



Initial Study – Environmental Checklist

Moore Major Grading Permit (GRAD2025-00011 / ED26-0022)

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

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forestry Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input 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 type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

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

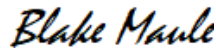
- The proposed project is a housing development that qualifies for a CEQA exemption pursuant to a statutory or categorical exemption (Class 1-5, inclusive, 12, 15, 20, 27, 30 or 32) adopted prior to January 1, 2026, with the exception of a single condition as described within the sections of these listed classes or a condition described in Section 15300.2 (Exceptions to Categorical Exemptions). A FOCUSED INITIAL STUDY concentrating on the potential environmental effects caused by the single, unmet condition will be prepared pursuant to PRC 21080.1.
- 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.

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Blake Maule

Planner

3/23/2026



Prepared by (Print)

Signature

Date

Kerry Brown

Supervising Planner

3/23/2026

Reviewed by (Print)

Signature

Date

A. Project

DESCRIPTION: A request by Kevin and Angelyn Moore for a major grading permit (GRAD2025-00011) to allow for the construction of a 3,047 square foot (sf) single-family residence, 622 sf attached garage, workshop, new septic system, and grading for a driveway. The proposed project will result in approximately 0.85 acres of site disturbance, 1,519 cubic yards of cut and 1,471 cubic yards of fill on the 2.5-acre parcel, with grading occurring on slopes of up to 21%. The parcel is within the Residential Suburban land use category and is located at 855 Printz Road in the unincorporated area of Arroyo Grande, in the San Luis Bay Inland Sub-area of the South County Planning Area.

Baseline Conditions

The property consists of moderately sloping grass-covered hills located south of Printz Road. The project site is accessed by a dirt road that traverses the center of the property and bisects the on-site coast live oak woodland. The road corridor supports veldt grass grassland and includes a population of San Luis Obispo owl's-clover. Routine vegetation maintenance has historically occurred within the flag portion of the parcel.

ASSESSOR PARCEL NUMBER(S): 044-253-027

Latitude: 35.14478° N

Longitude: 120.58578° W

SUPERVISORIAL DISTRICT #

4

B. Existing Setting

Plan Area: South County

Sub: San Luis Bay (South)

Comm: NA

Land Use Category: Residential Suburban

Combining Designation: Renewable Energy Overlay

Parcel Size: 2.5 acres

Topography: Moderately sloping

Vegetation: Perennial Grassland, Scattered Oaks

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

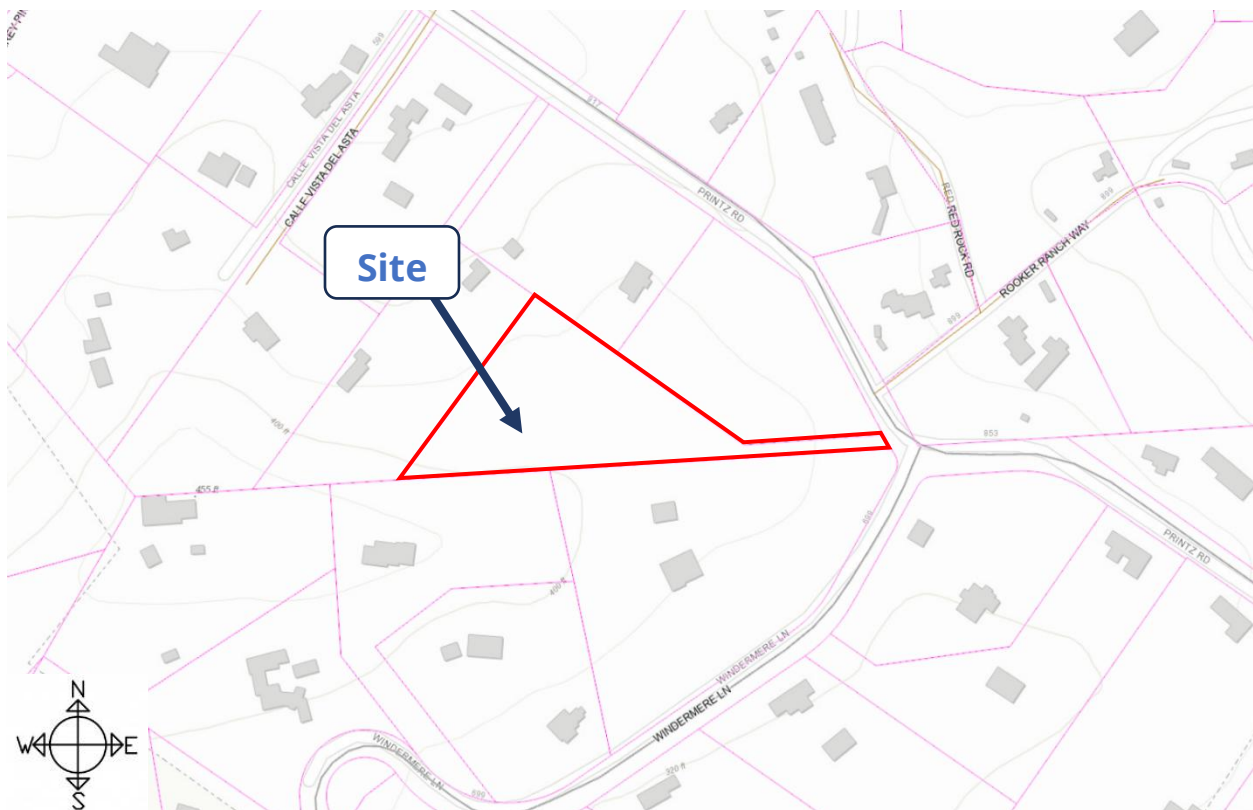
North: Residential Suburban; Single-Family Residences

