiles (Grindrod 1998). Ferruginous Hawks occur within San Luis Obispo County from November through April (CDFW 2018) and do not nest locally. The closest reported occurrence of the ferruginous hawk is located approximately 1.14 miles north of the Study Area (CNDDB #12) in a valley oak savanna and agricultural field in 2003. Ferruginous hawks have a low potential to occur in the Study Area as a wintering migrant. The species was not detected during the biological survey on October 29, 2024.

Loggerhead shrike (Lanius ludovicianus) is a California Species of Special Concern and resident in arid regions of San Luis Obispo County and elsewhere in California. It requires open areas with appropriate perches for hunting, and shrubby trees or bushes for nesting. They feed on arthropods, reptiles and amphibians, small rodents, and birds, and often store prey for later consumption by impaling it on thorns, plant stems, or barbed wire for storage (Shuford and Gardali 2008). The closest reported occurrence of the loggerhead shrike is located approximately 4.38-miles southeast of the Study Area (CNDDB #89) in an open oak savannah near Taco Creek in 2003. Loggerhead shrikes have moderate potential to occur in the Study Area. Appropriate nesting habitat is not present, but the species could perch or fly over the site. The species was not detected during the biological survey on October 29, 2024.

Western spadefoot (Spea hammondii) is a federally proposed threatened species and a California Species of Special Concern. This species is endemic to California and northern Baja California, Mexico. Western spadefoot is primarily an inland species, occurring in grassland habitats with friable soils and seasonal rain pools (CDFW 2021). Spadefoot toads remain underground for most of the year, emerging to breed in seasonal wetland pools during the rainy season and if enough rain occurs they can be found above ground from October through April. Typical breeding season is from December to March. Development of the larvae from

egg to metamorphosis can be very quick (3-11 weeks), depending upon water temperature and food resources. Recruitment will most often fail if breeding ponds are inhabited by predators such as bullfrogs (Lithobates catesbeiana) and crayfishes (CDFW 2014, Jennings and Hayes 1994). The closest reported occurrence of the western spadefoot is a 2003 record located approximately 1.0-mile northeast of the Study Area (CNDDB #260) in a drying wetland pool near the east side of El Camino Real. Although there is a seasonal pond approximately 0.15 miles south of the Study Area, there are no potential aquatic breeding habitats on site. If the species were breeding in the offsite seasonal pond, it is anticipated that western spadefoot individuals have a low potential to disperse within the Study Area. The species was not detected during the biological survey on October 29, 2024.

American Badger (Taxidea taxus) is a California Species of Special Concern known from open grassland habitats throughout San Luis Obispo County and elsewhere in California. The Property is within the known range of the American badger, and numerous occurrences are reported (CDFW 2024). Badgers are residents of grassland areas, but also forage in croplands on occasion in areas where California ground squirrels have become established. They are highly mobile and could be present anywhere in the region where suitable prey base is found. The closest reported occurrence of the American badger is located approximately 0.28-mile west of the Study Area (CNDDB #29) in an open oak savannah on Santa Margarita Ranch in 2003. American badgers have a moderate potential to occur in the Study Area because there are small mammal prey items and foraging habitat. Individual badgers or their sign (dens, scat, tracks) were not detected during the biological survey on October 29, 2024.

Special-status Plant Species

Based on the analysis of known ecological requirements for the special status plant species reported in the region, it was determined that appropriate habitat and soil conditions are present in the Study Area for one special status plant species, as summarized below. Federal and California State status, global and State rank, and CNPS rank for each species are given. Also included are typical blooming periods, habitat preference, the potential to occur on site, whether the species was detected in the Study Area.

Based on analysis of known ecological requirements for the special status plant species reported from the region (see Appendix B), and habitat conditions that were observed in the Study Area, it was determined that one special status plant (Paniculate tarplant) species has a low potential to occur in the Study Area.

Paniculate tarplant

Paniculate tarplant (Deinandra paniculata) is a California Rare Plant Rank (CRPR) 4.2 species with a geographic range extending from San Luis Obispo County south to northern Baja California, Mexico. The species typically occurs on sandy soils within grassland, coastal scrub, and vernal pool habitats at elevations ranging from approximately 25 to 940 meters. Paniculate tarplant is an annual herb that generally blooms between May and November. Records of this species are limited in the immediate vicinity of Santa Margarita; however, it has been documented in the broader region, including areas around Pozo, located approximately 14 to 15 miles southeast of the Study Area. Althouse & Meade documented paniculate tarplant as frequent in fallow cropland habitat near Pozo (A&M 2018) and along Parkhill Road (A&M 2019). In contrast, the closely related and more common species, Deinandra pentactis, is regularly reported from the Santa Margarita area. Based on the availability of suitable fallow cropland habitat within the Study Area, paniculate tarplant is considered to have a low potential to occur on the project site. The species was not observed during the botanical survey conducted in October 2024, a period when individuals would have been in flower and readily detectable.

Initial Study – Environmental Checklist

Discussion

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

Habitats

The Study Area is located southeast of I Street between two private ranch roads and is composed of cropland and developed habitats. The cropland was previously disturbed for agricultural purposes and is bordered on all sides by a small strip of land (approximately 1 foot) that contains a variety of weedy forbs and non-native annual grasses that were not disturbed during agricultural practices. Developed areas include a paved road that runs from I Street to a single-family residence and additional buildings located in the southwestern corner of the Property. Individual native trees including valley oak, coast live oak, and California black walnut are intermixed with landscaped trees such as pine, cherry plum, and juniper. Most of the trees line both sides of the paved road and surround the residence and outbuildings. Historical aerials date farming as far back as 1994, where plow and tillage lines are shown for all years leading to present times. Topography is mostly flat with small mammal burrows (2-5 inches in diameter) located sparsely throughout the site.

Cropland. Approximately 9.2 acres of cropland habitat is present, constituting approximately 92 percent of the Study Area (Figure 4; Photo 3). The cropland is tilled multiple times annually to support dry farmed hay. This habitat type was dominated by resurgent weedy forbs and nonnative annual grasses such as slender wild oats (Avena barbata), ripgut brome (Bromus diandrus), and foxtail barley (Hordeum murinum). Other weedy, non-native species were common, such as wild mustard (Hirschfeldia incana) and yellow starthistle (Centaurea solstitialis). Vegetation dominance and percent cover will vary in this habitat depending on time of year. Although the cropland was largely devoid of vegetation in October, the plant species above, in addition to some native species including California croton (Croton californicus) and smallseed sandmat (Euphorbia polycarpa), provide food sources for foraging animals and common bird species and their nests. Small mammal burrows, which could be used for refuge and/or nesting, were sparsely located throughout the cropland habitat.

Developed. Approximately 0.8 acres of developed land is present in the Study Area. This habitat type is devoid of vegetation and includes a paved road that runs from I Street to a single-family residence and additional buildings located in the southwestern corner of the site. Other developed areas include five plastic culverts that intersect the paved road at equidistant locations, a small wooden shed that is adjacent to the paved road near the central portion of the Property, a dilapidated horse arena, and two power poles in the northern and central portions of the Property. The developed land provides poor habitat for plant and animal species, but foraging animals and common bird species and their nests may still be found present seasonally. The five plastic culverts could be used for refuge and/or nesting of animal species (e.g., artificial burrows for burrowing owls).

Special-Status Plants

One sensitive plant species, paniculate tarplant, was determined to have a low potential to occur in the Study Area. Given the species' habitat and soil preference, paniculate tarplant is not anticipated to be present. No special status plants were detected in the Study Area during the biological survey on October 29, 2024. No impacts to special status plants are anticipated and no mitigation is required for botanical resources.

Special Status Wildlife

Based on an analysis of known ecological requirements for the special-status wildlife species reported or known from the region (Appendix C), and the habitat conditions that were observed in the Study Area, it was determined that seven special status animal species have some potential to occur on site. Two species have a moderate potential to occur (American badger and loggerhead shrike), and five species have a low potential to occur (ferruginous hawk, burrowing owl, western spadefoot, northern California legless lizard, and California glossy snake). Potential impacts to special status animals are described below.

Northern California legless lizard (Anniella pulchra) is a California Species of Special Concern that occurs from Contra Costa to Santa Barbara County. It has a Global Rank of G3 and a State Rank of S3, both of which indicate that this species is considered Vulnerable. This species includes the subspecies formerly treated as A. pulchra nigra and A. pulchra pulchra which was shown to be an invalid designation (Pearse and Pogson 2000). Northern California legless lizard inhabits friable soils in a variety of habitats from coastal dunes to oak woodlands and chaparral. Adapted to subterranean life, the legless lizard thrives near native coastal shrubs that produce an abundance of leaf litter and have strong roots systems (Kuhnz et al. 2005). Areas of exotic vegetation and open grassland do not provide suitable habitat for the legless lizard since these plant communities support smaller populations of insect prey and offer little protection from higher ground temperatures and soil desiccation (Slobodchikoff and Doyen 1977; Jennings and Hayes 1994). The closest reported occurrence of the Northern California legless lizard is located approximately 0.01-mile north of the Study Area (CNDDB #163) in 1960. A more recent record, from 2003, is located approximately 3.41-miles southeast of the Study Area (CNDDB #76). Leaf litter beneath tree canopies Could provide suitable habitat for legless lizards. However, being that the trees are spread out and not contiguous with an oak woodland and being that the site has been disturbed by agriculture and is largely devoid of vegetation, California legless lizard has a low potential to occur on site. The species was not detected during the biological survey on October 29, 2024 though mitigation measure BIO-2 will reduce potential impacts to a level *less than significant with mitigation.*

