



Project Title & No. Towers of California CUP N-DRC2025- 00017 ED26-0009

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

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

DETERMINATION:

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

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

David Moran		1/30/2026
Prepared by (Print)	Signature	Date
Elizabeth Moreno		3/3/2024
Reviewed by (Print)	Signature	Date
	Senior Planner	

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: The Towers, LLC (Towers of California) has applied for a Conditional Use Permit (CUP) to establish a telecommunications facility consisting of a 98 foot tall faux windmill and associated equipment within a 2,500 square foot lease space on a 2.7 acre parcel located in the 13600 block of Soda Lake Road in the California Valley/Carrizo Plain area about 2.5 miles south of Highway 58. The project will result in an area of disturbance of about 15,000 square feet (0.34 acres) and about 139 cubic yards of cut and fill. The plans show a backup generator and a 130 sq.ft. equipment pad adjacent to the telecommunications tower. The tower and equipment areas will be enclosed by a six-foot-high chain link fence with slats. The project site is within the Residential Suburban land use category and is within the Carrizo Plain Planning Area. The project site is within the service area of the California Valley Community Services District.

The 2,500 sq.ft. lease area is located in the northwest section of the parcel. Vehicular access will be provided by a new driveway and 12-foot-wide access road extending westward from Soda Lake Road. The telecommunications facility will be unmanned.

The tower will contain up to 9, 8 foot long antennas, 12 Remote Radio Units, 1, 6-foot diameter microwave antennae, 4 overvoltage protection boxes and one global positioning system antenna. Ground equipment will include various equipment cabinets. The tower will not be artificially illuminated, and no artificial lighting is required pursuant to state or federal authorities. There will be three service lights on site that will only be utilized during site visits or in case of an emergency. No water or sewer service is required. A proposed PG&E step-down transformer will be added adjacent to the lease area.

The regional location of the project site is shown in Figure 1; an aerial view of the project site and vicinity is provided in Figure 2.

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Baseline Conditions

The project site consists of a rectangular parcel of 2.7 acres located on the east side of Soda Lake Road south of Highway 58 in the California Valley about 4 miles north of the Carrizo Plain National Monument. Surrounding land uses include ranches on parcels that range in size from 2.5 acres to over 100 acres. The primary land uses in the area are grazing and open space/recreation land. The project site lies within the service area of the California Valley Community Services District which is empowered to provide recycling, road maintenance and solid waste collection and disposal services (Figure 1).

The project site is flat and vacant except for fencing. The site has been used for livestock grazing intermittently according to historical aerial photography; vegetative cover consists of non-native annual grasses. Existing Vehicular access is provided by Soda Lake Road, a county maintained rural road that extends south from Highway 58 through the Carrizo Plain to Highway 33 and Highway 166. Traffic counts taken on Soda Lake Road south of Highway 58 in 2017 revealed an afternoon peak-hour volume of 36 and an average daily traffic count of 385.

The project site is within a High Fire Hazard Area; according to County Fire data, the project site has not been affected by a wildfire since at least 1950.

There are no natural water features associated with the project site. One ephemeral drainage is located to the east about 0.2 miles that flows northwest to southeast into Soda Lake located about four miles to the south.

The project site is not subject to any Combining Designations but is within the San Joaquin kit fox mitigation area and within the Critical habitat for the Vernal Pool Fairy Shrimp.

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

ASSESSOR PARCEL NUMBER: 082-131-036

Latitude: Lat: 35.30325° N **Longitude:** Lon: 119.98311° W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area: Carrizo **Sub:** None **Comm:** California Valley

Land Use Category: Residential Suburban

Combining Designation: None

Parcel Size: 2.7 acres

Topography: Nearly level

Vegetation: Grasses

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North: Residential Suburban; undeveloped **East:** Residential Suburban; vacant undeveloped

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

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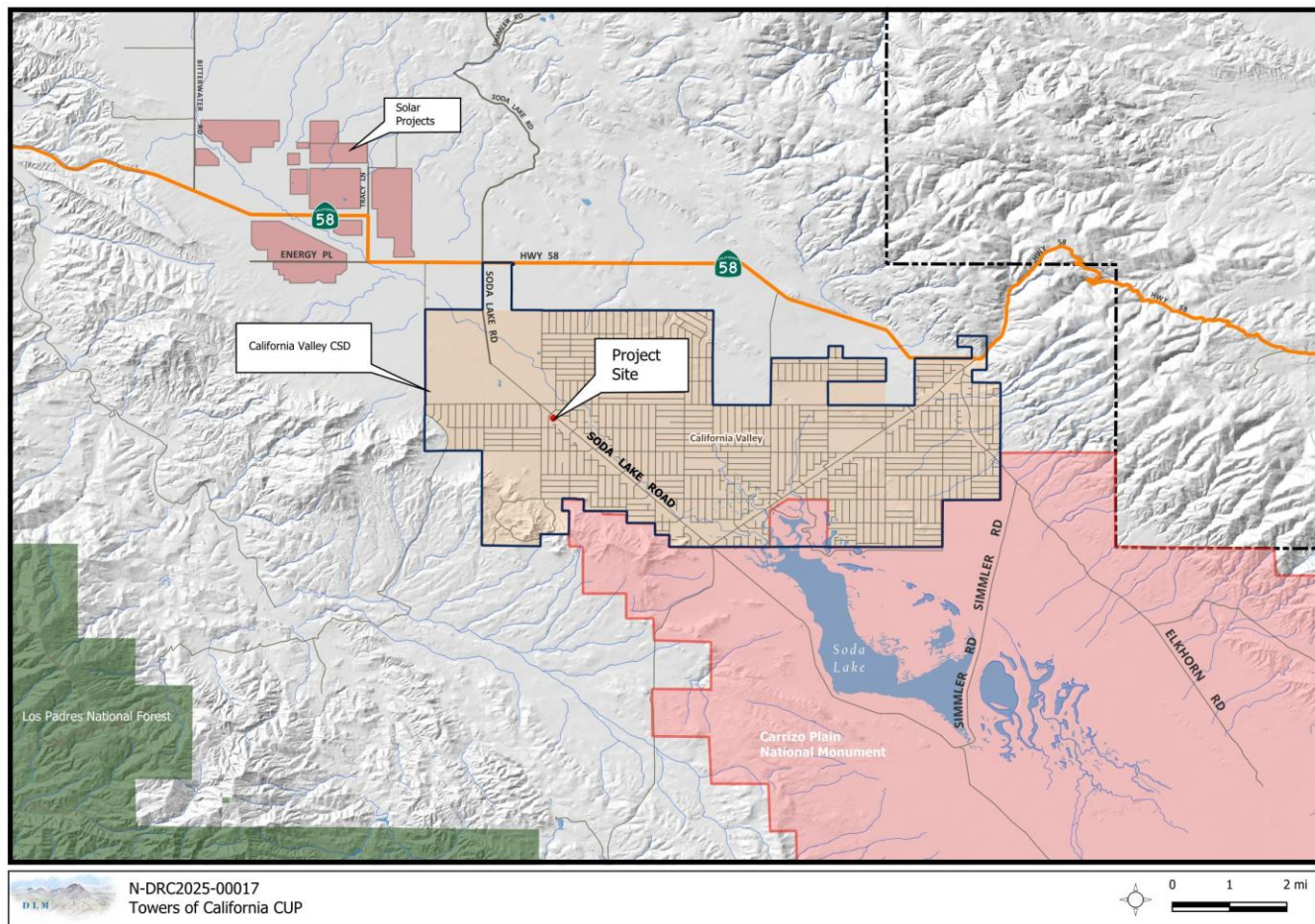


Figure 1 -- Project Location

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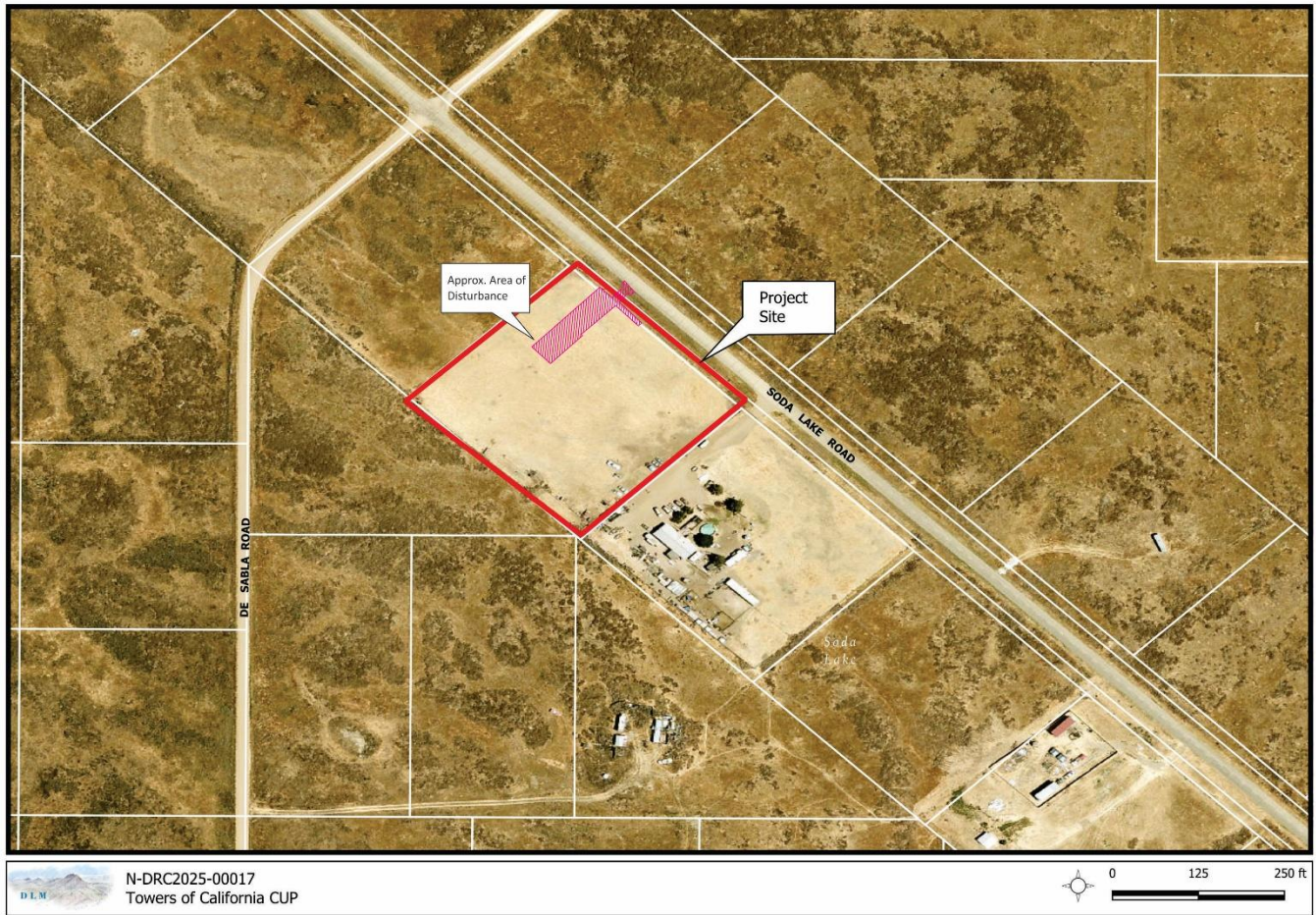


Figure 2 – Aerial View of the Project Site and Area of Disturbance

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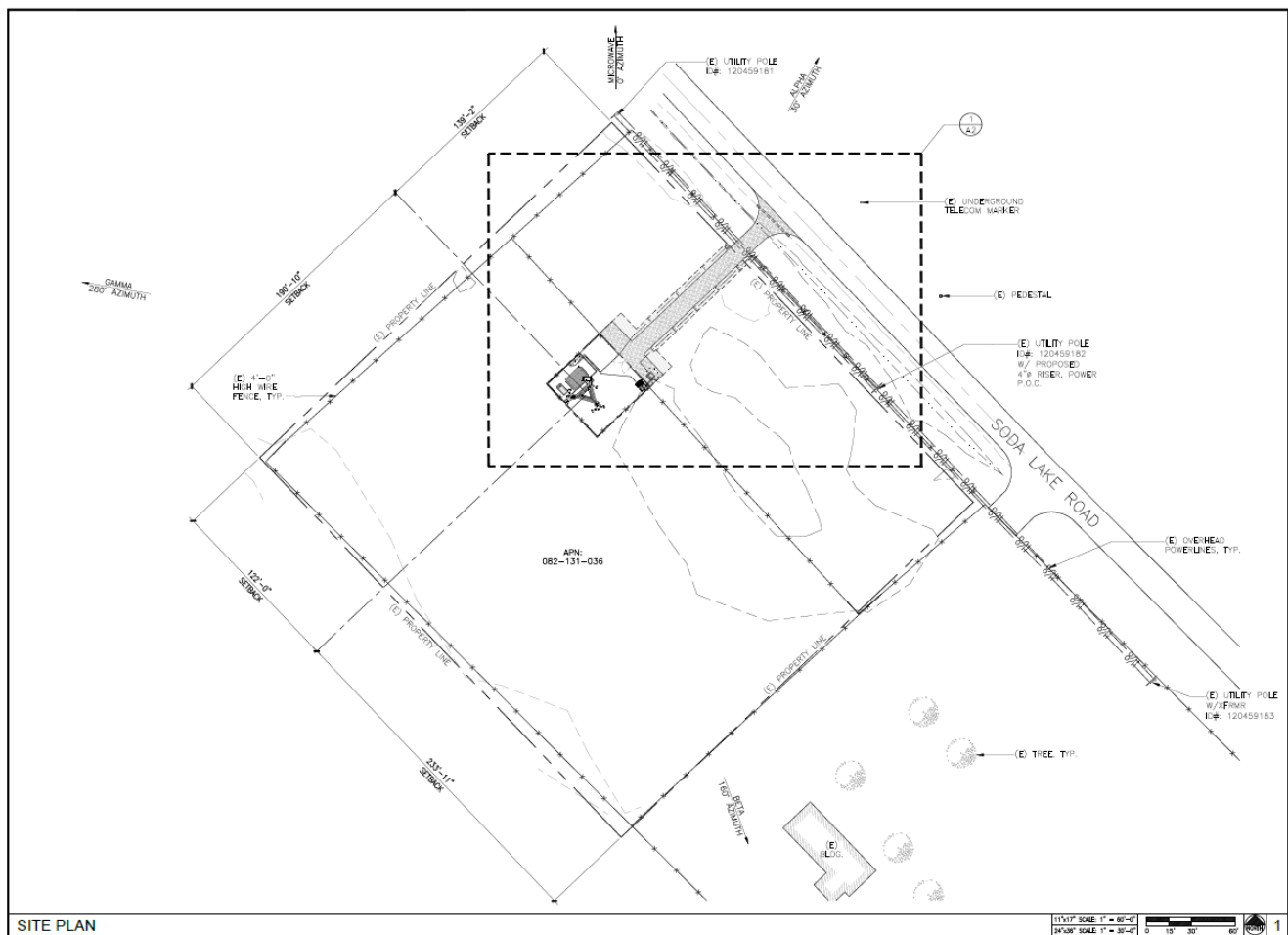