East: Residential Suburban; Single-Family Residences

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South: Residential Suburban; Single-Family Residences West: Residential Suburban; Single-Family Residences

Figure 1 – Project Vicinity Map



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Figure 2 – Project Aerial Boundary Map



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C. Environmental Analysis

Regulatory Background

Senate Bill 131 (SB 131) was signed into law (PRC 21080.1) by Governor Newsom on June 30, 2025. PRC 21080.1 requires the lead agency to be responsible for determining if a project is exempt from the California Environmental Quality Act (CEQA) and that the determination is final unless challenged as provided by PRC 21167. PRC 21080.1 also states that if a proposed housing development would otherwise be exempt from CEQA pursuant to a statutory or categorical exemption Class 1-5, inclusive, 12, 15, 20, 27, 30 or 32 (adopted prior to January 1, 2026), except for a single condition as described within the sections of these listed classes or a condition described in Section 15300.2 (Exceptions to Categorical Exemptions), then the approval of the proposed housing development project shall be limited to effects upon the environment that are caused solely by that single condition, known as a "Near Miss Exemption". Therefore, the level of environmental review consistent with a Near Miss Exemption is a Focused Initial Study that addresses the environmental impacts caused by the single, unmet condition.

Near Miss Exemption Status/Findings

The project qualifies for a Near Miss Exemption pursuant to PRC 21080.1 because the project will result in the development of a single-family residence. The project meets all conditions for a Class 3 Exemption pursuant to CEQA Guidelines Sections 15303 (New Construction or Conversion of Small Structures), and all but one condition for the exemption criteria under Section 15300.2. The project does not meet Condition (c) Significant Effect under Section 15300.2 because it may result in a significant impact to biological resources due to an unusual circumstance. Pursuant to PRC 21080.1, the scope of environmental review is limited to potential impacts to biological resources, the non-compliant condition. Therefore, a Focused IS/MND has been prepared (see IV. Biological Resources).

Environmental Review Process

The County's environmental review process incorporates all of the requirements for completing the Focused Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Focused 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. 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.

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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 checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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.

