



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

PLN-2039
 04/2019

***Project Title & No. Snow Minor Use Permit / Coastal Development Permit – N-DRC2023-00054 / ED26-0040**

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

<input checked="" 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 checked="" type="checkbox"/> Air Quality	<input checked="" 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 checked="" type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

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

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

Dane Mueller	<i>Dane Mueller</i>	Project Planner	4/29/2026
Prepared by (Print)	Signature		Date
Eric Hughes	<i>[Signature]</i>	Division Manager	4/29/2026
Reviewed by (Print)	Signature		Date

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Project Environmental Analysis

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

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

A. Project

Description: A request by Mark Snow for a Minor Use Permit/Coastal Development Permit (N-DRC2023-00054) to allow for construction of an approximately 4,412 square-foot single-story single-family residence with 1,315 square-feet of deck areas, 1,384 square-foot attached garage, a new access driveway, well, water tank with waterline, and a septic tank with leach fields. The project will result in the disturbance of approximately 1.4 acres on an approximately 236-acre parcel with 3,100 cubic yards (CY) of cut material, 2,500 CY of fill material, and an export of 600 CY. The proposed project is within the Agriculture land use category and is located at 887 Atascadero Road directly adjacent to the Morro Bay city limit. The site is within the Coastal Zone of the Estero Planning Area.

Table 0-1 – Project Components

Components	Quantities (approx.)
Building Pad, Driveway, and Associated Site Improvements	3,100 cy / 1.4 acres / 25% Max. Slope
Total Area of Disturbance:	3,100 cy / 1.4 acres / 25% Max. Slope

Baseline Conditions: The approximately 236-acre parcel consists of gentle to steep grassy slopes and the average slope of the parcel is 21%. Proposed development would be located on moderate to steep slopes (less than 25%), and the remainder of the project parcel, which extends north from Highway 41, would remain undeveloped/grazed. The project parcel is designated as Agriculture and is surrounded by Agricultural Lands to the north, east and south, and the City of Morro Bay to the west. According to official maps of the County of San Luis Obispo Land Use Element, the project parcel is mapped as containing the following combining designations: Coastal Zone, Coastal Zone Creek or Stream, Flood Hazard, Geologic Study Area, and Renewable Energy Overlay.

The project parcel is currently developed with existing residential and agricultural uses: a single-family residence, a farm support quarters, a barn, several ag support structures, various water wells, grazing, and crop production (approved through County issued Ag Grading Form: DTM2023-00035). Historical uses

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of the site included agricultural grazing activities and residential uses. There is existing fencing along the northern parcel boundary (along Highway 41), that would remain as a part of the project. The project site supports four unnamed tributaries (wetlands) running north to south toward Morro Creek, which passes through the southern end of the parcel. Due to their location within the coastal zone, the identified wetlands are considered Environmentally Sensitive Habitat Areas (ESHA).

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

ASSESSOR PARCEL NUMBER(S): 073-084-013

Latitude: 35° 23' 11.94" N **Longitude:** 120° 50' 52.65" W **SUPERVISORIAL DISTRICT #** 2

B. Existing Setting

Plan Area:	Estero	Sub:	None	Comm:	N/A
Land Use Category:	Agriculture				
Combining Designation:	Coastal Zone, Coastal Zone Creek or Stream, Flood Hazard Area, GSA Geologic Hazard Area, Renewable Energy Overlay				
Parcel Size:	236 acres				
Topography:	Gently sloping to steeply sloping				
Vegetation:	Grasses, Wetland				
Existing Uses:	Residential, Agricultural uses				
Surrounding Land Use Categories and Uses:					
North:	Agriculture; vacant		East:	Agriculture, grazing; Recreation; mobile-homes	
South:	Agriculture, crop production		West:	Residential Single Family, City of Morro Bay	

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Project Location:

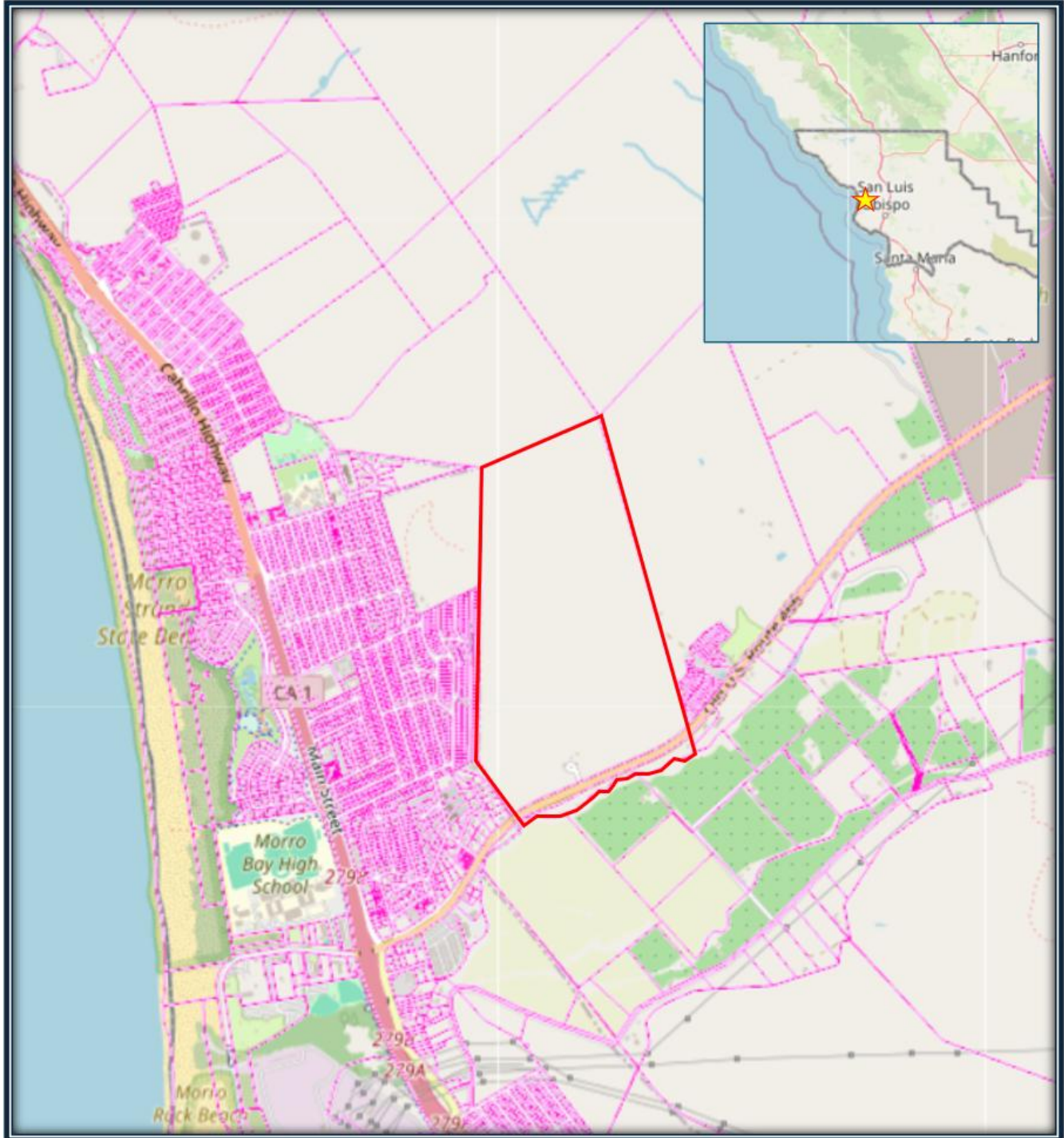


Figure 0-1: Vicinity Map

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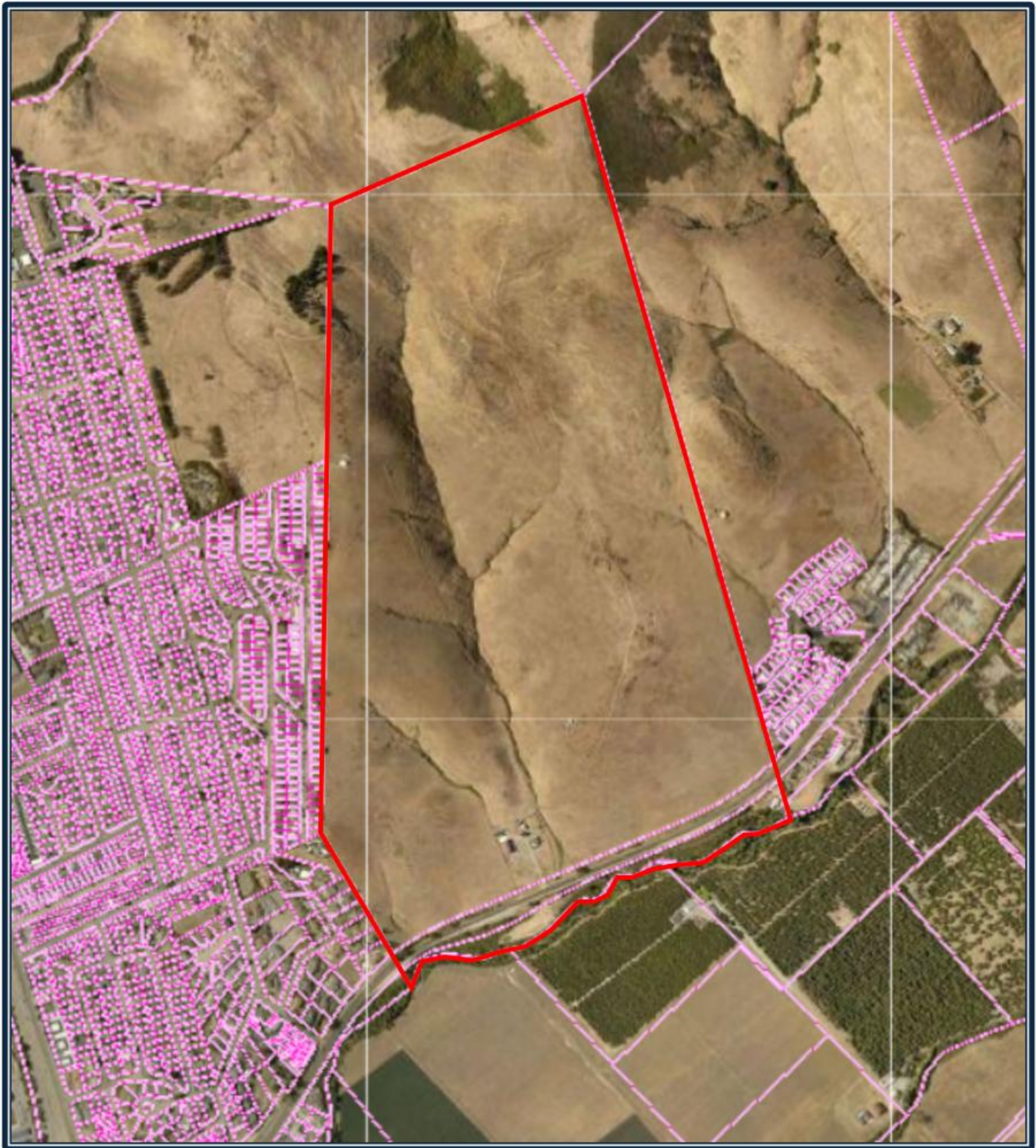


Figure 0-2: Aerial of Project Parcel

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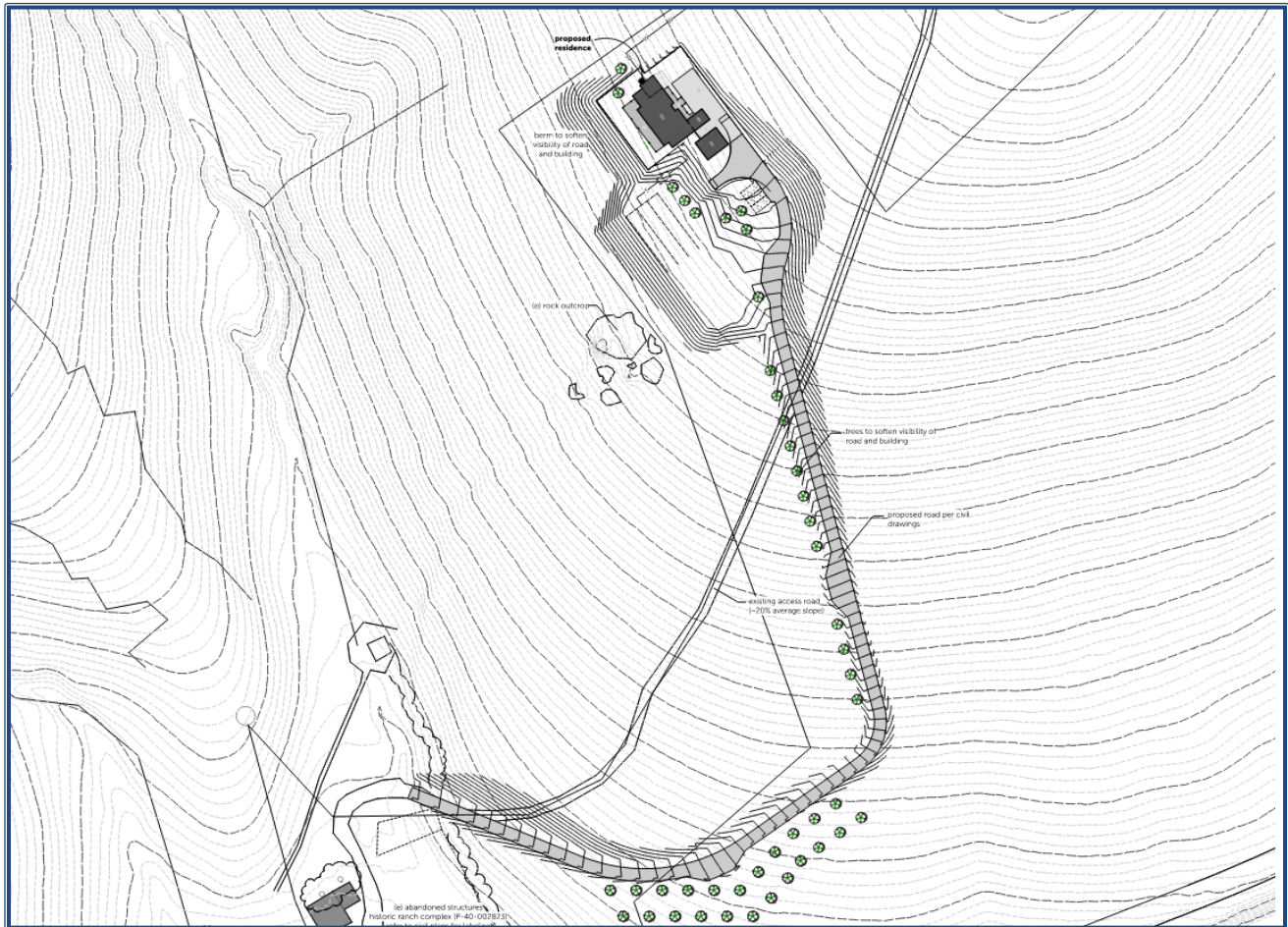


Figure 0-3: Enlarged Architectural Site Plan (Jade Architecture, October 17, 2024)

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

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Figures

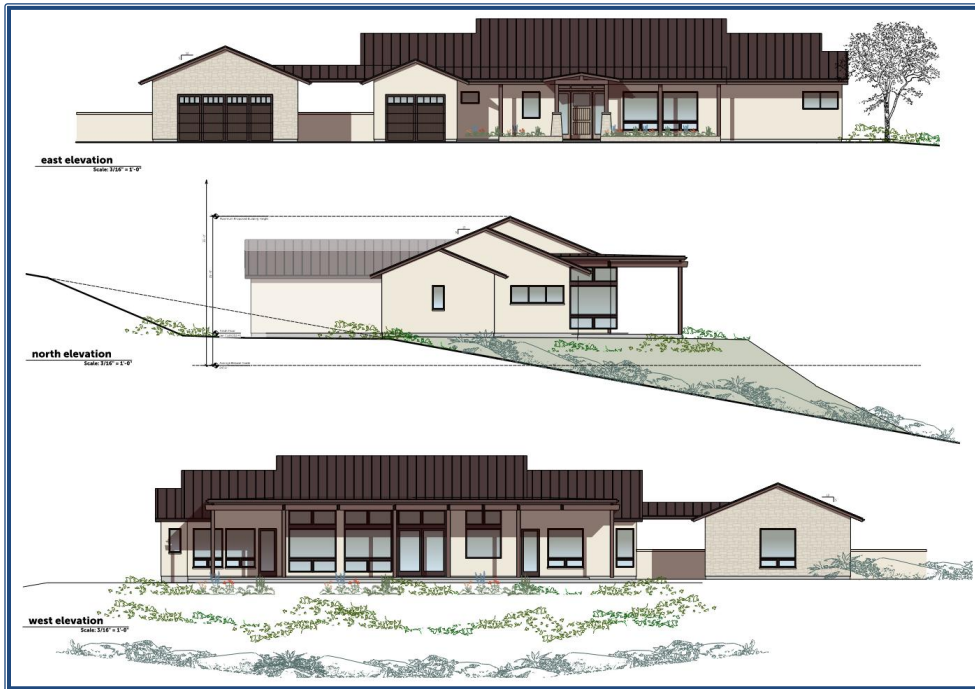


Figure 1-1: Elevations



Figure 1-2: View of project from SR 41 approximately 0.3 mile east of Ironwood Avenue.

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Figure 1-3: View of project from SR 1 approximately 300 feet south of the SR-41 interchange bridge.

Setting

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

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

California Scenic Highway Program

The California Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. Within the County Coastal Zone, there is one officially designated state scenic highway and several eligible state scenic highways. Portions of U.S. Route (US) 101, SR 46, SR 41 (Atascadero Rd), SR 166, and portions of SR 1 are also classified as Eligible State Scenic Highways – Not Officially Designated. The project site is located approximately 0.5 mile west of US 101/SR 1, a State designated Scenic HWY, and the 41 a State designated “eligible” Scenic HWY.