Figure 3 – Overall Site Plan

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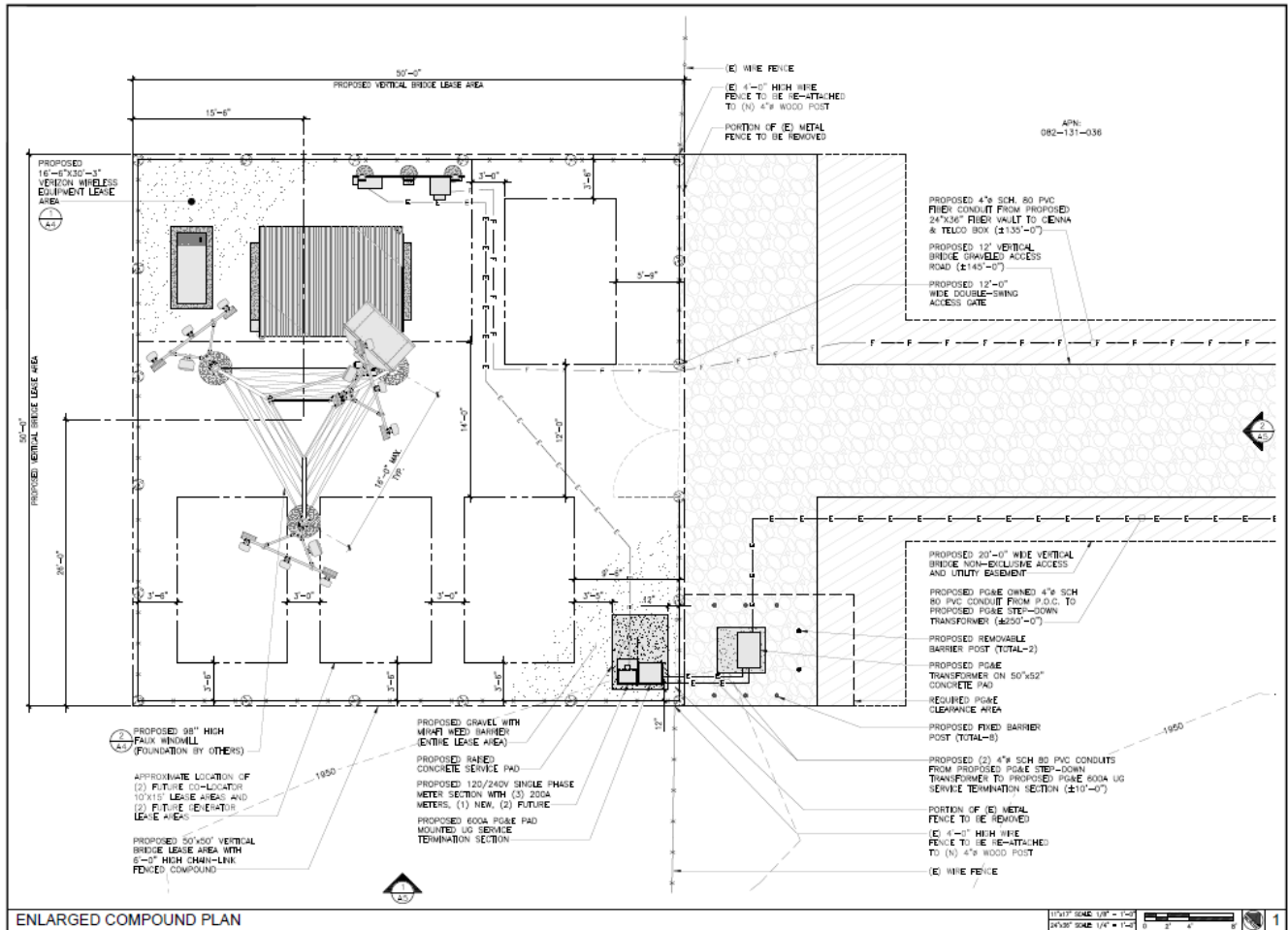


Figure 5 - Enlarged Compound Plan

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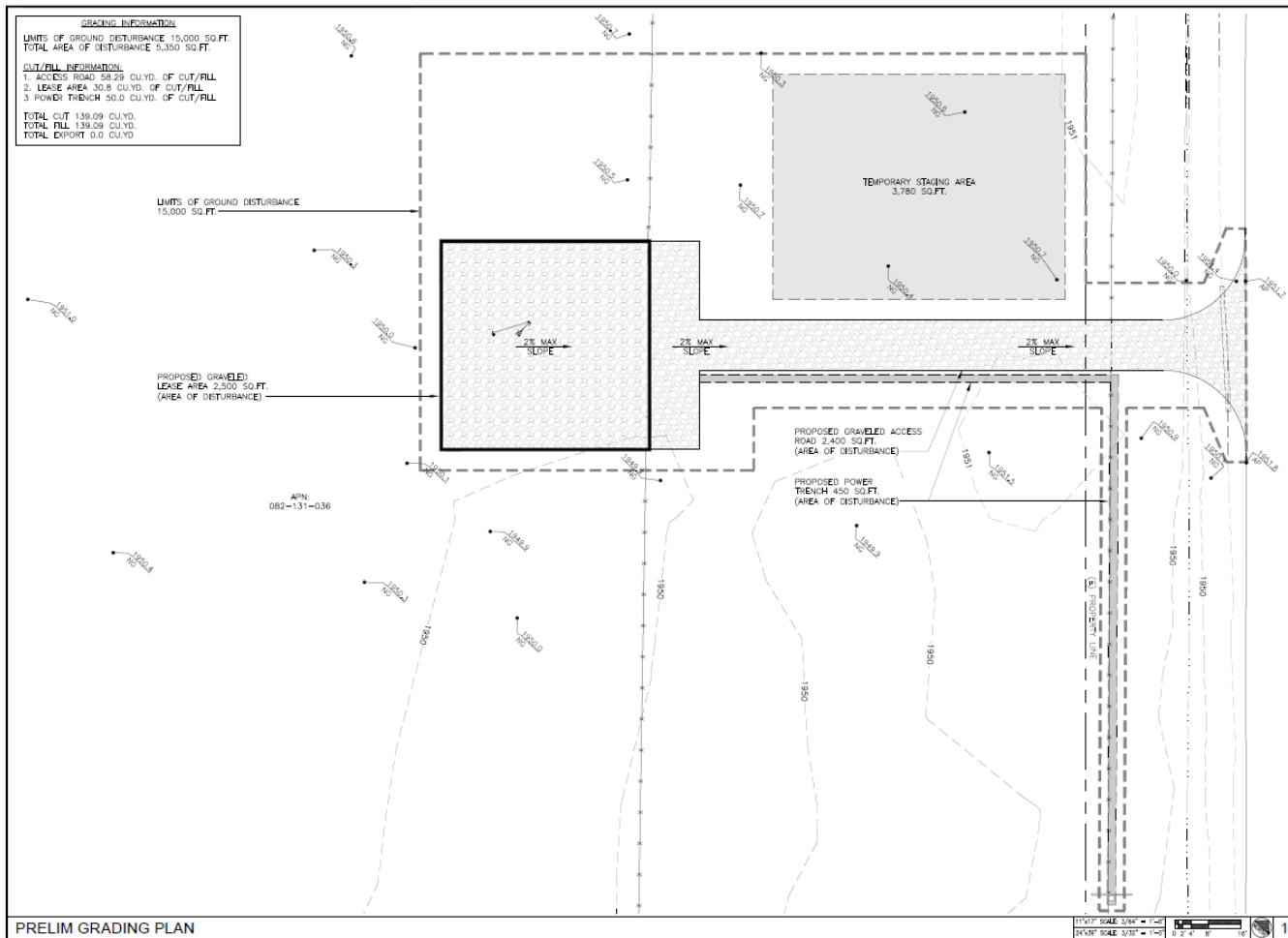


Figure 6 -- Preliminary Grading Plan

Initial Study – Environmental Checklist

C. Environmental Analysis

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

I. AESTHETICS

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

Setting

The project site consists of a rectangular parcel of 2.7 acres located south of Highway 58 in the California Valley about four miles north of the Carrizo Plain National Monument. Surrounding land uses include ranches on parcels that range in size from 2.5 acres to over 100 acres. The primary land uses in the area are grazing and open space/recreation land. The project site is flat and vacant except for fencing. The site has been used for livestock grazing intermittently according to historical aerial photography; vegetative cover consists of non-native annual grasses.

Based on the description provided in the Baseline Conditions, the visual qualities of the project site and surrounding area are considered moderately high. The primary vantages for public views of the project site and surrounding area are provided by Soda Lake Road, a county-maintained rural road that extends south from Highway 58 through the Carrizo Plain and the Carrizo Plain National Monument that affords travelers expansive views across the Carrizo Plain to the Temblor Range and the Caliente Range. As discussed in the

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baseline conditions, traffic counts taken on Soda Lake Road south of Highway 58 in 2017 revealed an afternoon peak-hour volume of 36 and an average daily traffic count of 385. Therefore, public viewership of the project site is presently fairly low owing to the sparsity of development and the remote location.

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. In addition, LUO Section 22.10.095 sets forth highway corridor design standards that apply to new development along portions of Highway 41 and Highway 101. Lastly, Section 22.14 establishes a combining designation for visual resources; the project lies outside the areas where these regulations apply.

Scenic Highways and Combining Designations. The only Officially Designated State Scenic Highway in San Luis Obispo County is Highway 1. The project site is not visible from Highway 1.

There are no Planning Area Standards relating to visual resources applicable to the project site.

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.

While the project vicinity has a moderate-to-high scenic value and an appealing rural and agricultural character, it is not considered a scenic vista as it is not officially or unofficially designated as such. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and *no impacts would occur.*

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- (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, nor visible from, a designated state scenic highway or eligible state scenic highway (Caltrans 2025). It does not lie within the areas subject to the Highway Corridor Design standards set forth in LUO Section 22.10.095 nor is it subject to the Combining Designation for visual resources. Overall, the project would not result in substantial damage to scenic resources within a state scenic highway, and *no impacts* would occur.

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

Construction of the telecommunications facility will involve grading, the installation of concrete foundations, fencing and the construction of a 98 foot tall tower in a sparsely vegetated landscape with few trees, buildings or other physical features. The project will result in an area of disturbance of about 15,000 square feet on a 2.7 acre parcel.

In assessing project impacts on visual resources, the following factors were considered:

- *The potential for, and frequency of, viewing by the general public.*

The aesthetic effects of a project are more likely to be significant if they are highly visible to large numbers of the public over an extended period of time. Changes to views that are seen by a limited number of people, or for only limited duration, may be found to be less than significant.

The 98 foot tall tower will be the most visually prominent feature of the project. The location of the tower along Soda Lake Road, and the Carrizo Plain in general, is relatively flat and devoid of trees, rock formations, road cuts or other features that would screen the site and tower from view. On a relatively flat surface, a point 98 feet above the ground is visible for about 12 miles. Traffic speeds on Soda Lake Road are about 45 miles per hour which means that the tower would be visible to vehicles traveling on Soda Lake Road for about 16 minutes in either a north or south direction¹. However, as discussed in the setting, traffic counts taken on Soda Lake Road south of Highway 58 in 2017 revealed an afternoon peak-hour volume of 36 and an average daily traffic count of 385, or about one vehicle every two minutes will pass by the project site. Therefore, although the tower would be visible to travelers, the number of travelers viewing the site and the tower is relatively small.

- *The integrity and uniqueness of the existing scenic resource.*

The integrity and uniqueness of the scenic resource is also a consideration for assessing visual impacts. A change to a viewshed whose visual integrity has been interrupted by buildings, road cuts and other human-made physical features may be less impactful. If the viewshed possesses visual features that are not common, the impact may be more substantial.

Soda Lake Road affords expansive views across the Carrizo Plain to the visual backdrop formed by the Temblor Range to the east and north and the Caliente Range to the south and west. The visual

¹ Assuming a distance of 12 miles and a vehicle traveling 45 miles per hour: 63,360 feet x 66 feet per second = 960 second, or about 16 minutes.

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qualities of the mountains are largely intact but are viewed at a considerable distance from the roadway.

- *The magnitude of the change.*

A project that is small in size, or will result in minimal physical changes to the environment, is less likely to cause a significant impact to scenic qualities, whereas a larger scale project may be more prominent. Aesthetic changes associated with an individual project may appear significant, but in the context of the entire region may be relatively minor. Changes to the visual character of the landscape where the change is minor may be found to be less than significant.

The proposed telecommunications tower will consist of a grey metal frame constructed in the shape of a triangle that tapers toward the top with antennae arrays clustered on each side and a faux windmill at the top (Figure 7). The tower will not be covered which will allow the backdrop to be seen through the frame.

Figure 8 provides a simulation of the view looking south at the project site from the intersection of Soda Lake Road and De Sabla Road which is about 420 feet north of the project site.



Figure 8 -- Simulation of the View Looking South Along Soda Lake Road From the Intersection of De Sabla Road.

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Figure 9 provides a simulation of the view looking north at the project site from a point on Soda Lake Road about 400 feet south of the project site.



Figure 9 - Simulation of the View Looking North at the Project Site from Soda Lake Road.

As shown in Figures 8 and 9, the tower will become fairly visible fairly at short distances (less than 500 feet) but will fade into the background when viewed from afar and will be virtually indistinguishable.

When considering the preceding factors within the context of the larger visual landscape, the project will have a *less than significant impact* on scenic vistas, scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, and will not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

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

The project would result in a significant impact if it subjects public viewing locations to a substantial amount of point-source lighting visible at night, or if project illumination results in a noticeable spillover effect into the nighttime sky, increasing the ambient light over the region. The placement of lighting, source of illumination, and fixture types combined with viewer locations, adjacent reflective elements, and atmospheric conditions can affect the degree of change to nighttime views. If the

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project results in direct visibility of a substantial number of lighting sources, or allows a substantial amount of light to project toward the sky, significant impacts on nighttime views and aesthetic character would result.

The project is located in an area with low existing levels of light pollution except for light associated with surrounding rural residences (Darksitefinder.com 2025). Maintenance of the equipment is normally conducted during daylight hours. However, the telecommunications facility will be equipped with a service light that may be switched on/off by the service technician. The tower will likely be fitted with warning lights at the top consistent with FAA regulations. Therefore, compliance with relevant provisions of the LUO will ensure potential impacts associated with the creation of a new source of substantial light will be *less than significant*.

Conclusion

The project is not located within view of a scenic vista or State Scenic Highway and would not result in a substantial change to scenic resources in the area. The project is 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.

Sources

Provided in Exhibit A.

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II. AGRICULTURE AND FORESTRY RESOURCES

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

Setting

The project site consists of a rectangular parcel of 2.7 acres located south of Highway 58 in the California Valley about 4 miles north of the Carrizo Plain National Monument. Surrounding land uses include ranches on parcels that range in size from 2.5 acres to over 100 acres. The primary land uses in the area are grazing

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and open space/recreation land. The project site is flat and has been used for livestock grazing intermittently according to historical aerial photography; vegetative cover consists of non-native annual grasses.

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 are used to characterize "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 the conversion of agricultural lands to non-agricultural uses shall be evaluated using the applicable policies in the COSE and Agricultural Element.

Soils of the project site are described in detail below. The acreage and corresponding farmland classifications are provided in Tables 1 and 2.

Map Unit: 361—Chicote complex, 2 to 5 percent slopes

Chicote, silty clay loam: 45 percent

The Chicote, silty clay loam component makes up 45 percent of the map unit. Slopes are 2 to 5 percent. This component is on lake plains. The parent material consists of alluvium derived from sedimentary rocks and lacustrine sediments. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is very high. This soil is rarely flooded. It is frequently ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the R017XF031CA Fine Loamy Flat ecological site. Nonirrigated land capability classification is 6e. Irrigated land capability classification is 4e. This soil does not meet hydric criteria. The soil has a strongly saline horizon within 30 inches of the soil surface. The soil has a maximum sodium adsorption ratio of 35 within 30 inches of the soil surface.