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“Take” under federal definition means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

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

Migratory Bird Treaty Act

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

State Law and Regulations

California Endangered Species Act

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

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

California Environmental Quality Act (CEQA)

CEQA defines a “project” as any action undertaken from public or private entity that requires discretionary governmental review (a non-ministerial permittable action). All “projects” are required to undergo some level of environmental review pursuant to CEQA, unless an exemption applies. CEQA’s environmental review process includes an assessment of existing resources, broken up by

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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 Native Plant Protection Act

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

Lake and Streambed Alteration

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

Nesting Birds

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

Regional Water Quality Control Board

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

Applicable Studies

A Biological Resources Assessment (BRA), Botanical Survey, and Botanical Survey Addendum have been prepared for the project site by SWCA Environmental Consultants (December 30, 2025; August 2023; and July 9, 2024, respectively). These studies are incorporated herein by reference and are available for review in their entirety at the Department of Planning and Building, 976 Osos Street, San

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Luis Obispo. The purpose of these biological evaluations is to assess the potential for the project site to support special-status biological resources, including plants, wildlife, designated critical habitat, and sensitive natural communities, that could be adversely affected by the proposed project, consistent with the requirements of the California Environmental Quality Act (CEQA). Where potentially significant impacts have been identified, mitigation measures are recommended to avoid, minimize, or reduce such impacts in accordance with CEQA. The following provides a summary of the findings and recommendations of these studies.

Environmental Setting

The subject property is a flag lot that takes access from Printz Road in the unincorporated area of Arroyo Grande and is currently undeveloped, apart from a previously disturbed dirt road, and is characterized by moderately sloping hills mostly covered with grasses and Coast live oaks (*Quercus agrifolia*) (SWCA Environmental Consultants, 2023).

Special Status Plants

A botanical survey of the project site was conducted in August 2023 and a follow up survey occurred in July 2024 by SWCA Environmental Consultants. Although the first survey occurred outside the typical spring blooming period for some special-status plant species, a habitat-based assessment was conducted to evaluate the potential for such species to occur on the site. A desktop survey identified 17 special-status plant species known to occur regionally, with the survey identifying 3 special status species on-site, the following is a list of the species identified:

- Mesa Horkelia (*Horkelia cuneata* var. *puberula*)
- San Luis Obispo Owl's Clover (*Castilleja densiflora* ssp. *obispoensis*)
- Santa Margarita Manzanita (*Arctostaphylos pilosula*)

MESA HORKELIA (*Horkelia cuneata* var. *puberula*)

Santa Margarita manzanita is a shrub endemic to the outer South Coast Ranges of central San Luis Obispo County, where it occurs on shale outcrops within chaparral communities at elevations ranging from approximately 98 to 4,100 feet. The species typically blooms from December through March and is threatened by development, road construction and maintenance, vegetation clearing, and competition from nonnative plant species. Approximately 20 individuals were documented within chaparral habitat along the southern edge of the central survey area, and an additional 15 seedlings were observed immediately east of the chaparral community in adjacent veldt grassland. Although not in flower at the time of survey, individuals were readily identifiable based on vegetative characteristics.

SAN LUIS OBISPO OWL'S CLOVER (*Castilleja densiflora* ssp. *obispoensis*)

San Luis Obispo owl's-clover is an annual herb endemic to coastal areas of the outer South Coast Ranges, occurring from just south of Ragged Point to Arroyo Grande, with several populations in the Irish Hills. The species occupies coastal grasslands at elevations below approximately 1,312 feet and typically blooms from March through June. Documented threats include development and grazing. Approximately 1,600 individuals were documented along the eastern access route from Printz Road, with a few additional scattered individuals observed near the eastern fence line. A third grouping was

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identified in the central portion of the property along the dirt road, interspersed with purple owl's-clover. The species was in flower at the time of survey and was readily identifiable.

SANTA MARGARITA MANZANITA (*Arctostaphylos pilosula*)

Santa Margarita manzanita is a shrub species endemic to the outer South Coast Ranges of central San Luis Obispo County, where it occurs on shale outcrops within chaparral communities at elevations ranging from approximately 98 to 4,100 feet. The species typically blooms between December and March and is threatened by development, road construction and maintenance, vegetation clearing, and competition from nonnative plant species. Approximately 20 individuals were documented within chaparral habitat along the southern edge of the center of the project site, and an additional 15 seedlings were observed immediately east of the chaparral community within adjacent veldt grassland. Although individuals were not in flower at the time of survey, diagnostic characteristics allowed for confident identification.