California Glossy Snake (Arizona elegans occidentalis) is a California Species of Special Concern. California glossy snake (Arizona elegans occidentalis) is a subspecies of the glossy snake and is considered a California Species of Special Concern. The subspecies' range extends from Baja California, Mexico, north to the central San Joaquin Valley. The California glossy snake is found in a variety of habitats, including grasslands, shrublands, chaparral, and woodlands where it feeds on lizards and small mammals. The species is nocturnal and primarily spends daylight hours in mammal burrows or under rocks (Thomson 2016). The nearest reported occurrence of California glossy snake is approximately 8.82 miles northeast of the Study Area (CNDDB #42) near the west side of O'Donovan

Road and Highway 58 intersection in 1981. Habitat and soil conditions are disturbed and likely unsuitable for the Althouse and Meade, Inc. Biological Resource Assessment for I Street VTM T3237, Santa Margarita, San Luis Obispo County 25 November 2024 species and therefore, there is a low potential for the species to occur in the Study Area. California glossy snake was not detected during the biological survey on October 29, 2024 though mitigation measure BIO-2 will reduce potential impacts to a level *less than significant with mitigation.*

Burrowing owl (Athene cunicularia) is a California Species of Special Concern. In October 2024 it was approved by the California Fish and Game Commission to be a Candidate species under CESA. It is a small, rare owl that occupies abandoned mammal holes in the ground, most notably those of the California ground squirrel (Otospermophilus beecheyi). In California, the burrowing owl is a year-round resident in the Carrizo Plain, Central Valley, Imperial Valley and the San Francisco Bay region. In the winter months, burrowing owl individuals from other western populations will augment the year-round Californian populations (Shuford and Gardali 2008). The breeding season is generally from March through August. Suitable habitat types for the burrowing owl are dry, open annual or perennial grasslands and deserts with an abundance of burrows (CDFW 2014; CDFW 2018). Specific habitats where the owl is found include coastal prairie, coastal scrub, great basin, Mojavean and Sonoran Desert scrub, valley and foothill grassland habitats (CDFW 2018). While burrowing owls usually nest in burrows created by California ground squirrel, the owl is also known to inhabit badger and fox dens and man-made holes, such as pipes and culverts. Rarely, it has been known to dig its own burrow in softer soil types (Coulombe 1971; Gervais et al. 2008). Burrows with high horizontal visibility and low vegetation coverage are preferred but burrows with dense vegetation with high perch sites will be used (Green and Anthony 1989). Orthoptera are the main food source for the owl, but it will also consume other insects, as well as amphibians, carrion, small mammals, reptiles and birds (York et al. 2002; Gervais et al. 2008; CDFW 2014). The closest reported occurrence of the burrowing owl is approximately 6.01 miles southwest of the Study Area (CNDDB #573) in an open grassland in 2003. There are limited small mammal burrows large enough for the species, and likely low prey availability. Burrowing owls have a low potential to occur on site. The species was not detected during the biological survey on October 29, 2024 though mitigation measure BIO-1 will reduce potential impacts to a level *less than significant with mitigation.*

Ferruginous Hawk (*Buteo regalis*) is a California Watch List species tracked by the CDFW due to declining populations throughout its range. It has a Global Rank of G4 (Apparently Secure) and a State Rank of S3S4, meaning it is uncertain whether this species can be considered Vulnerable (S3) or Apparently Secure (S4). Only a very small number of ferruginous hawk nests have been found in the northeast part of California and the species is considered a winter visitor or migrant to the state. In California, the ferruginous hawk is found in great basin, valley and foothill grassland, great basin scrub and pinon and juniper woodlands (CDFW 2018). The bird prefers large, open grasslands for coursing low in search of prey, and scattered trees, power poles, and shrubs for perching. The ferruginous hawk tends to avoid habitat near human development (Travsky and Beauvais 2005; CDFW 2014). Its main prey sources are ground squirrel (Otospermophilus beecheyi), kangaroo rat (Dipodomys spp.), cottontail (Sylvilagus spp.), northern pocket gopher (Thomomys spp.) and white-tailed jackrabbit (Lepus townsendii). They will also eat insects, birds, amphibians and reptiles (Grindrod 1998). Ferruginous Hawks occur within San Luis Obispo County from November through April (CDFW 2018) and do not nest locally. The closest reported occurrence of the ferruginous hawk is located approximately 1.14 miles north of the Study Area (CNDDB #12) in a valley oak savanna and agricultural field in 2003.

Ferruginous hawks have a low potential to occur in the Study Area as a wintering migrant. The species was not detected during the biological survey on October 29, 2024 though mitigation measure BIO-1 will reduce potential impacts to a level *less than significant with mitigation.*

Loggerhead shrike (Lanius ludovicianus) is a California Species of Special Concern and resident in arid regions of San Luis Obispo County and elsewhere in California. It requires open areas with appropriate perches for hunting, and shrubby trees or bushes for nesting. They feed on arthropods, reptiles and amphibians, small rodents, and birds, and often store prey for later consumption by impaling it on thorns, plant stems, or barbed wire for storage (Shuford and Gardali 2008). The closest reported occurrence of the loggerhead shrike is located approximately 4.38-miles southeast of the Study Area (CNDDB #89) in an open oak savannah near Taco Creek in 2003. Loggerhead shrikes have moderate potential to occur in the Study Area. Appropriate nesting habitat is not present, but the species could perch or fly over the site. The species was not detected during the biological survey on October 29, 2024 though mitigation measure BIO-1 will reduce potential impacts to a level *less than significant with mitigation.*

Western spadefoot (Spea hammondii) is a federally proposed threatened species and a California Species of Special Concern. This species is endemic to California and northern Baja California, Mexico. Western spadefoot is primarily an inland species, occurring in grassland habitats with friable soils and seasonal rain pools (CDFW 2021). Spadefoot toads remain underground for most of the year, emerging to breed in seasonal wetland pools during the rainy season and if enough rain occurs they can be found above ground from October through April. Typical breeding season is from December to March. Development of the larvae from egg to metamorphosis can be very quick (3-11 weeks), depending upon water temperature and food resources. Recruitment will most often fail if breeding ponds are inhabited by predators such as bullfrogs (Lithobates catesbeiana) and crayfishes (CDFW 2014, Jennings and Hayes 1994). The closest reported occurrence of the western spadefoot is a 2003 record located approximately 1.0-mile northeast of the Study Area (CNDDB #260) in a drying wetland pool near the east side of El Camino Real. Although there is a seasonal pond approximately 0.15 miles south of the Study Area, there are no potential aquatic breeding habitats on site. If the species were breeding in the offsite seasonal pond, it is anticipated that western spadefoot individuals have a low potential to disperse within the Study Area. was not detected during the biological survey on October 29, 2024 though mitigation measure BIO-2 will reduce potential impacts to a level *less than significant with mitigation.*

American Badger (Taxidea taxus) is a California Species of Special Concern known from open grassland habitats throughout San Luis Obispo County and elsewhere in California. The Property is within the known range of the American badger, and numerous occurrences are reported (CDFW 2024). Badgers are residents of grassland areas, but also forage in croplands on occasion in areas where California ground squirrels have become established. They are highly mobile and could be present anywhere in the region where suitable prey base is found. The closest reported occurrence of the American badger is located approximately 0.28-mile west of the Study Area (CNDDB #29) in an open oak savannah on Santa Margarita Ranch in 2003. American badgers have a moderate potential to occur in the Study Area because there are small mammal prey items and foraging habitat. Individual badgers or their sign (dens, scat, tracks) were not detected during the biological survey on October 29, 2024 though mitigation measure BIO-3 will reduce potential impacts to a level *less than significant with mitigation.*

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

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

The proposed project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities. The Biological Resources Assessment did not identify any riparian vegetation, riparian corridors, streams, drainages, wetlands, or other sensitive natural communities within the project site. The site consists of fallow cropland, disturbed land, and developed areas, none of which are classified as sensitive natural communities by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Because no riparian habitat or other sensitive natural communities occur on the project site, the project would not result in direct removal, degradation, or hydrologic alteration of such resources. Therefore, impacts related to riparian habitat or sensitive natural communities would be *less than significant.*

(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 proposed project would not have a substantial adverse effect on state or federally protected wetlands, including marshes, vernal pools, or other aquatic resources, through direct removal, filling, hydrologic interruption, or other means. No wetlands, jurisdictional waters, or other sensitive aquatic resources were identified on the project site during the Biological Resources Assessment. Therefore, the project would result in *no impact* related to state or federally protected wetlands.

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

Wildlife Corridors

Wildlife corridors and habitat connectivity are important for the movement of wildlife between different populations and habitats. Wildlife movement corridors are defined as areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetation cover provide corridors for wildlife travel. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas; and facilitate the exchange of genetic traits between populations (Beier and Loe 1992).

The Study area does not function as a wildlife corridor because it is surrounded by residential development to the north, east and west.

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

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

With the recommended mitigation measures BIO-1 through BIO-5 impacts related to interference with the movement of migratory fish or wildlife would be *less than significant with mitigation*.

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

The proposed project would not conflict with local policies or ordinances protecting biological resources. The project site contains native oak trees that are subject to the County's tree protection regulations. A tree inventory and arborist evaluation were prepared for the project to document the species, size, and condition of on-site oak trees and to assess potential effects associated with project implementation.