Chicote, silt loam: 35 percent

The Chicote, silt loam component makes up 35 percent of the map unit. Slopes are 2 to 5 percent. This component is on lake plains. The parent material consists of alluvium derived from sedimentary rocks and lacustrine sediments. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is low. Available water to a depth of 60 inches (or restricted depth) is moderate. Shrink-swell potential is low. This soil is rarely flooded. It is frequently ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 1 percent. This component is in the R017XF031CA Fine Loamy Flat ecological site. Nonirrigated land capability classification is 6e. Irrigated land capability classification is 4e. This soil does not meet hydric criteria. The soil has a strongly saline horizon within 30 inches of the soil surface. The soil has a maximum sodium adsorption ratio of 50 within 30 inches of the soil surface.

As shown in Table 1, none of the soils present on the project site are considered prime farmland by the COSE.

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Table 1 – Farmland Classifications of the COSE and Corresponding Acreages

Soil	COES Classification	Acres of the Project Site	Acres Within the Area of Disturbance
Chicote complex, 2 to 9 percent slopes	Not Prime	2.7	0.34
Total:		2.7	0.34

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

Table 3 provides a summary of farmland classifications for soils on the project site as determined by the FMMP. As shown in Table 3, the area of disturbance is classified as Grazing land.

Table 2 – Farmland Classifications of the FMMP and Corresponding Acreages

FMMP Classification	Acres	Acres Within the Area of Disturbance
Grazing	2.7	0.34
Total:		0.34

Source: Department of Conservation Farmland Mapping and Monitoring Program, 2023

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

According to California Public Resources Code (PRC) Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the State Board of Forestry and Fire Protection as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.

- (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?*

As shown in Table 2, according to the FMMP, the area of disturbance contains soils mapped as Grazing land. Therefore, there would be a *less than significant impact* relating to the conversion of important farmland.

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

The project site is located within the *Residential Suburban* land use category and is not subject to a Williamson Act Contract; a telecommunications facility is an allowable use within the Residential

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Suburban land use category. Therefore, as conditioned, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts would occur*.

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

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

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

The project site does not contain stands of oak trees that meet the definition of “forest land” as prescribed in Public Resources Code Section 12220(g). Therefore, the project will result in *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 parcels that are used for livestock grazing. Surrounding agricultural uses may be temporarily affected by noise and dust generated during the construction of the project. These impacts would be temporary in nature and would not result in the direct impairment or conversion of agricultural land to other uses.

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 are 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
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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 (PM₁₀). 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 PM₁₀ 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 (PM₁₀) 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 (PM₁₀).

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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 are single-family residences to the south that are less than 1,000 feet from the area of disturbance.

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.

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Discussion

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

To be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with the CAP's land use planning and transportation control measures and strategies (SLOAPCD 2012). These strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing.

The project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project would result in the construction of a telecommunications facility and would not be occupied by residents. Therefore, the project would not generate a significant number of employees and 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 would result in the construction of a telecommunications facility and would have no on site 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 a non-attainment area for ozone and PM₁₀ 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 (PM₁₀).

Construction Emissions

Based on the project description, the project will have an area of disturbance of about 0.34 acres including 139 cy of cut and 139 cy of fill. 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 3 below.

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Table 3 -- Estimated Construction-Related Emissions

Pollutant	Total Estimated Emissions	APCD Emissions Threshold	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO _x) (combined)	1.43 lbs./day ¹	137 lbs./day	No
	0.05 tons/quarter ¹	2.5 tons/quarter	No
Diesel Particulate Matter (DPM)	0.06 lbs. /day ²	7 lbs./day	No
	0.001 tons/quarter ²	0.13 tons/quarter	No
Fugitive Particulate Matter (PM ₁₀)	0.25 tons ³ /quarter	2.5 tons/quarter	No

Notes:

1. Based on 278 cubic yards of material moved and 0.113 pounds of combined ROG and NO_x emissions per cubic yard of material moved and 22 construction days.
2. Based 278 cubic yards of material moved and 0.0049 pounds of diesel particulate emissions per cubic yard of material moved and 22 construction days.
3. Based on 0.34 total acres of disturbance and 0.75 tons of PM₁₀ generated per acre of disturbance per month and 22 days of construction/grading per quarter.

As shown in Table 3, project construction related emissions are not expected to exceed the daily or quarterly emissions thresholds for ozone precursors or diesel particulates. Therefore, project impacts associated with the exceedance of SLOAPCD daily and quarterly emissions thresholds and will be considered *less than significant*.

Operation-Related Emissions. The project consists of a telecommunications facility that would not be occupied and would likely generate no average daily trips. Accordingly, project-specific and cumulative operational impacts are considered *less than significant* and *less than cumulatively considerable*.

The project will not result in travel on an unpaved roadway that would exceed the daily threshold for fugitive dust emissions.

Overall, impacts related to the exceedance of federal, state, or SLOAPCD ambient air quality standards due to operational activities would be *less than significant*.

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

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

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

Construction activities have the potential to emit odors from diesel equipment, paints, solvents, fugitive dust, and adhesives. Any odors generated by construction activities would be intermittent and temporary, and generally would not extend beyond the construction area. Following construction of site improvements, the project site would be limited to periodic maintenance 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. Therefore, this impact is considered *less than significant*.

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

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan. Construction and operational diesel emissions associated with the project will not exceed APCD thresholds but could adversely impact surrounding sensitive receptors. In addition, the project site does not contain NOA. Therefore, potential impacts to air quality would be *less than significant with mitigation*.

Mitigation

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

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

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- AQ-2 ROG, NO_x, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce expose of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:
- a. Implement Mitigation Measure AQ-1, as identified above.
 - b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
 - c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
 - d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 - e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.
 - f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
 - g. Electrify equipment when possible.
 - h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
 - i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Sources

Provided in Exhibit A.

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IV. BIOLOGICAL RESOURCES

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

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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).

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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.

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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 purpose of this analysis, special-status species are those plants and animals listed, or Proposed or Candidates for listing, as Threatened or Endangered by the USFWS or National Marine Fisheries Service (NMFS) under the federal Endangered Species Act (FESA); federal Birds of Conservation Concern (USFWS 2021); those listed as Rare, Threatened or Endangered under the California Endangered Species Act (CESA); animals designated as “Species of Special Concern,” “Fully Protected,” or “Watch List” by the CDFW; plants considered Endangered or Rare under the California Native Plant Protection Act; and, animals considered Sensitive that do not have a specific listing status but which are recorded in the California Natural Diversity Database (CNDDDB; CDFW 2025a) and/or CDFW's (2025b) *Special Animals List*.

California Natural Diversity Database (CNDDDB)

“Special Plants” and “Special Animals” are broad terms used to refer to all the plant and animal taxa inventoried by the CNDDDB, regardless of their legal or protection status (CNDDDB 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 CNDDDB (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 1.5.1 and 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

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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 CNDDDB 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 CNDDDB 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 than 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 Rankings

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

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- **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 Rankings

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

The Project site is situated within a rural area on level terrain approximately 1,950 feet above sea level, with silty clay loam soils (Chicote complex, 2 to 5 percent slopes) (NRCS, 2025). The Project site is a fenced, actively grazed pasture that contains an area of abandoned ranching and farming equipment. Surrounding land uses include paved and unpaved roads, sparse rural residences and properties, and open space.

A biological resources assessment (BRA) was prepared for the project site in August, 2025 by Padre Associates. The study is incorporated herein by reference and is available for review in its entirety at the Department of Planning and Building, 976 Osos Street San Luis Obispo. The purpose of the BRA is to

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evaluate the potential for the project site to support special-status biological resources (plants, animals, designated critical habitat, and sensitive natural communities) that could be adversely affected by the project, as required under the California Environmental Quality Act (CEQA). For any potentially significant impacts, recommended mitigation measures are provided to avoid or reduce project impacts as defined under CEQA. The following is a summary of the findings and recommendations of the BRA.

Methodology

Several natural resource databases were accessed to determine the environmental conditions of the Project site. The United States Fish and Wildlife Service (USFWS) Critical Habitat database was investigated to identify critical habitat for federally listed species, the USFWS National Wetland Inventory (NWI) was accessed to identify aquatic features, the Web Soil Survey database was used to assess soil conditions, and a query of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDDB) was conducted to identify documented occurrences of sensitive habitats, and special-status plants and wildlife within the vicinity of the Project site.

The CNDDDB is a continually refined and updated computerized inventory of rare animals, plants, and natural community location information in California, including species that are listed as federally and/or State endangered/threatened. All wildlife taxa listed with the CNDDDB are considered “special animals” in which the CDFW is interested in tracking, regardless of their legal protection status. The Project site is located within the Simmler NE 7.5-minute United States Geological Survey (USGS) quadrangle and the CNDDDB search was focused on this and eight adjacent quadrangles including California Valley, La Panza NE, Las Yuegas Ranch, Carneros Rocks, McKittrick Summit, Painted Roack, Chimineas Ranch, and Branch Mountain.

On July 16, 2025, a biologist completed a field survey within the Biological Survey Area (BSA) focused on the existing biological resources, presence/absence of special-status plant and wildlife species and habitats, including aquatic resources, as well as the suitability of habitat to support these species. The BSA covered the parcel and an approximate 50-foot buffer from the northeast parcel boundary in the Public Right of Way on Soda Lake Road, which encompassed the Project disturbance area. Field survey methods consisted of walking paths of opportunity throughout the BSA and recording wildlife species observed by visual observation using binoculars, indirect sign (e.g., tracks, scat, skeletal remains, and burrows), and/or auditory cues (i.e., calls and songs).

Field notes on botanical resources and vegetation communities/habitats were also recorded. Field surveys were conducted in July outside the typical blooming period for potentially occurring special-status plant species known to occur in the Project region. Vegetation within the BSA was divided and classified into vegetation types based on *A Manual of California Vegetation, Second Edition* (MCV2) (Sawyer et al., 2009) or described as site-specific vegetation and/or land use cover types not treated in the MCV2. All identifiable plant species observed within the BSA were documented. Plant specimens that were not positively identified in the field were further examined using appropriate botanical keys, including *The Jepson Manual Vascular Plants of California* (Baldwin et al., 2012).

Habitats/Vegetative Communities

As observed during the July 2025 field survey, the vegetation communities and land cover types consisted of Active Pastureland, Ruderal, and Developed. The Active Pastureland was primarily bare ground with densely compacted soil, with sparse dead annual grass that were remnants from cattle grazing. The Ruderal vegetation community occurred along the Soda Lake Road, comprised of species including wild oats (*Avena*

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barbata), yellow starthistle (*Centaurea solstitialis*), and Russian thistle (*Salsola tragus*). The Developed landcover consisted of unpaved areas containing abandoned cars and ranching equipment, and the pavement on Soda Lake Road. Wildlife observations were minimal and limited to American crow (*Corvus brachyrhynchos*), ground squirrel (*Otospermophilus beecheyi*), mule deer (*Odocoileus hemionus*), and domestic cattle (*Bos taurus*).

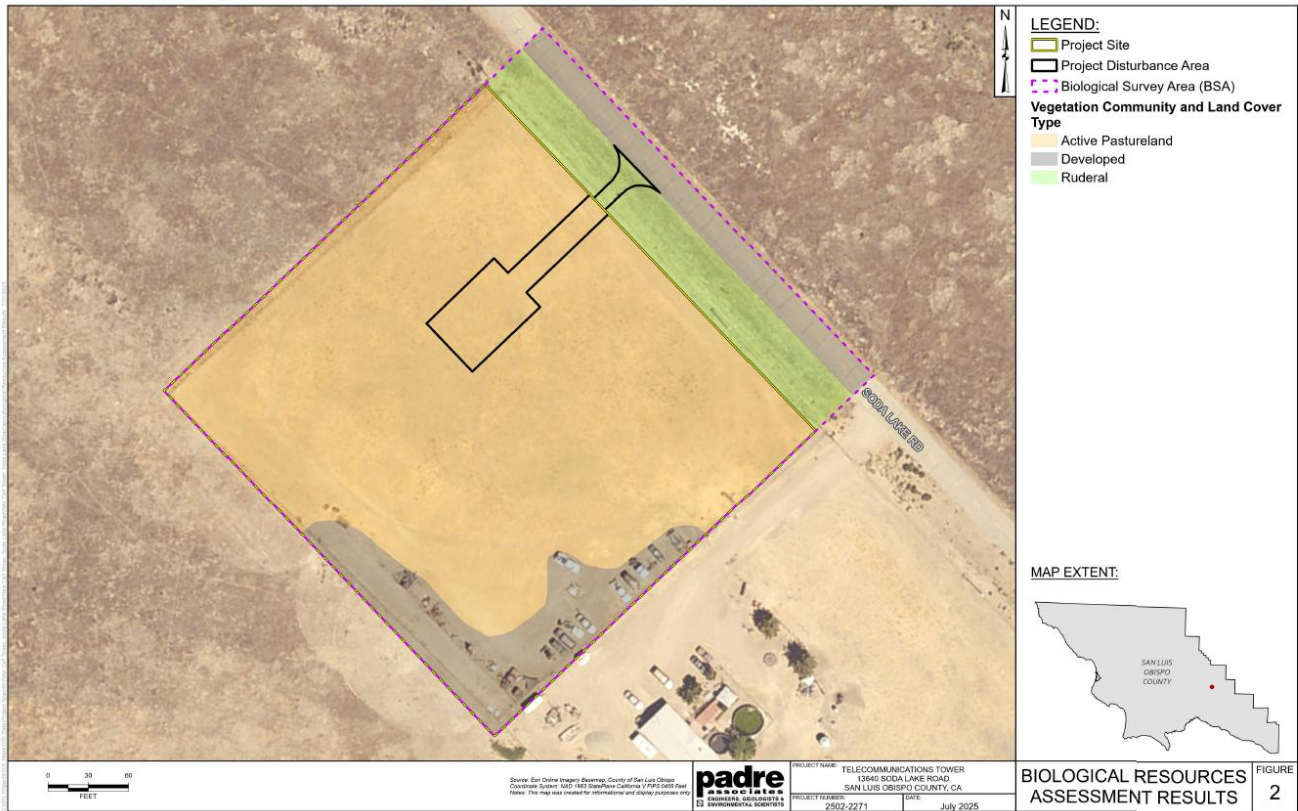


Figure 10 – Vegetative Communities of the Project Site

Aquatic Resources

Based on the NWI search results, there were no aquatic resources documented within the BSA. The nearest recorded aquatic resource was an unnamed Riverine feature approximately 0.37 miles northeast of the BSA. No aquatic resources or stormwater conveyance features were observed within the BSA..

Critical Habitats and Special Status Natural Communities

USFWS Designated Critical Habitat

USFWS-Designated Critical Habitat for Vernal Pool Fairy Shrimp (*Branchinecta lynchi*) overlaps the Project site (USFWS, 2025a).

Sensitive Natural Communities

No sensitive natural communities as defined by CDFW were documented within the BSA. The nearest documented CDFW Sensitive Natural Community is Northern Claypan Vernal Pool approximately 2.2 miles east of the BSA (CDFW, 2025).

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Special-status Plant Species

Based on the CNDDDB search completed as part of the desktop review, there were seven special-status plant species that had a potential to occur within the BSA based on proximity (less than five miles from the BSA), presence of generally suitable habitat (grassland/ruderal), elevation above sea level, and clay loam soils including Carrizo Plain crownscale (*Atriplex flavida*), recurved larkspur (*Delphinium recurvatum*), Kern mallow (*Eremalche parryi* ssp. *kernensis*), diamond-petaled California poppy (*Eschscholzia rhombipetala*), pale-yellow layia (*Layia heterotricha*), Munz's tidy-tips (*Layia munzii*), and Jared's pepper-grass (*Lepidium jaredii* ssp. *jaredii*).