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County of San Luis Obispo Coastal Zone Land Use Ordinance

The County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO) establishes regulations for visual resources that apply to all projects that are visible from the shoreline, public beaches, the Morro Bay estuary, and any of the roads specified in the applicable planning area standards for Critical Viewsheds, Scenic Corridors or Sensitive Resource Areas (SRAs) intended to protect visual resources (CZLUO 23.04.210). Structures that are not visible from these locations or agricultural structures that are 600 sf or less in area or other minor agriculturally related development are exempt from these standards. The County CZLUO also includes a section detailing standards for all outdoor night-lighting sources, with the exception of streetlights located within public rights-of-way and all uses established in the Agriculture land use category (CZLUO 23.04.320).

Conservation and Open Space Element

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. COSE provides a number of goals and policies to protect the visual character and identify of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways, retaining existing access to scenic vista points, and ensuring that new development in Urban and Village areas are consistent with the local character, identity, and sense of place. Policies in the County COSE supplement CZLUO policies, except when the County COSE policies conflict with CZLUO policies, for which the County CZLUO policies would control (COSE 9.2). The County's CZLUO identifies requirements for development within an SRA within the Coastal Zone (23.04.210), which includes that the project be constructed in a manner that would avoid unnecessary impairment of scenic views (County of San Luis Obispo 2009).

Countywide Design Guidelines

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

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

Existing Conditions

The project is located on an existing parcel within the Coastal Zone and is outside of any sensitive resource area (SRA) combining designation related to visual resources. The County's San Luis Bay Area Plan (Coastal) Planning Area Standards identifies goals to preserve and create landscape that reflects the context of its use and the natural setting of the area with minimal impacts to scenic viewsheds (County of San Luis Obispo 2018).

A Visual Analysis was completed for the project by SWCA Environmental Consultants, and notes, "The majority of the parcel is composed of a hillside rising from SR-41 and Morro Creek along the southern edge of the property rising upwards to a ridge to the northeast. The parcel ranges in elevation from approximately 60 feet above sea-level along Morro Creek to approximately 650 feet above sea-level along

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the northeastern ridge. A rock outcropping is visible on the western slope of the hill at an elevation of approximately 210 feet above sea-level.

Existing development on the project site includes one 1,200-square-foot residence, a barn, some historic ranch structures and a farm support quarter. A historic ranch complex with two structures is located in the southern area of the property. The property is currently grazed by cattle on an annual basis. There are two existing wells on the property, and an existing aboveground water storage tank occupies the hillside north of the historic ranch complex and residence”...

“The project would place a new, approximately 4,141-square-foot building on the hillside at an elevation of 212 feet above sea-level. This hillside rises to a ridge elevation of approximately 315 feet above sea-level directly behind the residence. This ridge gains in elevation to a maximum elevation of approximately 650 feet above sea-level as it traverses to the north” (SWCA, September 2025).

Discussion

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

“Scenic vistas are defined as high-quality views displaying good aesthetic and compositional value that can be seen from public viewpoints. If the project substantially degrades the scenic landscape as viewed from public roads, or in particular designated scenic routes, or from other public or recreation areas, this would be considered a potentially significant impact on the scenic vista. The degree of potential impact on scenic vistas also varies with factors such as viewing distance, duration, viewer sensitivity, and the visual context.

Scenic vistas in the region that are either identified in county, city, state and federal planning policy or programs, or otherwise meet the quality definition of a scenic vista related to the viewing experience associated with this project include views of the Pacific Ocean, Morro Rock, the coastline, the inland hills, natural patterns of vegetation and rock outcroppings, ranches, agriculture, and open space. The Santa Lucia mountains provide a distant visual backdrop approximately 5 miles to the east.

The project would place a new, approximately 4,141-square-foot building on the hillside at an elevation of 212 feet ASL. This hillside rises to a ridge elevation of approximately 315 feet ASL directly behind the residence. This ridge gains in elevation to a maximum elevation of approximately 650 feet ASL as it traverses to the north.

The residence is proposed to be a maximum of 20 feet 3 inches in height at the gable peak, with other portions of the structure and adjacent garages ranging from 13 to 18 feet tall. As a result, the cumulative maximum height of the 20-foot 3-inch-tall structure constructed at the 212-foot hillside elevation would be approximately 232 feet ASL.

Field studies indicate that the residence would not silhouette above the adjacent ridgeline, which is technically 83 feet higher than the highest point of the structure. However, because the structure would be seen in front of the ridge, combined with the elevated location of the project site, the upward viewing angle and sightline would cause the residence to appear more similar in elevation to the adjacent ridgeline, especially as seen from closer viewpoints.

Although the residence, driveway, and avocado orchard would introduce new visual elements onto the project site, overall, the project would not be inconsistent with the existing setting and

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what is seen throughout the scenic hills east of Morro Bay and throughout San Luis Obispo County coastal areas.

The project would be readily visible from portions of eastbound SR-41 and Little Morro Creek Road, but would not visually interrupt the ridgeline or appear as an unexpected use for the property. The visual scale and massing of the project would not contrast with the patterns of existing ranch development in the area. In addition, the existing visual context and vista includes an established residential development covering the adjacent hillside immediately west of the parcel. This existing development reaches approximately 370 feet in elevation and can be seen silhouetting above the primary ridgeline from much of the surrounding area.

As seen from SR-1 and other public viewpoints throughout the community, the project would have limited visibility due to distance, intervening landform, development, vegetation, and other factors. Where seen, the project would generally occupy a relatively minor percentage of the overall viewshed, and have little to no effect on existing scenic vistas. Because most public viewpoints would be looking toward the northeast, the project would have no effect on existing views of the Pacific Ocean, Morro Rock, or the coastline to the west.

The driveway alignment is generally sympathetic to the existing landform. The proposed earthwork in support of the residence and driveway, at a maximum slope-angle of 2(h):1(v), would support vegetative growth and over time is expected to appear similar to the surrounding ruderal grassland. The proposed grading would be partially visible, but would lose noticeability as the erosion control, windblown grasses, and proposed landscaping becomes established.

The project proposes planting 21 trees along the driveway and southwest side of the residence. No tree species or other horticultural information is provided in the plans; however, it is expected that such tree planting would somewhat minimize the noticeability of the developed features of the project.

The 10-foot-tall water tank would be placed at approximately 285 feet ASL in elevation on the hillside east of the residence. This elevation would be approximately 30 feet lower than the 315-foot elevation of the adjacent ridge. Field study indicates that the water tank would not visibly extend above the adjacent ridgeline. In addition, aboveground water tanks are typical visual elements in rural and agricultural landscapes and can be seen in the immediate project vicinity. Last, the proposed water tanks will be required to be limited to deep earth tones, muted browns, grays, and greens and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County of San Luis Obispo Planning and Building Department

The proposed avocado orchard, required as a condition of site development, would be visible on the lower portion of the hillside south and southeast of the residence. The orchard would be consistent with the visual patterns of agricultural development throughout the area and the existing scenic vista.

As a result of the project's somewhat limited visibility and noticeability when viewed in the context of the larger viewshed as seen from SR-1 and the surrounding community, combined with its location below the primary ridgeline, the project would result in a minor effect on the scenic vista. Although the project's overall effect on scenic vistas would be less than significant, some changes would occur. As a result, mitigation measures AES-1 through AES-4 listed [in the developer's statement] are recommended in order to further minimize the project's visual effect on scenic

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vistas" (SWCA, September 2025). With implementation of such recommendations, impacts would *be less than significant with mitigation*.

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

"A scenic resource is a specific feature or element with a high degree of memorability or landmark characteristics that contribute to the high visual quality of the corridor. In general, coastal scenic resources along SR-1 include the Pacific Ocean, the rugged cliffs and shoreline, rock outcroppings and inland hills, vegetated creek ways, and patterns of mature native vegetation. Morro Rock is among the most memorable and iconic natural features and coastal scenic resources as seen from SR-1 through Morro Bay and the coastal communities of northern San Luis Obispo County. The project would result in a significant impact if it were to damage or have a substantial negative effect on views of any of those specific resources as seen from SR-1, an Officially Designated State Scenic Highway and Federal Scenic Byway.

Views of the project area from SR-1 would be oriented toward the northeast. As a result, the project would have no effect on visual access to the Pacific Ocean, Morro Rock, or the coastline visible to the west. As mentioned previously, the project would have only a minor effect on the views of the inland hillside, with views generally limited by some combination of proximity, view orientation, topography, intervening vegetation, or development. As seen from SR-1 the project would partially affect a portion of the hillside for a viewing duration of approximately 11 seconds. In general, it is expected that any visual change would be largely unnoticed by the casual observer.

Therefore, potential impacts to the scenic resources as seen from the Officially Designated State Scenic Highway would be less than significant. Although the project's overall effect on scenic vistas would be less than significant, some changes would occur. As a result, mitigation measures AES/MM-1 through AES/MM-3 listed above are recommended in order to further minimize the project's visual effect on scenic resources along the SR-1 corridor. With implementation of such recommendations, impacts would *be less than significant with mitigation*.

- (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?*

"Project-related actions would be considered to have a significant impact on the visual character of the project site if they altered the area in a way that substantially changed, detracted from, or degraded the visual quality of the project site or its setting, or was inconsistent with applicable policies regarding visual character. The degree to which that change relates to documented community values and meets viewers' aesthetic expectations is the basis for determining levels of significance. Visual contrast and compatibility may be used as a measure of the potential impact that the project may have on the visual quality of the project site. If a strong contrast occurred where project features attract attention and dominate the landscape setting, this would be considered a potentially significant impact on visual character or quality of the project site. Project components that are not subordinate to the landscape setting could result in a significant change in the composition of the landscape. Consideration of potential significance includes analysis of

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visual character elements such as land use and intensity, visual integrity of the landscape type, and other factors.

The quality of the existing visual environment within the project area and the inland hills is moderately high and has remained relatively unchanged for several years. The visual context is defined by a combination of both natural and built elements. Most foreground and midground views of the project would include some extent of commercial, residential, or agricultural development. Viewpoints along the SR-1 corridor and other public areas west of the project site would be defined to a great extent by the built character of Morro Bay. Viewpoints farther east, including those from SR-41 and Little Morro Creek Road, include more rural and agricultural elements, but still are influenced by some degree of residential and/or commercial development. Along the west side of the project parcel are the Morro Bay city limits and a medium-density residential subdivision. Immediately east of the parcel along SR-41 are a mobile home and recreational vehicle park, along with scattered residences.

Agricultural lands, including mature avocado orchards and other crops, are seen in the project vicinity, and immediately north and northeast of the property is undeveloped grazing land. Existing development on the project parcel includes a small residence, a ranch support quarters, and two old ranch houses.

The project would be introducing development onto the currently vacant hillside. Project noticeability would be high as seen from viewpoints along eastbound SR-41, due to the proximity and the viewing orientation mostly ahead of the direction of travel. From these closer viewpoints, the individual elements of the project such as architectural details, materials, fencing, and other features would be more noticeable. The single-story, somewhat suburban ranch-style building would not be inconsistent with other development styles in the area. The generally modest scale and low horizontal massing of the residence would help reduce visual contrast with the adjacent landform by not extending vertical geometric forms into the landscape. As mentioned previously, the project would not visually silhouette above any ridgeline.

The project would not be an unexpected use for the property in the context of the existing visual character of the agricultural lands and hills east of the city of Morro Bay. The project would occupy a relatively small portion of the overall view as seen from most public roads and other locations in the area and region, and as a result would be visually subordinate to the surrounding high-quality landscape and viewshed. Additional landscape screening will be required, as detailed in Mitigation Measure AES-2 described below and in the Developer's Statement.

The project plans do not define specific building colors, although the structure elevations show a light tan exterior with medium brown roofing. The proposed retaining wall surrounding much of the house is also shown as a light tan color. These lighter exterior colors would generally contrast with the adjacent landscape in both summer and winter and increase project noticeability from all viewpoints, particularly as viewed from farther distances. Additionally, at the time of application for construction permits, the colors of the propose

The proposed conceptual tree planting may provide partial screening of the developed portions of the project and help the project visually transition to the surrounding undeveloped areas, depending on the species, planting and maintenance methods, and other factors.

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The required avocado orchard would be consistent with the visual patterns of crop development throughout the area and would visually reinforce the agricultural aspect of the project, along with the public perception that the project is a generally appropriate use for the project site.

Because of the combination of these factors, the project would result in a minor effect on the existing overall visual quality and character. However, the viewer sensitivity associated with the project location is considered high, and although the project's overall visual effect on the existing visual quality and character would be less than significant, some changes would occur. As a result, mitigation measures AES-1 through AES-4 listed below are recommended in order to further minimize the project's visual effect on the project site and surroundings" (SWCA, September 2025). With implementation of such recommendations, impacts would *be less than significant with mitigation*.

- (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 subjected public viewing locations to a substantial amount of point-source lighting visibility 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 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 to nighttime views and aesthetic character would result.

At the time of this report, no specific information was provided regarding outdoor lighting, although it is assumed that exterior lighting would be included as part of the project for security and/or ornamental purposes. Because of the project's elevated location, the potential exists for night lighting to be seen from public viewpoints in the surrounding area. As evidenced by visibility of lights associated with existing development on the hillsides west of the project site, an increase of night lighting would likely be seen from the surrounding area. Because of the project's elevated hillside location and visibility from public viewpoints, unshielded light sources could result in point-source lighting visibility and a noticeable spillover effect into the nighttime sky.

With the implementation of the mitigation measure AES -4, this adverse effect would be reduced, and the project would not result in a new source of substantial light or glare or adversely affect day or nighttime views in the area" (SWCA, September 2025). Therefore, impacts would *be less than significant with mitigation*.

Conclusion

Mitigation measures AES/MM-1 through AES/MM-4 have been included as Conditions of Approval for this project to reduce project impacts on aesthetic resources to *less than significant with mitigation*.

Mitigation

- AES-1** Prior to issuance of construction permits for the project, the applicant shall submit project architectural plans to the County of San Luis Obispo for review and approval, including the following:

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- a. Exterior colors of the residence and retaining wall, shall be limited to deep earth tones, muted browns, grays, and greens and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County of San Luis Obispo Planning and Building Department.

AES-2

Prior to issuance of construction permits for the project, the applicant shall submit planting plans to the County of San Luis Obispo Planning and Building Department for review and approval. The planting plans shall be prepared by a licensed Landscape Architect. In addition to the conceptual tree planting shown in the current plans, the planting plan shall include a visual screen planting component, including the following:

- a. The plans shall include native evergreen trees such as oaks and shrubs for the purpose of filtering views of the residential buildings when viewed from State Route (SR-) 1 and SR-41. Plants shall be installed in random-appearing patterns of varying density. Trees shall be planted from a minimum 15-gallon container size. Screen planting shall achieve a minimum 50% screening of the buildings within 7 years after project completion.
- b. The plans shall include shrub planting for the purpose of filtering views of the retaining wall when viewed from SR-1 and SR-41. Plants shall be installed in random-appearing patterns of varying density. Screen planting shall achieve a minimum 80% screening of the retaining wall within 3 years after project completion.

AES-3

Prior to issuance of construction permits for the project, the applicant shall submit erosion control plans to the County of San Luis Obispo Planning and Building Department for review and approval. The erosion control plans shall include the following:

- a. The erosion control plans shall specify that all slopes shall not exceed a slope ratio of 2(h):1(v).
- b. The surface of all slopes shall be amended as necessary to support vegetative growth
- c. All slope erosion control treatments shall include a seed component that is visually compatible to the surrounding grass landcover.

AES-4

Prior to issuance of construction permits for the project, the applicant shall submit a lighting plan to the County of San Luis Obispo Planning and Building Department for review and approval. At a minimum, the lighting plan shall include the following:

- a. All exterior lighting shall have point sources fully shielded from off-site views.
- b. Light trespass from exterior fixtures shall be minimized by directing light downward and utilizing cut-off fixtures or shields.
- c. Any security lighting installed on the property shall be equipped with motion detectors to prevent continuous illumination.

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II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| (a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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

San Luis Obispo County supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly

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the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The *County of San Luis Obispo General Plan Agriculture Element* includes policies, goals, objectives, and other guides or requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: <https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report/Crop-Report-Current/Crop-Report-2019.pdf>.

The California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered "agricultural land." Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water. Based on the FMMP, soils at the project site are Grazing land and Farmland of Local Potential (DOC 2020).

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 than normal because they are based on farming and open space uses as opposed to full market value. The site does not include land within the Agriculture land use designation and is not within lands subject to a Williamson Act contract.

According to the Soil Survey for San Luis Obispo County and the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2017), soils in the project area consist of the following:

- Cropley Clay, 2 to 9 percent slopes – This gently sloping soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.
- Diablo and Cibo clays, 15 to 30 percent slopes - This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation, steep slopes. The soil is considered Class IV without irrigation and Class IV when irrigated.

According to 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 board as experimental forest land, that is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site is not currently supportive of forest land.

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Discussion

- (e) *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?*

Soils within the project 's area of disturbance are not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the FMMP (DOC 2017). Additionally, the portion of the subject parcel located outside of the area of disturbance which is within Prime Soils is not farmed because it is already developed with existing residential and agricultural structures. Therefore, the project would not result in conversion of Farmland pursuant to the FMMP to a non-agricultural use and *no impact* would occur.

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

The project parcel is currently within the Agriculture land use designation. The purpose of this designation is to allow for cattle grazing and row crops, display of rural and open character, and open space values. The project property is located within the Agriculture land use designation; however, it is not currently enlisted in a Williamson Act contract. There are multiple agricultural zoned lots within a mile of the project site which are currently under Williamson Act contracts. The project was referred to the County Agricultural Commissioner's Office, who provided a response recommending the applicant establish 20-acres of avocado/lemon orchard(s) prior to initiation of construction activities associated with the proposed new residence (Ag Commissioner, January 19, 2024). Establishment of such orchard(s) has already been authorized through Agricultural Grading Permit: DTM2023-00035 which was issued by the County of San Luis Obispo on October 17, 2023. Prior to issuance of any new construction permit associated with this project, the applicant will be required to provide sufficient evidence to the Department of Planning and Building that such orchards have already been planted. Therefore, the project would result in a less than significant conflict with existing zoning for an agricultural use or a Williamson Act contract; therefore, a *less than significant impact* would occur.