As documented in the arborist report, removal of the existing paved driveway adjacent to many of the oak trees is expected to improve long-term tree health, and no significant adverse effects to protected trees are anticipated provided recommended protection measures are implemented. The arborist evaluation concluded that replacement tree mitigation is not necessary for on-site oaks and future development would be required to comply with applicable County tree protection standards, including avoidance, protection, and permitting requirements where applicable. In addition to these findings, to address the impacts or removal of off-site trees along the project's frontage, the project has been conditioned to provide replacement trees at the standard county ratio of 2:1 for impacted and 4:1 for removed trees.

With adherence to County ordinances and implementation of recommended tree protection measures, the project would not conflict with local policies or ordinances protecting biological resources. Therefore, impacts related to conflicts with biological resource protection policies would be *less than significant.*

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

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

Conclusion

Upon implementation of mitigation measures BIO-1 and BIO-5 potential impacts to biological resources would be *less than significant*.

Mitigation

BIO-1. Nesting Bird Preconstruction Survey. **At the time of site disturbance associated with tract improvements or on individual lots.** Within one week of ground disturbance activities, if work occurs between February 1 and August 31, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, Project activities may be conducted. If nesting birds are located, no Project activities shall occur within 100 feet of nests until chicks are fledged. A preconstruction survey report shall be submitted to San Luis Obispo County immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BIO-2 Reptile/Amphibian Preconstruction Survey. **At the time of site disturbance associated with tract improvements or on individual lots.** A preconstruction survey shall be conducted within 48 hours of beginning Project activities to identify if Northern California legless lizard, California glossy snake, or western spadefoot are present. The survey can be conducted concurrently with other preconstruction wildlife surveys. The results of the survey shall be submitted to the County of San Luis Obispo. If the preconstruction survey finds any of the species, additional measures (e.g., biological monitoring) may be implemented to reduce potential impacts to the species during Project activities.

BIO-3 American Badger. At the time of site disturbance associated with tract improvements or on individual lots. A preconstruction survey shall be conducted within thirty days of Project activities to identify if badgers are present. The survey can be conducted concurrently with other preconstruction wildlife surveys. The results of the survey shall be submitted to the County of San Luis Obispo. If the preconstruction survey finds potential badger dens, they shall be inspected to determine if they are occupied. The survey shall cover the entire project site and shall examine both old and new dens. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens in the Project area between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Surveys shall be conducted for badger dens throughout the year.

BIO-4 Retain qualified biologist(s). Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. The applicant shall provide verification to the Department of Planning and Building that a qualified biologist/ biologist(s) have been retained to complete all of the necessary preconstruction surveys which are to occur prior to site disturbance activities.

BIO-5 Oak Tree Mitigation. At the time of site disturbance associated with tract improvements or on individual lots. Tree Protection and Replanting Compliance. Prior to recordation of the map, or issuance of building or grading permits on individual lots, the permit holder shall demonstrate compliance with an approved tree protection plan and mitigation schedule for all native oak trees located within fifty (50) feet of grading or construction disturbance. The permit holder shall provide an updated inventory of all applicable trees within this buffer area, including species, diameter at

breast height, and final disposition identifying whether each tree remains, was impacted, or was removed, with "impacted" defined as any disturbance occurring within one and one-half (1.5) times the area of the tree canopy. All retained trees located within fifty (50) feet of disturbance shall be visually confirmed by Planning staff as having been physically protected during construction, with no trenching, cut/fill operations, equipment staging, or compaction occurring within the protected area, and care taken to avoid surface roots within the top eighteen (18) inches of soil. Replacement native trees shall be planted at a ratio of two (2) replacement trees for every one (1) impacted tree and four (4) replacement trees for every one (1) removed tree. Per the arborist report dated May 25, 2025, removal of the existing asphalt driveway will be beneficial to the long-term health of the trees adjacent to the existing driveway. Therefore, the work required to remove the asphalt under the driplines of the oak trees along the existing asphalt driveway located on Lots 1-5 (trees 108-138) will not require mitigation plantings. Replacement trees shall be the same species as the tree impacted or removed and shall be installed at a minimum one-gallon container size. Prior to final inspection or recordation of the map, the permit holder shall provide a replanting schedule showing the species, quantity, and physical location of each replacement tree, and Planning staff will verify the planting and mitigation during the final inspection. All replacement trees shall be maintained in healthy condition for a minimum of seven (7) years from installation, and any replacement tree that fails or dies within this period shall be replaced in-kind within ninety (90) days.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

V. CULTURAL RESOURCES

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

Setting

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

As defined by CEQA, a historical resource includes:

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

The COSE identifies and maps anticipated culturally sensitive areas and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native American, or cultural significance.

Methodology

As part of the environmental review process, cultural resources within the project area were evaluated through a pedestrian field survey conducted in support of the project. The purpose of the survey was to confirm the location, condition, and integrity of previously identified cultural resources, if present, and to assess their proximity to areas proposed for ground disturbance.

All undeveloped ground surface areas within the proposed disturbance footprint were systematically examined for evidence of cultural resources. Survey efforts included visual inspection for archaeological

materials such as flaked stone tools, lithic debitage, ground stone implements, fire-affected rock, and soil discoloration that could indicate the presence of a cultural midden. The survey also evaluated surface features that may suggest the former presence of structures, including soil depressions or remnants of foundations, as well as historic-era materials such as metal, glass, and ceramics.

Areas of existing ground disturbance, including cutbanks, ditches, and animal burrows, were also visually inspected to the extent feasible. Photographic documentation of site conditions, ground surface visibility, and any items of interest was completed to support the cultural resources evaluation.

Discussion

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

A Phase I Archaeological Surface Survey Report was prepared for the project site in December 2024 by Cogstone (A. Bryson-Deveraux & S. Lopez). A records and literature search was conducted at the Central Coastal Information Center at the University of California at Santa Barbara which is the state designated regional clearinghouse for archaeological site information for San Luis Obispo County. The records of the State Historic Property Data Files, National Register of Historic Places, National Register of Determined Eligible Properties, California Historical Landmarks, California Points of Historic Interest and the California Office of Historic Preservation Archaeological Determinations of Eligibility, Rancho Plat Maps, U.S. Geological Survey Historic Topographic Maps., and U.S. Bureau of Land Management General Land Office Records were consulted. Two cultural resources (temporary designation 20241210ABD01 and 20241210ABD02) were identified during the pedestrian survey. Resource 20241210ABD01 consists of a historic in age crushed Coors pull-tab beer can, and resource 20241210ABD02 consists of a teal blue Franciscan chert flake. These resources were recorded on DPR 523 forms (Appendix C). As these artifacts are isolated finds, they are not considered significant under CEQA. Four historic in age buildings located within the Project area were documented on one set of DPR 523 forms and evaluated for potential listing in the NRHP and the CRHR. Due to a lack of integrity these resources are recommended not eligible for listing in the NRHP or the CRHR. No further work is recommended. Based on the preceding analysis, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant.*

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

As discussed under item (a) above, a Phase I Archaeological Surface Survey Report was prepared for the project site in 2024. The Phase I study concluded that due to the known significant sites within the project vicinity, the positive SLF search results, and positive survey results, monitoring during ground disturbing activities is recommended at the archaeologist's discretion. If no resources are noted after initial ground disturbance, monitoring activities may be reduced or discontinued. Therefore, regarding causing a substantial adverse change in the significance of historical resources, the project would result in *less than significant impacts with mitigation*.

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

Based on existing conditions and results of the archaeological surface survey, buried human remains are not expected to be present in the area proposed for development. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and LUO 22.10.040 (Archaeological Resources) require that no further disturbances shall occur

until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County LUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant.*

Conclusion

A Cultural Resources Assessment was prepared for the project and included records searches, a Sacred Lands File search, and a pedestrian survey of the project site. The records search indicated that no previously recorded cultural resources are located within the project area. The pedestrian survey identified two isolated cultural resources, consisting of a historic-age crushed pull-tab beverage can and a single piece of chert debitage. These materials were recorded on DPR 523 forms and, as isolated finds, do not meet the definition of historical resources or unique archaeological resources under CEQA.

In addition, four historic-age buildings within the project area were evaluated and determined not eligible for listing in the California Register of Historical Resources or the National Register of Historic Places due to a lack of integrity.

Although no significant cultural resources were identified within the project site, the Cultural Resources Assessment determined that the site has moderate sensitivity for buried archaeological resources. Accordingly, implementation of archaeological monitoring during initial ground-disturbing activities, along with adherence to County Land Use Ordinance requirements and applicable State Health and Safety Code procedures for unanticipated discoveries, would ensure that any potential impacts to unknown cultural resources are properly addressed. With these measures in place, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant with mitigation*.

Mitigation

CR-1 **Cultural Resources Monitoring**. **At the time of site disturbance associated with tract improvements or on individual lots.** The Applicant shall submit an Archaeological Resources Monitoring Plan (Monitoring Plan), prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Monitoring Plan shall be to monitor all initial earth-disturbing activities consistent with the intent of the Cultural Resources Report. The Monitoring Plan shall include at a minimum:

a. List of personnel involved in the monitoring activities;

b. Inclusion of involvement of the Native American community, including monitoring by tribal representatives with cultural ties to the area;

c. Description of how the monitoring shall occur;

d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of procedures for halting work on the site and notification procedures; and

g. Description of monitoring reporting procedures; and

h. Specific, detailed protocols for what to do in the event of the discovery of human remains.