Special-status Wildlife Species

Based on the CNDDDB search completed as part of the desktop review, there were eight special-status wildlife species that had a potential to occur within the BSA based on proximity (less than five miles from the BSA), presence of generally suitable habitat (grassland/ruderal), and general site conditions. These include Bakersfield legless lizard (*Anniella grinnelli*), prairie falcon (*Falco mexicanus*), Nelson's (=San Joaquin) antelope squirrel (*Ammospermophilus nelsoni*), giant kangaroo rat (*Dipodomys ingens*), Tipton kangaroo rat (*Dipodomys nitratooides nitratooides*), Tulare grasshopper mouse (*Onychomys torridus tularensis*), San Joaquin pocket mouse (*Perognathus inornatus*), San Joaquin kit fox (*Vulpes macrotis mutica*), and nesting birds. There were two special-status wildlife species documented to occur within the BSA: longhorn fairy shrimp and San Joaquin kit fox (CDFW, 2025). The longhorn fairy shrimp occurrences date from 1988 and 2017 and are documented as non-specific areas with no specific occurrence locations. The San Joaquin kit fox occurrence was dated 2011 and described as one San Joaquin kit fox found dead on Soda Lake Road. The next nearest documented occurrences for San Joaquin kit fox were in 2012 along Soda Lake Road approximately two miles south of the BSA, and a 2017 occurrence approximately 3.7 miles northeast of the BSA. No special-status wildlife species were observed during the July 2025 field survey.

Migratory Nesting Birds and Sensitive Avian Species

Special-status and common bird species protected under the MBTA could nest onsite and a few species could nest on bare ground in Ruderal areas. Raptors protected under California Fish and Game Code as well as other birds could nest in the Oak Woodland to the north of the study area.

Discussion

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

Special-Status Plants

There was one special-status plant species documented to occur within the BSA: Munz's tidy-tips (CDFW, 2025). The occurrence is dated 1998 and was described as a population of Munz's tidy-tips along Soda Lake Road approximately 2.4 to 3.4 miles south of highway 178. No special-status plant species were observed during the July 2025 field survey. However, the field survey was completed outside the appropriate blooming season when potentially occurring special-status plant species would be identifiable if present.

The Project site contained heavily disturbed Active Pastureland and a narrow strip of disturbed Ruderal vegetation along Soda Lake Road. Although the survey was conducted in July, outside of the typical blooming period for potentially occurring plant species, the Project site does not contain suitable habitat for these species due to past and ongoing land use activities including cattle grazing

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and periodic mowing. As such, it is not likely that the potentially occurring special-status plant species listed above would occur within the Project site. No further botanical resources surveys are recommended prior to Project implementation. Therefore, this impact is considered *less than significant*.

Special Status Wildlife

There were two special-status wildlife species documented to occur within the BSA: longhorn fairy shrimp and San Joaquin kit fox (CDFW, 2025). The BSA contains heavily disturbed Active Pastureland and a narrow strip of disturbed Ruderal vegetation along Soda Lake Road with numerous small mammal burrows observed throughout the BSA. No vernal pools, trees, shrubs, or tall herbaceous vegetation were present within the BSA. No special-status wildlife species were observed during the July 2025 field survey.

Invertebrates

As discussed in the setting, the project site is within the designated critical habitat for vernal pool fairy shrimp. Two occurrences of the longhorn fairy shrimp have been documented in the vicinity of the project site and date from 1988 and 2017. These occurrences are documented as non-specific areas with no specific occurrence locations. There are no vernal pools or other aquatic features associated with the project site or within 50 feet of the area of disturbance, or located on surrounding properties. Based on past and ongoing land use activities including cattle grazing, periodic mowing, and vehicle traffic, and lack of suitable habitat, it is not likely that either species of fairy shrimp will be directly impacted by the project. However, indirect impacts to these species or their habitat could occur as a result of a spill or upset of construction related chemicals or substances. With implementation of mitigation measures HAZ-1 and HAZ-2, impacts to fairy shrimp are considered *less than significant with mitigation*.

San Joaquin Kit Fox

San Joaquin kit fox (Federal Endangered and State Threatened) prefer open spaces with scattered shrubby vegetation and loose, sandy soils and may dig their own burrows or utilize and modify existing small mammal burrows for denning, or use human-made structures such as culverts, abandoned pipelines, or banks in sumps or roadbeds (USFWS, 2025c).

The San Joaquin kit fox occurrence near the project site was dated 2011 and described as one San Joaquin kit fox found dead on Soda Lake Road. The next nearest documented occurrences were in 2012 along Soda Lake Road approximately two miles south of the BSA, and a 2017 occurrence approximately 3.7 miles northeast of the BSA. Nonetheless, the Project site contains small mammal burrows, which could potentially be used by San Joaquin kit fox. The surrounding open shrubland provides potential habitat for San Joaquin kit fox, and the Project site is in the range of documented occurrences (CDFW, 2025). As such, there is potential for San Joaquin kit fox to pass through or utilize the disturbed habitat within the Project site during Project activities.

The County requires discretionary projects located within the San Joaquin kit fox Standard Mitigation Ratio Area Map boundaries to mitigate for the loss of suitable San Joaquin kit fox habitat (County, 2007) and to implement measures to avoid and reduce these impacts. The project site is located in the mitigation area where a 4:1 ratio of mitigation to impacted habitat is required. A County San Joaquin Kit Fox Habitat Evaluation form was completed to provide additional information for the County regarding the potential impact to kit fox habitat. That analysis determined that the Project will permanently impact approximately 0.12 acres of heavily disturbed habitat that is actively grazed

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and maintained. Therefore, 0.48 acres of mitigation (or the equivalent) are required. With implementation of mitigation measures BIO-1 through 8, impacts to SJKF are considered *less than significant with mitigation*.

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

The project is not expected to directly or indirectly impact these resources. Therefore, *no direct or indirect impacts* are anticipated.

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

As discussed in the setting, above, there are no wetlands or vernal pools located on the project site. Therefore, *no direct or indirect impacts* are anticipated.

- (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

Maintaining connectivity among areas of suitable habitat is critical for the survival and reproduction of plants and wildlife. Intact habitats benefit plants by ensuring proper dispersal of pollen and seeds, which sustains or grows the population and contributes to the genetic health of the species. Wildlife need contiguous habitats to attain sufficient food resources for their energetic demands; to locate proper resting, burrowing, and/or nesting sites; to facilitate relatively long-distance travel or migration to seek out mates or resources; and for the safe and successful dispersal of young.

The project area is located on, and adjacent to, rural residential properties, and these areas could be used for the movement of wildlife that are tolerant to a low degree of human occupancy. The Carrizo Plain supports a wide assortment of migratory species that include tule elk, pronghorn, and San Joaquin kit fox. The habitat within the study area would not be considered a wildlife nursery area because it continues to be used for livestock grazing and lacks any significant resources such as native woodland or scrubland. The project will result in the loss of approximately 0.34 acres of low-quality wildlife habitat because a majority of the site is disturbed and maintained on an annual basis. There is no fish habitat on or near the site.

Migratory Nesting Birds and Sensitive Avian Species

In addition to species protected by the state or federal Endangered Species Acts, all native avian species are protected by state and federal legislation, most notably the Migratory Bird Treaty Act and the CDFW Fish and Game Code. Collectively, these regulations make it unlawful to collect, sell, pursue, hunt, or kill native migratory birds, their eggs, nests, or any parts thereof. Avian species are expected to occur within and adjacent to the project site during all seasons and throughout construction of the proposed project. The potential to encounter and disrupt these species is generally highest between February 1 and August 31, when nests are likely to be active, when eggs or young are present.

Although the habitat is degraded, several special-status bird species and other common bird species that are protected under the MBTA and California Fish and Game Code, such as killdeer or western

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meadowlark, could nest on the ground within the project area. Project-related noise also has the potential to negatively affect nesting bird activity within or adjacent to the Project site.

With implementation mitigation measure BIO-9, 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 property lies within the Carrizo Planning Area and there are no applicable combining designations related to biological resources. No conflicts of the proposed project were noted within the Residential Suburban land use category for the Carrizo Plain Area Plan.

The *Conservation and Open Space Element* of the San Luis Obispo County *General Plan* requires that biological surveys be performed by a qualified biologist to determine appropriate protection measures for special-status plant and animal species to support applications for discretionary project and land divisions (Implementation Strategy BR 2.6.1; County 2015). Development must be sited to avoid areas occupied by special-status plant and/or animal species. The BRA satisfies the County's biological survey requirement, and the proposed development is sited in a location that avoids special status resources. This evaluation determined that no special-status plant species would be affected by the project; provides avoidance and mitigation measures for potential impacts on special-status animal species; and, that the project would not impact sensitive habitats.

Within the *General Plan Open Space and Conservation Element*, Policy 3.1 Native Tree Protection pertains to "biologically valuable trees, oak woodlands, trees with historical significance, and forest habitats". Implementation Strategy BR 3.2.1 directs that native trees shall be avoided to the extent possible through site design, and when they cannot be avoided, compensatory mitigation shall be required (County 2015). No oak trees occur on the property.

Overall, the project will have *no impact* relating to a conflict with local regulations protecting biological resources such as trees.

- (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 site is within the San Joaquin kit fox recovery plan area and is subject to the mitigation requirements discussed above in item a). The project site is also within the boundaries of the Vernal pool Fairy Shrimp Recovery Plan. However, as discussed above, there are no vernal pools associated with the project site. The project site is not located within an area subject to an adopted Habitat Conservation Plan or other approved local, regional, or state habitat conservation plan. Therefore, with implementation of mitigation measures BIO-1 through BIO-8, project conflicts with the provisions of an adopted plan and there would be *less than significant with mitigation*.

Conclusion

Upon implementation of mitigation measures BIO-1 through BIO-9 potential impacts to biological resources would be *less than significant with mitigation*.

Mitigation

BIO-1 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and

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

BIO-2 Environmental Awareness Training – Prior to major construction activities (e.g., site mobilization, clearing, grubbing, preparation for installing new facilities, etc.), an environmental awareness training shall be presented to all project personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur, as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by the project's discretionary permits, an overview of the federal Endangered Species Act, the California Endangered Species Act, and implications of noncompliance with these regulations, as well as an overview of the required avoidance and minimization measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training and the names and signatures of the trainees will be kept and provided to the County of San Luis Obispo (County). If new project personnel join the project after the initial training period, they will receive the environmental awareness training from a designated crew member on site before beginning work. A qualified biologist will provide refresher trainings during site visits or other monitoring events.

BIO-3 Prior to issuance of grading and/or construction permits, all San Joaquin Kit Fox protection measures required before construction (prior to any project activities) and during construction shall be included as a note on all project plans.

BIO-4 Preconstruction survey for San Joaquin Kit Fox (*Vulpes macrotis mutica*; SJKF). Within two weeks prior to the start of ground-disturbing activities, a qualified biologist shall survey the project impact area plus a 250-foot buffer within the limits of the parcel for potential SJKF dens. USFWS (2011) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* shall be implemented to establish no-disturbance exclusion zones around all potential and known dens identified during the protocol survey. Fenced exclusion zones shall be established by the biologist around all known and potential SJKF dens, as described below.

Exclusion zone fencing shall consist of survey laths or wooden stakes prominently flagged with survey ribbon, silt fencing or orange construction fence. The status of the burrow/den shall be determined using the methods in Mitigation Measure BIO-5. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den entrances:

- Potential SJKF den (burrow with appropriate dimensions): 50 feet;
- Atypical SJKF den (manmade structure occupied by SJKF): 50 feet;
- Known or active SJKF den: 100 feet
- Natal/pupping SJKF den: exclusion zone to be determined through consultation with USFWS, but at least 200 feet minimum

Any potential dens found shall be identified with flagging or stakes, and the no-work buffer shall be flagged and/or fenced. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If it is not possible to avoid all known and potential dens with the above-stated exclusion zones, they

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must be monitored to determine whether they are active, and inactive dens destroyed as described below in Mitigation Measure BIO-5.

BIO-5 Standard Avoidance Measures for San Joaquin Kit Fox. To avoid impacts to SJKF, the USFWS (2011) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* and County (2025a) *Standard Kit Fox CEQA Mitigation Measures* shall be implemented:

- A qualified biologist shall prepare a Worker Environmental Awareness Program that will be presented to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It should include a description of special-status species potentially occurring on the project site and their natural history; the status of the species and their protection under environmental laws and regulations; and, the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site.
- A qualified biologist shall be present onsite to monitor all initial vegetation removal, excavation or any other ground disturbance. The biologist shall stand at a safe distance and use binoculars to monitor earth-moving activities for animals that may be uncovered during the work. The biologist shall have the authority to stop the work should any special-status wildlife species be found, and work can commence only after these individuals have left the work area.
- If any SJKF are found onsite, work shall be halted until the USFWS and CDFW are contacted. No work shall be done until appropriate approvals are received, and while monitored by the qualified biologist. In the case of accidental mortality of SJKF on the project site, the appropriate USFWS field office and CDFW shall be notified in writing within three working days.
- Vehicles shall observe a speed limit of 15 miles per hour on the project site, and be restricted to established access routes and roadways.
- If a SJKF is discovered at any time to be occupying an area within the project boundaries, all work must stop. The County will be notified, and they will consult with other agencies as needed.
- All project activities shall cease at dusk and not start before dawn. This includes driving on the site for security purposes.
- To prevent entrapment of SJKF and other special-status wildlife, all excavations, steep-walled holes or trenches greater than two feet deep shall be completely covered at the end of each work day by plywood or similar materials, or one or more escape ramps constructed of earth fill or wooden planks shall be installed a minimum of every 200 feet. All escape ramps shall be angled such that wildlife can feasibly use it to climb out of an area. All excavations, holes, and trenches shall be inspected daily for SJKF or other special-status species and immediately prior to being covered or filled. If a SJKF is entrapped, CDFW, USFWS, and the County will be contacted immediately to document the incident and advise on removal of the entrapped SJKF.
- All pipes, culverts, or similar structures with a diameter of 4 inches or greater, stored overnight at the project site shall be thoroughly inspected for sheltering SJKF before burying, capping, or moving. All exposed openings of pipes, culverts, or similar structures shall be capped or

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temporarily sealed prior to the end of each working day. No pipes, culverts, similar structures, or materials stored on site shall be moved if there is a SJKF present within or under the material. A 50-foot exclusion buffer will be established around the location of the SJKF until it leaves. The SJKF shall be allowed to leave on its own before the material is moved.