- (g) *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 is not currently located within an area with a forest land or timberland production zoning or land use designation. The project would not result in a conflict with existing zoning for timberland or land that is zoned for Timberland Production. The project site does not include any forested areas, that would classify the area as forest land. Currently, no forest practices or related activities occur within the subject parcel; therefore, implementation of the project would not interfere with or cause rezoning of forest land. Therefore, the project would not result in a conflict with existing zoning for forest land timberland and *no impact* would occur.

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

The project site is within the Agriculture land use designation and is not designated for forest use. The project site does not include any forested areas, that would classify the area as forest land and does not include any proposed tree removal. Therefore, implementation of the project would

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not result in loss of any forest land or conversion of forest land to non-forest use and *no impact* would occur.

- (i) *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?*

Although the majority of the site is comprised of ‘Not Prime Farmlands’ according to official maps of the Land Use Element, there is a portion of the project site located on ‘Prime Farmland if Irrigated’. The portion of the site located within Prime Farmland is already occupied with an existing single-family dwelling (PMTR2018-01460), agricultural barn (PMTR2020-00498), additional historic agricultural accessory structures (P-40-4002823), drainage easement (DOC#1995-004350), and a PG&E pipeline easement (1893/OR/7C).

The proposed single-family dwelling, garage, driveway, and associated site improvements will be located outside of the mapped Prime Farmland portions of the site. Single family residences are allowed uses on agricultural lands and the proposed development will not adversely impact the existing grazing activities because the remaining areas outside the proposed area of disturbance will remain for grazing and crop production purposes. The proposed project would not disturb nearby agricultural land or forest land due to distance and intervening topography and land use. Therefore, the project would not result in the conversion of Farmland or forest land to non-agricultural use or forest land to non-forest use and impacts would be *less than significant*.

Conclusion

The project would not conflict with existing agricultural or forest land zoning, result in the loss of forestland, or involve any other land use conversions. The proposed project would not result in a significant adverse impact to Agriculture and Forest Resources, and no mitigation is necessary.

Mitigation

None necessary.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), nitrogen dioxide (NO₂), sulfate, carbon monoxide (CO), sulfur dioxide (SO₂), visibility reducing particles, lead (Pb), hydrogen sulfide (H₂S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO₂, ozone, PM₁₀ and PM_{2.5}, and SO₂.

California law continues to mandate compliance with CAAQS, which are often more stringent than national standards. However, California law does not require that CAAQS be met by specified dates as is the case with NAAQS. Rather, it requires incremental progress toward attainment. The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

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

The APCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (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. SLOAPCD has established thresholds of significance for each of these contaminants.

The proposed project includes grading that will result in an estimated 5,510 cy of cut and 5,620 cy of fill. The area of disturbance is estimated to be approximately 2.05 acres.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. Certain types of project can also include components that generate direct emissions, such as power plants, gasoline stations, dry cleaners, and refineries (source emissions).

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

Air Quality Monitoring

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

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which 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.

Naturally Occurring Asbestos

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

There is a moderate to high potential for natural occurring asbestos to be present at the property due to the presence of Franciscan Complex units. Naturally occurring asbestos is associated with serpentinite rock units within the Franciscan Complex. Serpentinite was not observed within the borings however serpentinite was encountered within trenches along the proposed roadway. Testing can be performed to verify the presence/absence of naturally occurring asbestos. In lieu of testing, an Asbestos Health and Safety Program and Asbestos Dust Mitigation Plan could be developed in accordance with Air Pollution Control District.(Geosolutions, May 1, 2023). Maps of local occurrences of serpentine rocks may be found on the SLO APCD website: ([SLO APCD NOA Screening Buffers - Google My Maps](#)).

Sensitive Receptors

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

The approximately 236-acre project site is directly adjacent to a Single-Family Residential neighborhood within the City of Morro Bay to the west and adjacent a mobile-home park directly to the east. The approximate location of grading within the 236-acre site is located approximately 1450 feet from the Single-Family Residential neighborhood and approximately 550-feet from the mobile-home park.

Discussion

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

The project does not conflict with the implementation of the San Luis Obispo County Clean Air Plan due to the small size of the project, it would not result in a new or substantially difference use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The proposed project would not contribute to the generation of significant levels of any air contaminants. Therefore, *impacts would be less than significant.*

(b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? The County is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Construction of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_x) and fugitive dust emissions (PM₁₀).*

Construction Impacts

The SLOAPCD CEQA Air Quality Handbook provides thresholds of significance for construction related emissions. Table 3-1 lists SLOAPCD's general thresholds for determining whether a potentially significant impact could occur as a result of a project's construction activities.

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Table 3-1. SLOAPCD Thresholds of Significance for Construction Operations

Pollutant	Threshold ⁽¹⁾	
	Daily	Quarterly Tier 1
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO _x)	137 lbs	2.5 tons
Fugitive Particulate Matter (PM ₁₀), Dust ⁽²⁾		2.5 tons ⁽²⁾
Greenhouse Gases (CO ₂ , CH ₄ , N ₂ O, HFC, CFC, F6S)	Amortized and Combined with Operational Emissions (see further discussion)	

1. Daily and quarterly emission thresholds are based on the California Health and Safety Code and the CARB Carl Moyer Guidelines.
2. Any project with a grading area greater than 4.0 acres of worked area can exceed the 2.5-ton PM₁₀ quarterly threshold.

The SLOAPCD CEQA Air Quality Handbook also provides preliminary screening construction emission rates based on the proposed volume of soil to be moved and the anticipated area of disturbance. Table 3-2 lists the SLOAPCD's screening emission rates that would be generated based on the amount of material to be moved. The APCD's CEQA Handbook also clarifies that any project that would require grading of 4.0 acres or more can exceed the 2.5-ton PM₁₀ quarterly threshold listed above.

Table 3-2. Screening Emission Rates for Construction Activities

Pollutant	Grams/Cubic Yard of Material Moved	Lbs/Cubic Yard of Material Moved
Diesel Particulate Matter (DPM)	2.2	0.0049
Reactive Organic Gases (ROG)	9.2	0.0203
Oxides of Nitrogen (NO _x)	42.4	0.0935
Fugitive Particulate Matter (PM ₁₀)	0.75 tons/acre/month of construction activity (assuming 22 days of construction per month)	

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

Table 3-3. Proposed Project Estimated Construction Emissions.

Pollutant	Total Daily Emissions	Total Estimated Emissions	SLOAPCD Threshold		Threshold Exceeded?
			Daily	Quarterly (Tier 1)	
ROG + NO _x (combined)	126.66 pounds ⁽¹⁾	.06333 tons	137 pounds	2.5 tons	No
Diesel Particulate Matter (DPM)	5.45 pounds ⁽¹⁾	.02727 tons	7 pounds	0.13 tons	No
Fugitive Particulate Matter (PM ₁₀)		0.31 tons ⁽¹⁾		2.5 tons	No

1. Completion of Grading assumed to be completed within 10-days.

For projects involving construction and/or grading activities, the CZLUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The CZLUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The CZLUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (LUO 22.52.160.C). The California Code of Regulations (Section 2485 of Title 13) also prohibits idling in excess of 5 minutes from any diesel-fueled commercial motor vehicles with gross vehicular weight ratings of 10,000 pounds or more or that must be licensed for operation on highways. Based on the volume of proposed grading, area of project site disturbance, estimated duration of the construction period, and the APCD’s screening construction emission rates identified above, the project would not result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment, and impacts would be *less than significant*.

Operational Impacts

The SLOAPCD’s CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD

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thresholds. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

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

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

According to the SLOAPCD CEQA Air Quality Handbook, projects that occur within 1,000 feet of sensitive receptors have the potential to result in adverse impacts involving construction emissions (SLOAPCD 2012). There are several sensitive receptor locations, including a mobile-home park, within 1,000 feet of the project site. Construction activities associated with the proposed residential uses and utility improvements on-site would result in the generation of air pollutants that can cause adverse health impacts, including ozone precursors, fugitive dust, and particulate matter emitted by exhaust from diesel vehicles less than 2.5 micrometers in size or smaller (herein referred to as DPM).

Based on the analysis provided above in Table 3, the project would not have the potential to exceed SLOAPCD's daily or quarterly emissions thresholds for combined ROG and NOx or fugitive dust. However, based on the project site's location within 1,000 feet of sensitive receptor locations, the SLOAPCD states that implementation of the expanded list of fugitive dust measures is needed to reduce the potential for adverse health effects for nearby sensitive receptors. Implementation of CZLUO standards for dust control and compliance with existing regulations that prohibit excessive idling by diesel vehicles would reduce potential construction related emissions.

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

There is a moderate to high potential for natural occurring asbestos to be present at the property due to the presence of Serpentinized Ultramafic Rock units. Naturally occurring asbestos is associated with serpentinite rock units within the Franciscan Complex. Serpentinite was observed within the trenches and mapped throughout the Site. Testing can be performed to verify the presence/absence of naturally occurring asbestos. In lieu of testing, an Asbestos Health and Safety Program and Asbestos Dust Mitigation Plan should be developed in accordance with Air Pollution Control District. With implementation of Mitigation Measures AQ-1 through AQ-2, potential impacts to sensitive receptors associated with construction activities 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 could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. No long-term operational odors would be generated by the project. Therefore, potential odor-related impacts would be *less than significant*.

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and thresholds for construction-related and operational emissions. The project would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment and would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. Therefore, potential impacts to air quality would be less than significant and no mitigation measures are necessary.

Mitigation

- AQ-1** Naturally Occurring Asbestos Survey. Prior to issuance of grading or construction permits, the applicant shall conduct a geologic evaluation for Naturally Occurring Asbestos. The geologic evaluation must be conducted by a registered geologist to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (NOA ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation. The geologic evaluation must be submitted to the APCD Engineering Division prior to any grading activities at the site. Evidence of APCD approval must be provided to Planning staff.
- AQ-2** Naturally Occurring Asbestos Remediation. If NOA are determined to be present on-site per AQ-3, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:
- a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
 - b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
 - c. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

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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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Figures

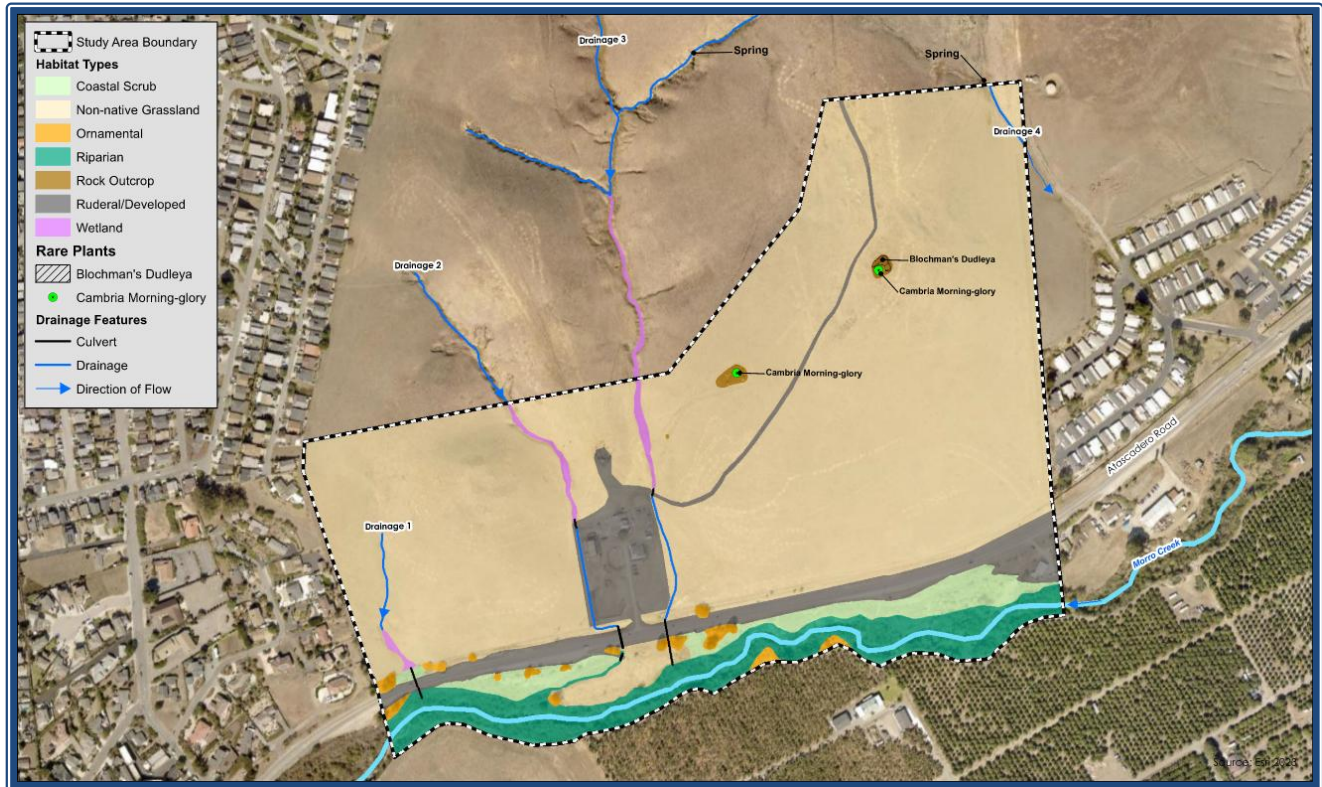


Figure 4-1: Biological Resources Map (Kevin Merk Associates, LLC. on December 7, 2023)

Setting

Sensitive Resource Area and Environmentally Sensitive Habitat Area Designations

The County CZLUO SRA combining designation identifies areas of San Luis Obispo County with special environmental qualities, or areas containing unique, sensitive, or endangered vegetation or habitat resources. These design and development standards include the prohibition of surface mining onsite, setback distances on ocean, lake, and streambank shoreline development, prevention of degradation of lakes, ponds, wetlands, or perennial watercourses, setback distances from geological features visible from offsite, and prevention of disturbance of specific vegetation when the SRA designation is applied because of its presence. The project site contains Morro Creek on the southern end of the parcel and four unnamed tributaries which drain to Morro Creek. Such Coastal Wetlands constitute Environmentally Sensitive Habitat Areas pursuant to CZLUO Section 23.07.170 et seq.

The County CZLUO also includes special provisions for any development proposed within or adjacent to an Environmentally Sensitive Habitat Area (ESHA). The California Coastal Act defines an ESHA as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (CZLUO 23.07.170).

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The project is located within the Coastal Zone of the San Luis Bay (Coastal) Planning Area. Wetlands have been identified within the project area, and due to their location within the coastal zone, require a 100-foot setback as identified in CZLUO 23.07.172.

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. If there is no federal nexus (e.g., federal funding, federal permitting, or other federal authorization), impacts to federally listed species must be mitigated via FESA Section 10 with a Habitat Conservation Plan. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence to CESA-protected species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies.

Clean Water Act and State Porter Cologne Water Quality Control Act

Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States are typically identified by the presence of an Ordinary High Water Mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. Section 404 requires a permit for these activities under separate regulations by the U.S. Army Corps of Engineers (USACE) and USEPA unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

A Water Quality Certification is also required under Section 401 of the CWA before a Section 404 permit can be issued. Section 401 of the CWA and its provisions ensure that federally permitted activities comply with the federal CWA and state water quality laws. Section 401 is implemented through a review process that is conducted by the RWQCB and is triggered by the Section 404 permitting process. The RWQCB certifies via the Section 401 process that a proposed project complies with applicable effluent limitations, water quality standards, and other conditions of California law. Evaluating the effects of the proposed project on both water quality and quantity falls under the jurisdiction of the RWQCB.

Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the County COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems, and migration patterns must be considered together in order to sustain biological resources.

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Biological Resources Assessment

The following setting, methods and impact discussion has been transposed from the project Biological Resources Assessment for the project prepared by Kevin Merk Associates, LLC. on December 7, 2023:

Setting

The subject parcel is sloping downward toward Morro Creek, which runs through the southern portion of the parcel, parallel to Highway 41. Also, there are four unnamed drainages which fall within the study area of the submitted biological report. Such drainages are tributaries to Morro Creek and are, “expected to fall under the jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act as a jurisdictional tributary, Regional Water Quality Control Board (RWQCB) as waters of the state, CDFW under CA Fish and Game Code Section 1600 et seq., and a protected resource under the California Coastal Act.

Methods - Desktop Review

The submitted investigation followed the County's (2016) Guidelines for Biological Resources Assessments. KMA conducted a desktop review of natural resources databases, maps, literature and online sources to identify special-status biological resources documented from the region that could be present in the study area developed for this project. Time-series aerial photography and street view photography (Google Earth 2023) to obtain information on the history of site conditions and surrounding area. Parcel information was obtained from the County's (2023) *Land Use View* mapping application.

Methods - Field Surveys

KMA's Principal Biologist Kevin Merk conducted multiple surveys of the property over a three-year period. An initial survey of the property was conducted on May 22, 2020, from [8:00 AM] to [11:00 AM] hours to assess the property's existing conditions and search for special-status plants wildlife. While the focus of the survey was for an agricultural reservoir proposed at that time [field surveys were occurring], the survey covered a large portion of the property. Additional surveys were conducted by Kevin Merk on June 15 and 29, 2020 and covered the existing development area and eastern ridgeline. Weather conditions during the May 22nd and June 15th site visits were foggy at the start and then clearing by mid-morning. Air temperature was around 62 degrees Fahrenheit (°F) and northwest winds were about 5 miles per hour (mph). On the June 29th survey, it was sunny and clear, with air temperature 64°F and westerly wind 5 to 10 mph...