CR-2 **Cultural Resources Unanticipated Discoveries**. **At the time of site disturbance associated with tract improvements or on individual lots.** In accordance with California Health and Safety Code Section 7050.5, the County Coroner must be notified if potentially human bone is discovered. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC by phone within 24 hours, in accordance with Public Resources Code Section 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains. The MLD then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and associated grave goods. Work may not resume in the vicinity of the find until all requirements of the health and safety code have been met.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

VI. ENERGY

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

Setting

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

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

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

Local Energy Plans and Policies

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

State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation

of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2022 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements. While the CBC has strict energy and green-building standards, U-occupancy structures (such as greenhouses used for cultivation activities) are typically not regulated by these standards.

Vehicle Fuel Economy Standards

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

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

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

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

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of oxides of nitrogen (NO_x) and particulate matter (PM) from off-road diesel vehicles operating within California through the

implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Discussion

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

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

Construction Activities

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

Project Operations

Electricity and Natural Gas Use. The project's operational electricity needs would be met by a connection to PG&E infrastructure. Natural gas is provided by PG&E.

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

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

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

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

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

Initial Study – Environmental Checklist

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

VII. GEOLOGY AND SOILS

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

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

Setting

The project site consists of an approximately 8.01-acre parcel located at 22937 I Street in the community of Santa Margarita. The parcel is developed with an existing single-family residence and associated agricultural structures in the southwestern portion of the site, with the remainder historically used for crop production. Topography across the site is generally flat to gently sloping, with an average slope of approximately 7 percent.

As discussed in Section II (Agriculture and Forestry Resources) of this Initial Study, soils on the project site have been evaluated through geotechnical and soils reports prepared for the proposed subdivision. The site does not contain prominent rock outcroppings or unique geologic features that contribute to visual character. Existing site conditions are typical of the surrounding rural residential and agricultural landscape.

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the county and are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The nearest potentially capable fault line is the Rinconada fault located approximately 2 miles to the east.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. The project site is not located within a Geologic Study Area (GSA) combining designation. According to maps included in the Safety Element, the project site is located in an area with a low risk of landslides and a very low liquefaction potential.

Discussion

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

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

The project site is not located within an Alquist-Priolo Fault Hazard Zone. The potential for ground rupture at the site during ground shaking is considered very low. Therefore, there will be *no impact* related to the rupture of a known earthquake fault.

(a-ii) Strong seismic ground shaking?

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

The most detailed mapping and characterization of regional faults capable of generating sufficient ground motion within the region has been conducted for Pacific Gas and Electric as a part of the Long Term Seismic Studies for Diablo Nuclear Power Plant. These studies identify the Hosgri-San Simeon fault zone (5 mile distance) and the San Andreas fault zone (50 mile distance), both strike-slip type faults, as the primary sources of ground shaking for the Diablo Canyon Nuclear Power Plant. The Hosgri-San Simeon fault is projected to have a maximum credible earthquake of M 8.3 but the more characteristic earthquakes would range from 6 to 7.3 (PGE, 2015).

All new structures constructed on the project site will be subject to the seismic risk standards of the CBC and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. Implementation of the project in compliance with relevant construction codes would not expose people or structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant.*

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

Based on the Safety Element Liquefaction Hazards Map, the project site is located in an area with a very low potential for liquefaction.

In addition, the project would be required to comply with CBC seismic requirements to address the site's potential for seismic-related ground failure including liquefaction; therefore, the potential impacts would be *less than significant.*

(a-iv) Landslides?

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

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

The proposed project would result in disturbance of approximately 1.16 acres of the 8.01-acre project site. Based on the preliminary grading plans prepared for the Vesting Tentative Tract Map, project grading would involve approximately 1,434 cubic yards of cut and 2,595 cubic yards of fill, resulting in a net cut of approximately 1,161 cubic yards. Earthwork activities would be associated with construction of the private roadway, utilities, drainage improvements, and future residential development areas. During site preparation and grading/leveling activities, there would be a potential for erosion or loss of topsoil to occur.

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

Section 22.51.120 of the LUO requires any project that would change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent to prepare and implement a sedimentation and erosion control plan. LUO Section 22.51.120 includes requirements for specific erosion control materials and states that Best Management Practices (BMPs) shall be employed to control sedimentation and erosion. These mandatory BMPs are set forth in LUO Section 22.52.150 B. and C. and may include, but are not limited to the following:

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

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

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

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

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

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

The project will be conditioned to comply with the CBC standards designed to significantly reduce potential risks associated with unstable earth conditions. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be *less than significant.*

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

According to the NRCS, soils underlying the area of have a very low shrink-swell potential. The project will be required to comply with applicable CBC standards designed to reduce potential risks associated with expansive soils. Therefore, potential impacts associated with expansive soil would be *less than significant.*

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

The proposed project would utilize individual onsite wastewater treatment systems (OWTS) to serve each of the six proposed residential parcels. As documented in correspondence from County Environmental Health Services, onsite wastewater disposal is considered an acceptable method of wastewater treatment for the project, provided County and State installation requirements are met. Environmental Health has reviewed preliminary information for the subdivision and determined that site conditions are suitable for OWTS, subject to compliance with the County Local Agency Management Program (LAMP) and applicable setback, slope, and design requirements.

In addition, soils and percolation reports have been prepared for the project site to evaluate subsurface conditions and soil suitability for onsite wastewater disposal. These studies indicate that soils on the site are capable of supporting OWTS when systems are designed and installed in accordance with County standards. Final system design and approval would occur at the building permit stage for each lot. Based on review by Environmental Health Services and the availability of suitable soils for onsite wastewater disposal, the project would not result in impacts related to soils incapable of supporting septic systems. Therefore, impacts associated with wastewater disposal would be *less than significant*.

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

The proposed project would not directly or indirectly destroy a unique paleontological resource or unique geologic feature. Review of the Cultural Resources Assessment, geotechnical and soils reports, and project plans did not identify any known paleontological resources, fossil-bearing formations, or unique geologic features within the project site. Site soils and geologic conditions are typical of the surrounding area and do not contain distinctive landforms, rock outcroppings, or other features of scientific or educational significance.

Although the potential for encountering previously unknown paleontological resources during ground-disturbing activities is considered low, standard County procedures and applicable State requirements for unanticipated discoveries would apply if such resources are encountered. With adherence to these requirements, the project would not result in a substantial adverse impact to paleontological or geologic resources. Therefore, impacts would be *less than significant.*

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

VIII. GREENHOUSE GAS EMISSIONS

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

Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

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

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

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

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

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

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

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

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

Table 5 -- San Luis Obispo County Bright-Line CEQA GHG Thresholds Between 2023 and 2030 for Residential, Commercial, and Mix-use Development Projects

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

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

EnergyWise Plan

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

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

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

Initial Study – Environmental Checklist

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?*

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

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

Supporting Action	**Project Consistency**
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	All new energy using fixtures will satisfy current energy efficiency requirements.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior	

fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	Any future proposed dwellings will be subject to current building codes relating to energy efficiency.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	

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

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

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

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

reductions" by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

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

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

Overall, the project would have a *less than significant impact* relating to consistency with adopted plans and policies aimed at reducing GHG emissions.

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

IX. HAZARDS AND HAZARDOUS MATERIALS

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

Initial Study – Environmental Checklist

Setting

The Hazardous Waste and Substances Site List (Cortese List), which is a list of hazardous materials sites compiled pursuant to California Government Code (CGC) Section 65962.5, is a planning document used by the state, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. The project is not located in an area of known hazardous material contamination and is not on a site listed on the Cortese List (State Water Resources Control Board [SWRCB] 2021; California Department of Toxic Substance Control [DTSC] 2021).

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

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

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

Discussion

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

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

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

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

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

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

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

Through required compliance with these standards and mitigation measures, potential operational hazards associated with the use of ethanol onsite would be effectively minimized. Therefore, potential impacts associated with hazards to the public or the environment through reasonably foreseeable upset or accident conditions would be *less than significant with mitigation HAZ-1 and HAZ-2.*

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

The closest school facility Santa Margarita Elementary School is located approximately 1.2 miles to the east of the project site. Therefore, the project site is not located within 0.25 mile of an existing or proposed school; therefore, *no impacts* would occur.

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

Based on the California DTSC's Envirostor and SWRCB's GeoTracker, the project site is not listed on, nor is it located in close proximity to, a site listed on the Cortese List, which is a list of hazardous materials sites compiled pursuant to CGC Section 65962.5; therefore, *no impacts* would occur.

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

The nearest airstrip in proximity to the project site is the Santa Margarita Ranch Airport located approximately 6 miles north of the site. The project site is not located within an Airport Review designation or adjacent to a private airstrip. The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts would occur.*

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

The project may require temporary road closures to construct project improvements. However, any road closures would be required to be designed to accommodate emergency vehicle access. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, impacts would be *less than significant.*

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

The project is within the community of Santa Margarita and about one mile from the Santa Margarita Fire Station (District 949). The project will be conditioned to implement building and site improvements in accordance with the Fire Code, including, but not limited to implementation of a fire safety plan. Therefore, potential impacts associated with exposure of people or structures to significant risk involving wildland fires would be *less than significant.*

Conclusion

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

Mitigation

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

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

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

X. HYDROLOGY AND WATER QUALITY

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

Initial Study – Environmental Checklist

Setting

The project site is not crossed by any creeks or ephemeral drainages. An unnamed intermittent "Stream/River" is the nearest 'blue line' stream to the project site, located about 600 feet to the south and east.