Special Status Wildlife

Based on an analysis of known ecological requirements for the special-status wildlife species reported or known from the region (Appendix C), and the habitat conditions that were observed on the Property, it was determined that four special status animal species have some potential to occur on the Property. Four species have a low potential to occur on the Property (American badger, crotch's bumble bee, Northern California legless lizard, and San Diego desert woodrat). The following is a list of the species identified:

- American Badger (*Taxidea taxus*)
- Crotch's Bumble Bee (*Bombus crotchii*)
- Northern California Legless Lizard (*Anniella pulchra*, SSC)
- San Diego Desert Woodrat (*Neotoma lepida intermedia*)

AMERICAN BADGER (*Taxidea taxus*)

The American badger is a California Species of Special Concern with a widespread range across the state. It is permanent, albeit uncommon, in all parts of California, except for the forested regions, and is far more common in dry, open areas of most shrub and forest habitats. The American badger requires friable soil to dig burrows for cover and breeding. The main food source for the species is fossorial rodents, mainly ground squirrels and pocket gophers. The breeding season for badgers is in early summer and early fall, and females give birth to litters usually in March and April. No American badgers or evidence of badger activity were observed during the December 2025 site survey. However, the American badger has the potential to occur on the site, as the existing veldt grassland provides suitable habitat and the abundant presence of pocket gophers offers a substantial prey base.

CROTCH'S BUMBLE BEE (*Bombus crotchii*)

Crotch's bumble bee is a state candidate endangered species. It is a California native species associated with open grassland and scrub habitats from the Sacramento Valley south into Mexico and east to Nevada. Colonies are annual, with queens overwintering alone in soft soil, leaf litter, or debris before emerging between February and April to establish underground or occasionally aboveground

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nests, often in abandoned small mammal burrows. The species is a generalist forager, collecting nectar and pollen from a variety of flowering plants. Primary threats include habitat loss and degradation from development, agriculture, invasive species, grazing, herbicide use, and declines in small mammal populations. No bumble bees displaying the characteristic yellow markings used to identify Crotch's bumble bee were observed during the December 2025 survey; however, some bumble bees present could not be identified to species. The site contains suitable overwintering habitat in leaf litter within coast live oak and chaparral communities, as well as small mammal burrows, and supports several preferred forage plant families documented during prior botanical surveys. Accordingly, Crotch's bumble bee has the potential to occur on site.

NORTHERN CALIFORNIA LEGLESS LIZARD (*Anniella pulchra*, SSC)

Northern California legless lizard is a California Species of Special Concern. It occurs from the northern San Joaquin Valley south through the inner and outer South Coast Ranges. This species occupies moist, sandy or loose loamy soils within coastal dune scrub, coastal sage scrub, chaparral, woodland, riparian, and forest habitats, where it shelters beneath leaf litter, shrubs, rocks, and woody debris. Its breeding season is between March and July and giving birth to young in early fall. Population declines have been associated with agricultural development, sand mining, off-road vehicle use, and habitat degradation from invasive plant species. No Northern California legless lizards were observed during the December 2025 field survey; however, the sandy soils, leaf litter, woody detritus, and rocky outcrops within the on-site coast live oak woodland and chaparral communities provide suitable habitat conditions. Accordingly, this species has the potential to occur on site.

SAN DIEGO DESERT WOODRAT (*Neotoma lepida intermedia*)

San Diego desert woodrat is a California Species of Special Concern. It occurs in southwestern California from San Luis Obispo County south into northwestern Baja California. This subspecies inhabits dense desert scrub, coastal sage scrub, and chaparral communities, particularly in association with rocky outcrops. Preferred food sources include coast live oak, chamise, and buckwheat. The species constructs large, complex stick middens used for nesting, food storage, and predator avoidance, and individuals spend much of their time in or near these structures. Breeding may occur year-round, with peak reproductive activity typically between November and April. Seven woodrat middens were documented within on-site coast live oak woodland and Santa Margarita manzanita chaparral habitats. While species-level identification is not possible without handling individuals, these structures have the potential to support San Diego desert woodrat. Based on current grading and drainage plans, two middens would be impacted by project activities. Given the presence of suitable habitat and active middens, there is potential for this subspecies to occur on site. Applicable avoidance and minimization measures are provided below to reduce potential impacts.