For the proposed residence project, a study area was developed that encompassed the proposed residence site, access road and lower elevational areas throughout the property to assist in potential agricultural activities onsite. The study area generally follows the parcel boundary, but also included an approximately 250 to 500-foot buffer depending on terrain and neighboring property land uses. The study area developed for the residence project was initially surveyed on April 28 and June 12, 2022. The site was then surveyed again on February 6, 2023, April 19, 2023 and May 8, 2023. Surveys occurred under clear skies with good visibility and all areas were access on foot walking meandering transects to ensure thorough coverage. All plant and animal species observed during the surveys were recorded. No focused surveys for special-status animals were conducted, but those seen incidentally during the site visits were recorded. Dominant plant species in each habitat type were recorded, and plant taxonomy followed the Jepson Flora Project (2023) with additional information on common names obtained from *Information on Wild California Plants* (Calflora 2023). Wetland indicator status was obtained from the online search of the

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National Wetland Plant List (USACE 2023). Habitat types, representing land use and plant communities, were mapped using ArcGIS on ESRI (2023) aerial imagery to create a habitat map (Figure 4-1). Land use types followed *A Guide to Wildlife Habitats in California*, which is updated through the California Wildlife Habitat Relationships (CWHR) System (CDFW 2023e). Designation of plant communities generally followed Holland's (1986) *Preliminary Descriptions of the Terrestrial Natural Communities of California*. Sawyer et al.'s (2009) *Manual of California Vegetation and VegCAMP* (CDFW 2023d) were also referenced. Plant communities were determined as to whether or not they met the criteria of sensitive natural communities (CDFW, 2023). Representative photographs of habitat types and site conditions were taken during each survey, and select photos were compiled in a photo plate.

The National Wetlands Inventory (NWI) was examined to evaluate the extent of any identified wetlands on the site and in the vicinity (USFWS 2023a). The Web Soil Survey (Natural Resources Conservation Service [NRCS] 2023) was used to identify the soil mapping units present within the study area. USGS topographic maps were also reviewed for information on hydrologic and topographic features.

A query of the CNDDDB was conducted to identify occurrence records of special-status biological resources (plants, animals and sensitive natural communities) documented within the vicinity of the project site. This search included the Morro Bay North USGS 7.5-minute quadrangle in which the project is located, and the surrounding quadrangles: Cayucos, Cypress Mountain, York Mountain, Templeton, Atascadero, San Luis Obispo, and Morro Bay South. CNDDDB records of special-status plant and animal occurrences within a five-mile buffer from the study area were mapped. Species that occur within the coastal foothills of the Santa Lucia Range, as well as each species recorded in the CNDDDB within five miles, were considered to be within the project vicinity. Other species from the eight-mile quadrangle search that have limited distributions restricted to coastal dune or terrace areas, higher elevations of the Santa Lucia Range, Irish Hills, or the Salinas Valley, were considered to be outside of the project vicinity and were not evaluated further unless there were records within five miles. Based upon [KMA's] knowledge of the local area and other sources of species occurrence records (particularly observations recorded in Calflora [2023] and The Cornell Lab of Ornithology [2023a]), additional special-status biological resources documented in the project vicinity were included. For the list of special-status species identified in the search, local distribution and ecological information was obtained from a variety of online and published sources (Jennings and Hayes 1994, Bolster 1998, Moyle et al. 2015, Thomson et al. 2016, Audubon 2023, Calflora 2023, California Native Plant Society [CNPS] 2023, California Herps 2023, The Cornell Lab of Ornithology 2023a, 2023b; CDFW 2023e). Designated critical habitat for plant and animal species listed under FESA was identified and mapped based upon information provided in Environmental Conservation Online System (USFWS 2023b).

Within the list compiled of special-status species known from the project vicinity, an evaluation of those species with potential to occur in the study area was performed based upon the suitability of habitat conditions on the property and the local distribution (geographical and elevational ranges) and specific requirements (plant communities and soils) of the species considered. We relied on existing information and known occurrence records in the region coupled with our site-specific observations from other locations in the Estero Bay area to make determinations for the probability of occurrence of special-status species in the study area. Those species considered as "Potential" met the following requirements: records in the site vicinity, appropriate plant community and/or soil associations onsite, and the site within the elevational range of the species. If any one of these elements was not met or considered to be marginal for the site, but the other elements were present, that species was considered "Unlikely". If onsite environmental conditions were clearly inappropriate or the species has a limited distribution that

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does not overlap the site, those species were considered "Not Expected". If the onsite conditions met the requirements of any life stage or particular life history use (i.e., foraging) for wildlife while other aspects were inappropriate for certain functions (i.e., breeding), these species were considered to have Potential to occur and the likelihood of their occurrence onsite is summarized in the table and analyzed fully with regard to species ecology in the text. Special-status plant species that were determined to have Potential to occur were used as a target list to guide the botanical surveys. Special-status species observed during the surveys were listed as "Present" in Appendix D. Because environmental conditions during the years the surveys were conducted were favorable for the detection of the plant species on the list, and the surveys covered the collected blooming period of these species, plant species on the target list that were not found during the surveys were confirmed as Not Expected in Appendix D.

[KMA] determined whether special-status plant and animal species, designated critical habitat, sensitive natural communities and potential jurisdictional wetlands or drainages could or do occur on or the site. Potential impacts of the proposed project were evaluated for each of these biological resource issues, including the six additional impacts in CEQA Appendix G, as amended. Compliance with County regulations pertaining to biological resources in the Coastal Zone is also detailed. An evaluation of significance as defined under CEQA is provided for each potential impact, and mitigation is proposed to reduce any potentially significant impact to a level below the significance threshold.

Special-Status Plant Species

Two special-status plant species were found on two Rock Outcrops during the field surveys and included, Blochman's dudleya and Cambria morning-glory. Blochman's dudleya was found on a rock outcropping on an upper ridgeline composed of scattered serpentine rocks and thin soils. This area is over 100 feet east of the proposed residence and south of the water tank (Figure 4 and Appendix A). Cambria morning-glory was also found on this rock outcrop and on another larger rock outcrop to the southwest of the residence site. Descriptions for the species are described as follows:

Blochman's Dudleya (*Dudleya blochmaniae* ssp. *Blochmaniae*) is in the stonecrop family (Crassulaceae) and has a CRPR of 1B.1. It is a perennial herb, small succulent that grows on serpentine rock outcrops and serpentine and clay soils. It can occur in coastal bluff scrub, chaparral, coastal scrub and grassland habitats (CNPS 2023). The succulent foliage is miniature and spoon shaped, and dies back each year to a small corm that is difficult to identify. It blooms from April to June and has white, star-shaped flowers with five petals and yellow centers and a pink stripe along the underside. It is distributed from northwestern San Luis Obispo County to Baja California. Within San Luis Obispo County, it occurs along the coast from San Simeon to Morro Bay and then inland surrounding the City of San Luis Obispo (Calflora 2023; Hoover and Keil, 2022). There are records of this species from the south side of Alva Paul Creek (Occurrence Nos. 69 and 70; CDFW 2023a). Suitable habitat for this species on the property is limited to the upper Rock Outcrop in the study area where it was located during the spring field surveys.

Cambria morning-glory (*Calystegia subacaulis* ssp. *episcopalis*) has a CRPR of 4.2 and is a perennial rhizomatous herb in the morning glory family (Convolvulaceae). It is also called San Luis Obispo County morning-glory as it has been found throughout coastal habitats in the county. This species occurs in chaparral, cismontane woodland, coastal prairie and valley and foothill grassland habitats, usually on clay soils (CNPS 2023). In the local area, it is most often found in coastal grasslands with clay to clay loam soils. The stems are trailing or weakly twining and the leaves are triangular and minutely hairy. Its flowers are cream-colored and funnel-shaped, blooming from March through May with an occasional plant blooming into July. By late summer the above-ground parts of the plant die back and only the seeds and roots persist

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through the dry season. It is relatively widely distributed in San Luis Obispo County, occurring along the north coast, Santa Lucia Range, and from Morro Bay and Los Osos inland through the vicinity of San Luis Obispo and extending to Arroyo Grande and Nipomo (Calflora 2023). The type locality is from Cambria. There is one record nearby to the south along Highway 1 (Occurrence No. 4; CDFW 2023a). This species was observed at two locations within the study area growing on and around rock outcrops as shown on Figure 4.

Additionally, Betty's dudleya (*Dudleya abramsii* ssp. *bettinae*; CRPR 1B.2) and Palmer's spineflower (*Chorizanthe palmeri*; CRPR4.2) were found in upper elevation areas of the property to the north of the study area, which is well away from the proposed project. Within the study area, the past grazing regime has favored a predominance of non-native species that outcompete most native plants, and rare species are typically vulnerable to disturbance and competition with the invasive grasses. Thereby restricting the rare plant occurrences to the two rock outcrops shown on Figure 4-1. The amount of rainfall received during the growing seasons in which the botanical surveys were conducted was adequate for the detection of all plants occurring within the study area. The focused botanical surveys from 2020 – 2023 covered the entire study area and the collective blooming period of each of the species on the target list (see Appendix D). Therefore, the botanical surveys were determined to be conclusive in their findings.

Special-Status Animals

The background review identified numerous special status wildlife species occurrence records from within five miles of the study area (see BRA Appendix D). One special-status bird species, the grasshopper sparrow (*Ammodramus savannarum*) was observed onsite during the surveys. Most wildlife species recorded onsite were common species that occur in similar habitats in this region (see Appendix B). The background review and evaluation determined that three invertebrate, one fish, six amphibian and reptile, seventeen bird, and four mammal species have potential to use the site... Each of the species that were determined to have potential to occur onsite are [described below]:

- Monarch butterfly (*Danaus Plexippus*)
- Obscure bumble bee (*Bombus caliginosus*)
- San Luis Obispo pyrg (*Pyrgulopsis taylori*)
- Steelhead (*Oncorhynchus mykiss irideus*, south-central California coast Distint Population Segment (DPS))
- Blainville's (Coast) horned lizard (*Phrynosoma blainvillii*)
- California (Coast Range) newt (*Taricha torosa*)
- California red-legged frog (*Rana draytonii*)
- Northern California legless lizard (*Anniella pulchra*)
- Southwestern (western) pond turtle (*Actinemys pallida*)
- Two-striped gartersnake (*Thamnophis hammondi*)
- Bald eagle (*Haliaeetus leucocaphalus*)
- Burrowing owl (*Athene cunicularia*)
- California horned lark (*Eremophila alpestris actia*)

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- Cooper's hawk (*Accipiter cooperii*)
- Ferruginous hawk (*Buteo regalis*)
- Golden eagle (*Aquila chrysaetos*)
- Grasshopper sparrow (*Ammodramus savannarum*)
- Great blue heron (*Ardea herodias*)
- Great egret (*Ardea alba*)
- Loggerhead shrike (*Lanius ludovicianus*)
- Merlin (*Falco columbarius*)
- Northern harrier (*Circus cuaneus*)
- Prairie falcon (*Falco mexicanus*)
- Sharp-shinned hawk (*Accipiter striatus*)
- Snowy egret (*Egretta thula*)
- Tricolored blackbird (*Agelaius tricolor*)
- White-tailed kite (*Elanus leucurus*)
- American Badger (*Taxidea taxus*)
- Pallid bat (*Antrozous pallidus*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- Western red bat (*Lasiurus frantzii*)

Migratory Birds

Special-status and common bird species protected under the MBTA and California Fish and Game Code could nest in any of the habitats on the property. Although bald and golden eagles and other raptors may forage onsite, there are no suitable large trees or other structures on or near site that could be used for nesting by most of the raptor species evaluated.

Critical Habitat

The study area falls within designated critical habitat for the California red-legged frog, SLO-2 Piedras Blancas to Cayucos Creek (USFWS 2010; Figure 7). This unit provides all of the features essential for the conservation of the species, including: 1) permanent and ephemeral aquatic breeding habitat; 2) non-breeding aquatic and riparian habitat; 3) upland habitat; and 4) dispersal habitat (USFWS 2010). This area is also important because it provides connectivity between the Santa Lucia Range and the inner Coast Range (USFWS 2010). "Aquatic breeding habitat" provides space, food, and cover necessary to sustain all aquatic life stages of the species. Breeding habitats must be able to hold water for a minimum of 20 weeks in all but the driest of years (USFWS 2010). "Non-breeding aquatic and riparian habitat" describes shallow freshwater features such as intermittent streams, seeps, springs, small ponds that dry up in less than 20 weeks, and vegetation along the banks or floodplain. Morro Creek lacks persistent deep pools that could be used for breeding, but it would represent suitable non-breeding aquatic and riparian habitat. "Upland habitat" provides corridors between and disturbance buffers from aquatic breeding and non-breeding

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habitat, and includes grassland, woodland, forest, or shrubby areas that provide shelter, foraging opportunities and predator avoidance. Also included are structures that provide shade and moisture, such as boulders, rocks, downed trees, logs, small mammal burrows, or anthropogenic materials including watering troughs spring boxes, drains and stacks of debris (USFWS 2010). "Dispersal habitat" provides connectivity between breeding and upland habitat that does not contain barriers which prevent frogs from dispersing. It is essential for maintaining gene flow through the movement of juveniles and adults between populations, colonization of new habitats and recolonization after local extirpations. It includes uplands, riparian, agricultural fields, orchards, vineyards and pastures (USFWS 2010). Examples of dispersal barriers are heavily traveled roads without bridges or culverts, moderate to high-density urban development, and large lakes and reservoirs (USFWS 2010). The USFWS considers a distance of 1.0 mile (1.6 kilometer) from occupied aquatic habitats for determining upland and dispersal critical habitat for the frog in most cases, depending on the surrounding landscape and any dispersal barriers (USFWS 2010). Three recorded localities of the California red-legged frog within one mile from the study area were identified in the background review (see Appendix D and Section 3.5.2). Therefore, non-breeding aquatic, riparian, upland and dispersal habitat that falls under designated critical habitat for the California red-legged frog is present onsite, and would be primarily associated with the Morro Creek corridor.

Designated critical habitat for the south-central California coast Distinct Population Segment (DPS) steelhead (*Onchorhynchus mykiss irideus*; population 9) occurs at several drainages in the project vicinity that have suitable habitat for this species, including Morro Creek (Figure 7). The reach of Morro Creek onsite is part of the Morro Hydrologic Sub-area 331021 (NMFS 2005). The lateral extent of critical habitat is the width of the stream channel defined by the ordinary high-water mark, and in cases where this has not been determined, the width of the stream channel is defined by the bankfull elevation (NMFS 2005). Section 3 of the Endangered Species Act defines critical habitat as those specific areas within the geographical range of the species that are occupied at the time of listing which contain the physical or biological features essential for the conservation of the species and may require special management or protection, as well as areas not currently occupied at the time of listing but which are essential for the recovery of the species. The primary constituent elements that are essential to the conservation of steelhead and are identified in the final rule include:

1. Freshwater spawning and larval development sites with adequate water quantity and quality conditions and appropriate substrate.
2. Freshwater rearing sites that support juvenile growth, mobility, forage, and natural cover.
3. Freshwater migration corridors without obstructions, having sufficient water quantity and quality conditions and natural cover.
4. Estuarine habitats that support juvenile fish and adult physiological transitions between fresh and saltwater.
5. Nearshore marine areas with connectivity to the freshwater habitats and containing adequate forage and habitat structure.
6. Offshore marine areas that support the growth and maturation of juveniles to grow to adulthood. These areas are not exactly designated because they are difficult to identify; however, they are essential to the species' conservation.

The reach of Morro Creek onsite represents a freshwater migration corridor and may also be important for freshwater rearing of juvenile steelhead under the critical habitat designation. Drainages 1 through 4

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on the property are too ephemeral to support steelhead and are not included in the listing of critical habitat for this species. However, these drainages empty into Morro Creek and if substantially affected, runoff from the tributaries could affect steelhead critical habitat downstream.

Designated critical habitat for the Morro shoulderband (*Helminthoglypta walkeriana*) is not present in the study area, and occurs along the Montana de Oro sand spit and east of Los Osos/Baywood. Tidewater goby critical habitat also does not occur onsite and the nearest area is lower Los Osos Creek. Western snowy plover (*Charadrius alexandrinus nivosus*) critical habitat is not present on the property, and occurs to the west at Morro Strand State Beach as well as other sandy beaches in the area.

Sensitive Natural Communities

Riparian habitat along Morro Creek would be classified as Central Coast Riparian Scrub, which has a State Rarity Rank of S3. The Wetland habitat along the ephemeral drainages would be classified as a combination of the Freshwater Seep and Vernal Marsh communities (Holland 1986), which have State Rarity Ranks of S3.2 and S2, respectively. The County considers wetland and coastal stream habitats protected biological resources, and the onsite wetland communities meet the threshold for CEQA as sensitive natural communities. In addition, they are considered sensitive by CDFW, and are protected resources under the Coastal Act and would also be regulated under the federal Clean Water Act and state Porter-Cologne Water Quality Act.

Central (Lucian) Coastal Scrub that has a State Rarity Rank of S3.3 is typically a diverse assemblage of shrubs and annual species that is not present onsite. The onsite coastal scrub habitat mapped along the Highway 41 and Morro Creek corridor was composed of more weedy species as a result of historic agricultural activities. As such, the mapped Coastal Scrub habitat would not meet the criteria as a sensitive natural community by CDFW and under CEQA. Within the Estero Planning Area in which the project lies, "ecologically significant" stands of coastal scrub are considered Environmentally Sensitive Areas, whether or not these areas are within a designated SRA (County 2009). The assemblage of coyote brush, poison oak, and an occasional California sagebrush would not warrant inclusion of the onsite coyotebrush scrub alliance as ESHA.

The Non-native Grassland community (Holland 1986) or Wild Oats and Annual Brome Grasslands or Perennial Rye Grass Fields semi-natural alliances (Sawyer et al. 2009) is dominated by non-native species, and it would not be considered a sensitive natural community.

Prominent rock outcrops that are visible from off-site areas can be the basis of designating an SRA under the CZLUO (County 2018). Although rock outcrops are located on the property (Figure 4), they have not been designated as an SRA (County 2020). Still, the project was designed to avoid these features and their associated botanical resources.