- All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in animal-proof closed containers only and regularly removed from the site.
- No deliberate feeding of wildlife shall be allowed.
- Water sources shall be managed to ensure no leaks occur or are fixed immediately upon discovery in order to prevent SJKF from being drawn to the project area to drink water.
- Trash will be disposed of into containers rather than stockpiling on site prior to removal.
- Materials or other stockpiles will be managed in a manner that will prevent SJKF from inhabiting them. Any materials or stockpiles that may have had SJKF take up residence shall be surveyed (consistent with pre-construction survey requirements) by a qualified biologist before they are moved.
- The use of pesticides or herbicides shall be in compliance with all local, state, and federal regulations so as to avoid primary or secondary poisoning of endangered species and the depletion of prey upon which SJKF depend.
- Permanent fences shall allow for SJKF passage through or underneath by providing frequent openings (8-inch x 12-inch) or an approximately 4-inch or greater passage gap between the ground and the bottom of the fence. Any fencing constructed after issuance of a final permit shall follow the above guidelines.
- During project activities and/or the operation phase, any contractor or employee that inadvertently kills or injures a SJKF or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead SJKF, the applicant shall immediately notify the USFWS, CDFW, and the County by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location, and circumstances of the incident.
- If potential SJKF dens are identified on site during the pre-construction survey, a qualified biologist shall be on site immediately prior to the initiation of project activities to inspect the site and dens for SJKF activity. If a potential den appears to be active or there is sign of SJKF activity on site and within the above-recommended buffers, no work can begin.
- A qualified biologist shall conduct weekly site visits during site-disturbance activities (e.g., clearing, grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, to check the site for special-status species. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by a biologist unless a potential SJKF den was identified on-site or the qualified biologist recommends monitoring for other sensitive species protection. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

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BIO-6 Standard Measures for the Protection of San Joaquin Kit Fox Dens/Burrows. A qualified biologist shall install wildlife trail cameras, tracking media, or use a fiber optic scope to determine whether the potential dens/burrows onsite are actively being used by SJKF. Potential dens/burrows shall be monitored daily for at least three days to determine whether they are currently occupied. If the work takes place in the late spring or summer, additional measures shall be employed to determine whether dens are occupied by young. No dens/burrows with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left. Note that SJKF natal dens that have been vacated cannot be destroyed without a take authorization/permit (USFWS 2011). Dens/burrows occupied by a single adult badger can be avoided with a 50-foot buffer. If any active dens occupied by a single adult are found and cannot be avoided with the 50-foot buffer, CDFW or USFWS (for SJKF) shall be consulted to determine whether the animal(s) should be evicted from the burrow. All other possible avoidance and minimization measures shall be considered before the closure of burrows is implemented. Eviction procedures for badgers involve blocking the den incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. Only after the animal has left the den, as determined by the qualified biologist implementing the wildlife camera and/or tracking medium methods, can the burrow be excavated and work proceed.

Destruction of a den/burrow is typically done by incrementally excavating the burrow until it is confirmed that no animals are occupying it. Excavation using hand tools is the recommended method, and the use of excavating equipment can be done with extreme caution and while being monitored by a qualified biologist. After the den/burrow is destroyed, the excavation is to be filled with dirt and compacted to make sure that burrowing animals cannot re-enter or use the burrow during construction. If an American badger or SJKF is discovered inside the den during the excavation activities, excavation should cease immediately and monitoring of the den re-initiated. Den/burrow destruction may proceed once it is determined that the animal has left the area.

The qualified biologist shall conduct weekly site visits during site disturbance activities lasting more than 14 days for the purpose of monitoring compliance with the SJKF Standard Recommendations. The biologist shall document the site visits through weekly monitoring reports to be submitted to the County. The above measures shall be included on all land use, grading, and building plans for the construction of the residence and accessory structures.

BIO-7 Site Maintenance and General Operations - The following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.

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- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.
- Equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

BIO-8 San Joaquin Kit Fox Habitat Mitigation Measures - Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County and CDFW that one or a combination of the following three SJKF mitigation measures for loss of SJKF habitat has been implemented:

- a. Habitat Set Aside. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.48 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on site or off site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the CDFW and the County.

Mitigation alternative (a.) requires that all aspects of this program be in place before County permit issuance or initiation of any ground-disturbing activities.

- b. In Lieu Fee. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b.) can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities. The fee, payable to "The Nature Conservancy", would total \$1,200 based on \$2,500 per acre and 0.12 acres impacted x 4:1 x \$2,500 per acre).

- c. Purchase Mitigation Credits. Purchase 2.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

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Mitigation alternative (c.) can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank and would total \$1,200 (0.12 acres impacted x 4:1 x \$2,500 per acre). This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground-disturbing activities.

It should be noted that the estimated area of SJKF habitat mitigation required (0.48 acres) is a conservative estimate based on the preliminary plans used for CEQA compliance. A final quantification of the area of kit fox habitat impacted by the project, and the corresponding mitigation requirements, will be made based on the construction plans approved by the County through the building permit process. If the final construction plans indicate that the project may impact more than 0.12 acres of SJKF habitat, the project may require additional environmental review before a building permit will be issued. Such additional review may also require coordination with CDFW.

BIO-9 Preconstruction Survey for Nesting Birds. If work activities are scheduled to start between February 1st and August 31st, a qualified biologist shall survey the project impact area plus a 250-foot buffer. The survey shall be conducted within seven days before the initiation of construction. During the survey, the qualified biologist shall search for birds exhibiting nesting behavior, attempt to locate their nests, and inspect all potential nest substrates in the survey area. Any nests identified shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found, a buffer shall be established around the nest (50 feet for common songbirds and 250 feet for raptors). The buffer shall be delineated with flagging, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist. Once nesting has ceased and the young are no longer reliant on the nest, project activities can commence in the buffer zone.

Sources

Provided in Exhibit A.

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V. CULTURAL RESOURCES

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

Setting

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

As defined by CEQA, a historical resource includes:

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

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

Discussion

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

A Phase I Archaeological Surface Survey Report was prepared for the project site in July, 2025 (Padre Associates) which is incorporated herein by reference and available for review in its entirety at the Department of Planning and Building located at 976 Osos Street, San Luis Obispo. The Phase I survey included a records search using the Central Coast Information Center (CCIC) of the California Historical Resources Information System. The Phase I survey also included field surveys and an assessment of potential project impacts to cultural resources within the portion of the project site where grading and new construction is proposed. More specifically, the study included: (1) archival

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and background research; (2) a search of records at the California Historical Resources Information System, Central Coast Information Center (CCoIC) at the Santa Barbara Museum of Natural History; (3) pedestrian survey; and (4) a report of findings. The records search included a review of all recorded historic-era and prehistoric archaeological sites within a 0.5-mile radius of the Project site, as well as a review of known cultural resource surveys and technical reports. The records search revealed that the Project site has not been previously surveyed for cultural resources and no previous studies have been completed within a 0.5-mile radius. The records search also revealed that no cultural resources have been recorded within the Project site and no cultural resources have been recorded within the 0.5-mile search radius.

On July 16, 2025, an archaeologist surveyed the Project site for archaeological resources. The Project site consists of a flat, undeveloped lot used for grazing cattle. The archaeologist examined the Project site in parallel transects spaced at no more than 10-meter intervals. The survey areas were documented with color digital photographs. No cultural materials or features were observed during the survey.

Based on the results of the field survey and literature searches, the project site does not contain any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. According to the Phase I study, the project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would result in *no impacts* associated with an adverse change in the significance of a historical resources.

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

The project site is not subject to the Archaeology combining designation. As discussed under item a., above, a Phase I Archaeological Surface Survey Report was prepared for the project site in 2025 that included a records search using the Central Coast Information Center (CCIC) of the California Historical Resources Information System and a full-coverage pedestrian survey was performed. The purpose of the Phase I survey was to determine the likely presence or absence of cultural resources with the project area in a timely and cost effective manner.

No evidence of prehistoric archaeological resources were noted on the property during the Phase I survey conducted at the project site. There was no evidence of bedrock mortars or other prehistoric remains in the project area and no evidence was present to suggest that they may exist in immediate vicinity but have not yet been identified. The investigation indicates that potentially significant cultural materials are not located in the Project Area, and it is the archaeologists judgment that no further archaeological investigation is warranted.

In the unlikely event that resources are uncovered during grading activities, implementation of LUO 22.10.040 (Archaeological Resources) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. This protocol would ensure full compliance with California State Health and Safety Code Section 7050.5 as well as CDFG requirements regarding accidental discovery of cultural resources.

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Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

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

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

Conclusion

No historical resources are known or expected to occur within or adjacent to the areas proposed for development. Adherence with County LUO standards and State Health and Safety Code procedures would reduce potential impacts. Accordingly, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

Mitigation

None required.

Sources

Provided in Exhibit A.

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VI. ENERGY

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

Setting

Local Utilities

The Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within San Luis Obispo County. Approximately 31% 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 2020).

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.

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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 *2025 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. On January 1, 2026, the *California Green Building Standards Code* went into effect that introduced stricter sustainability, energy, and water efficiency requirements for new construction, additions, and alterations. Key updates include enhanced electric vehicle (EV) charging infrastructure, reduced embodied carbon in nonresidential projects, and increased water conservation measure.

Vehicle Fuel Economy Standards

In October 2012, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA), 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 (CO₂) per mile for the fleet of cars and light-duty trucks by the model year 2025.

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

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

The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide

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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

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. In addition, project contractors save costs by avoiding the wasteful, inefficient, or unnecessary consumption of energy resources, such as idling. Therefore, potentially significant environmental impacts associated with the consumption of energy resources during construction would be avoided and project construction activities would not result in a conflict with a state or local plan for renewable energy or energy efficiency. Therefore, project construction impacts associated with energy use would be *less than significant*.

Project Operations

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

The CBC 2025 Building Energy Efficiency Standards include mandatory energy efficiency standards. All new construction is subject to compliance with these standards. Lastly, the telecommunications facility will be required to comply with the relevant provisions of the 2025 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance. Therefore, project impacts associated with wasteful, inefficient, or unnecessary electricity and natural gas use are considered *less than significant* and *less than cumulatively considerable*.

Fuel Use. Ongoing use of the project would result in fuel use associated with motor vehicle trips generated by routine repairs and upgrades. All vehicles used by service personnel 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.

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

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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VII. GEOLOGY AND SOILS

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

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

Setting

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

Known faults and fault systems within the region that potentially could generate earthquakes affecting the site include the Oceanic-West Huasna, Rinconada, Hosgri-San Simeon, Los Osos and San Andreas faults (USGS 2013). Other unknown faults may exist in the region and movement on any of these faults could affect the proposed development during its design life. The nearest potentially capable fault line is the San Andreas Fault located about 4 miles to the east.

The project site is not within an area subject to the Geologic Study Area (GSA) combining designation which identifies areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. Based on the Safety Element, the project site is not located in an area subject to landslide risk and has a low potential for liquefaction.

Discussion

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

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

The project site is not located within an Alquist-Priolo Fault Hazard Zone. The potential for ground rupture at the site during ground shaking is considered low. The closest known Quaternary age fault is the San Andreas Fault about 4 miles to the east which is considered active but does not underly the project site. Therefore, there would be *no impact* associated with potential impacts related to the rupture of a known earthquake fault.

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(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. As discussed above, the closest known Quaternary age fault is the San Andreas Fault about 4 miles to the east which is considered active but does not underly the project site.

Estimating the design ground motions at the Site depends on many factors including the distance from the Site to known active faults; the expected magnitude and rate of recurrence of seismic events produced on such faults; the source-to-site ground motion attenuation characteristics; and the Site soil profile characteristics. According to section 1613 of the 2019 CBC (CBSC, 2019), all structures and portions of structures should be designed to resist the effects of seismic loadings caused by earthquake ground motions in accordance with the ASCE 7: Minimum Design Loads for Buildings and Other Structures, hereafter referred to as ASCE 7-16 (ASCE, 2016). The Site soil profile classification (Site Class) can be determined by the average soil properties in the upper 100 feet of the Site profile and the criteria provided in Table 20.3-1 of ASCE 7-16.

The project does not involve the construction of habitable structures. The proposed 98 foot high tower will be anchored to concrete footings constructed to withstand stresses associated with a seismic event. There are no habitable structures on the project site that could be affected in the event of a seismically induced failure of the tower.

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

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

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

(a-iv) *Landslides?*

The project site is flat and, based on the Safety Element Landslide Hazards Map, the telecommunications facilities will not be located in an area subject to landslide risk. The project would be required to comply with CBC seismic requirements to address the site's potential for landslides. Compliance with applicable building codes will ensure potential impacts would be *less than significant*.

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

The project would result in approximately 0.34 acres of site disturbance and would require 139 cubic yards (cy) of cut and 139 cy of fill. Construction of the proposed all-weather access road and installation of the telecommunications equipment will increase surface stormwater flows from the site. Accordingly, during site preparation and grading/leveling activities, there would be potential for erosion to occur. The project application materials include a preliminary grading, drainage and erosion control plan (Figure 6) that includes drainage collection, storage and conveyance

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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, resulting 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. Compliance with these mandatory BMPs will ensure water quality is protected from potential impacts associated with the construction and occupancy of the project.

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.

The project would be required to comply with 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 have a low shrink-swell potential. In addition, the telecommunications facilities 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 project does not propose the construction of habitable structures and will not require water or wastewater services. Accordingly, there would be *no impact* associated with soils incapable of adequately supporting the use of septic tanks.

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

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

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Conclusion

The project site is not subject to significant geologic hazards such as landslides; compliance with the relevant provisions of the CBC will ensure impacts associated with geology and geologic hazards would be *less than significant*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

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VIII. GREENHOUSE GAS EMISSIONS

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

Setting

Greenhouse gasses (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO₂) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth’s climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

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

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

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

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

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the 2030 GHG-reduction target established in SB 32 and EO S-3-05. The Final 2022 Scoping Plan Update – Achieving Carbon Neutrality by 2045 lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279.

When assessing the significance of potential impacts for CEQA compliance, an individual project’s GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 MTCO_{2e} per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a ‘gap analysis’ and was used for CEQA compliance evaluations to demonstrate consistency with the state’s GHG emission reduction goals associated with AB32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* (“Newhall Ranch”) that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations.

In 2023, the SLOAPCD released an update to these thresholds with their *2023 Administrative Update Version to APCD Board Adopted April 2012 Version*. These updated thresholds were developed by creating updated GHG emissions inventories for 2005 and 2018 for the incorporated cities and unincorporated areas in SLO county to consider whether jurisdictions were on track with the AB 32 GHG reduction target. Then, target GHG emissions for SLO county in 2020, 2030, and 2045 were calculated to be consistent with reduction targets specified in AB 32, SB 32, and AB 1279. Thresholds for the years in between those evaluated were linearly interpolated, and annual GHG efficiency thresholds were adjusted to factor in GHG reductions needed for new development using information from the City of SLO’s 2020 qualified Climate Action Plan’s Appendix C – CEQA GHG Emissions Thresholds and Guidance. A project’s initial operating year should be used to determine which of the updated GHG Bright Line Thresholds for new residential, commercial, and mixed-use development is applicable to the project. For projects with an initial operating year of 2030 or earlier, GHG emissions at or below the applicable threshold for that year are contributing to the state’s SB 32 GHG reduction target. For projects with an initial operational year after 2030, GHG emissions at or below the applicable threshold for that year are contributing to the state’s AB 1279 target of reaching carbon neutrality by 2045. Table 5 shows the GHG Bright-Line Thresholds for projects with an initial operating year between 2023 and 2030.

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

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

EnergyWise Plan

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

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

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

Discussion

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

Greenhouse gas (GHG) emissions associated with the construction of cell phone towers primarily stem from embodied carbon in materials—specifically steel and concrete—along with energy consumption from on-site construction equipment, delivery trucks, and site preparation. While operations often account for the majority of a tower's lifetime emissions, the initial construction phase is a significant contributor to the total carbon footprint.