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Discussion

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

The CNDDDB search identified 17 species of special status plants; however, only 3 special-status plant species occur onsite. Additionally, 4 special status wildlife species have the potential to occur on site. Mitigation measures have been incorporated, requiring actions such as contractor training, pre-construction surveys, and avoidance and redistribution measures (limited to San Luis Obispo Owl's clover). With implementation of mitigation measures BR-1 through BR-8, impacts to listed species would be *reduced to less than significant*.

Although American badger, San Diego desert woodrat, Northern California legless lizard, and Crotch's bumble bee were not confirmed on site (with the exception of documented woodrat middens), suitable habitat is present and these species have the potential to occur within the project area. Pre-construction surveys will be conducted in suitable habitats prior to ground disturbance, and appropriate avoidance buffers, seasonal restrictions, or relocation measures will be implemented if individuals or active refugia are identified. Two woodrat middens may be impacted and will be addressed in accordance with applicable minimization requirements. With implementation of pre-construction surveys and species-specific avoidance and mitigation measures, including Mitigation Measures BR-2 and BR-5, potential impacts to these special-status species would be reduced to less-than-significant levels.

If construction activities occur during the nesting bird season, impacts to protected nesting birds could occur. Although no tree removal is proposed, shrubs are present onsite and construction activities in proximity to offsite trees could affect nesting bird behavior. Potential impacts to nesting birds are addressed through mitigation measure BR-6.

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

The proposed project is not located in an area identified as a riparian habitat and is not expected to have a substantial adverse effect on any other sensitive natural community. However, the project is not within 100 feet of a mapped blue line stream, and there is no potential for sediment and erosion. Compliance with existing County Code, including the need for a drainage plan, will minimize potential impacts. Therefore, impacts would be *less than significant*.

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

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

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

The project would not result in disturbance to native resident or migratory fish habitat. If work is to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within 1 week prior to activity beginning on-site. In the event that nesting migratory birds were to occur on site they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 50 feet shall be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work will begin until an appropriate buffer is determined in consultation with the local CDFW biologist, and/or the USFWS. With implementation of mitigation measures BR-6, impacts to migratory nesting birds would be *reduced to less than significant*.

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

Sixty-one coast live oak trees occur on the project site. To the maximum extent feasible, these trees will be avoided by maintaining a minimum setback of 50 feet. The project proposes impacts to 12 coast live oaks and the removal of 3 coast live oaks. Consistent with standard County requirements, impacted trees will be mitigated at a 2:1 replacement ratio, and removed trees will be mitigated at a 4:1 replacement ratio. With implementation of these mitigation measures, project-related impacts to coast live oak would be *less than significant with mitigation*.

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

The project is not within or adjacent to a Habitat Conservation Plan area or the Natural Community Conservation Plan. Therefore, *no impacts* would occur.

Conclusion

Upon implementation of mitigation measures BR-1 through BR-8, impacts to biological resources would be less than significant.

Mitigation

BR-1 Environmental Awareness Training. An environmental awareness training shall be presented to all construction personnel by a qualified biologist prior to 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 with potential to occur, as well as other sensitive resources requiring avoidance during construction. The training shall also include a description of protection measures required by discretionary permits, an overview of the federal and state Endangered Species Acts, and implications of noncompliance with these regulations. This will include an overview of the required avoidance, minimization, and mitigation 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 environmental awareness trainees will be kept. A fact sheet conveying the information provided in the environmental awareness training will be provided to all project personnel and anyone else who may enter the project site. If new construction personnel join the project after the initial training period, they will receive the environmental awareness training from a qualified individual before beginning work.