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?*

Two special-status plant species were found during the seasonally timed, focused botanical surveys (Figure 4). The botanical surveys occurred over multiple years and covered the blooming period of each of the special-status plant species on the target list. In addition, rainfall conditions were above normal for two years of the study. Therefore, the botanical survey effort is considered

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to be conclusive and no additional surveys are recommended. Blochman's dudleya (CRPR 1B.1) and Cambria morning-glory (CRPR 4.2) are associated with two Rock Outcrops that will be avoided by the project. The proposed residence, driveway, associated site improvements, and orchard has been designed to provide a buffer of over 100 feet from the rock outcrops and rare plant occurrences.

The residence and its associated infrastructure and the cultivation area would be located entirely in a previously grazed, weedy, Non-native Grassland area that would not represent a significant habitat resource for special-status plant species.

Analysis of the animals that have potential to occur on-site as detailed in Appendix D [of the submitted Biological Report] further separates the species that would only use the site periodically while foraging or moving through the site, without using the area for breeding or other key life history traits, versus those that could be significantly affected by construction and/or long-term occupancy/farming. Species considered to be mobile include foraging invertebrates, birds and bats. Individuals of these mobile species that use the site for foraging or on a transitory basis are expected to move away from any temporary disturbance during construction activities or on-going human occupancy and agricultural activities. Although disruption of normal activities would be a temporary "effect", the level of the effect would be below the level of significance under CEQA if they are not injured or killed. Occupancy of the residence would not substantially affect site use by mobile species because the remainder of the approximately 236-acre property would remain undeveloped and single-family occupancy would not create much disturbance. Additional features associated with human occupancy such as ornamental trees, flowers, and ponds or other water sources may benefit wildlife to some degree. The foraging behavior of special-status bat species would not be affected because construction activities will be conducted during the day and bats are nocturnal. Long-term occupancy and operations could positively affect bats through lighting or nectar that attracts the prey species of bats.

Morro Creek, Riparian habitat and the areas vegetated by Coastal Scrub are separated from the proposed development areas by Highway 41; thus, aquatic species and most of those that are occur in riparian and scrub habitats are not expected to cross the highway and use the arid grassland where the project is located. Individuals of special-status animal species that could be present onsite on a transitory basis while foraging, do not nest in this area, are nocturnal, or that if present on the property would occur in areas outside of the project footprint and for which the effects of project activities are expected to be less than significant. These species include monarch butterfly, obscure bumble bee, San Luis Obispo pyrg, Blainville's horned lizard, California newt, northern California legless lizard, southwestern pond turtle, two- striped gartersnake, bald eagle, Cooper's hawk, ferruginous hawk, golden eagle, great blue heron, great egret, loggerhead shrike, merlin, northern harrier, prairie falcon, sharp-shinned hawk, snowy egret, tricolored blackbird, white-tailed kite, pallid bat, Townsend's big-eared bat, and western red bat.

While no direct impact to Morro Creek, the surrounding riparian vegetation areas, or species contained within such areas is proposed, grading for the project would involve 3,100 cy of cut and 2,500 cy of fill, and disturbed soils could erode into the drainage and be washed into Morro Creek if the waterways are not adequately protected. An erosion and sediment control plan was not

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incorporated into the site plans at the time of preparation of this BRA (December, 2023). If substantial erosion occurred as a result of grading activities or if there were spills of toxic substances during construction, they could be carried into the drainage system by stormwater runoff and enter steelhead critical habitat in Morro Creek. Although no spawning habitat is present downstream, large contributions of sediment into the system could affect pool depth, and therefore increase water temperatures for juvenile rearing habitat in the lower reaches or increase the time the creek is closed off from the ocean by the seasonal beach berm. In addition, toxic substances from construction equipment such as oil, gas, diesel, and hydraulic fluid could leak or be spilled and be carried in stormwater runoff into the creek that could affect aquatic habitats downstream. These impacts could also negatively affect non-breeding aquatic habitat for California red-legged frog in the designated critical habitat area.

The California red-legged frog could also occur in the project's area of disturbance while moving during the winter following substantial rain events when the ground conditions are moist. As such, individuals could suffer mortality or injury from construction equipment for the residence or vegetation clearing activities occurred during the winter months. Frogs could also fall into and become entrapped in steep-walled trenches or excavations for foundations and/or utilities during the winter months when they are active in upland areas. Seasonal restriction of land clearing and grading as required under Coastal Plan Policies (also described in Mitigation Measure Bio-1 through 4) to take place outside of the winter rain season would be sufficient to avoid and minimize potential effects on California red-legged frogs.

Burrowing owls could also be present in project disturbance areas during the winter while migrating through the region. Individuals may use burrows for temporary refuge within the Non-native Grassland habitat, and therefore be affected if site disturbance is initiated during the winter months. Similar to protection of CRLF, seasonal restriction of land clearing and grading as required under Coastal Plan Policies (described in Mitigation Measure Bio-1 through 4) to be outside of the winter season would avoid and minimize potential effects on burrowing owls.

American badgers could also occur in the disturbance area, and while a prey base was not observed in the proposed construction area, badgers could excavate prey burrows and use them as dens. Dens could be used to raise their young during the spring and summer. Adults that are not raising young may use dens for refuge during the daytime at any time of year. Badgers in dens may be injured or killed during site grading.

Project impacts on any of these special-status species could be considered to be significant under CEQA. To reduce project effects on special status wildlife to a level below significance, preconstruction surveys and avoidance of individuals are required, and construction timed for the dry summer and fall months. Because the California red-legged frog is a federally Threatened species, if any individuals are found within the impact area and the project cannot be delayed avoiding the species, consultation with the USFWS may be required.

As discussed in Mitigation Measures BIO-1 through BIO-4 below, with initial ground disturbance occurring in the dry season outside the winter months, impacts to Central Coast Steelhead, burrowing owls and red-legged frogs can be avoided. For the American badger that may be present year-round, a qualified biologist shall survey the project impact areas plus a 250-foot buffer for potential American badger dens prior to site disturbance. Any potential badger dens/burrows found that appear active shall be identified with flagging and stakes, and a 200-foot

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no-work buffer shall be delineated. All foot and vehicle traffic, construction activities, and storage of supplies and equipment, shall remain outside of buffer areas. Buffer areas shall be maintained until all construction-related disturbances have ceased. If any burrow buffer areas cannot be avoided during work activities, then the qualified biologist shall determine whether the burrows are active by installing wildlife trail cameras and/or a tracking medium and monitoring daily for at least three days. Dens/burrows determined to be inactive shall be excavated to prevent them from being occupied during the work.

Because the initial grading/ground disturbance is expected to take place during the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left the den as determined by a qualified biologist. If any active burrow occupied by a single adult badger is found and a 200-foot buffer area cannot be avoided, then the den shall be closed incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. After qualified biologist determines that the badger has left the burrow, the burrow can be removed by incrementally excavating it. Hand tools are the recommended method for removing a burrow, and excavating equipment can be used with extreme caution while being monitored by a qualified biologist. If an American badger is discovered inside the burrow during excavation, activities should cease immediately and the animal allowed to leave under its own volition. After the burrow has been excavated to the end to determine that it is unoccupied, the excavation shall be filled with dirt and compacted to make sure that it cannot be reoccupied.

The preconstruction survey(s) shall be repeated for each phase of the project scheduled to commence upon a different date. The biologist shall submit a preconstruction survey report to the County detailing the methods and results of the surveys. The report should detail the number and location of any special-status animal species found during the surveys and measures implemented for avoidance prior to the start of construction. Observations of special-status species shall be submitted to the CNDDDB.

Therefore, with implementation of Mitigation Measures BIO-1 through BIO-4 listed below, impacts to special-status plant and wildlife species would be *less than significant with mitigation*.

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

Project construction activities could potentially impact nesting of special-status birds as well as common avian species protected under the Migratory Bird Treaty Act and California Fish and Game Code, and the County's (2015) General Plan. This is a potentially significant but mitigable impact.

Given seasonal restrictions with initial ground disturbance, vegetation removal and/or initial grading is expected to occur during the spring and summer nesting season. The typical bird nesting season in coastal California is from February 1st to August 31st. As such, impacts on protected nesting birds could occur. Active nests containing eggs and/or young could be killed during vegetation removal and/or noise and physical disturbance could disrupt nesting behavior causing the adults to abandon the nest. Direct mortality of eggs and/or chicks, nest failure, or nest

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abandonment are considered significant effects under CEQA. If construction commences outside of the nesting season (September 1st to January 31st), no mitigation for nesting birds would be needed. Otherwise, Mitigation Measure BIO-3 requires preconstruction survey for nesting birds within approximately 500 feet of the work area. In the event that nests are identified during protocol surveys, buffers shall be delineated with flagging, and no work shall take place within the buffer area until the young have left such nest(s), 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.

Therefore, with implementation of Mitigation Measures BIO-1 through 4 listed below, impacts to 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 would be *less than significant with mitigation*.

- (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?*

While no direct impact to Morro Creek, the surrounding riparian vegetation areas, or species contained within such areas is proposed, grading for the project would involve 3,100 cy of cut and 2,500 cy of fill, and disturbed soils could erode into Drainage 3 (Figure 4-1) and be washed into Morro Creek if the waterways are not adequately protected. An erosion and sediment control plan was not incorporated into the site plans at the time of preparation of the submitted BRA (December, 2023). If substantial erosion occurred as a result of grading activities or if there were spills of toxic substances during construction, they could be carried into the drainage system by stormwater runoff and enter steelhead critical habitat in Morro Creek. Although no spawning habitat is present downstream, large contributions of sediment into the system could affect pool depth, and therefore increase water temperatures for juvenile rearing habitat in the lower reaches or increase the time the creek is closed off from the ocean by the seasonal beach berm. In addition, toxic substances from construction equipment such as oil, gas, diesel, and hydraulic fluid could leak or be spilled and be carried in stormwater runoff into the creek that could affect aquatic habitats downstream. These impacts could also negatively affect non-breeding aquatic habitat for California red-legged frog in the designated critical habitat area.

To reduce project effects on wetlands to a level below significance, preconstruction surveys and avoidance of individuals are required, and construction will be timed for the dry summer and fall months. Because the California red-legged frog is a federally Threatened species, if any individuals are found within the impact area and the project cannot be delayed avoiding the species, consultation with the USFWS may be required. Based on proposed project design and implementation of Mitigation Measures BIO-1 through BIO-4, implementation of the project is not expected to result in adverse impacts to identified potential state jurisdictional wetlands; therefore, impacts would be *less than significant with mitigation*.

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- (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 proposed project would not affect the movement of native fish because all work will be conducted in upland areas outside of stream channels and construction will be timed for the dry summer and fall months to avoid excess erosion and sedimentation impacting Morro Creek. No new site disturbance is proposed along the Morro Creek corridor, and all equipment and materials will be contained in upland areas on the north side of Highway 41. Therefore, no project activities could affect the movement of fish. In addition, the tributaries on the property are to ephemeral to support fish.

The residence site is surrounded on all sides by open grassland that has been used for cattle grazing and lacks barriers to wildlife movement. Transient wildlife will be able to move unimpeded around the residence and agricultural development once constructed. Even if the orchard is fenced, the northern 200 plus acres and the Morro Creek corridor will remain undeveloped, and wildlife will be able to move across the property in all directions. Therefore, no negative impacts of the project on wildlife corridors or movement are expected.

The open and grazed grassland habitat in the project impact area is not a key wildlife nursery site for any species. Wildlife species that could breed in the area are limited to sporadic ground-nesting birds, small mammals such as rodents, and invertebrates. These species would be dispersed throughout the abundant grassland habitat in the coastal region and not concentrated in the study area for reproduction or other key life history stages. As such, there would be no impact of the project on wildlife nursery sites.

Because there would be no project impacts on the movement of native fish or wildlife, wildlife corridors or wildlife nursery sites, no mitigation is required.

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

The project does not involve the removal of any native trees, and no oak trees are in the study area. The Coastal Zone Land Use Ordinance describes Sensitive Resource Area (SRA) combining designations to identify areas with special environmental qualities, rare vegetation, and habitat resources (County 2018). The purpose of these combining designation standards is to ensure that proposed development be designed in consideration of and for the protection of sensitive resources, to satisfy the requirements of the California Coastal Act. The SRAs relevant to the proposed project area are Wetlands, Streams and Riparian Vegetation, and Terrestrial Habitats.

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The Estero Planning Area Rural Combining Designation Map shows Coastal Stream ESHA designated at the project site for Morro Creek and Drainage 3 (County 2017). Effects of the project on coastal streams, riparian and wetland habitats are described above in Sections 4.1.2 and 4.1.3, and the project was designed to avoid direct impacts to these features. Mitigation measures were developed and provided above to avoid indirect effects that could result during construction of the project.

Terrestrial habitat protection is intended to protect rare and endangered species of plants and animals with a focus on preserving the entire ecological community rather than individual species (County 2018). Occurrences of two rare plant species were found associated with two Rock Outcrops in the study area. Therefore, the Rock Outcrops as mapped in Figure 4 may be considered be an SRA for Terrestrial Habitat. This habitat and rare plants will be avoided and project elements sited to provide a buffer of over 100 feet consistent with coastal policies.

The area is considered have a Geologic Study Area combining designation, of which most of the Coastal Zone has been mapped (County 2017). Geologic Study Areas have low to moderate landslide risk and low to moderate liquefaction hazard (County 2018). These areas must be evaluated for engineering problems associated with building or hillside grading (County 2018). Because the project is located on a sloping hillside, it is expected that there may be some landslide risk.

The Estero Area Plan (County 2009) contains "Rural Land Use Policies" for areas outside of urban reserve lines that call for:

- Maintaining agriculture and the rural character of the area;
- Protecting agriculture, open space and sensitive resources;
- Maintaining existing land use categories and agricultural uses in rural areas;
- Avoiding "leapfrog" development; and
- Protecting groundwater supplies for agriculture.

The proposed project aligns with these policies as it maintains the rural residential character present in the surrounding area and increases agricultural production, while preserving open space. With the mitigation measures described herein sensitive aquatic and botanical resources will be protected.

In summary, County policies and California Coastal Act regulations that pertain to biological resources have been evaluated, and the project as currently designed appears to be in compliance. Because there would be no conflicts with local policies or ordinances related to biological resources, *no impacts would occur* and no additional mitigation is required.

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- (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 BIO-1 through BIO-4, impacts to biological resources would be less than significant.

Mitigation

BIO-1 Conduct initial grading and ground disturbance activities during the dry season, which is approximately April 15 through October 15 to avoid the California red-legged frog and burrowing owl. Timing initial site disturbance to occur in the dry season when winter rains have ceased and the ground is not wet will avoid potential impacts to CRLF. In addition, timing initial grading activities during the dry summer and fall seasons will avoid potential impacts to the burrowing owl. Preconstruction surveys detailed below under Mitigation Measure BIO-2.

BIO-2 Conduct preconstruction surveys for special-status animal species and implement avoidance and protection measures during construction. Within seven days prior to the start of vegetation removal or grading for any phase of the project (i.e., residence construction, driveway construction, utilities installation), a qualified biologist approved by the County shall survey impact areas to ensure that special status wildlife listed above are not present. The survey must be conducted during suitable environmental conditions for detection of the target species. If construction is scheduled to start at a time of year that is inappropriate for the detection of the species, surveys shall be planned during the species' active period the season before construction to determine whether they are present onsite. If this is not possible, the biologist shall conduct the initial preconstruction survey within seven days, and also be present onsite to monitor the initial vegetation removal and ground disturbance phases.

As discussed above, with initial ground disturbance occurring in the dry season outside the winter months, impacts to burrowing owls and red-legged frogs can be avoided. For the American badger that may be present year round, a qualified biologist shall survey the project impact areas plus a 250-foot buffer for potential American badger dens. Any potential badger dens/burrows found that appear active shall be identified with flagging and stakes, and a 200-foot no-work buffer shall be delineated. All foot and vehicle traffic, construction activities, and storage of supplies and equipment, shall remain outside of buffer areas. Buffer areas shall be maintained until all construction-related disturbances have ceased. If any burrow buffer areas cannot be avoided during work activities, then the qualified biologist shall determine whether the burrows are active by installing wildlife trail cameras and/or a tracking medium and monitoring daily for at least three days. Dens/burrows determined to be inactive shall be excavated to prevent them from being occupied during the work.

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Because the initial grading/ground disturbance is expected to take place during the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left the den as determined by a qualified biologist. If any active burrow occupied by a single adult badger is found and a 200-foot buffer area cannot be avoided, then the den shall be closed incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. After qualified biologist determines that the badger has left the burrow, the burrow can be removed by incrementally excavating it. Hand tools are the recommended method for removing a burrow, and excavating equipment can be used with extreme caution while being monitored by a qualified biologist. If an American badger is discovered inside the burrow during excavation, activities should cease immediately and the animal allowed to leave under its own volition. After the burrow has been excavated to the end to determine that it is unoccupied, the excavation shall be filled with dirt and compacted to make sure that it cannot be reoccupied.

The preconstruction survey(s) shall be repeated for each phase of the project scheduled to commence upon a different date. The biologist shall submit a preconstruction survey report to the County detailing the methods and results of the surveys. The report should detail the number and location of any special-status animal species found during the surveys and measures implemented for avoidance prior to the start of construction. Observations of special-status species shall be submitted to the CNDDB.

BIO-3 Conduct a preconstruction nesting bird survey and avoid active nests. For any vegetation removal or initial grading that is scheduled to start between February 1st and August 31st, a qualified biologist shall conduct a preconstruction survey for nesting birds within approximately 500 feet of the work area, as appropriate within the limits of the property. The survey shall be conducted within seven days before the initiation of construction. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior and attempt to locate their nests. Any nests identified in the survey area shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (500 feet for raptors) of the construction area, the biologist in coordination with the County shall determine the extent of a buffer to be established around the nest. The buffer should 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.