The telecommunications facility will result in the construction of 130 square foot equipment pad and a 98 foot tall metal tower with an antennae arrays attached. Construction-related GHG emissions

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would be less than the emissions associated with construction of a single-family residence which is about 4.2 MTCO₂e per year. Some studies have shown that operational emissions associated with a typical cell tower site can be as high as 2.49 MTCO₂e. Assuming total GHG emissions of 6.69, project-related GHG emissions will be well below the 780 MTCO₂e interim threshold for the year 2026 and is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

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

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

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

2011 EnergyWise Plan (EWP). As discussed above, the County of San Luis Obispo EnergyWise plan (EWP), adopted in 2011, serves as the County’s GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. The policy provisions are divided into community-wide measures and measures aimed at reducing GHG emissions associated with County operations. The GHG reduction measures contained in the EWP are generally programmatic and intended to be implemented at the community level and are therefore not applicable to a telecommunications facility. 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.

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 and planning compact communities are generally not applicable. The project would result in the construction of a telecommunications facility that would be unoccupied. Therefore the project would not 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.

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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.

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.

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IX. HAZARDS AND HAZARDOUS MATERIALS

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

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Setting

The Hazardous Waste and Substances Site 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 identifies areas of the unincorporated areas in the county within moderate, high, and high fire hazard severity zones. The project is located within the State Responsibility Area in a very high fire hazard severity zone. Based on the Safety Element map of response times, it would take 5 minutes to respond to a call regarding fire or life safety from Station 42. 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.

Federal law, primarily found in the Telecommunications Act of 1996 (“Telecom Act”), prohibits a local jurisdiction from taking any action on a wireless siting permit that “*prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services.*” 47 U.S.C. §. In addition, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). Accordingly, this issue is preempted under federal law.

Discussion

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

Construction Activities

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;

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- 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 fuel for the backup power generator that are not expected to be acutely hazardous.

The project will be conditioned to comply with all applicable fire protection standards as determined by County FIRE, including, but not limited to, preparation of a fire safety plan. Compliance with the Uniform Fire Code 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*.

Ongoing Use of the Project Site

Historic aerial photography of the project site does not show crop production that would indicate the use of fertilizers or pesticides. Therefore, there would be *no impact* associated with hazards to the public or the environment associated with the previous or ongoing use of fertilizers or pesticides.

- (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 which includes lands designated as critical habitat for the vernal pool fairy shrimp (discussed in Section IV. Biological Resources. 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 measures, potential operational hazards associated with the use of ethanol onsite would be effectively minimized. Therefore, potential impacts associated with hazards to the public or the environment through reasonably foreseeable upset or accident conditions would be *less than significant with mitigation*.

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

The closest school facility is located approximately 5 miles northwest of the project site. Therefore, the project site is not located within 0.25 miles of an existing or proposed school; therefore, *no impacts* would occur.

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- (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 proposed 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?*

There are no public airports or private airstrips within 10 miles of the project 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 does not require any road closures and 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 located in a High Fire Hazard Severity Zone and has not been subject to a wildfire since at least 1950. 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.

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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.

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X. HYDROLOGY AND WATER QUALITY

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

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Setting

There are no water features associated with the project site. An unnamed ephemeral drainage flows northwest to southeast toward Soda Lake about 0.5 miles to the east. There are no other blue line creeks associated with the project site or vicinity.

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 lies within the Carrizo Groundwater Basin (PRGB) as defined by the Department of Water Resources (DWR) Bulletin 118. There are no wells on the project site. No water demand is expected with the telecommunications facility.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. Areas subject to the 100-year flood of Cienega Creek have not been mapped by the Federal Emergency Management Agency (FEMA). 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.

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Discussion

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

The project will involve 139 cubic yards of cut and 139 cy of fill and an area of disturbance of about 0.34 acres. Accordingly, a sedimentation and erosion control plan will be required to minimize the potential for soil erosion, which will be subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation. In addition, the project is located outside of a stormwater management area (MS4) but proposes a disturbance area less than 1.0 acre, therefore, the project will not be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP).

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 maintaining a minimum setback from the nearest creek or water feature, and compliance with existing County and state water quality, sedimentation, and erosion control standards. Therefore, as conditioned, the project would not result in a violation of any water quality standards, discharge into surface waters, or otherwise alter surface water quality; therefore, impacts would be *less than significant*.

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

The project lies within the Carrizo Groundwater Basin (PRGB) as defined by the Department of Water Resources (DWR) Bulletin 118. There are no wells on the project site. No water demand is expected with the telecommunications facility. Therefore, there will be *no impact* associated with a decrease of groundwater supplies.

- (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 139 cubic yards of cut and 139 cy of fill and an area of disturbance of about 0.34 acres.

Grading and construction activities have the potential to result in erosion which in turn could result in the siltation of ephemeral drainages and other surface water bodies. The project application materials includes a preliminary grading and erosion control plan (Figure 6) 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 conditioned to prepare a final sedimentation and erosion control plan subject to the review and approval of the County Building Division in accordance with LUO Section 22.52.120.

In addition, the project will be required to comply with all National Pollution Discharge Elimination System (NPDES) requirements and prepare a SWPPP that incorporates BMPs during construction. Water quality protection measures would include protection of stockpiles, protection of slopes, protection of all disturbed areas, protection of access roads, and perimeter containment measures.

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Therefore, potential impacts associated with erosion and siltation from substantial alteration of the existing on-site drainage pattern would be *less than significant*.

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

The project will include the construction of impervious surfaces associated with the proposed all-weather access road and equipment pad. Collectively, these features will increase the volume and velocity of stormwater runoff generated on site. As discussed above, the application materials include a preliminary grading and erosion control plan (Figure 6) that includes drainage collection, storage, and conveyance infrastructure to ensure runoff does not adversely impact the quality of downstream surface or groundwater bodies.

Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's 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?*

Based on required compliance with applicable state and County drainage and stormwater control regulations, the project's impacts associated with increased surface runoff resulting in exceedance of the capacity of existing or planned drainage systems or provide substantial additional sources of polluted runoff would be *less than significant*.

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

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

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

Based on the Safety Element Flood Hazard Map, the project site is not located within a mapped 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 area with potential for inundation by a tsunami (CDOC 2021). The area of disturbance is not located within close proximity to a standing body of water with the potential for a seiche to occur. Therefore, the project site has no potential to release pollutants due to project inundation and *no impacts would occur*.

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

As discussed in the setting, the project site lies within the Carrizo Plain groundwater basin which is not subject to the requirements of a GSP. As discussed in the setting, the project is required to comply with relevant permitting of the RWQCB. Therefore, potential impacts associated with conflict or obstruction of a water quality control plan or sustainable groundwater management plan would be *less than significant*.

Conclusion

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

Mitigation

None are required.

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Sources

See Exhibit A.

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XI. LAND USE AND PLANNING

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

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 are all within the Residential Rural 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 Carrizo Plain Planning Area and is not subject to any combining designations.

Federal law, primarily found in the Telecommunications Act of 1996 ("Telecom Act"), prohibits a local jurisdiction from taking any action on a wireless siting permit that "prohibit[s] or [has] the effect of prohibiting the provision of personal wireless services." 47 U.S.C. §. In addition, a jurisdiction is prohibited from considering the environmental effects of RF emissions (including health effects) of the proposed site if the

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site will operate in compliance with federal regulations. 47 U.S.C. § 332(c)(7)(B)(iv). Accordingly, this issue is preempted under federal law.

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?*

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

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

Conclusion

The project would be consistent with local and regional land use designations, plans, and policies and would not divide an established community. Potential impacts related to land use and planning would be *less than significant with mitigation* measures associated with air quality, biological resources, geology, hazards and hazardous materials.

Mitigation

Implement mitigation measures AQ-1 and AQ-2, BIO-1 through BIO-9, HAZ-1 and HAZ-2.

Sources

Provided in Exhibit A.

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XII. MINERAL RESOURCES

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

Setting

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

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

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

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

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

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

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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.

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XIII. NOISE

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

Setting

The 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

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- 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 acceptable standards for exterior and interior noise levels and describes how noise will be measured for determining compliance with county noise level standards. 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 6 -- 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 marginal traffic on Valley Quail Place as well as noise associated with ongoing agricultural operations on surrounding properties. The nearest sensitive receptors are offsite residences located about 500 feet from potential construction areas.

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

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. Table 7 provides an estimate of noise generated by temporary construction equipment that may be used for construction of the project.

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Table 7 -- Estimate of Noise From Construction Equipment

Equipment	Quantity	dBA at 50 Feet ¹	dBA at 250 Feet ¹
Backhoe	1	78	64
Dozer	1	82	68
Excavator	1	81	67
Dump Truck	1	76	62
Generator	1	81	67
Pickup Truck	2	75	61
Total:	7	872 ²	

Notes:

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

The nearest property line to the area of disturbance is about 50 feet away. As shown in Table 7, construction related noise would likely temporarily exceed the maximum hourly daytime levels allowed by the County’s noise standards at the nearest property line located to the south of the area of disturbance. 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 occasional maintenance and the installation of additional equipment. Therefore, operational noise will be below than 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 will not involve 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?

There are no public or private airstrips within 10 miles of the project site. The project site is not located within an Airport Review designation. 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*.

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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.

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XIV. POPULATION AND HOUSING

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

Setting

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

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

The project site is currently vacant.

Discussion

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

The project proposes construction of a telecommunications facility that would be unoccupied. The project does not include the extension or establishment of new public roads, utilities, or other infrastructure to the site that would induce development and population growth in new areas. Therefore, the project would have *no impact* relating to substantial growth.

- (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 there would be *no impact*.

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Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

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XV. PUBLIC SERVICES

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

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by County Fire, which has been under contract with the County to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. County Fire responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. County Fire has 24 fire stations located throughout the county, and the project would likely be served by the Fire Station 42, located approximately 1 mile north of the project site. Emergency personnel would be able to reach the site in less than 5 minutes of receiving a call.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North County Station in Templeton, and the South Station in Oceano. The project would be served by the County Sheriff's Office, and the nearest sheriff station is located approximately 30 miles to the east in the community of Oceano.

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San Luis Obispo County has a total of 12 school districts that currently enroll approximately 34,000 students in over 75 schools. The project 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.

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 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 fire safety rules and regulations, including the California Fire Code and California PRC, which include improvements to the existing access road to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures. The project will be conditioned to implement all requirements identified by the County Fire Department for the project including items to be completed prior to final inspection/operation. 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 any population growth and would not result in the need for additional school services or facilities. Therefore, impacts would be *no impact*.

Parks?

As discussed in Section XIV, Population and Housing, the project would not induce any increase in population and would not result in the need for additional parks or recreational services or facilities to serve new populations; therefore, there would be *no impact*.

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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.

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XVI. RECREATION

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

Setting

The 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.

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 construction of an unoccupied telecommunications facility. The project is not proposed in a location that would affect any existing trail, park, recreational facility, coastal access, and/or natural area. The project would not result in substantial growth within the area and

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would not substantially increase demand on any proximate existing neighborhood or regional park or other recreational facilities. There would be *no impact*.

- (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 *no impact*.

Conclusion

The project would not result in any increase in use, construction, or expansion of parks or recreational facilities. Therefore, there would be *no impact* related to recreation.

Mitigation

None necessary.

Sources

Provided in Exhibit A.

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XVII. TRANSPORTATION

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

Setting

The project site is located on Soda Lake Road, a County maintained rural roadway with low daily traffic.

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

The County has established Level of Service (LOS) “C” or better for rural roadways. The project site is currently undeveloped and generates no daily traffic.

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

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

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

Discussion

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

The project does not propose substantial temporary or long-term alteration of any proximate transportation facilities. Motor vehicle trips associated with the project are expected to add a net increase of about 1 trip per month to Soda Lake Road for routine maintenance. Construction activities will require temporary construction trips to and from the site. The project will not generate foot or bicycle traffic or generate public transit demand and would have a less than significant impact on levels of service/conditions for these facilities.

The project was referred to the Public Works Department who did not identify any road-related or traffic impact concerns (response letter of May 13, 2025).

Based on the expected small increase in average daily trips, the project is not expected to result in any long-term changes in traffic or circulation or reduce the Level of Service below LOS "C". The project would be consistent with the County Framework for Planning (Inland) and consistent with the projected level of growth and development identified in the 2023 RTP. The project does not propose uses that would interfere with, or conflict with, applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities, and would not conflict with adopted policies, plans or programs for transportation. Therefore, potential impacts would be *less than significant*.

No significant traffic impacts were identified, and no mitigation measures above what are already required by existing regulations are necessary.

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

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

The TIAG is accompanied by a VMT screening model that compares the current (baseline) per capita VMT in a particular VMT impact zone with future per capita VMT inclusive of the project. As a result, the VMT analysis of a given project is also considered to be a cumulative impact analysis.

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

Project Size. Small projects that are found to be consistent with the San Luis Obispo Council of Governments Sustainable Communities Strategies (SLOCOG SCS) or San Luis Obispo County General Plan and generate fewer than 110 daily trips are considered to have a less than significant VMT impact. The project may result in one monthly vehicle trip for routine maintenance and is therefore expected to have a *less than significant impact* on VMT.

- (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 will be conditioned to construct all access improvements to Soda Lake Road consistent with County and CalFire standards. Therefore, impacts would be *less than significant*.

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

The project will be conditioned to construct all access improvements to Soda Lake Road consistent with County standards.

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, the project would not adversely affect existing emergency access and impacts would be *less than significant*.

Conclusion

The project would not alter existing transportation facilities or result in the generation of substantial additional trips or vehicle miles traveled. Payment of standard development fees and compliance with existing regulations would ensure potential impacts were reduced to less than significant.

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XVIII. TRIBAL CULTURAL RESOURCES

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

Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the 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).

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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 provided to the Salinan Tribe of Monterey and San Luis Obispo Counties, *tit̥u tit̥u yak tiłhini* Northern Chumash, and Northern Chumash Tribal Council on January 13, 2026.

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)?*

As discussed in Section V. Cultural Resources, the Phase I study determined that the site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, there would be *no impact* related to a substantial adverse change in the significance of tribal cultural resources.

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

As discussed in Section V. Cultural Resources, the Phase I study determined that the site does not contain any known tribal cultural resources within the areas of disturbance. In addition, outreach was provided to tribal representatives. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (LUO 22.10.040), would reduce potential impacts to *less than significant*.

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Conclusion

Cultural resources are not expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with LUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to tribal cultural resources would be *less than significant*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XIX. UTILITIES AND SERVICE SYSTEMS

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

Setting

The County 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

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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?*

The project will not be occupied and will not require water or wastewater services. No utility relocations are proposed. Therefore, there would be *no impact*.

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

As discussed in Section X, Hydrology and Water Quality, the project will not be occupied and will not require water service. No utility relocations are proposed. Therefore, there would be *no impact*.

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

The project will not be occupied and will not require wastewater services. Therefore, there would be no impact.

- (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 nearest landfill to the site is the Cold Canyon Landfill located approximately 30 miles to the west. The landfill has a remaining capacity of approximately 13 million cubic yards. The incremental amount of waste generated by the project that is not recycled/reused would be within the service capacity of the landfill. Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

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

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Conclusion

The project will result in no increased demand for 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.

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XX. WILDFIRE

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

Setting

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

The 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;

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- 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.

According to data provided by CalFire, the project site has not been subject to a wildfire since at least 1950.

Discussion

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

The project does not require any road closures, and the access from Soda Lake Road is being designed to accommodate emergency vehicle access.

The project will be conditioned to demonstrate compliance with the regulations provided in Title 14 of the State Response Area Fire Safety Regulations provided in section 1270.02(b) prior to building permit issuance. As conditioned, implementation of the proposed project would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project.

Based on the County's Land Use View tool and Dam and Levee Failure Plan, the project is not located within an area that would be inundated in the event of a dam failure. The project would not impair

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implementation or physically interfere with County hazard mitigation or emergency plans; therefore, *no impacts* related to emergency plans would occur.