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

In accordance with the LUO, a project that would change the runoff volume or velocity leaving any point of the site, result in an impervious surface of more than 20,000 square feet, or involve hillside development on slopes steeper than 10 percent is required to prepare a drainage plan for review and approval by the County. A drainage plan is not required where grading is exclusively for an exempt agricultural structure, crop production, or grazing. The LUO also requires the preparation of an erosion and sedimentation control plan for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

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

The project site is not located within a groundwater basin as identified by Bulletin 118 of the Department of Water Resources. Water service for the proposed parcels would be provided by County Service Area No. 23 (Santa Margarita). The Department of Public Works issued a Conditional Intent to Provide Water letter dated March 24, 2025, and the Environmental Health Department subsequently issued a Preliminary Evidence of Water letter dated March 26, 2025, confirming the availability of water service for the project.

Wastewater service would be provided through individual onsite wastewater treatment systems (OWTS) serving each parcel. Percolation testing conducted by Mid-Coast Geotechnical, Inc. identified percolation rates ranging from approximately 60 to 120 minutes per inch, indicating that site conditions are suitable for OWTS. Although sewer infrastructure is shown on the utility plans, these lines would be installed as inactive (dry) lines and would not be placed into service unless a community sewer system is established in the future.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element of the County of San Luis Obispo General Plan establishes policies to reduce flood hazards and reduce flood damage, including, but not limited to, prohibition of development in areas of high

flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas.

Discussion

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

The project will involve 2,595 cubic yards (cy) of cut, 1,434 cy of fill and 1,161 cy of net cut and an area of disturbance of about 1.16 acres. During site preparation and grading/leveling activities, there would be a potential for erosion to occur. Accordingly, a sedimentation and erosion control plan will be required to minimize the potential for soil erosion, which will be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation. In addition, the project is located within of a stormwater management area (MS4) and proposes a disturbance area greater than 1.0 acre, therefore, the project will be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) by a qualified SWPPP developer in order to demonstrate compliance with the Federal Clean Water Act which prohibits certain discharges of stormwater containing pollutants.

The project application materials include a preliminary grading, drainage and erosion control plan that includes drainage collection, storage and conveyance infrastructure to ensure runoff does not cause erosion or adversely impact the quality of downstream surface or groundwater bodies. A Stormwater Control Plan was prepared for the project by North Coast Engineering in March 2025. The proposed subdivision would result in approximately 18,878 square feet of net new impervious surface, primarily associated with construction of the private access road and associated driveways. Stormwater runoff from the roadway would be collected and conveyed to a surface detention basin located in the northern portion of the project site.

The detention basin is designed to provide approximately 12,612 cubic feet of storage and is sized to detain the post-development 50-year storm event while releasing runoff at the pre-development 2-year storm rate, consistent with County drainage standards.

Upon implementation of the BMPs included in the Preliminary Stormwater Control Plan as well as compliance with the standards required by the CZLUO and RWQCB, the project will be conditioned to require all potentially hazardous materials to be stored, refilled, and dispensed on-site in full compliance with applicable County Department of Environmental Health standards and Mitigation Measures HAZ-1 and HAZ-2, and compliance with existing County and state water quality, sedimentation, and erosion control standards. Therefore, the project would not result in a violation of any water quality standards, discharge into surface waters, or otherwise alter surface water quality; therefore, impacts would be *less than significant with mitigation.*

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

Project water demand would be served by CSA-23 water provider which acts under the guidance of the County. The District has issued a conditional intent-to-serve letter indicating that the District possesses adequate water and infrastructure of serve the project. Therefore, the project would have *no impact* on groundwater resources.

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

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

The project will involve 2,595 cubic yards (cy) of cut, 1,434 cy of fill and 1,161 cy of net cut and an area of disturbance of about 1.16 acres The project application materials include a detailed preliminary grading, grading and erosion control plan that includes drainage collection, storage and conveyance infrastructure to ensure runoff does not cause erosion or adversely impact the quality of downstream surface or groundwater bodies. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation.

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

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

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

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

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

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

Based on required compliance with applicable state and County drainage and stormwater control regulations, as well as implementation of the Preliminary Stormwater Control Plan, project impacts associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant.*

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

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

associated with increased surface runoff resulting in flooding on- or off-site would be *less than significant.*

(c-iv) Impede or redirect flood flows?

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

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

Based on the Safety Element Flood Hazard Map, the project site is not located within a 100-year flood zone (County of San Luis Obispo 2013). Based on the San Luis Obispo County Tsunami Inundation Maps, the project site is not located in an evacuation area with the potential for inundation by a tsunami (CDOC 2023). Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur.*

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

As discussed in the setting, the project is required to comply with relevant permitting of the RWQCB. The project will be served by a community water system. Potential impacts associated with conflict or obstruction of a water quality control plan or sustainable groundwater management plan would be *less than significant.*

Conclusion

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

Mitigation

HAZ-1 & HAZ-2.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

XI. LAND USE AND PLANNING

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

Setting

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

The Land Use Element (LUE) of the County of San Luis Obispo General Plan provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic growth principles to define and focus the County's proactive planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The project parcel and adjacent properties within the unincorporated county are all within the Residential Single Family land use designation.

The inland LUE also contains the area plans of each of the four inland planning areas: Carrizo, North County, San Luis Obispo, and South County. The area plans establish policies and programs for land use, circulation, public facilities, services, and resources that apply "areawide," in rural areas, and in unincorporated urban areas within each planning area. Part three of the LUE contains each of the 13 inland community and village plans, which contain goals, policies, programs, and related background information for the County's unincorporated inland urban and village areas.

The project site is located within the area governed by the Salinas River sub Area of the North County Planning Area. In addition, the project site is subject to the Santa Margarita Community Standards.

Initial Study – Environmental Checklist

Discussion

(a) Physically divide an established community?

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community, and *impacts would be less than significant.*

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

Consistency With the Land Use Ordinance

The minimum parcel size in the Residential Suburban land use category is determined by the average slope of the parcel, and the proposed water and sewer supply. As described in the standards set forth in LUO Section 22.22.070. Based on these standards, the minimum parcel size for newly created parcels on the project site is 1 acre.

Consistency With the North County Area Plan – Planning Area Standards

The project is consistent with the North County Area Plan, Salinas River Sub-area standards, and Santa Margarita Community Standards

Policies and Programs of the General Plan Housing Element

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

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

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

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

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

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

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

In accordance with State law, the Housing Element must be updated every eight years. For each Housing Element cycle, the State Department of Housing and Community Development produces a Regional Housing Needs Allocation for the county which is then distributed among the County and the seven incorporated cities by the Council of Governments (SLOCOG). According to the 2019

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

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

Source: 2020-2028 Housing Element, Table 4.1.

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

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

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

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

Conclusion

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

Initial Study – Environmental Checklist

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

Mitigation

Implement mitigation measures BIO-1 through BIO-5, CR-1 and CR-2, HAZ-1 and HAZ-2.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XII. MINERAL RESOURCES

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

Setting

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

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey [CGS] 2015):

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

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

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

Initial Study – Environmental Checklist

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?

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

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

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

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

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XIII. NOISE

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

Setting

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

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

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

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

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

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

Table 11 -- Maximum allowable exterior noise level standards(1)

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

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

[2] Applies only to uses that operate or are occupied during nighttime hours.

The existing ambient noise environment is characterized by traffic on I Street. The nearest sensitive receptors are offsite residences located less than 1,000 feet to the north, east and west of potential construction areas.

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

Discussion

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

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

Table 12 -- Estimate of Noise From Construction Equipment

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

Notes:

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

As shown in Table 12, construction related noise would likely temporarily exceed the maximum hourly daytime levels allowed by the County's noise standards at the nearest property line. Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. The County LUO requires that construction activities be conducted during daytime hours and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. Compliance with these standards would ensure short-term construction noise would be *less than significant*.

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

Impacts associated with the generation of a substantial temporary or permanent increase in ambient noise levels would be *less than significant.*

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

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

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

The nearest airstrip in proximity to the project site is the Santa Margarita Ranch Airport located approximately 6 miles to the north. The project site is not located within an Airport Review designation

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

Conclusion

Short-term construction activities would be limited in nature and duration and conducted during daytime periods per LUO standards. Operational noise levels will be less than the standards set forth in the LUO and are considered less than significant. No other potentially significant impacts were identified, and no mitigation measures are necessary.

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XIV. POPULATION AND HOUSING

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

Setting

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

In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provide limited financing to projects relating to affordable housing throughout the county.

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 doesn't proposed construction as a part of the subdivision, though reasonably assumed future construction would include construction of up to five residences (one on each lot) that would be occupied by about three persons each. Employed residents would not require new or additional housing as a result of the proposed project. The project would not generate new employment opportunities that would encourage population growth in the area. The project does not include the extension or establishment of new roads, utilities, or other infrastructure to the site that would induce development and population growth in new areas. Therefore, the project would not directly or indirectly induce substantial growth and impacts would be *less than significant.*

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

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

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XV. PUBLIC SERVICES

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

Setting

The project is within the community of Santa Margarita and about one mile from the Santa Margarita Fire Station (District 949). Emergency personnel would be able to reach the site within 5-10 minutes of receiving a call.

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

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

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

Initial Study – Environmental Checklist

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (county) and schools (CGC Section 65995 et seq.). The fee amounts are assessed annually by the County based on the type of proposed development and the development's proportional impact and are collected at the time of building permit issuance. Public facility fees are used as needed to finance the construction of and/or improvements to public facilities required to the serve new development, including fire protection, law enforcement, schools, parks, and roads.

Discussion

(a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire protection?