BR-2 Preconstruction Surveys and Avoidance for Crotch's Bumble Bee. Prior to the start of project activities and if work is planned to occur during the flight period of April 1 to September 1, a qualified biologist shall survey for Crotch's bumble bee within the work area 2 weeks prior to the start of initial ground disturbance. If a Crotch's bumble bee nest is observed, no work shall occur within 25 feet of the nest until it is no longer active. If an exclusion buffer is not feasible, the County of San Luis Obispo (County) shall coordinate with the qualified biologist and appropriate resource agencies as applicable for further guidance. If Crotch's bumble bee is found during the active spring and summer period (April 1–September 1), or presence is unknown (e.g., if a survey during the active period was not completed) and work is planned between October 1 and March 31, potential overwintering habitat shall be identified by the qualified biologist and avoided by a minimum of 50 feet. If potential overwintering habitat cannot be avoided, the County shall coordinate with the qualified biologist and appropriate resource agencies as applicable for further guidance. The applicant shall coordinate with appropriate resource agencies for guidance to implement project activities and avoid take of the species or proceed with an Incidental Take Permit. The results of the surveys shall be provided to the appropriate resource agencies prior to initial project activities.

BR-3 Preconstruction Surveys and Avoidance for American Badger. A qualified biologist shall conduct a preconstruction survey within 30 days prior to the start of initial project activities to ensure American badger are not present within proposed work areas. If the qualified biologist determines that a den present on-site may be active, a no-entry exclusion buffer shall be established within 50 feet of the den and the appropriate resource agencies shall be contacted for further guidance. If active dens are found during the breeding and rearing season, no activity shall occur within 200 feet (American badger) of the den without agency guidance and approval. Exclusion buffers shall be prominently flagged and encircle the den. If an exclusion buffer is not feasible, the applicant will contact the County for further guidance prior to initial project activities. The results of the survey shall be provided to the County prior to initial project activities. If construction lapses beyond 30 days from the survey, an additional survey will be required.

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- BR-4 Preconstruction Surveys and Monitoring for Northern California Legless Lizard.** A qualified biologist shall conduct a preconstruction survey immediately prior to the start of work within 50 feet of suitable habitat for Northern California legless lizard. Surveys will be conducted by gently disturbing scrub understory and upper layers of oak tree duff. Construction monitoring shall also be conducted by a qualified biologist during initial ground-disturbing and vegetation removal activities (e.g., grading, grubbing, vegetation trimming, or vegetation removal including tree removal) within suitable habitat. If Northern California legless lizard are discovered during surveys and monitoring, they will be hand captured and relocated to suitable habitat outside the area of impact.
- BR-5 Preconstruction Surveys and Avoidance for San Diego Desert Woodrat.** Prior to the start of project activities, a qualified biologist shall conduct a preconstruction survey for woodrat middens and implement a minimum 5-foot buffer area around all identified. Any woodrat nests that are deemed unavoidable by project activities shall be carefully dismantled mechanically (e.g., excavator with thumb) or with hand tools from the top down, allowing any woodrats to escape unharmed. A biological monitor shall be present for dismantling.
- BR-6 Preconstruction Surveys and Avoidance for Migratory Nesting Birds.** If work is planned to occur between February 1 and September 15, a qualified biologist shall survey the area for nesting birds within 1 week prior to activity beginning on-site. If nesting birds are located on or near the proposed project site, they shall be avoided until they have successfully fledged, or the nest is no longer deemed active. A non-disturbance buffer of 50 feet shall be placed around non-listed, passerine species, and a 250-foot buffer will be implemented for raptor species. All activity will remain outside of that buffer until a qualified biologist has determined that the young have fledged or that proposed construction activities would not cause adverse impacts to the nest, adults, eggs, or young. If special-status avian species are identified, no work will begin until an appropriate buffer is determined in consultation with the local CDFW biologist, and/or the USFWS.
- BR-7 Special-Status Botanical Species.** The following specific recommendations are made to reduce the anticipated impacts to special-status plant populations to the maximum extent feasible:
- a. Impacts to special-status plant species shall be avoided and minimized to the extent feasible. Any special-status plants or populations located within 50 feet of the proposed work limits that are to be avoided and protected shall be clearly fenced or flagged prior to construction to avoid inadvertent impacts by construction activities.
 - b. Prior to the start of construction, the applicant shall collect San Luis Obispo owl's clover seed (if available) and salvage topsoil where it will be removed as a result of project activities. Salvaged topsoil and seed will be immediately redistributed within identified receiver sites (see Attachment A: Figure A-3 – San Luis Obispo owl's clover Receiver Site 1 and/or Receiver Site 2). The seed and topsoil salvage will be used to enhance and expand upon existing population patches present on-site.