- (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 telecommunications facility will be located in an area surrounded by native and non-native grasses. Winds in the area vary from 6-8 miles per hour and primarily come from the north and west. As described in Section VI. Geology and Soils, the potential for landslides in the project area of disturbance is low. The project is not proposing any disturbance in areas of steep slopes and would not be conducive to the formation of debris flows.

The site is located within a State Responsibility Area and based on the County's fire response time map, it would take less than 5 minutes to respond to a call regarding fire or life safety from Station 42. The project will be conditioned to incorporate all required fire safety rules and regulations, including:

- Relevant provisions of the California Uniform Fire Code and Public Resources Code;
- Improvements to accommodate emergency vehicle access consistent with the requirements of C.C.R Title 14 and San Luis Obispo County Title 16.
- Vegetation clearing or trimming (fuel management);

In addition, the project will be conditioned to comply with all applicable fire protection standards as determined by CalFire (letter from Manny Higuera, May 5, 2025), including, but not limited to, preparation of a fire safety plan; the project will be required to comply with the requirements of the plan for the life of the project. Compliance with the Uniform Fire Code will ensure that potential impacts associated with slope, prevailing winds, and other factors will be *less than significant*.

Therefore, potential impacts would be *less than significant*.

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

As discussed above under item (b), the project would be designed to comply with all fire safety rules and regulations, including the California Fire Code and Public Resources Code, which includes construction of an access road/driveway to accommodate emergency vehicle access, vegetation clearing or trimming around all proposed structures. These infrastructure improvements are required for the life of the project and would reduce fire risk (see also the response provided under item b), above). Therefore, potential impacts would be *less than significant*.

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

The telecommunications facility will be located in an area surrounded by annual grasses. The project is not proposing disturbance in areas of steep slopes and the potential for landslides on the project site and the area of disturbance is considered low. The project would incorporate the provisions of a complete grading, drainage and erosion control plan consistent with County and CalFire standards. Therefore, the project will not expose the facility to significant risks such as downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes and project impacts would be *less than significant*.

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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.

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

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 resource sections, upon implementation of identified mitigation measures, the proposed project would not result in significant impacts to biological or cultural 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,

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

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

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

Aesthetics

The analysis provided in Section I., Aesthetics, concludes that the project will result in development that protects areas visible from public vantages. Project impacts, when combined with additional development and activities likely to occur on surrounding properties within the viewshed are considered *less than cumulatively considerable*.

Agriculture and Forestry Resources

The analysis provided in Section II, Agriculture and Forestry Resources, indicates that the project would have no impact to important farmland and would not result in the conversion of surrounding farmland to another use. In addition, no potential impacts to forest land or timberland would occur. The project would not result in a conflict with existing zoning for agricultural use. 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. However, construction related emissions could adversely impact sensitive receptors on surrounding parcels. The project site is not underlain by naturally occurring asbestos. With implementation of recommended mitigation measures AQ-1 and AQ-2, project construction, operational, and cumulative impacts would be *less than cumulatively considerable with mitigation*.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified avoidance and mitigation measures for special-status wildlife species and their habitats. With implementation of measures BIO-1 through BIO-9 potential impacts to biological resources would be less than significant.

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

Cultural Resources

The analysis provided in Section V. Cultural Resources concludes that project development would not result in significant impacts to cultural resources and project related impacts are considered less than significant.

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

Energy

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

Geology and Soils

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

Greenhouse Gas Emissions

As discussed in Section VI, Energy, the project is estimated to generate an additional 7 metric tons of CO₂. As stated in Section VIII., a project estimated to generate less than 830 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*.

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Hydrology and Water Quality

As discussed in Section X. Hydrology and Water Quality, the project will not require any water. 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 project will not be occupied nor induce significant employment in the area. Therefore, when considered with the potential impacts of other reasonably foreseeable development in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered *less than cumulatively considerable*.

Public Services

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

Transportation

As discussed in Section XVII, Transportation, the project would not result in a conflict with a plan or policy addressing the circulation system, or increase hazards due to a geometric design feature. Therefore, the project's potential traffic impacts would be *less than cumulatively considerable*.

County Fire requirements will be enforced as conditions of approval.

Project related VMT is expected to fall below the County's thresholds of significance.

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

Other Impact Issue Areas

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

- Land Use Planning;
- Mineral Resources;
- Recreation;
- Tribal Cultural Resources;

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- Utilities and Service Systems; and
- Wildfire.

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

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

Conclusion

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

Sources

Provided in Exhibit A.

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Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Services	In File**
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	None
<input checked="" type="checkbox"/>	CA Department of Forestry (Cal Fire)	In File**
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	California Valley Community Services District	Not Applicable
<input checked="" type="checkbox"/>	Other Building	In File**
<input checked="" type="checkbox"/>	Other AB 52 Tribes	None

** "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.

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

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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

Padre Associates, July 2025, Phase I Cultural Resource Inventory

Padre Associates, Inc., August 1, 2025, Biological Resources Assessment

Waterford, March 28, 2025, Radio Frequency Emissions Compliance Report

Assurance Development, Alternatives Analysis, 2025

Other County References

Referral response from the Building Division dated May 6, 2025

Referral response from the Environmental Health Department dated May 7, 2025

Referral response from the Public Works Department dated May 13, 2025

Referral response from the California Valley Community Services District of April 28, 2025

Other References

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CalEEMOD version 2022

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

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<https://www.arcgis.com/home/webmap/viewer.html?useExisting=1&layers=f0259b1ad0fe4093a5604c9b838a486a>>.
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- California Geological Survey (CGS). 2015. CGS Information Warehouse: Mineral Land Classification. Available at <<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>>
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- County of San Luis Obispo Staff. 2019. California Emissions Estimator Model (CalEEMod, 2022) Results.
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<https://ngmdb.usgs.gov/Prodesc/proddesc_71748.htm>.
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- Occupational Health and Safety Administration Technical Manual, Section III, Chapter 5 part II.B.6.
- 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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- State Water Resources Control Board (SWRCB). 2015. GeoTracker. Available at
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<<https://www.cpuc.ca.gov/environment/info/horizonh2o/estrella/docs/Templeton%20Route%20Alts%20PRTR.pdf>>.

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

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Exhibit B - Mitigation Summary Table

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

Air Quality

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

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

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- AQ-2 ROG, NO_x, DPM Emissions.** The following measures based on the SLOAPCD standard mitigation measures for construction equipment for reducing nitrogen oxides (NO_x), reactive organic gases (ROG), and diesel particulate matter (DPM) emissions from construction equipment shall be implemented to reduce exposure of sensitive receptors to substantial pollutant concentrations. These measures shall be shown on grading and building plans:
- a. Implement Mitigation Measure AQ-1, as identified above.
 - b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
 - c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
 - d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
 - e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.
 - f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
 - g. Electrify equipment when possible.
 - h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
 - i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Biological Resources

BIO-1 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for biological resources.

BIO-2 Environmental Awareness Training – Prior to major construction activities (e.g., site mobilization, clearing, grubbing, preparation for installing new facilities, etc.), an environmental awareness training shall be presented to all project personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all

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special-status species known or determined to have potential to occur, as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by the project's discretionary permits, an overview of the federal Endangered Species Act, the California Endangered Species Act, and implications of noncompliance with these regulations, as well as an overview of the required avoidance and minimization measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training and the names and signatures of the trainees will be kept and provided to the County of San Luis Obispo (County). If new project personnel join the project after the initial training period, they will receive the environmental awareness training from a designated crew member on site before beginning work. A qualified biologist will provide refresher trainings during site visits or other monitoring events.

BIO-3 Prior to issuance of grading and/or construction permits, all San Joaquin Kit Fox protection measures required before construction (prior to any project activities) and during construction shall be included as a note on all project plans.

BIO-4 Preconstruction survey for San Joaquin Kit Fox (*Vulpes macrotis mutica*; SJKF). Within two weeks prior to the start of ground-disturbing activities, a qualified biologist shall survey the project impact area plus a 250-foot buffer within the limits of the parcel for potential SJKF dens. USFWS (2011) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* shall be implemented to establish no-disturbance exclusion zones around all potential and known dens identified during the protocol survey. Fenced exclusion zones shall be established by the biologist around all known and potential SJKF dens, as described below.

Exclusion zone fencing shall consist of survey laths or wooden stakes prominently flagged with survey ribbon, silt fencing or orange construction fence. The status of the burrow/den shall be determined using the methods in Mitigation Measure BIO-5. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den entrances:

- Potential SJKF den (burrow with appropriate dimensions): 50 feet;
- Atypical SJKF den (manmade structure occupied by SJKF): 50 feet;
- Known or active SJKF den: 100 feet
- Natal/pupping SJKF den: exclusion zone to be determined through consultation with USFWS, but at least 200 feet minimum

Any potential dens found shall be identified with flagging or stakes, and the no-work buffer shall be flagged and/or fenced. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If it is not possible to avoid all known and potential dens with the above-stated exclusion zones, they must be monitored to determine whether they are active, and inactive dens destroyed as described below in Mitigation Measure BIO-5.

BIO-5 Standard Avoidance Measures for San Joaquin Kit Fox. To avoid impacts to SJKF, the USFWS (2011) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* and County (2025a) *Standard Kit Fox CEQA Mitigation Measures* shall be implemented:

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- A qualified biologist shall prepare a Worker Environmental Awareness Program that will be presented to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It should include a description of special-status species potentially occurring on the project site and their natural history; the status of the species and their protection under environmental laws and regulations; and, the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site.
- A qualified biologist shall be present onsite to monitor all initial vegetation removal, excavation or any other ground disturbance. The biologist shall stand at a safe distance and use binoculars to monitor earth-moving activities for animals that may be uncovered during the work. The biologist shall have the authority to stop the work should any special-status wildlife species be found, and work can commence only after these individuals have left the work area.
- If any SJKF are found onsite, work shall be halted until the USFWS and CDFW are contacted. No work shall be done until appropriate approvals are received, and while monitored by the qualified biologist. In the case of accidental mortality of SJKF on the project site, the appropriate USFWS field office and CDFW shall be notified in writing within three working days.
- Vehicles shall observe a speed limit of 15 miles per hour on the project site, and be restricted to established access routes and roadways.
- If a SJKF is discovered at any time to be occupying an area within the project boundaries, all work must stop. The County will be notified, and they will consult with other agencies as needed.
- All project activities shall cease at dusk and not start before dawn. This includes driving on the site for security purposes.
- To prevent entrapment of SJKF and other special-status wildlife, all excavations, steep-walled holes or trenches greater than two feet deep shall be completely covered at the end of each work day by plywood or similar materials, or one or more escape ramps constructed of earth fill or wooden planks shall be installed a minimum of every 200 feet. All escape ramps shall be angled such that wildlife can feasibly use it to climb out of an area. All excavations, holes, and trenches shall be inspected daily for SJKF or other special-status species and immediately prior to being covered or filled. If a SJKF is entrapped, CDFW, USFWS, and the County will be contacted immediately to document the incident and advise on removal of the entrapped SJKF.
- All pipes, culverts, or similar structures with a diameter of 4 inches or greater, stored overnight at the project site shall be thoroughly inspected for sheltering SJKF before burying, capping, or moving. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day. No pipes, culverts, similar structures, or materials stored on site shall be moved if there is a SJKF present within or under the material. A 50-foot exclusion buffer will be established around the location of the SJKF until it leaves. The SJKF shall be allowed to leave on its own before the material is moved.
- All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in animal-proof closed containers only and regularly removed from the site.

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- No deliberate feeding of wildlife shall be allowed.
- Water sources shall be managed to ensure no leaks occur or are fixed immediately upon discovery in order to prevent SJKF from being drawn to the project area to drink water.
- Trash will be disposed of into containers rather than stockpiling on site prior to removal.
- Materials or other stockpiles will be managed in a manner that will prevent SJKF from inhabiting them. Any materials or stockpiles that may have had SJKF take up residence shall be surveyed (consistent with pre-construction survey requirements) by a qualified biologist before they are moved.
- The use of pesticides or herbicides shall be in compliance with all local, state, and federal regulations so as to avoid primary or secondary poisoning of endangered species and the depletion of prey upon which SJKF depend.
- Permanent fences shall allow for SJKF passage through or underneath by providing frequent openings (8-inch x 12-inch) or an approximately 4-inch or greater passage gap between the ground and the bottom of the fence. Any fencing constructed after issuance of a final permit shall follow the above guidelines.
- During project activities and/or the operation phase, any contractor or employee that inadvertently kills or injures a SJKF or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead SJKF, the applicant shall immediately notify the USFWS, CDFW, and the County by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location, and circumstances of the incident.
- If potential SJKF dens are identified on site during the pre-construction survey, a qualified biologist shall be on site immediately prior to the initiation of project activities to inspect the site and dens for SJKF activity. If a potential den appears to be active or there is sign of SJKF activity on site and within the above-recommended buffers, no work can begin.
- A qualified biologist shall conduct weekly site visits during site-disturbance activities (e.g., clearing, grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, to check the site for special-status species. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by a biologist unless a potential SJKF den was identified on-site or the qualified biologist recommends monitoring for other sensitive species protection. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

BIO-6 Standard Measures for the Protection of San Joaquin Kit Fox Dens/Burrows. A qualified biologist shall install wildlife trail cameras, tracking media, or use a fiber optic scope to determine whether the potential dens/burrows onsite are actively being used by SJKF. Potential dens/burrows shall be monitored daily for at least three days to determine whether they are currently occupied. If the work takes place in the late spring or summer, additional measures shall be employed to determine whether dens are occupied by young. No dens/burrows with young shall be disturbed,

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and no work shall be conducted within 200 feet of maternal dens until the young have left. Note that SJKF natal dens that have been vacated cannot be destroyed without a take authorization/permit (USFWS 2011). Dens/burrows occupied by a single adult badger can be avoided with a 50-foot buffer. If any active dens occupied by a single adult are found and cannot be avoided with the 50-foot buffer, CDFW or USFWS (for SJKF) shall be consulted to determine whether the animal(s) should be evicted from the burrow. All other possible avoidance and minimization measures shall be considered before the closure of burrows is implemented. Eviction procedures for badgers involve blocking the den incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. Only after the animal has left the den, as determined by the qualified biologist implementing the wildlife camera and/or tracking medium methods, can the burrow be excavated and work proceed.

Destruction of a den/burrow is typically done by incrementally excavating the burrow until it is confirmed that no animals are occupying it. Excavation using hand tools is the recommended method, and the use of excavating equipment can be done with extreme caution and while being monitored by a qualified biologist. After the den/burrow is destroyed, the excavation is to be filled with dirt and compacted to make sure that burrowing animals cannot re-enter or use the burrow during construction. If an American badger or SJKF is discovered inside the den during the excavation activities, excavation should cease immediately and monitoring of the den re-initiated. Den/burrow destruction may proceed once it is determined that the animal has left the area.

The qualified biologist shall conduct weekly site visits during site disturbance activities lasting more than 14 days for the purpose of monitoring compliance with the SJKF Standard Recommendations. The biologist shall document the site visits through weekly monitoring reports to be submitted to the County. The above measures shall be included on all land use, grading, and building plans for the construction of the residence and accessory structures.

BIO-7 Site Maintenance and General Operations - The following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.

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- Washing of concrete, paint, equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.
- Equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

BIO-8 San Joaquin Kit Fox Habitat Mitigation Measures - Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County and CDFW that one or a combination of the following three SJKF mitigation measures for loss of SJKF habitat has been implemented:

- d. Habitat Set Aside. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.48 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on site or off site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the CDFW and the County.

Mitigation alternative (a.) requires that all aspects of this program be in place before County permit issuance or initiation of any ground-disturbing activities.