The project will be designed to comply with all applicable fire safety rules and regulations, including the California Fire Code and California PRC, which require access roads to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures, and potential installation of a water storage tank for fire protection (if fire sprinklers are required). The project will be conditioned to implement all requirements identified by the Santa Margarita Fire Department for the project, as detailed in the referral response letter dated May 27, 2025, including items to be completed prior to final inspection/operation, but not limited to implementation of a fire safety plan. Based on the limited amount of development proposed, the project would not create a significant new demand for fire services. In addition, the project will be subject to public facility fees to offset the increased cumulative demand on fire protection services. Therefore, impacts would be *less than significant*. Additional information regarding wildfire hazard impacts is discussed in Section XX, Wildfire. Additional information regarding fire related hazard impacts is discussed in Section IX, Hazards and Hazardous Materials.

Police protection?

The project would be subject to public facility fees to offset the project's cumulative contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant.*

Schools?

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

Parks?

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

Other public facilities?

As discussed above, the proposed project would be subject to applicable fees to offset negligible increased demands on public facilities; therefore, there would be *no impacts* related to other public facilities.

Conclusion

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

Mitigation

None are necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XVI. RECREATION

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

Setting

The Parks and Recreation Element (Recreation Element) of the County of San Luis Obispo General Plan establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. The nearest public park to the project site is the Santa Margarita Community Park located about 1.4 miles to the northeast.

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 proposes the subdivision of an 8 acre parcel and assumed future construction of five new single family residences that could be occupied by as many as three persons each for a total of 15

total new residents. The project is not proposed in a location that would affect any existing public trail, park, recreational facility, and/or natural area. The project would not result in substantial growth within the area and would not substantially increase demand on any proximate existing public neighborhood or regional park or other recreational facilities. Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant.*

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

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, impacts would be *less than significant.*

Conclusion

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

Mitigation

None are necessary.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XVII. TRANSPORTATION

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

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county. The project is located off of I Street, the portion along the property frontage is a county maintained roadway.

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

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

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

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

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

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

Discussion

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

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

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

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

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

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

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

The project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *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 with the implementation of the applicant-proposed emergency access easements across portions of neighboring properties, sufficient alternative access exists to accommodate emergency access and comply with Cal Fire standards. Therefore, the project would not adversely affect existing emergency access and therefore, *potential impacts would be less than significant*.

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XVIII. TRIBAL CULTURAL RESOURCES

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

Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the CRHR; or
    b. Included in a local register of historical resources as defined in subdivision (k) of California PRC Section 5020.1.

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC Section 5024.1(c).

In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

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

In accordance with AB 52 Cultural Resources requirements, outreach was completed to the Salinan Tribe of Monterey and San Luis Obispo Counties, tiṭyu tiṭyu yak tiłhini Northern Chumash, and Northern Chumash Tribal Council via email contact on February 25, 2025. As a result of responses received from multiple tribes, the project has been conditioned accordingly to require initial ground disturbance monitoring with a tribal representative present. At the time of preparation for ground disturbance activities, the applicant shall contact all of the local representatives in order to coordinate appropriate representation on site.

Initial Study – Environmental Checklist

Discussion

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

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

A Cultural Resources Assessment was prepared for the project and included a records search, a Native American Sacred Lands File (SLF) search, and a pedestrian survey of the project site. The SLF search did not identify any known tribal cultural resources within the project area. The field survey did not identify any sites, features, places, cultural landscapes, sacred places, or objects that meet the definition of a tribal cultural resource under PRC §21074, nor were any resources identified that are listed in or eligible for listing in the California Register of Historical Resources or a local register.

Although no known tribal cultural resources were identified, the Cultural Resources Assessment concluded that the project site has moderate sensitivity for buried archaeological resources. As a result, the archaeologist recommended archaeological monitoring during initial ground-disturbing activities to ensure that any previously unknown cultural or tribal cultural resources are appropriately identified and evaluated if encountered.

With implementation of archaeological monitoring and adherence to County Land Use Ordinance requirements and State Health and Safety Code procedures for unanticipated discoveries, the project would not result in a substantial adverse change in the significance of a tribal cultural resource. Therefore, impacts related to tribal cultural resources would be *less than significant with mitigation*.

(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.

Based on the Cultural Resources Assessment prepared for the project, the proposed subdivision would not cause a substantial adverse change in the significance of a tribal cultural resource as defined under PRC §21074(a)(2). No tribal cultural resources were identified within the project site during the records search, Native American Sacred Lands File search, or pedestrian survey. In addition, no resources were identified that the County, acting as Lead Agency, has determined to be significant to a California Native American tribe pursuant to the criteria set forth in PRC §5024.1(c).

Although the Cultural Resources Assessment concluded that the project site has moderate sensitivity for buried archaeological resources, no evidence currently exists to support the presence of a tribal cultural resource that meets the definition of significance under PRC §5024.1(c). As a precautionary measure, the archaeologist recommended archaeological monitoring during initial ground-disturbing activities. Implementation of monitoring and compliance with County Land Use Ordinance requirements and applicable State Health and Safety Code procedures would ensure that any previously unknown tribal cultural resources are appropriately identified and evaluated if encountered.

With implementation of these measures, the project would not result in a substantial adverse change in the significance of a tribal cultural resource. Therefore, impacts related to tribal cultural resources under criterion (a-ii) would be *less than significant with mitigation*.

Conclusion

Based on the Cultural Resources Assessment, no known tribal cultural resources were identified within the project site. Although the site is considered to have moderate sensitivity for buried archaeological resources, implementation of archaeological monitoring during initial ground-disturbing activities, along with compliance with County Land Use Ordinance requirements and applicable State Health and Safety Code procedures for unanticipated discoveries, would ensure that any previously unknown tribal cultural resources are appropriately identified and evaluated. With these measures in place, impacts related to tribal cultural resources would be less than significant with mitigation.

Mitigation

CR-1 **Cultural Resources Monitoring**. **Prior to approval of grading plans and/or any site disturbance associated with tract improvements or on individual lots:** The Applicant shall submit an Archaeological Resources Monitoring Plan (Monitoring Plan), prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Monitoring Plan shall be to monitor all initial earth-disturbing activities consistent with the intent of the Cultural Resources Report. The Monitoring Plan shall include at a minimum:

b. List of personnel involved in the monitoring activities;

c. Inclusion of involvement of representatives from the Native American community with local cultural ties to the area;

d. Description of how the monitoring shall occur;

e. Description of frequency of monitoring (e.g., full-time, part time, spot checking);

f. Description of what resources are expected to be encountered;

g. Description of procedures for halting work on the site and notification procedures; and

h. Description of monitoring reporting procedures; and

i. Specific, detailed protocols for what to do in the event of the discovery of human remains.

Initial Study – Environmental Checklist

Sources

Provided in Exhibit A.

XIX. UTILITIES AND SERVICE SYSTEMS

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

Setting

The County Department of Public Works provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the county rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for on-site

wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

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

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

Discussion

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

Water Supply

The proposed project would not require or result in the construction of new water or wastewater treatment facilities, nor would it require the expansion of existing facilities. The project will be served by CSA-23 (Santa Margarita) for domestic water supply, and the Public Works Department has issued a Conditional Intent to Serve Water letter confirming that adequate water supply and system capacity are available to serve the proposed development.

Wastewater

Wastewater will be managed through individual onsite wastewater treatment systems (OWTS) on each proposed parcel. Percolation testing and supporting documentation prepared for the project demonstrate that site soils are suitable for OWTS, and no off-site wastewater collection or treatment facilities are proposed or required. Although a sewer line is shown on the improvement plans, it would be installed as a dry line only and would remain inactive unless and until a community sewer system is established in the future.

Because the project would utilize existing water infrastructure and individual onsite wastewater systems, and would not require construction or expansion of centralized water or wastewater treatment facilities, 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 proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. The project will be served by CSA-23 (Santa Margarita) for domestic water service. The County Public Works Department issued a Conditional Intent to Provide Water letter confirming that adequate water supply and system capacity are available to serve the proposed development. In addition, the Environmental Health Department issued a Preliminary Evidence of Water letter, further supporting the availability and adequacy of water service for the project.

The proposed subdivision consists of five single-family residential parcels, representing a relatively small increase in demand within the CSA-23 service area. Based on the confirmation of service capacity and consistency with adopted water supply planning for the service area, the project would not result in a significant impact related to water supply availability. Therefore, impacts would be *less than significant.*

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

The proposed project would not result in, nor require, a determination by a centralized wastewater treatment provider regarding capacity, because the project will not be served by a public wastewater collection or treatment system. Wastewater for the proposed subdivision will be managed through individual onsite wastewater treatment systems (OWTS) on each parcel.

Percolation testing and supporting documentation prepared for the project demonstrate that site soils are suitable for OWTS, and the Environmental Health Department issued a Preliminary Evidence of Water letter confirming the feasibility of onsite wastewater disposal. Although a sewer line is shown on the improvement plans, it would be installed as a dry line only and would remain inactive unless and until a community sewer system becomes available in the future.

Because the project does not rely on a wastewater treatment provider and does not require capacity from an existing wastewater system, *no impacts* related to wastewater treatment capacity would be anticipated.

(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?*

The proposed project would not generate solid waste in excess of State or local standards, nor would it exceed the capacity of local solid waste infrastructure. The project consists of a small residential subdivision of 6 lots and the future assumed development of five single-family residences, which would generate typical household solid waste consistent with existing residential development in the community.