BIO-4 Implement stormwater protection measures and install appropriate erosion and pollution control methods. The following stormwater Best Management Practices (BMPs) and avoidance/protection measures (in addition to any required by a qualified engineer) are required to be implemented during and after each of the phases of the project:

1. As determined to be warranted to protect downstream biological resources identified within this BRA, and in compliance with the Coastal Plan Policies Coastal Watersheds Policy 8, land clearing and grading shall occur outside of the rainy season (County 2007), which is typically defined from October 15th through April 15th.

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2. Disturbance of soils should be kept to the smallest area and shortest feasible period. Driveway improvements within 100 feet of Drainage 3 shall minimize the amount of grading to the extent feasible. The top of bank shall be fenced with high visibility construction fence or other appropriate material within 100 feet up-and downstream from the road crossing prior to construction and the fencing shall be maintained throughout the construction period. The fencing is to serve as a visual boundary of the protected stream area, and shall be depicted on all construction plans. The fencing can be removed when ground disturbance has been completed.
3. Spill kits shall be maintained on the site, and a Spill Response Plan prepared by a qualified individual shall be in place. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.
4. No vehicles or equipment shall be refueled within 100 feet of drainage features unless a bermed and lined refueling area is constructed. No vehicles or construction equipment shall be stored overnight within 100 feet of these areas unless drip pans or ground covers are used. All equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Construction staging areas should attain zero discharge of stormwater runoff into these habitats.
5. No concrete washout shall be conducted on the site outside of an appropriate containment system. Washing of equipment, tools, etc. should not be allowed in any location where the tainted water could enter drainages.
6. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the United States Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.
7. A Sediment and Erosion Control Plan as required by the County shall be prepared by a qualified individual, as required under Coastal Plan Coastal Watersheds Policy 9 (County 2007).
8. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs to prevent erosion and protect the drainage features onsite and offsite. Silt fencing, erosion control blankets, straw bales, sandbags, fiber rolls and/or other types of materials shall be implemented to prevent erosion and sedimentation. Biotechnical approaches using native vegetation, including hydromulching, shall be used as feasible. Additional measures specified in Coastal Plan Policies Coastal Watersheds Policy 9 include sediment basins and terracing (County 2007). Selection of appropriate measures shall be based on evaluation of the project design, site conditions, pre-project erosion rates, environmental sensitivity of the adjacent area, and costs of on-going maintenance. All sediment and erosion control measures shall be installed per the engineer's requirements, and in place prior to October 15. These measures shall be maintained in good operating condition throughout the construction period. Methods that are not biodegradable should be removed after vegetation has become established and following the end of the rainy season (late-spring or summer).
9. Areas with temporarily disturbed soils shall be restored under the direction of the project engineer in consultation with a qualified restoration ecologist as needed. Methods may

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include recontouring graded areas to blend in with existing natural contours, covering the areas with salvaged topsoil containing native seedbank from the site, and/or applying the native seed mix as detailed in the table below. Native seed mix shall be applied to the graded areas through either direct hand seeding or hydroseeding methods prior to the onset of the rainy season (by October 15). Compost, mulch, fiber and tackifier may also be incorporated.

Table 4-1: Erosion Control Native Seed Mix

Common Name	Scientific Name	Application Rate (pounds/acre)
California brome	<i>Bromus carinatus</i>	10
Purple needlegrass	<i>Stipa pulchra</i>	5
Six weeks fescue	<i>Vulpia microstachys</i>	5
Small fescue	<i>Festuca microstachys</i>	5
Tomcat clover	<i>Trifolium wildenovii</i>	5
Total		30

10. Following construction, the revegetated areas shall be inspected by the qualified restoration ecologist to ensure that disturbed soils have successfully been stabilized in the short- and long-term. The monitoring visit should include the removal of non-native species that favor disturbed conditions and outcompete native species.
11. The BMPs provided in Merhaut et al. (2012) or other reputable sources that are specific to avocado orchards are recommended for future agricultural activities. These methods may include:
 - Pressure regulators for the irrigation system and use of drip or microsprinkler irrigation;
 - Mulching the ground to conserve soil moisture;
 - Cover crops between rows;
 - Nutrient management based upon soil characteristics; and
 - An integrated pest management program

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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

As defined by CEQA, a historical resource includes:

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

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

The County CZLUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites, structures and areas important to local, state, or national history. Specific areas are also designated as Archaeologically Sensitive Areas. The County CZLUO includes standards regarding minimum parcel size, permit and processing requirements, when a preliminary site survey is required, when a mitigation plan is required, and what to do in the event of an archeological resource discovery. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the *County of San Luis Obispo General Plan Land Use Element* (LUE) (CZLUO 23.07.100-104). The project site is not located within or adjacent to a site under the H Combining Designation.

California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (circa [ca.] 9000–6000 B.C.), Archaic Period (6000 B.C.–A.D. 500), and Emergent Period (A.D. 500–Historic Contact). The Archaic is further divided into Lower (6000–3000 B.C.),

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Middle (3000–1000 B.C.), and Upper (1000 B.C.–A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

San Luis Obispo County was historically occupied by two Native American tribes, the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

The County COSE identifies and maps known cultural 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 America, or cultural significance. Based on the County COSE, project site is located in a designated Archaeological Sensitive Area and is subject to CZLUO 23.07.104.

Due to the project's proximity to potentially significant archaeological resources, a Phase I Archaeological Study was conducted by Central Coast Archaeological Research Consultants (CCARC) for the project site in March 2023.

Records Search

"On 16 February 2023 Rebecca Albert, Central Coast Information Center (CCIC) Assistant Coordinator, conducted an inhouse records search at the CCIC, University of California, Santa Barbara of the current project location. The records search included a review of information on all surveys and sites within a 0.25-mile radius of the current project area. Archival research focused on primary and secondary sources to develop a general historic context as well as specific information for the immediate project area. To identify previously recorded archaeological and historical sites, the author of this report acquired and reviewed GIS layers, archaeological site records (showing previously recorded sites, isolates, and historic properties), and cultural resources investigation reports on file at the CCIC.

Forty-three cultural resources studies and seven prehistoric archaeological sites are within the 0.25-mile radius records search parameter. The comprehensive records search identified nine cultural resources studies documented in or in the immediate vicinity of current study area, and one prehistoric site (CA-SLO-1303) and two historic resources (P-40-002823 and P-40-041275) are mapped within the project area.

In addition to this research effort, the following sources were consulted, and no properties are documented in the current project:

- National Register of Historic Places
- California Register of Historic Places
- California Inventory of Historic Resources (1976 and updates)
- California State Points of Historic Interest (1992 and updates)
- California State Historical Landmarks (1996 and updates)
- California State and Local Bridge Surveys
- Office of Historic Preservation's Historical Property Data File" ...

"The records search revealed that at least 43 cultural resources studies have been conducted within a 0.25-mile radius, the majority of which are for small lot and property surveys as well as two

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large infrastructure projects”

Field Methods

On 20 February 2023 the author of this [submitted archaeological report] and archaeologists Kirk Azevedo and Ethan Bertrando conducted an intensive survey of the Snow Residential and Agricultural Project at 887 Atascadero Road, Morro Bay, San Luis Obispo County, California (APN 073-084-013). The Snow Residential and Agricultural study area is depicted on the attached Figure 1 aerial map, Figure 2 survey map (Morro Bay North 7.5-Minute topographic quadrangle), Site Plan, APN mapping, and photographs of the existing site condition

Discussion

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

While the project site does not contain a site under the Historic Site (H) combining designation the project parcel does contain two historic resources (P-40-002823 and P-40-041275):

- Righetti Ranch Historical Complex (P-40-002823): [located] in the center of the property, which includes historic-period buildings and structures associated with a ranch complex, as well as a marine shell scatter. The oldest of the buildings, a residence and barn, may date to ca. 1900, according to the previous property owner, Paul Madonna. The complex also contains a house that was built ca. 1953 and three other outbuildings that appear to be more than 45 years in age. There are also several other outbuildings that appear to be modern. According to Caltrans’ as-built plans for State Route 41 (Mikkelsen et al. 2001: Appendix B), a farmyard was present at this location in 1953. There is a potential for buried resources (e.g., privy and refuse pits) associated with historic occupation.
- Windmill Tower (P-40-041275): consists of a disused windmill that was located on a cleared flat north of Morro Creek and south of State Route 41. Ruby et al. (2016) found the feature was dismantled and removed sometime between October 2015 and January 2016, shortly after its recordation by the Far Western crew. According to the previous landowner, Paul Madonna, the windmill was removed by a barn supply store.

The windmill was manufactured by the Aermotor Company in Chicago as indicated by its printed tail vane. Windmill manufacturing was shifted from Chicago to Broken Arrow, Oklahoma, in 1964, so P-40-041275 likely predates this year (Aermotor Windmill Company 2015). This type of windmill is the most common across North America and many are still functioning (Baker 1985:117). The windmill was disabled, as the standpipe and pump rod were missing at the time of its recordation. A poured concrete foundation that was under its tower supports an active, modern electric pump, which is powered by an electrical line extending from an adjacent power pole. It’s unclear where the pumped water is directed; however, fairly recent domestic garbage in plastic bins and mature succulent landscaping lining the open flat at the edge of the windmill suggest a residence once recently occupied this area.

The windmill (P-40-041275) was dismantled and removed shortly after it was recorded and thus does not require evaluation. The Righetti historic era ranch complex (P-40-002823) requires evaluation of eligibility for the CRHR, a study that is currently being conducted for this project. Although the current study did not identify significant prehistoric or historic archaeological materials or features, there is a likelihood of subsurface deposit associated with P-40-002823 that may contain features such as structural remains, privies, and trash pits associated with the occupation of the historic land use. The

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current project; however, does not include ground disturbing activities in this area therefore precluding the likelihood of impacting cultural resources. As such, the project would result in *no impacts* associated with an adverse change in the significance of a historical resource.

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

Archival research, a Native American Heritage Commission Sacred Lands Records Search, and an intensive archaeological survey of the Snow Residential and Agricultural Project at 887 Atascadero Road, Morro Bay, San Luis Obispo County, California (APN 073-084-013) identified prehistoric cultural resources associated with CA-SLO-1303 on the approximately 236-acre project parcel; however, The current project does not include ground disturbing activities in this area therefore precluding the likelihood of impacting archaeological resources.

In the unlikely event that resources are uncovered during grading activities, implementation of Buildings and Construction 19.02.070 and CZLUO 23.07.104 (Discovery of Archaeological Resources and Archaeologically Sensitive Areas) would be required. These sections require 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. Impacts to archaeological resource(s) 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, Buildings and Construction 19.02.070, and CZLUO 23.07.104 (Discovery of Archaeological Resources and Archaeologically Sensitive Areas) 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 CZLUO, 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

There are known historical resources located on the subject parcel, however they are located away from the proposed area of disturbance. Adherence with County Buildings and Construction standards, CZLUO 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

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Provided in Exhibit A.

VI. ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(d) 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"/>
(e) 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

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

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

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

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

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

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

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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VII. GEOLOGY AND SOILS

	Potentially 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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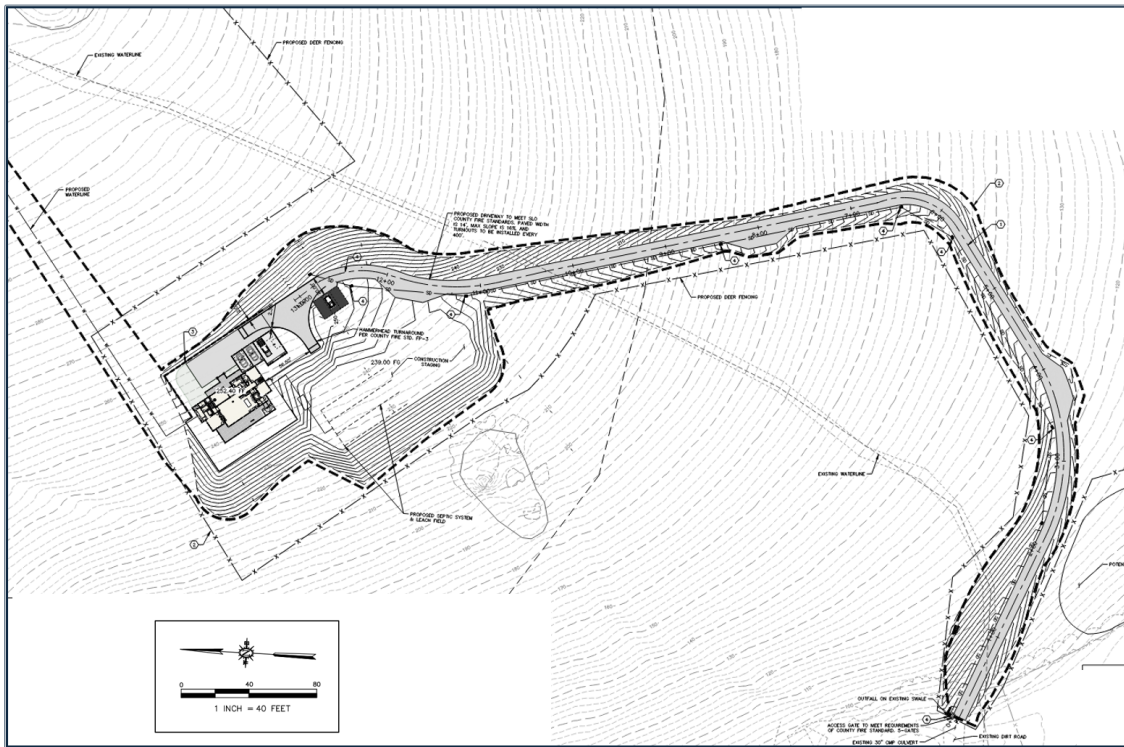


Figure 6. Engineered Preliminary Grading Plan (Cannon, October 11, 2024)

Setting

The proposed access road will be located within the southern portion of the parcel between 100 and 300 feet above sea-level. “The roadway starts within a flat alluvial valley then extends upslope to the north-northeast along a hillside to the proposed single-family residence near the hilltop. The hillside drops to the south and west” ... “Estimated project grading quantities include 3,100 cubic yards of cut and 2,500 cubic yards of fill with 600 cubic yards of export. Grading for the proposed residence is to include the construction of a relatively level cut and fill building pad. A 16-foot-tall retaining wall is proposed above the proposed parking area. Proposed grading for the driveway extension, will involve new cut slopes up to 14 feet in height and fill slopes of approximately 5 feet in height. The new septic system and leach field is to be constructed downslope and to the southeast of the proposed residence. Access to the site will be provided by the driveway extension and existing driveway that connects to Atascadero Road” (GeoSolutions, 2024).

A review of the nearest seismic hazards revealed that the approximately 236-acre subject parcel is located in close proximity to the Cambria Fault Zone ([U.S. Geological Survey Quaternary Fault Viewer](#)), which is a potentially capable fault zone in the vicinity of the site (reference *Figure 4. Fault Activity Map*).

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

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Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near San Simeon Point, Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. The Cambria Fault Zone intersects the northeast corner of the parcel.

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

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

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

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly.

The County CZLUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate (CZLUO 23.07.080 et seq.).

Paleontological resources are fossilized remains of ancient environments, including fossilized bone, shell, and plant parts; impressions of plant, insect, or animal parts preserved in stone; and preserved tracks of insects and animals. Paleontological resources are considered nonrenewable resources under state and federal law. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant

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fossils, as determined by rock type, past history of the rock unit in producing fossil materials, and fossil sites that have been recorded in the unit. Paleontological resources are generally found below ground surface in sedimentary rock units. The boundaries of the sedimentary rock unit is used to define the limits of paleontological sensitivity in a given region.

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

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

The project is located within the Geologic Study area combining designation; Therefore, it is subject to the preparation of a geological report per the County's Land Use Ordinance CZLUO section 23.07.080 to evaluate the area's geological stability. In addition to architectural and engineered plans, the following technical reports were submitted in support of the proposed project:

- Soils (Geotechnical) Engineering Report, prepared by GeoSolutions, Inc., dated May 1, 2023;
- Engineering Geology Investigation (Report), prepared by GeoSolutions, Inc., dated May 1, 2023;
- Shallow Percolation Testing Report, prepared by GeoSolutions, Inc., dated May 1, 2023;
- Evaluation of Roadway Alignment (Report), prepared by GeoSolutions, Inc., dated May 1, 2023;
- Geologic Peer Review, prepared by Cotton, Shires and Associates, Inc., dated March 7, 2024.

A sedimentation and erosion control plan is required for all construction and grading projects (CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts.

As proposed, the project will result in the disturbance of approximately 1.2 acres to construct the primary residence foundation, driveway, and onsite wastewater treatment system. The intensification of impervious surfaces on the project site will increase the volume and velocity of runoff generated by the site compared with existing conditions. Based on the NRCS soil survey, soils covering the project site exhibit moderate susceptibility for erosion. Compliance with relevant provision of the Building Code and CZLUO will address potential impacts to erosion.

Onsite soils include:

- Cropley Clay, 2 to 9 percent slopes – This gently sloping soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

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- Diablo and Cibo clays, 15 to 30 percent slopes - This moderately sloping clayey soil is considered very poorly drained. The soil has moderate erodibility and high shrink-swell characteristics, as well as having potential septic system constraints due to: shallow depth to bedrock, slow percolation, steep slopes. The soil is considered Class IV without irrigation and Class IV when irrigated.

Geotechnically, the site is suitable for the proposed development provided the recommendations in this report, in addition to all supporting project documents, are incorporated into the design. All foundations are to be excavated into uniform material to limit the potential for distress of the foundation systems due to differential settlement. If cuts steeper than allowed by the State of California Construction Safety Orders for "Excavations, Trenches, Earthwork" are proposed, a numerical slope stability analysis may be necessary for temporary construction slopes. The proposed building site is geologically suitable for the proposed single-family residence given implementation of technical report recommendations and the required Building Division and Department of Public Works standards and best practices.