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c. The areas mapped as Santa Margarita manzanita chapparal that will not be impacted by the proposed project activities shall be protected from development and/or other ground disturbances that would preclude the long-term preservation and existence of this species on-site (see Attachment A: Figure A-3 – Santa Margarita Manzanita Preservation Area).

- BR-8 Site Maintenance and General Operations.** The following general measures are recommended to minimize impacts to sensitive resources during active construction:
- a. 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. No work shall occur outside these limits.
 - b. In proximity to sensitive resources and habitats, signs shall be posted at the boundary of the work area indicating the presence of sensitive resources.
 - c. Project plans, drawings, and specifications shall show the boundaries of all sensitive resource areas and the location of erosion and sediment controls, delineation of construction limits, and other pertinent measures to ensure the protection of sensitive habitats and resources.
 - d. Staging of equipment and materials shall occur in designated areas with appropriate demarcation and perimeter controls. No staging areas shall be located within sensitive habitat.
 - e. Secondary containment, such as drip pans, shall be used to prevent leaks and spills of potential contaminants.
 - f. Washing of concrete, paint, or equipment, and refueling and maintenance of equipment shall occur only in designated staging areas. These activities will occur at a minimum of 50 feet from sensitive habitat. Sandbags and/or absorbent pads and spill control kits shall always be available on-site to prevent fuel spills and other contaminants from leaving the site.
 - g. Construction equipment shall be inspected by the operator daily to ensure that equipment is in good working order and no fuel or lubricant leaks are present.
 - h. Plastic monofilament netting (erosion control matting) or similar material will not be used on-site due to the potential to entangle special-status wildlife. Acceptable substitutes are coconut coir matting, biodegradable fiber rolls, or tackified hydroseeding compounds.

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i. The use of pesticides (including rodenticides) and herbicides on the property shall follow all local, state, and federal regulations to avoid primary and secondary poisoning of sensitive species that may be using the site.

References

Project Specific Studies

SWCA Environmental Consultants. *Botanical Survey for the Moore Property. August 2023.*

SWCA Environmental Consultants. *Moore Botanical Survey Addendum. July 2024.*

SWCA Environmental Consultants. *Biological Survey Results for the Moore Residence Development Project. December 2025.*

Other Exempt Environmental Factors

Besides a single condition for potentially significant impacts to biological resources, the project meets all other conditions of CEQA Guidelines Sections 15300.2 and 15303 to qualify for a Class 3 Exemption (New Structures). The project will result in the development of a 3,047-square-foot single-family residence, 622 sf attached garage, workshop, with septic system and associated site improvements in a generally residential area with similarly developed lots. The proposed project does not impact any scenic resources for any officially designated scenic highways. The location of the proposed project is not within any hazardous waste site compiled pursuant to Gov. Code § 65962.5. The proposed project does not involve a substantial adverse change in the significance of a historical resource. In accordance with AB52, outreach to four Native American tribes was conducted (Northern Salinan, Xolon Salinan, Yak Tityu Northern Chumash, and the Northern Chumash Tribal Council). **No responses were received.**

Potential impacts to biological resources were analyzed in the previous section, pursuant to PRC 21080.1. Potential impacts to biological resources are *less than significant with mitigation incorporated*. Other relevant environmental factors listed on the Initial Study checklist have no potential for impacts. The project complies with all applicable County Land Use Ordinance (LUO) standards. No requirements beyond LUO standards need to be applied to this project to reduce impacts to other environmental factors to a less than significant level. Therefore, the project qualifies for a Class 3 Exemption from CEQA (New Structures) for all other environmental factors, pursuant to Section 15303.

Additional Information: Additional information pertaining to this notice of Near Miss Exemption may be found on the next page of this document and by contacting the Planning and Building Department, 976 Osos St., Rm 200, San Luis Obispo, CA 93408 (805) 781-5600.