Solid waste generated by the project would be collected and disposed of through existing waste management services serving the Santa Margarita area and would be subject to State and local solid waste reduction requirements, including compliance with Assembly Bill 939 and applicable recycling and waste diversion programs. Given the limited scale of the project and its consistency with surrounding residential land uses, the project would not impair the attainment of solid waste reduction goals or require expansion of solid waste facilities. Therefore, impacts related to solid waste generation and disposal would be *less than significant*.

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

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

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XX. WILDFIRE

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

Setting

In central California, the fire season usually extends from roughly May through October; however, recent events indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by CALFIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency's ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as "Very High," "High," or "Moderate." In San Luis Obispo County, most of the area that has been designated as a "Very High Fire Hazard Severity Zone" is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The project would be located within the State Responsibility Area, and, based on County Fire's referral response letter, it would take 5-10 minutes to respond to a call regarding fire or life safety.

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

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

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

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

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

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

The County EOP outlines the emergency measures that are essential for protecting public health and safety. These measures include, but are not limited to, public alert and notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

Initial Study – Environmental Checklist

Discussion

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

The proposed project would not substantially impair an adopted emergency response or emergency evacuation plan. The subdivision would be served by existing and proposed roadways designed in accordance with County standards, and access to the site would be provided via I Street. The project does not propose any changes that would obstruct emergency access routes, reduce roadway capacity needed for emergency response, or interfere with established evacuation routes serving the Santa Margarita area.

The project has been reviewed by the Santa Margarita Fire Department, which issued a Conditional Approval Letter confirming that emergency access, fire protection, and related design requirements can be met. With compliance with applicable Fire Department conditions and County standards, the project would maintain adequate emergency access and would not interfere with emergency response or evacuation planning. Accordingly, impacts related to emergency response and evacuation 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 proposed project would not exacerbate wildfire risks or expose project occupants to increased wildfire-related hazards. The project site is located within an existing rural residential area of Santa Margarita and is characterized by generally flat to gently sloping terrain, with an average slope of approximately 7 percent. The site does not contain steep slopes, dense native vegetation, or topographic features that would contribute to an increased risk of wildfire spread.

Vegetation on the site consists primarily of fallow cropland, disturbed areas, and developed land, with scattered trees primarily located near existing development and along the driveway. Development of the proposed subdivision would introduce managed residential landscaping and would be required to comply with applicable fire safety standards, including vegetation management, defensible space requirements, and fire-safe design measures.

The project has been reviewed by the Santa Margarita Fire Department, which issued a Conditional Approval Letter confirming that fire protection and emergency access requirements can be met. With implementation of required Fire Department conditions and compliance with applicable codes and standards, the project would not increase wildfire risk or expose future occupants to elevated wildfire-related hazards. Therefore, impacts related to wildfire risk and exposure 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 proposed project would not require the installation or maintenance of infrastructure that would exacerbate fire risk or result in significant temporary or ongoing environmental impacts. Project-related infrastructure improvements would be limited to a private access road, utility extensions, and associated drainage and water facilities, all designed and constructed in accordance with County standards and Fire Department requirements.

The proposed private roadway would improve site access and provide adequate fire apparatus access, and utility infrastructure would be installed consistent with applicable safety standards. No fuel breaks, new emergency water sources beyond standard residential fire protection requirements, or other fire-prone infrastructure are proposed. Routine maintenance of project infrastructure would be comparable to that of surrounding residential development and would not increase wildfire risk.

The project has been reviewed by the Santa Margarita Fire Department, which issued a Conditional Approval Letter confirming that fire protection and access requirements can be met. With compliance with applicable Fire Department conditions and County standards, the project would not result in infrastructure-related impacts that would exacerbate fire risk. Accordingly, 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 proposed project would not expose people or structures to significant risks related to flooding, landslides, post-fire slope instability, or drainage changes. The project site is characterized by generally flat to gently sloping terrain (approximately 7 percent average slope) and is not located within a mapped flood hazard area or an area subject to known landslide hazards.

Project drainage improvements have been designed to maintain pre-development drainage patterns and to safely convey and detain stormwater onsite. Runoff from the proposed private roadway and impervious surfaces would be collected and directed to a detention basin designed to control post-development flows and reduce the potential for downstream impacts. Onsite stormwater management measures would limit erosion and prevent adverse changes to downstream drainage conditions.

Soils and geotechnical reports prepared for the project indicate that site conditions are suitable for the proposed development and do not present a heightened risk of slope instability or landslides. In addition, the site's relatively low slopes and limited native vegetation reduce the potential for post-fire slope instability.

With implementation of the proposed drainage design and compliance with County engineering standards, the project would not increase risks associated with flooding, landslides, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

As discussed in each of the preceding topical sections, upon implementation of identified mitigation measures, the proposed project would not result in significant impacts to biological resources and would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate

important examples of the major periods of California history or prehistory. Therefore, impacts would be *less than significant with mitigation incorporated.*

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

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

The proposed project has been evaluated in the context of existing development in the surrounding area, as well as reasonably foreseeable future development that could occur under applicable land use plans and regulations. The project would result in localized impacts that are typical of the type and scale of development allowed by the applicable land use designation and zoning regulations. These impacts would not substantially contribute to any cumulatively considerable effects when viewed in combination with other past, present, or reasonably foreseeable future projects.

Additionally, the project would be subject to existing County ordinances, adopted plans, and standard conditions of approval that are intended to minimize environmental effects and ensure consistency with long-term planning objectives. Compliance with these regulations in addition to the mitigation for this project site would reduce potential impacts to a less-than-significant level and prevent the project from making a meaningful contribution to cumulative environmental impacts. Therefore, the project would not result in cumulatively considerable impacts, and impacts would be *less than significant with mitigation*.

Aesthetics

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

Agriculture and Forestry Resources

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

Air Quality

The analysis provided in Section III, Air Quality, concludes that the project's potential construction-related emissions would not exceed SLOAPCD thresholds of significance for construction emissions. In addition, construction related emissions would not adversely impact sensitive receptors on the surrounding parcels. Project construction, operational, and cumulative impacts would be *less than cumulatively considerable*.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified avoidance and mitigation measures for special-status wildlife species and their habitats. With implementation of measures BIO-1 through BIO-5 potential impacts to biological resources would be less than significant.

Based on the mitigation measures identified to reduce potential project impacts, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be *less than cumulatively considerable with mitigation*.

Cultural Resources

The analysis provided in Section V. Cultural Resources concludes that the proposed project requires mitigation in the form of CR-1 and CR-2 to ensure that potential impacts to cultural resources and project related impacts are considered less than significant with mitigation. Cultural monitoring will ensure that resources are adequately protected during ground disturbance activities.

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

Energy

The analysis provided in Section VI. Energy concludes that the project's contribution to the overall increased demand for electricity and natural gas would not have the potential to result in potentially cumulatively considerable environmental impacts the wasteful, inefficient and unnecessary use of energy because the residences will be required to comply with relevant building codes relating to energy conservation. Additionally, the project will be required to comply with mandatory energy-

savings features. Therefore, the project's environmental impacts associated with energy use would be *less than cumulatively considerable*.

Geology and Soils

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

Greenhouse Gas Emissions

As stated in Section VIII., a project estimated to generate less than 690 MMTCO2e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

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

Hazards and Hazardous Materials

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

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

Hydrology and Water Quality

As discussed in Section X. Hydrology and Water Quality, the project is not expected to require the construction of additional water supply infrastructure that would result in a significant impact on the environment.

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

Tract 3237 will be required to meet County and State standards for water quality and erosion prevention. Therefore, project impacts are considered *less than cumulatively considerable*.

Noise

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

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

Population and Housing

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

The project could be expected to be occupied by about 18 residents. When considered with the potential impacts of other reasonably foreseeable development in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered *less than cumulatively considerable*.

Public Services

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

Transportation

Local Traffic Impacts. The proposed project would generate traffic volumes consistent with the type and intensity of development allowed under the applicable land use designation. As discussed in the Transportation section of this document, the project would not conflict with adopted plans or policies addressing the circulation system, nor would it increase hazards related to roadway geometry or design. When considered in combination with existing and reasonably foreseeable future development in the area, the project's incremental contribution to traffic conditions would not be cumulatively considerable. Therefore, potential traffic impacts would be less than cumulatively considerable.

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

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

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

Other Impact Issue Areas

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

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

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

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

Conclusion

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

Mitigation

BIO-1 through BIO-5, CR-1 and CR-2, HAZ-1 and HAZ-2

Sources

Provided in Exhibit A.