The project was referred to the Building Division and the Department of Public Works for review. Grading activities are subject to the provisions of the California Building Code and County standards for grading and road construction. A complete grading and drainage plan will be required prior to building permit issuance in accordance with Chapter 23.05 of the CZLUO. In addition, the project is required to provide a complete erosion and sedimentation control plan in accordance with Section 23.05.036. The recommendations of the Public Works and Building Departments will be incorporated as project Conditions of Approval.

Discussion

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

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

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

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

San Luis Obispo County is located in a seismically active region and there is always a potential for seismic ground shaking, and based on the County Safety Element Fault Hazards Map, the project site is located within close proximity to a known active or potentially active fault (see *Figure 4. Fault Activity Map*). The project would be required to comply with technical report recommendations, the California Building Code (CBC), and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking. With implementation of applicable standards and best practices, the project would not expose people or

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structures to significant increased risks associated with seismic ground shaking; therefore, impacts would be *less than significant*.

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

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

(a-iv) *Landslides?*

The project site presents some landslide risks, primarily due to sloping terrain, which can be susceptible to soil movement, particularly under heavy rainfall or seismic activity. Although no active landslide deposits were identified on-site, areas with moderate to steep slopes may experience gradual soil creep over time. This natural soil movement could affect structures and infrastructure placed on or near these slopes, especially in seismic events when loose soils on inclines may lose stability.

To minimize these risks, several recommendations are advised and incorporated into the design based on the submitted reports. Slope stabilization techniques, such as grading to reduce slope angles, installing retaining walls, or planting deep-rooted vegetation, can help secure the soil and minimize erosion. For any structures located on or near slopes, it is recommended to use reinforced foundation designs, such as deep foundations that extend into more stable soil layers, to provide added stability. Proper drainage systems should also be implemented to prevent water accumulation on slopes, as excess moisture weakens the soil and increases landslide risk. Regular monitoring of slopes, especially during and after rainy seasons, is crucial to detect early signs of movement, and adherence to California's seismic building standards can further reduce the impact of earthquakes on structures. Collectively, these measures support the safe and stable development of the project site; therefore, the potential impacts would be *less than significant*.

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

The project does not include substantial vegetation removal or grading. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (CZLUO 23.05.06) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Compliance with existing regulations would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant*.

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

Landslides typically occur in areas with steep slopes or in areas containing escarpments. The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low to moderate potential for liquefaction risk and low to moderate landslide risk. Therefore, impacts related

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to on-or-off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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

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

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

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

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

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

Conclusion

The project site is in the GSA combining designation, an area of low to moderate risk of landslide, and an area of low to moderate liquefaction. The project would be required to comply with CBC and standard CZLUO requirements which have been developed to properly safeguard against seismic and geologic hazards. Additionally, the project must comply with the recommendations of the Peer Reviewed Geotechnical Report (GeoSolutions, May 1, 2023) and supporting documentation. Therefore, potential impacts related to geology and soils would be less than significant.

Mitigation

None Necessary.

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

In March 2012, the SLOAPCD approved thresholds for Greenhouse Gas (GHG) emission impacts, and these thresholds have been incorporated into the CEQA Air Quality Handbook. The Bright-Line Threshold of 1,150 Metric Tons CO₂/year (MT CO₂e/yr) is the most applicable GHG threshold for most projects. Table 1-1 in the APCD CEQA Air Quality Handbook provides a list of general land uses and the estimated sizes or capacity of those uses expected to exceed the GHG Bright Line Threshold of 1,150 Metric Tons of carbon dioxide per year (MT CO₂/yr). Projects that exceed the criteria or are within ten percent of exceeding the criteria presented in Table 1-1 are required to conduct a more detailed analysis of air quality impacts.

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

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

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

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

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

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

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

Discussion

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

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

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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IX. HAZARDS AND HAZARDOUS MATERIALS

	Potentially 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>. The project site is not within close proximity to any site included on the Cortese List, EnviroStor database, or GGeoTracker database. The closest site included in these databases is the San Miguel Petro Service located approximately 1 mile south of the project site.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The fire hazard severity zone for the project site is high hazard, and the estimated emergency response time is 10-15 minutes. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire. The project is not in conflict with any regional evacuation plan, nor is it located within an airport flight pattern area. The project is not located in an area of known hazardous material contamination. The project is not within the Airport Review area.

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

Discussion

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

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

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including

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gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant*.

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

The closest existing or proposed school is located approximately 1.75 miles northwest of the project site. The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, potential impacts would be *less than significant*.

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

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

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

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

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

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

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

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

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Conclusion

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

Mitigation

None necessary.

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X. HYDROLOGY AND WATER QUALITY

	Potentially 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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Setting

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

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

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

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

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

The County CZLUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and site disturbance activities of one-half acre or more in geologically unstable areas, on slopes steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. The project site supports four unnamed tributaries (wetlands) running north to south toward Morro Creek, which passes through the southern end of the parcel. Due to their location within the coastal zone, the identified wetlands are considered Environmentally Sensitive Habitat Areas (ESHA).

Discussion

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

While no direct impact to Morro Creek is proposed, grading for the project would involve 3,100 cy of cut and 2,500 cy of fill, and disturbed soils could erode into Drainage 3 (Figure 4-1) and be washed into Morro Creek if the waterways are not adequately protected. An erosion and sediment control plan was not incorporated into the site plans at the time of preparation of the submitted BRA (December, 2023). If substantial erosion occurred as a result of grading activities or if there were spills of toxic substances during construction, they could be carried into the drainage system by stormwater runoff and enter steelhead critical habitat in Morro Creek. Although no spawning habitat is present downstream, large contributions of sediment into the system could affect pool depth, and therefore increase water temperatures for juvenile rearing habitat in the lower reaches or increase the time the creek is closed off from the ocean by the seasonal beach berm. In addition, toxic substances from construction equipment such as oil, gas, diesel, and hydraulic fluid could leak or be spilled and be carried in stormwater runoff into the creek that could affect aquatic habitats downstream. These impacts could also negatively affect non-breeding aquatic habitat for California red-legged frog in the designated critical habitat area.

The project is not located within a groundwater basin designated as Level of Severity III per the County's Resource Management System or in severe decline by the Sustainable Groundwater Management Act (SGMA). The project site currently has an existing on-site well and will be served by

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a new septic system, which will be required to comply with the requirements outlined in the LAMP, therefore, potentially significant impacts to groundwater resources are not anticipated.

To reduce project effects on wetlands to a level below significance, preconstruction surveys and avoidance of individuals are required, and construction will be timed for the dry summer and fall months. Because the California red-legged frog is a federally Threatened species, if any individuals are found within the impact area and the project cannot be delayed avoiding the species, consultation with the USFWS may be required. Based on proposed project design and implementation of Mitigation Measures BIO-1 through BIO-4, implementation of the project is not expected to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality therefore, impacts would be *less than significant with mitigation*.

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

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

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

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

While no direct impact to Morro Creek is proposed, grading for the project would involve 3,100 cy of cut and 2,500 cy of fill, and disturbed soils could erode into Drainage 3 (Figure 4-1) and be washed into Morro Creek if the waterways are not adequately protected. An erosion and sediment control plan was not incorporated into the site plans at the time of preparation of the submitted BRA (December, 2023). If substantial erosion occurred as a result of grading activities or if there were spills of toxic substances during construction, they could be carried into the drainage system by stormwater runoff and enter steelhead critical habitat in Morro Creek. Although no spawning habitat is present downstream, large contributions of sediment into the system could affect pool depth, and therefore increase water temperatures for juvenile rearing habitat in the lower reaches or increase the time the creek is closed off from the ocean by the seasonal beach berm. In addition, toxic substances from construction equipment such as oil, gas, diesel, and hydraulic fluid could leak or be spilled and be carried in stormwater runoff into the creek that could affect aquatic habitats downstream. These impacts could also negatively affect non-breeding aquatic habitat for California red-legged frog in the designated critical habitat area.

To reduce project effects on drainage patterns of the area to a level below significant, preconstruction surveys and avoidance of individuals are required, and construction will be timed for the dry summer and fall months. Because the California red-legged frog is a federally Threatened species, if any individuals are found within the impact area and the project cannot be delayed avoiding the species, consultation with the USFWS may be required. The project will result in greater than 1 acre area of site disturbance and will be required to implement

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required elements of the site's erosion and sediment control plan as required by the San Luis Obispo County CZLUO. Additionally, based on proposed project design and implementation of Mitigation Measures BIO-1 through BIO-4, implementation of the project is not expected to result in substantial erosion or siltation on-or-off-site, impacts would be less than significant with mitigation.

- (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 includes approximately 2.05 acres of site disturbance in a previously undisturbed portion of the subject parcel, therefore, the project will be required to implement elements of the site's erosion and sediment control plan as required by the San Luis Obispo County CZLUO. Based on the County Flood Hazard Map, the area of disturbance is not located within a 100-year flood zone. As designed, the project will not result in a substantial increase the rate or amount of surface runoff in a manner which would result in flooding on-or-off site and *no impacts would occur*.

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

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

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

The subject parcel is moderate to steeply sloping with an average slope of 21%. The proposed residential building pad and driveway have been designed to follow the contours of the existing parcel and balance import and export of soils to the maximum extent feasible. The project is proposing approximately 2.05 acres of new site disturbance and the remaining undeveloped portions of the approximately 236 acre parcel will remain available for grazing and crop production, therefore, the project would not substantially increase the amount of impervious surface area which could result in an increased rate or amount of surface runoff. As proposed and designed, the project is not anticipated to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site, therefore impacts would be *less than significant*.

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

The subject parcel is moderate to steeply sloping with an average slope of 21%. The proposed residential building pad and driveway have been designed to follow the contours of the existing parcel and balance import and export of soils to the maximum extent feasible. The project is proposing approximately 2.05 acres of new site disturbance and the remaining undeveloped portions of the approximately 236-acre parcel will remain available for grazing and crop production, therefore, the project would not substantially contribute runoff water

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which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As proposed and designed, the project is not anticipated to substantially contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff therefore, impacts would be *less than significant*.

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

Based on the County Flood Hazard Map, the area of disturbance is not located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation.

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

Therefore, given implementation of Mitigation Measures BIO-1 through BIO-4, potential impacts related to erosion and siltation would be *less than significant with Mitigation*.

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

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

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

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

Conclusion

The project area of disturbance is not within the 100-year flood zone and does not include existing drainages or other surface waters. The project would not substantially increase impervious surfaces and does not propose alterations to existing water courses or other significant alterations to existing on-site drainage patterns. While no direct impact to Morro Creek is proposed, grading for the project would involve 3,100 cy of cut and 2,500 cy of fill, and disturbed soils could erode into Drainage 3 (Figure 4-1) and be washed into Morro Creek if the waterways are not adequately protected. Given implementation of Mitigation Measures BIO-1 through BIO-4,

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Mitigation

See Mitigation Measure BIO-1 through BIO-4 in the Biological Resources Section of this report.

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 type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

The CZLUO incorporates by reference the area plans of each of the four Coastal planning areas: South County, San Luis Bay, Estero, and North Coast. 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. The project site is within the Estero Planning Area of the Coastal Zone. The project site is not located in any urban or village reserve areas subject to community or village plans.

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Discussion

(a) *Physically divide an established community?*

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts would occur*.

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

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

Conclusion

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

Mitigation

None necessary.

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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 (Public Resources Code Sections 2710–2796).

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

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

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

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

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

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

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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

The project is located outside the City of Morro Bay. To the west side of the project parcel are the Morro Bay city limits and a medium-density residential subdivision. Immediately east of the parcel along SR-41 are a mobile home and recreational vehicle park, along with scattered residences. Consequently, noise levels on the project site and in the vicinity are low and there are no sources of loud noise beyond those associated with highway 41, home ownership and low-intensity agricultural uses. Sensitive receptors in the vicinity of the project site include single family residences on a wide range of lot sizes. The adjoining roadway, highway 41, is a Caltrans maintained roadway.

The Noise Element establishes a threshold for acceptable exterior noise levels for sensitive uses (such as residences) of 60 decibels along transportation noise sources, and provides an estimate of the distance from certain roadways where noise levels will exceed those levels. Based on the Noise Element's projected future

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noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

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

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

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

- There are no significant sources of noise as shown by the County Noise Counter mapping layer.
- The project site is surrounded by well-spaced residences on varying parcel sizes. There are no residences within 300 feet and five mobile-homes within approximately 1,000 feet of the project site.

Discussion

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

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

Table 13-1. 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.

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

The County CZLUO 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 23.06.040), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

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

The project does not propose any uses or features that would generate a significant permanent source of mobile or stationary noise sources. Ambient noise levels at the project site and in surrounding areas after project implementation would not be significantly different than existing levels. Therefore, potential operational noise impacts would be less than significant.

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

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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XIV. POPULATION AND HOUSING

	Potentially 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

The project site is currently developed with an existing residence and farm support quarters.

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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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 checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. The project is located within a County Fire Responsibility Area and is located near Morro Bay Fire Station, located approximately 1.25 miles south of the project site. The parcel has an emergency response time of 5-10 minutes.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest sheriff's station is Coast Station in Templeton, located approximately 5.5 miles south from the project site.

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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 would be located within the San Luis Coastal Unified School District. Within the San Luis Coastal Unified School District, there are three high schools, two middle schools, and ten elementary schools. Based on the County's 2016-2018 Resource Summary Report, schools within the San Luis Coastal Unified School District are currently operating at acceptable capacities and levels.

Enrollment has been declining in the district, with approximately 500 fewer students over the past five years, which affects the district's utilization levels. The district is working to ensure that available resources match community needs, balancing student population shifts with facilities located in strategic areas where growth is likely, such as the east side of town. These efforts aim to prevent overcrowding or underutilization at specific campuses while addressing long-term community trends.

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The project site and its location just outside the City of Morro Bay Urban Reserve Line and nearby recreational opportunities include Morro Bay State Park (approx. 1 mile) and Lila Keiser Park. The Cerro Alto to Morro Bay proposed trail corridor is located approximately .25 miles south of the project site.

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

Discussion

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

Fire protection?

The project would be required to comply with all fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits. Based on the limited nature of development proposed, the project would not result in a significant increase in demand for fire protection services. The project would be served by existing fire protection services and would not result in the need for new or altered fire protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand for fire protection services. Therefore, impacts would be *less than significant*.

Police protection?

The project does not propose a new use or activity that would require additional police services above what is normally provided for similar surrounding land uses. The project would not result in a significant increase in demand for police protection services and would not result in the need for new or altered police protection services or facilities. In addition, the project would be subject to

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development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

Schools?

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

Parks?

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

Other public facilities?

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

Conclusion

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

Mitigation

None necessary.

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XVI. RECREATION

	Potentially 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

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

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

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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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 type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county. The project is located off of Highway 41, a Caltrans maintained roadway.

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

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

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

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

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

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

Discussion

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

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

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

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

The County has developed a VMT Program that provides interim operating thresholds and includes a screening tool for evaluating VMT impacts (Transportation Impact Analysis Guidelines; Rincon Consultants, October 2020 & VMT Thresholds Study; GHD, March 2021). Vehicle trips generated by the proposed project (single-family residence) would fall below the suggested screening threshold of 110 trips per day identified in the state guidance, and potential impacts would be less than significant.

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

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

The project would not change roadway design and does not include geometric design features that would create new hazards or an incompatible use. Therefore, *no impacts would occur*.

(d) *Result in inadequate emergency access?*

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

Conclusion

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

Mitigation

None necessary.

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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 checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input 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 California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code Section 5020.1.

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

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

On March 12, 2026, the Salinan Tribe of San Luis Obispo and Monterey Counties, Northern Chumash Tribal Council, Xolon Salinan Tribal Council, and Yak Tityu Yax Tilhini tribes were notified of the proposed project through email correspondence. On March 27, 2026, the Salinan Tribe of San Luis Obispo and Monterey Counties tribal representative, Patti Dunton, stated that they had reviewed the proposed project and requested a Phase 1 Archaeological Survey be completed for the project. Planning Staff responded to Patti Dunton on March 27, 2026, and provided the Phase 1 Archaeological Report completed by Central Coast Archaeological Research Consultants (CCARC) for the project site in March 2023. On April 12, 2026, the consultation period concluded as no further information was requested, or meetings on the project requested. Apart from the correspondence with the Salinan Tribe of San Luis Obispo and Monterey Counties outlined above, no other comments or concerns were received as a result of the consultation and no new information or objections were brought forward.

Discussion

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

The submitted Archaeological Report (CCARC, March 2023) identified prehistoric cultural resources on the subject parcel associated with previously recorded site: CA-SLO-1303; however, the project does not include ground disturbing activities in this area therefore precluding the likelihood of impacting cultural

The County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to CZLUO 23.04.200 (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

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artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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

The project includes implementation of State Law requirements for disclosure of potential remains unearthed during construction. With the implementation of such requirements, potential impacts will be *less than significant*.

Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County CZLUO 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 and no mitigation measures are necessary.

Mitigation

None necessary.

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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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the City of San Luis Obispo, Chicago Grade Landfill, located near the community of Templeton, and Paso Robles Landfill, located east of the City of Paso Robles. The project would be serviced by South County Sanitary and Cold Canyon Landfill.

Discussion

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

The project would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water, or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications; a simple septic system would be required which would not result in significant environmental effects. No utility relocations are proposed. Therefore, potential impacts would be *less than significant*.

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

The project would be consistent with existing and planned levels and types of development in the project area and would not create new or expanded water supply entitlements. Short-term construction activities would require minimal amounts of water, which would be met through available existing supplies. Operational water demands would not be substantially different than existing demands. Therefore, potential impacts on water supplies would be *less than significant*.

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

The project would not substantially increase demands on existing wastewater collection, treatment, and disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, *no impact would occur*.

- (d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

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XX. WILDFIRE

	Potentially 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

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

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

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

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

Discussion

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

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

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

The project site is moderately sloping to steeply sloping and does not contain substantial vegetation. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be *less than significant*.