- e. In Lieu Fee. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b.) can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities. The fee, payable to "The Nature Conservancy", would total \$1,200 based on \$2,500 per acre and 0.12 acres impacted x 4:1 x \$2,500 per acre).

- f. Purchase Mitigation Credits. Purchase 2.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c.) can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank and would total \$1,200 (0.12 acres impacted x 4:1 x \$2,500 per acre). This fee is calculated based on the current cost-per-credit of \$2,500 per acre

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of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground-disturbing activities.

It should be noted that the estimated area of SJKF habitat mitigation required (0.48 acres) is a conservative estimate based on the preliminary plans used for CEQA compliance. A final quantification of the area of kit fox habitat impacted by the project, and the corresponding mitigation requirements, will be made based on the construction plans approved by the County through the building permit process. If the final construction plans indicate that the project may impact more than 0.12 acres of SJKF habitat, the project may require additional environmental review before a building permit will be issued. Such additional review may also require coordination with CDFW.

BIO-9 Preconstruction Survey for Nesting Birds. If work activities are scheduled to start between February 1st and August 31st, a qualified biologist shall survey the project impact area plus a 250-foot buffer. The survey shall be conducted within seven days before the initiation of construction. During the survey, the qualified biologist shall search for birds exhibiting nesting behavior, attempt to locate their nests, and inspect all potential nest substrates in the survey area. Any nests identified shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found, a buffer shall be established around the nest (50 feet for common songbirds and 250 feet for raptors). The buffer shall be delineated with flagging, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist. Once nesting has ceased and the young are no longer reliant on the nest, project activities can commence in the buffer zone.

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.

Date: February 24, 2026

**DEVELOPER'S STATEMENT & MITIGATION MONITORING PROGRAM
FOR CONDITIONAL USE PERMIT N-DRC2025-00017 (ED26-009)**

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

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

Air Quality (AQ)

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

1. Reduce the amount of the disturbed area where possible;
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 miles per hour. Reclaimed (non-potable) water should be used whenever possible;
3. All dirt stock-pile areas shall be sprayed daily as needed;
4. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
5. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
6. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

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

- a. Implement Mitigation Measure AQ-1, as identified above.
- b. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- c. Maintain all construction equipment in proper tune according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- e. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation.
- f. Idling of all on and off-road diesel-fueled vehicles shall not be permitted when not in use. Signs shall be posted in the designated queuing areas and or job site to remind drivers and operators of the no idling limitation.
- g. Electrify equipment when possible.
- h. Substitute gasoline-powered in place of diesel-powered equipment, when available. and,
- i. Use alternatively fueled construction equipment on-site when available, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

Biological Resources (BIO)

BIO-1 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Department of Planning and Building to perform the training and monitoring activities described in the adopted mitigation measures for biological resources.

BIO-2 Environmental Awareness Training – Prior to major construction activities (e.g., site mobilization, clearing, grubbing, preparation for installing new facilities, etc.), an environmental awareness training shall be presented to all project personnel by a qualified biologist prior to the start of any project activities. The training shall include color photographs and a description of the ecology of all special-status species known or determined to have potential to occur, as well as other sensitive resources requiring avoidance near project impact areas. The training shall also include a description of protection measures required by the project's discretionary permits, an overview of the federal Endangered Species Act, the California Endangered Species Act, and implications of noncompliance with these regulations, as well as an overview of the required avoidance and minimization measures. A sign-in sheet with the name and signature of the qualified biologist who presented the training and the names and signatures of the trainees will be kept and provided to the County of San Luis Obispo (County). If new project personnel join the project after the initial training period, they will receive the environmental awareness training from a designated crew member on site before beginning work. A qualified biologist will provide refresher trainings during site visits or other monitoring events.

BIO-3 Prior to issuance of grading and/or construction permits, all San Joaquin Kit Fox protection measures required before construction (prior to any project activities) and during construction shall be included as a note on all project plans.

BIO-4 Preconstruction survey for San Joaquin Kit Fox ((*Vulpes macrotis mutica*; SJKF). Within two weeks prior to the start of ground-disturbing activities, a qualified biologist shall survey the project impact area plus a 250-foot buffer within the limits of the parcel for potential SJKF dens. USFWS (2011) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* shall be implemented to establish no-disturbance exclusion zones around all potential and known dens identified during the protocol survey. Fenced exclusion zones shall be established by the biologist around all known and potential SJKF dens, as described below.

Exclusion zone fencing shall consist of survey laths or wooden stakes prominently flagged with survey ribbon, silt fencing or orange construction fence. The status of the burrow/den shall be determined using the methods in Mitigation Measure BIO-5. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den entrances:

- Potential SJKF den (burrow with appropriate dimensions): 50 feet;
- Atypical SJKF den (manmade structure occupied by SJKF): 50 feet;
- Known or active SJKF den: 100 feet
- Natal/pupping SJKF den: exclusion zone to be determined through consultation with USFWS, but at least 200 feet minimum

Any potential dens found shall be identified with flagging or stakes, and the no-work buffer shall be flagged and/or fenced. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed. If it is not possible to avoid all known and potential dens with the above-stated exclusion zones, they must be monitored to determine whether they are active, and inactive dens destroyed as described below in Mitigation Measure BIO-5.

BIO-5 Standard Avoidance Measures for San Joaquin Kit Fox. To avoid impacts to SJKF, the USFWS (2011) *Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance* and County (2025a) *Standard Kit Fox CEQA Mitigation Measures* shall be implemented:

- A qualified biologist shall prepare a Worker Environmental Awareness Program that will be presented to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It should include a description of special-status species potentially occurring on the project site and their natural history; the status of the species and their protection under environmental laws and regulations; and, the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site.
- A qualified biologist shall be present onsite to monitor all initial vegetation removal, excavation or any other ground disturbance. The biologist shall stand at a safe distance and use binoculars to monitor earth-moving activities for animals that may be uncovered during the work. The biologist shall have the authority to stop the work should any special-status wildlife species be found, and work can commence only after these individuals have left the work area.
- If any SJKF are found onsite, work shall be halted until the USFWS and CDFW are contacted. No work shall be done until appropriate approvals are received, and while monitored by the qualified biologist. In the case of accidental mortality of SJKF on the project site, the appropriate USFWS field office and CDFW shall be notified in writing within three working days.
- Vehicles shall observe a speed limit of 15 miles per hour on the project site, and be restricted to established access routes and roadways.
- If a SJKF is discovered at any time to be occupying an area within the project boundaries, all work must stop. The County will be notified, and they will consult with other agencies as needed.
- All project activities shall cease at dusk and not start before dawn. This includes driving on the site for security purposes.
- To prevent entrapment of SJKF and other special-status wildlife, all excavations, steep-walled holes or trenches greater than two feet deep shall be completely covered at the end of each work day by plywood or similar materials, or one or more escape ramps constructed of earth fill or wooden planks shall be installed a minimum of every 200 feet. All escape ramps shall be angled such that wildlife can feasibly use it to climb out of an

area. All excavations, holes, and trenches shall be inspected daily for SJKF or other special-status species and immediately prior to being covered or filled. If a SJKF is entrapped, CDFW, USFWS, and the County will be contacted immediately to document the incident and advise on removal of the entrapped SJKF.

- All pipes, culverts, or similar structures with a diameter of 4 inches or greater, stored overnight at the project site shall be thoroughly inspected for sheltering SJKF before burying, capping, or moving. All exposed openings of pipes, culverts, or similar structures shall be capped or temporarily sealed prior to the end of each working day. No pipes, culverts, similar structures, or materials stored on site shall be moved if there is a SJKF present within or under the material. A 50-foot exclusion buffer will be established around the location of the SJKF until it leaves. The SJKF shall be allowed to leave on its own before the material is moved.
- All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in animal-proof closed containers only and regularly removed from the site.
- No deliberate feeding of wildlife shall be allowed.
- Water sources shall be managed to ensure no leaks occur or are fixed immediately upon discovery in order to prevent SJKF from being drawn to the project area to drink water.
- Trash will be disposed of into containers rather than stockpiling on site prior to removal.
- Materials or other stockpiles will be managed in a manner that will prevent SJKF from inhabiting them. Any materials or stockpiles that may have had SJKF take up residence shall be surveyed (consistent with pre-construction survey requirements) by a qualified biologist before they are moved.
- The use of pesticides or herbicides shall be in compliance with all local, state, and federal regulations so as to avoid primary or secondary poisoning of endangered species and the depletion of prey upon which SJKF depend.
- Permanent fences shall allow for SJFK passage through or underneath by providing frequent openings (8-inch x 12-inch) or an approximately 4-inch or greater passage gap between the ground and the bottom of the fence. Any fencing constructed after issuance of a final permit shall follow the above guidelines.
- During project activities and/or the operation phase, any contractor or employee that inadvertently kills or injures a SJKF or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead SJKF, the applicant shall immediately notify the USFWS, CDFW, and the County by telephone. In addition, formal notification shall be provided in writing within 3 working days of the finding of any such animal(s). Notification shall include the date, time, location, and circumstances of the incident.
- If potential SJKF dens are identified on site during the pre-construction survey, a qualified biologist shall be on site immediately prior to the initiation of project activities to inspect

the site and dens for SJKF activity. If a potential den appears to be active or there is sign of SJKF activity on site and within the above-recommended buffers, no work can begin.

- A qualified biologist shall conduct weekly site visits during site-disturbance activities (e.g., clearing, grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, to check the site for special-status species. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by a biologist unless a potential SJKF den was identified on-site or the qualified biologist recommends monitoring for other sensitive species protection. When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

BIO-6 Standard Measures for the Protection of San Joaquin Kit Fox Dens/Burrows. A qualified biologist shall install wildlife trail cameras, tracking media, or use a fiber optic scope to determine whether the potential dens/burrows onsite are actively being used by SJKF. Potential dens/burrows shall be monitored daily for at least three days to determine whether they are currently occupied. If the work takes place in the late spring or summer, additional measures shall be employed to determine whether dens are occupied by young. No dens/burrows with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left. Note that SJKF natal dens that have been vacated cannot be destroyed without a take authorization/permit (USFWS 2011). Dens/burrows occupied by a single adult badger can be avoided with a 50-foot buffer. If any active dens occupied by a single adult are found and cannot be avoided with the 50-foot buffer, CDFW or USFWS (for SJKF) shall be consulted to determine whether the animal(s) should be evicted from the burrow. All other possible avoidance and minimization measures shall be considered before the closure of burrows is implemented. Eviction procedures for badgers involve blocking the den incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. Only after the animal has left the den, as determined by the qualified biologist implementing the wildlife camera and/or tracking medium methods, can the burrow be excavated and work proceed.

Destruction of a den/burrow is typically done by incrementally excavating the burrow until it is confirmed that no animals are occupying it. Excavation using hand tools is the recommended method, and the use of excavating equipment can be done with extreme caution and while being monitored by a qualified biologist. After the den/burrow is destroyed, the excavation is to be filled with dirt and compacted to make sure that burrowing animals cannot re-enter or use the burrow during construction. If an American badger or SJKF is discovered inside the den during the excavation activities, excavation should cease immediately and monitoring of the den re-initiated. Den/burrow destruction may proceed once it is determined that the animal has left the area.

The qualified biologist shall conduct weekly site visits during site disturbance activities lasting more than 14 days for the purpose of monitoring compliance with the SJKF Standard Recommendations. The biologist shall document the site visits through weekly monitoring reports to be submitted to the County. The above measures shall be included on all land use, grading, and building plans for the construction of the residence and accessory structures.

BIO-7 Site Maintenance and General Operations - The following measures are required to minimize impacts during active construction and ongoing operations. All measures applicable during construction shall be included on plans. All measures applicable to operation shall be clearly posted on-site in a location(s) visible to workers and anyone visiting the site:

- The use of heavy equipment and vehicles shall be limited to the proposed project limits and defined staging areas/access points. The boundaries of each work area shall be clearly defined and marked with high visibility fencing (e.g., t-posts and yellow rope) and/or flagging. No work or travel shall occur outside these limits.
- Project plans, drawings, and specifications shall show the boundaries of all work areas on site and the location of erosion and sediment controls, limit delineation, and other pertinent measures to ensure the protection of sensitive habitat areas and associated resources.
- Staging of equipment and materials shall occur in designated areas at least 100 feet from aquatic habitat (e.g., swales, drainages, ponds, vernal pools, if identified on site).
- Secondary containment such as drip pans shall be used to prevent leaks and spills of potential contaminants.
- Washing of concrete, paint, equipment, and refueling and maintenance of equipment shall occur only in designated areas. Sandbags and/or absorbent pads shall be available to prevent water and/or spilled fuel from leaving the site.
- Equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.

BIO-8 San Joaquin Kit Fox Habitat Mitigation Measures - Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County and CDFW that one or a combination of the following three SJKF mitigation measures for loss of SJKF habitat has been implemented:

- a. Habitat Set Aside. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.48 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area), either on site or off site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the CDFW and the County.

Mitigation alternative (a.) requires that all aspects of this program be in place before County permit issuance or initiation of any ground-disturbing activities.

- b. In Lieu Fee. Deposit funds into an approved in-lieu fee program, which would provide for the protection in perpetuity of suitable habitat in the kit fox corridor area within San Luis Obispo County, and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (b.) can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between CDFW and TNC to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the CEQA. This fee is calculated based on the current cost-per-unit of \$2,500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; the actual cost may increase depending on the timing of payment. This fee must be paid after CDFW provides written notification about mitigation options but prior to County permit issuance and initiation of any ground disturbing activities. The fee, payable to "The Nature Conservancy", would total \$1,200 based on \$2,500 per acre and 0.12 acres impacted x 4:1 x \$2,500 per acre).

- c. Purchase Mitigation Credits. Purchase 2.0 credits in a CDFW-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c.) can be completed by purchasing credits from the Palo Prieto Conservation Bank. The Palo Prieto Conservation Bank was established to preserve SJKF habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with CEQA. The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank and would total \$1,200 (0.12 acres impacted x 4:1 x \$2,500 per acre). This fee is calculated based on the current cost-per-credit of \$2,500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. The actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground-disturbing activities.

It should be noted that the estimated area of SJKF habitat mitigation required (0.48 acres) is a conservative estimate based on the preliminary plans used for CEQA compliance. A final quantification of the area of kit fox habitat impacted by the project, and the corresponding mitigation requirements, will be made based on the construction plans approved by the County through the building permit process. If the final construction plans indicate that the project may impact more than 0.12 acres of SJKF habitat, the project may require additional environmental review before a building permit will be issued. Such additional review may also require coordination with CDFW.

BIO-9 Preconstruction Survey for Nesting Birds. If work activities are scheduled to start between February 1st and August 31st, a qualified biologist shall survey the project impact area plus a 250-foot buffer. The survey shall be conducted within seven days before the initiation of construction. During the survey, the qualified biologist shall search for birds exhibiting nesting behavior, attempt to locate their nests, and inspect all potential nest substrates in the survey area. Any nests identified shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found, a buffer shall be established around the nest (50 feet for common songbirds and 250 feet for raptors). The buffer shall be delineated with flagging, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist. Once nesting has

ceased and the young are no longer reliant on the nest, project activities can commence in the buffer zone.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

Hazards and Hazardous Materials (HAZ)

- 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.

Monitoring: Required prior to issuance of construction or grading permits or prior to any site disturbance. Compliance will be verified by the County Department of Planning and Building.

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signed by: <i>Randy Wilson</i>	Randy Wilson	2/27/2026
Signature of Applicant	Name (Print)	Date