Initial Study – Environmental Checklist

Exhibit A - Initial Study References and Agency Contacts

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

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

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

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

- ☒ Project File for the Subject Application

County Documents

- ☐ Coastal Plan Policies
- ☒ Framework for Planning (Coastal/Inland)
- ☒ General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:
  - ☒ Agriculture Element
  - ☒ Conservation & Open Space Element
  - ☐ Economic Element
  - ☒ Housing Element
  - ☒ Noise Element
  - ☒ Parks & Recreation Element/Project List
  - ☒ Safety Element
- ☒ Land Use Ordinance (Inland/Coastal)
- ☒ Building and Construction Ordinance
- ☒ Public Facilities Fee Ordinance
- ☐ Real Property Division Ordinance
- ☐ Affordable Housing Fund
- ☐ Airport Land Use Plan
- ☒ Energy Wise Plan
- ☒ North County Area Plan/Salinas River SA
- ☐ Design Plan
- ☐ Specific Plan
- ☐ Annual Resource Summary Report
- ☐ Circulation Study

Other Documents

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

Initial Study – Environmental Checklist

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

Project-Specific Studies and Supporting Materials

Project application materials

Althouse and Meade, Inc., November 2024, Biological Resources Assessment for I Street Vesting Tentative Tract Map 3237, Santa Margarita, San Luis Obispo County

Cogstone Resource Management, Inc., November 2024, Cultural Resources Assessment for I Street Vesting Tentative Tract Map 3237, Santa Margarita, San Luis Obispo County

Timber Works Tree Service, May 23, 2025, Tree Survey Report for Tract 3237 (I Street), Santa Margarita

Mid-Coast Geotechnical, Inc., June 2024, Percolation Report for Tract 3237, Santa Margarita

Mid-Coast Geotechnical, Inc., February 05, 2025, Soils and Geotechnical Engineering Report for Tract 3237, Santa Margarita

North Coast Engineering, December 2024, Preliminary Drainage Memorandum for Tract 3237

North Coast Engineering, March 2025, Revised Preliminary Drainage Memorandum for Tract 3237

North Coast Engineering, March 2025, Stormwater Control Plan for Tract 3237

North Coast Engineering, December 2024, Preliminary Stormwater Control Plan for Tract 3237

North Coast Engineering, June 2025, Revised Improvement Plans for Tract 3237

North Coast Engineering, June 2025, Vesting Tentative Tract Map 3237

County of San Luis Obispo Department of Public Works, March 24, 2025, Conditional Intent to Provide Water Letter for Tract 3237

County of San Luis Obispo Environmental Health Services, March 26, 2025, Preliminary Evidence of Water Letter for Tract 3237

Santa Margarita Fire Department, May 27, 2025, Conditional Approval Letter for Vesting Tentative Tract Map 3237

Agency And Tribal Review

Department of Public Works, Development Services, June 2, 2025 referral response letter

Department of Public Works County Service Area No. 23, March 24, 2025 referral response letter

SoCalGas, February 5, 2025 referral response letter

Initial Study – Environmental Checklist

County Parks –Commented with requested Quimby Fee Compliance, January 24, 2025 referral response letter

Environmental Health – Response to project referral with comments on Environmental Health Clearance referral response letter March 26, 2025

County Building Division – Response to project referral with comments for future development, February 3, 2025 and May 13, 2025

Santa Margarita Fire – Response to project referral with comments for Hydrant location, May 27, 2025 referral response letter.

County Fire – February 5, 2025 referral response letter

City of Atascadero, May 2, 2025 referral response letter noted no comments

AB52 – Response from Patti Dunton, Salinan Tribe of San Luis Obispo and Monterey Counties dated January 21, 2026

AB52 – Response from Karen R White of the Xolon Salinan Tribe dated January 28, 2026

Other County References

California Department of Conservation (CDOC). 2015. CGS Information Warehouse: Regulatory Maps http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps accessed August 2018

San Luis Obispo County.1999. General Plan Safety Element. Available at: https://www.slocounty.ca.gov/departments/planning-building/forms-documents/plans-and-elements/elements/safety-elementv

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

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California Department of Conservation (CDOC). 2015. Fault Activity Map of California. Available at: http://maps.conservation.ca.gov/cgs/fam/

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California Department of Forestry and Fire Protection (CAL FIRE). 2025. "Fire Hazard Severity Zones in Local Responsibility Areas." Available at:

Fire Hazard Severity Zones | OSFM (https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones)

FHSZ_County_LRA_11x17_SanLuisObispoCo.pdf (https://calfire.app.box.com/s/wahuw9ny7cgn89xpxh7092ur50r1pwvj/file/1798583300854)

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

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

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County of San Luis Obispo. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016. Available at: slocounty.ca.gov/departments/public-works/forms-documents/committees-programs/bicycle-advisory-committee/plans-documents/2016-bikeways-plan

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

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

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

Occupational Health and Safety Administration Technical Manual, Section III, Chapter 5 part II.B.6. Available at: OSHA Technical Manual (OTM) - Section III: Chapter 5 | Occupational Safety and Health Administration (https://www.osha.gov/otm/section-3-health-hazards/chapter-5#soundfields)

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

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San Luis Obispo Council of Governments, 2023 Regional Transportation Plan and Sustainable Communities Plan. Available at: https://www.slocog.org/programs/regional-planning/2023-rtp

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University of California, Division of Agriculture and Natural Resources Landscape Water Requirement Calculator, 2022

Exhibit B - Mitigation Summary Table

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

Biological Resources

BIO-1. Nesting Bird Preconstruction Survey. **At the time of site disturbance associated with tract improvements or on individual lots.** Within one week of ground disturbance activities, if work occurs between February 1 and August 31, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, Project activities may be conducted. If nesting birds are located, no Project activities shall occur within 100 feet of nests until chicks are fledged. A preconstruction survey report shall be submitted to San Luis Obispo County immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

BIO-2 Reptile/Amphibian Preconstruction Survey. **At the time of site disturbance associated with tract improvements or on individual lots.** A preconstruction survey shall be conducted within 48 hours of beginning Project activities to identify if Northern California legless lizard, California glossy snake, or western spadefoot are present. The survey can be conducted concurrently with other preconstruction wildlife surveys. The results of the survey shall be submitted to the County of San Luis Obispo. If the preconstruction survey finds any of the species, additional measures (e.g., biological monitoring) may be implemented to reduce potential impacts to the species during Project activities.

BIO-3 American Badger. At the time of site disturbance associated with tract improvements or on individual lots. A preconstruction survey shall be conducted within thirty days of Project activities to identify if badgers are present. The survey can be conducted concurrently with other preconstruction wildlife surveys. The results of the survey shall be submitted to the County of San Luis Obispo. If the preconstruction survey finds potential badger dens, they shall be inspected to determine if they are occupied. The survey shall cover the entire project site and shall examine both old and new dens. Inactive dens may be excavated by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens in the Project area between February and July, nursing young may be present. To avoid disturbance and the possibility of direct take of adults and nursing young, and to prevent badgers from becoming trapped in burrows during construction activity, no grading shall occur within 100 feet of active badger dens between February and July. Surveys shall be conducted for badger dens throughout the year.

BIO-4 Retain qualified biologist(s). Prior to any ground disturbance activities associated with tract improvements & prior to ground disturbance activities associated with development on individual lots. The applicant shall provide verification to the Department of Planning and Building that a qualified biologist/ biologist(s) have been retained to complete all of the necessary preconstruction surveys which are to occur prior to site disturbance activities.

BIO-5 Oak Tree Mitigation. At the time of site disturbance associated with tract improvements or on individual lots. Tree Protection and Replanting Compliance. Prior to recordation of the map, or issuance of building or grading permits on individual lots, the permit holder shall demonstrate compliance with an approved tree protection plan and mitigation schedule for all native oak trees located within fifty (50) feet of grading or construction disturbance. The permit holder shall provide an updated inventory of all applicable trees within this buffer area, including species, diameter at breast height, and final disposition identifying whether each tree remains, was impacted, or was removed, with "impacted" defined as any disturbance occurring within one and one-half (1.5) times the area of the tree canopy. All retained trees located within fifty (50) feet of disturbance shall be visually confirmed by Planning staff as having been physically protected during construction, with no trenching, cut/fill operations, equipment staging, or compaction occurring within the protected area, and care taken to avoid surface roots within the top eighteen (18) inches of soil. Replacement native trees shall be planted at a ratio of two (2) replacement trees for every one (1) impacted tree and four (4) replacement trees for every one (1) removed tree. Per the arborist report dated May 25, 2025, removal of the existing asphalt driveway will be beneficial to the long-term health of the trees adjacent to the existing driveway. Therefore, the work required to remove the asphalt under the driplines of the oak trees along the existing asphalt driveway located on Lots 1-5 (trees 108-138) will not require mitigation plantings. Replacement trees shall be the same species as the tree impacted or removed and shall be installed at a minimum one-gallon container size. Prior to final inspection or recordation of the map, the permit holder shall provide a replanting schedule showing the species, quantity, and physical location of each replacement tree, and Planning staff will verify the planting and mitigation during the final inspection. All replacement trees shall be maintained in healthy condition for a minimum of seven (7) years from installation, and any replacement tree that fails or dies within this period shall be replaced in-kind within ninety (90) days.

Hazards and Hazardous Materials

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

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

Cultural Resources

CR-1 Cultural Resources Monitoring. **At the time of site disturbance associated with tract improvements or on individual lots.** The Applicant shall submit an Archaeological Resources Monitoring Plan (Monitoring Plan), prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Monitoring Plan shall be to monitor all initial earth-disturbing activities consistent with the intent of the Cultural Resources Report. The Monitoring Plan shall include at a minimum:

a. List of personnel involved in the monitoring activities;

b. Inclusion of involvement of the Native American community, including monitoring by tribal representatives with cultural ties to the area;

c. Description of how the monitoring shall occur;

d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);

e. Description of what resources are expected to be encountered;

f. Description of procedures for halting work on the site and notification procedures; and

g. Description of monitoring reporting procedures; and

h. Specific, detailed protocols for what to do in the event of the discovery of human remains.

CR-2 **Cultural Resources Unanticipated Discoveries**. **At the time of site disturbance associated with tract improvements or on individual lots.** In accordance with California Health and Safety Code Section 7050.5, the County Coroner must be notified if potentially human bone is discovered. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC by phone within 24 hours, in accordance with Public Resources Code Section 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains. The MLD then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and associated grave goods. Work may not resume in the vicinity of the find until all requirements of the health and safety code have been met.