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

The project would not require the installation or maintenance of utility or wildfire protection infrastructure and would not exacerbate fire risk or result in temporary or ongoing impacts to the environment as a result of the development of wildfire prevention, protection, and/or management techniques. Therefore, potential impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

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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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Refer to setting information provided above.

Discussion

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

Based on the nature and scale of proposed development, the project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California

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history or prehistory with the implementation of the proposed mitigation measures, potential 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 proposed project includes one single family residence, a principally permitted use, and does not have impacts that are individually limited, but cumulatively considerable. Therefore, potential cumulative impacts would be *less than significant*.

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

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

Conclusion

Potential impacts would be less than significant with implementation of the proposed mitigation measures.

Mitigation

AES-1 Prior to issuance of construction permits for the project, the applicant shall submit project architectural plans to the County of San Luis Obispo for review and approval, including the following:

- b. Exterior colors of the residence and retaining wall, shall be limited to deep earth tones, muted browns, grays, and greens and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County of San Luis Obispo Planning and Building Department.

AES-2 Prior to issuance of construction permits for the project, the applicant shall submit planting plans to the County of San Luis Obispo Planning and Building Department for review and approval. The planting plans shall be prepared by a licensed Landscape Architect. In addition to the conceptual tree planting shown in the current plans, the planting plan shall include a visual screen planting component, including the following:

- c. The plans shall include native evergreen trees such as oaks and shrubs for the purpose of filtering views of the residential buildings when viewed from State Route (SR-) 1 and SR-41. Plants shall be installed in random-appearing patterns of varying density. Trees shall be planted from a minimum 15-gallon container size. Screen planting shall achieve a minimum 50% screening of the buildings within 7 years after project completion.
- d. The plans shall include shrub planting for the purpose of filtering views of the retaining wall when viewed from SR-1 and SR-41. Plants shall be installed in random-appearing patterns of varying density. Screen planting shall achieve a minimum 80% screening of the retaining wall within 3 years after project completion.

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- AES-3** Prior to issuance of construction permits for the project, the applicant shall submit erosion control plans to the County of San Luis Obispo Planning and Building Department for review and approval. The erosion control plans shall include the following:
- d. The erosion control plans shall specify that all slopes shall not exceed a slope ratio of 2(h):1(v).
 - e. The surface of all slopes shall be amended as necessary to support vegetative growth
 - f. All slope erosion control treatments shall include a seed component that is visually compatible to the surrounding grass landcover.
- AES-4** Prior to issuance of construction permits for the project, the applicant shall submit a lighting plan to the County of San Luis Obispo Planning and Building Department for review and approval. At a minimum, the lighting plan shall include the following:
- d. All exterior lighting shall have point sources fully shielded from off-site views.
 - e. Light trespass from exterior fixtures shall be minimized by directing light downward and utilizing cut-off fixtures or shields.
 - f. Any security lighting installed on the property shall be equipped with motion detectors to prevent continuous illumination.
- AQ-1** **Naturally Occurring Asbestos Survey.** Prior to issuance of grading or construction permits, the applicant shall conduct a geologic evaluation for Naturally Occurring Asbestos. The geologic evaluation must be conducted by a registered geologist to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (NOA ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation. The geologic evaluation must be submitted to the APCD Engineering Division prior to any grading activities at the site. Evidence of APCD approval must be provided to Planning staff.
- AQ-2** **Naturally Occurring Asbestos Remediation.** If NOA are determined to be present on-site per AQ-3, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:
- a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
 - b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and

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- c. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

BIO-1 **Conduct initial grading and ground disturbance activities during the dry season, which is approximately April 15 through October 15 to avoid the California red-legged frog and burrowing owl.** Timing initial site disturbance to occur in the dry season when winter rains have ceased and the ground is not wet will avoid potential impacts to CRLF. In addition, timing initial grading activities during the dry summer and fall seasons will avoid potential impacts to the burrowing owl. Preconstruction surveys detailed below under Mitigation Measure BIO-2.

BIO-2 **Conduct preconstruction surveys for special-status animal species and implement avoidance and protection measures during construction.** Within seven days prior to the start or vegetation removal or grading for any phase of the project (i.e., residence construction, driveway construction, utilities installation), a qualified biologist approved by the County shall survey impact areas to ensure that special status wildlife listed above are not present. The survey must be conducted during suitable environmental conditions for detection of the target species. If construction is scheduled to start at a time of year that is inappropriate for the detection of the species, surveys shall be planned during the species' active period the season before construction to determine whether they are present onsite. If this is not possible, the biologist shall conduct the initial preconstruction survey within seven days, and also be present onsite to monitor the initial vegetation removal and ground disturbance phases.

As discussed above, with initial ground disturbance occurring in the dry season outside the winter months, impacts to burrowing owls and red-legged frogs can be avoided. For the American badger that may be present year round, a qualified biologist shall survey the project impact areas plus a 250-foot buffer for potential American badger dens. Any potential badger dens/burrows found that appear active shall be identified with flagging and stakes, and a 200-foot no-work buffer shall be delineated. All foot and vehicle traffic, construction activities, and storage of supplies and equipment, shall remain outside of buffer areas. Buffer areas shall be maintained until all construction-related disturbances have ceased. If any burrow buffer areas cannot be avoided during work activities, then the qualified biologist shall determine whether the burrows are active by installing wildlife trail cameras and/or a tracking medium and monitoring daily for at least three days. Dens/burrows determined to be inactive shall be excavated to prevent them from being occupied during the work.

Because the initial grading/ground disturbance is expected to take place during the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left the den as determined by a qualified biologist. If any active burrow occupied by a single adult badger is found and a 200-foot buffer area cannot be avoided, then the den shall be closed incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. After qualified biologist determines that the badger has left the burrow, the burrow can be removed by incrementally excavating it. Hand tools are the recommended method for removing a burrow, and excavating equipment can be used with extreme caution while being

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monitored by a qualified biologist. If an American badger is discovered inside the burrow during excavation, activities should cease immediately and the animal allowed to leave under its own volition. After the burrow has been excavated to the end to determine that it is unoccupied, the excavation shall be filled with dirt and compacted to make sure that it cannot be reoccupied.

The preconstruction survey(s) shall be repeated for each phase of the project scheduled to commence upon a different date. The biologist shall submit a preconstruction survey report to the County detailing the methods and results of the surveys. The report should detail the number and location of any special-status animal species found during the surveys and measures implemented for avoidance prior to the start of construction. Observations of special-status species shall be submitted to the CNDDDB.

BIO-3 **Conduct a preconstruction nesting bird survey and avoid active nests.** For any vegetation removal or initial grading that is scheduled to start between February 1st and August 31st, a qualified biologist shall conduct a preconstruction survey for nesting birds within approximately 500 feet of the work area, as appropriate within the limits of the property. The survey shall be conducted within seven days before the initiation of construction. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior and attempt to locate their nests. Any nests identified in the survey area shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (500 feet for raptors) of the construction area, the biologist in coordination with the County shall determine the extent of a buffer to be established around the nest. The buffer should 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.

BIO-4 **Implement stormwater protection measures and install appropriate erosion and pollution control methods.** The following stormwater Best Management Practices (BMPs) and avoidance/protection measures (in addition to any required by a qualified engineer) are required to be implemented during and after each of the phases of the project:

1. As determined to be warranted to protect downstream biological resources identified within this BRA, and in compliance with the Coastal Plan Policies Coastal Watersheds Policy 8, land clearing and grading shall occur outside of the rainy season (County 2007), which is typically defined from October 15th through April 15th.
2. Disturbance of soils should be kept to the smallest area and shortest feasible period. Driveway improvements within 100 feet of Drainage 3 shall minimize the amount of grading to the extent feasible. The top of bank shall be fenced with high visibility construction fence or other appropriate material within 100 feet up-and downstream from the road crossing prior to construction and the fencing shall be maintained throughout the construction period. The fencing is to serve as a visual boundary of the protected stream area, and shall be depicted on all construction plans. The fencing can be removed when ground disturbance has been completed.

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3. Spill kits shall be maintained on the site, and a Spill Response Plan prepared by a qualified individual shall be in place. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.
4. No vehicles or equipment shall be refueled within 100 feet of drainage features unless a bermed and lined refueling area is constructed. No vehicles or construction equipment shall be stored overnight within 100 feet of these areas unless drip pans or ground covers are used. All equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Construction staging areas should attain zero discharge of stormwater runoff into these habitats.
5. No concrete washout shall be conducted on the site outside of an appropriate containment system. Washing of equipment, tools, etc. should not be allowed in any location where the tainted water could enter drainages.
6. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions mandated by the United States Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.
7. A Sediment and Erosion Control Plan as required by the County shall be prepared by a qualified individual, as required under Coastal Plan Coastal Watersheds Policy 9 (County 2007).
8. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs to prevent erosion and protect the drainage features onsite and offsite. Silt fencing, erosion control blankets, straw bales, sandbags, fiber rolls and/or other types of materials shall be implemented to prevent erosion and sedimentation. Biotechnical approaches using native vegetation, including hydromulching, shall be used as feasible. Additional measures specified in Coastal Plan Policies Coastal Watersheds Policy 9 include sediment basins and terracing (County 2007). Selection of appropriate measures shall be based on evaluation of the project design, site conditions, pre-project erosion rates, environmental sensitivity of the adjacent area, and costs of on-going maintenance. All sediment and erosion control measures shall be installed per the engineer's requirements, and in place prior to October 15. These measures shall be maintained in good operating condition throughout the construction period. Methods that are not biodegradable should be removed after vegetation has become established and following the end of the rainy season (late-spring or summer).
9. Areas with temporarily disturbed soils shall be restored under the direction of the project engineer in consultation with a qualified restoration ecologist as needed. Methods may include recontouring graded areas to blend in with existing natural contours, covering the areas with salvaged topsoil containing native seedbank from the site, and/or applying the native seed mix as detailed in the Table below. Native seed mix shall be applied to the graded areas through either direct hand seeding or hydroseeding methods prior to the onset of the rainy season (by October 15). Compost, mulch, fiber and tackifier may also be incorporated.

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Table 4-1: Erosion Control Native Seed Mix

Common Name	Scientific Name	Application Rate (pounds/acre)
California brome	<i>Bromus carinatus</i>	10
Purple needlegrass	<i>Stipa pulchra</i>	5
Six weeks fescue	<i>Vulpia microstachys</i>	5
Small fescue	<i>Festuca microstachys</i>	5
Tomcat clover	<i>Trifolium wildenovii</i>	5
Total		30

10. Following construction, the revegetated areas shall be inspected by the qualified restoration ecologist to ensure that disturbed soils have successfully been stabilized in the short- and long-term. The monitoring visit should include the removal of non-native species that favor disturbed conditions and outcompete native species.

11. The BMPs provided in Merhaut et al. (2012) or other reputable sources that are specific to avocado orchards are recommended for future agricultural activities. These methods may include:

- Pressure regulators for the irrigation system and use of drip or microsprinkler irrigation;
- Mulching the ground to conserve soil moisture;
- Cover crops between rows;
- Nutrient management based upon soil characteristics; and
- An integrated pest management program

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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	No Comment
<input checked="" type="checkbox"/>	County Environmental Health Services	Conditions Recommended
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Conditions Recommended
<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 checked="" type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input checked="" type="checkbox"/>	CA Coastal Commission	Comments Provided
<input type="checkbox"/>	CA Department of Fish and Wildlife	Not applicable
<input type="checkbox"/>	CA Department of Forestry (Cal Fire)	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	Conditions Recommended
<input type="checkbox"/>	Community Services District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

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

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

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Design Plan
<input checked="" type="checkbox"/> County Documents	<input type="checkbox"/> Specific Plan
<input checked="" type="checkbox"/> Coastal Plan Policies	<input checked="" type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input checked="" 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 checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal)	<input checked="" type="checkbox"/> CA Natural Species Diversity Database
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Public Facilities Fee Ordinance	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Real Property Division Ordinance	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> Estero Area Plan	

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

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

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Exhibit B - Mitigation Summary

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

AESTHETIC RESOURCES (AES)

AES-1 Prior to issuance of construction permits for the project, the applicant shall submit project architectural plans to the County of San Luis Obispo for review and approval, including the following:

- a. Exterior colors of the residence and retaining wall, shall be limited to deep earth tones, muted browns, grays, and greens and no brighter than 6 in chroma and value on the Munsell Color Scale on file in the County of San Luis Obispo Planning and Building Department.

AES-2 Prior to issuance of construction permits for the project, the applicant shall submit planting plans to the County of San Luis Obispo Planning and Building Department for review and approval. The planting plans shall be prepared by a licensed Landscape Architect. In addition to the conceptual tree planting shown in the current plans, the planting plan shall include a visual screen planting component, including the following:

- a. The plans shall include native evergreen trees such as oaks and shrubs for the purpose of filtering views of the residential buildings when viewed from State Route (SR-) 1 and SR-41. Plants shall be installed in random-appearing patterns of varying density. Trees shall be planted from a minimum 15-gallon container size. Screen planting shall achieve a minimum 50% screening of the buildings within 7 years after project completion.
- b. The plans shall include shrub planting for the purpose of filtering views of the retaining wall when viewed from SR-1 and SR-41. Plants shall be installed in random-appearing patterns of varying density. Screen planting shall achieve a minimum 80% screening of the retaining wall within 3 years after project completion.

AES-3 Prior to issuance of construction permits for the project, the applicant shall submit erosion control plans to the County of San Luis Obispo Planning and Building Department for review and approval. The erosion control plans shall include the following:

- a. The erosion control plans shall specify that all slopes shall not exceed a slope ratio of 2(h):1(v).
- b. The surface of all slopes shall be amended as necessary to support vegetative growth
- c. All slope erosion control treatments shall include a seed component that is visually compatible to the surrounding grass landcover.

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- AES-4** Prior to issuance of construction permits for the project, the applicant shall submit a lighting plan to the County of San Luis Obispo Planning and Building Department for review and approval. At a minimum, the lighting plan shall include the following:
- a. All exterior lighting shall have point sources fully shielded from off-site views.
 - b. Light trespass from exterior fixtures shall be minimized by directing light downward and utilizing cut-off fixtures or shields.
 - c. Any security lighting installed on the property shall be equipped with motion detectors to prevent continuous illumination.

AIR QUALITY RESOURCES (AES)

- AQ-1** Naturally Occurring Asbestos Survey. Prior to issuance of grading or construction permits, the applicant shall conduct a geologic evaluation for Naturally Occurring Asbestos. The geologic evaluation must be conducted by a registered geologist to determine if the area disturbed is or is not exempt from the CARB Asbestos Air Toxics Control Measure (NOA ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations (Title 17 CCR Section 93105) regulation. The geologic evaluation must be submitted to the APCD Engineering Division prior to any grading activities at the site. Evidence of APCD approval must be provided to Planning staff.
- AQ-2** Naturally Occurring Asbestos Remediation. If NOA are determined to be present on-site per AQ-3, proposed earthwork, demolition, and construction activities for initial site improvements and future residential development shall be conducted in full compliance with the various regulatory jurisdictions regarding NOA, including the CARB ATCM for Construction, Grading, Quarrying, and Surface Mining Operations (17 CCR 93105) and requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP; 40 Code of Federal Regulations [CFR] Section 61, Subpart M – Asbestos). These requirements include, but are not limited to, the following:
- a. Written notification, within at least 10 business days of activities commencing, to the SLOAPCD;
 - b. Preparation of an asbestos survey conducted by a Certified Asbestos Consultant; and
 - c. Implementation of applicable removal and disposal protocol and requirements for identified NOA.

BIOLOGICAL RESOURCES (AES)

- BIO-1** **Conduct initial grading and ground disturbance activities during the dry season, which is approximately April 15 through October 15 to avoid the California red-legged frog and burrowing owl.** Timing initial site disturbance to occur in the dry season when winter rains have ceased and the ground is not wet will avoid potential impacts to CRLF. In addition, timing initial grading activities during the dry summer and fall seasons will avoid potential impacts to the burrowing owl. Preconstruction surveys detailed below under Mitigation Measure BIO-2.

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BIO-2 **Conduct preconstruction surveys for special-status animal species and implement avoidance and protection measures during construction.** Within seven days prior to the start or vegetation removal or grading for any phase of the project (i.e., residence construction, driveway construction, utilities installation), a qualified biologist approved by the County shall survey impact areas to ensure that special status wildlife listed above are not present. The survey must be conducted during suitable environmental conditions for detection of the target species. If construction is scheduled to start at a time of year that is inappropriate for the detection of the species, surveys shall be planned during the species' active period the season before construction to determine whether they are present onsite. If this is not possible, the biologist shall conduct the initial preconstruction survey within seven days, and also be present onsite to monitor the initial vegetation removal and ground disturbance phases.

As discussed above, with initial ground disturbance occurring in the dry season outside the winter months, impacts to burrowing owls and red-legged frogs can be avoided. For the American badger that may be present year round, a qualified biologist shall survey the project impact areas plus a 250-foot buffer for potential American badger dens. Any potential badger dens/burrows found that appear active shall be identified with flagging and stakes, and a 200-foot no-work buffer shall be delineated. All foot and vehicle traffic, construction activities, and storage of supplies and equipment, shall remain outside of buffer areas. Buffer areas shall be maintained until all construction-related disturbances have ceased. If any burrow buffer areas cannot be avoided during work activities, then the qualified biologist shall determine whether the burrows are active by installing wildlife trail cameras and/or a tracking medium and monitoring daily for at least three days. Dens/burrows determined to be inactive shall be excavated to prevent them from being occupied during the work.

Because the initial grading/ground disturbance is expected to take place during the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 200 feet of maternal dens until the young have left the den as determined by a qualified biologist. If any active burrow occupied by a single adult badger is found and a 200-foot buffer area cannot be avoided, then the den shall be closed incrementally by placing sticks and debris over the entrance for three to five days, to discourage the animal from using the den. After qualified biologist determines that the badger has left the burrow, the burrow can be removed by incrementally excavating it. Hand tools are the recommended method for removing a burrow, and excavating equipment can be used with extreme caution while being monitored by a qualified biologist. If an American badger is discovered inside the burrow during excavation, activities should cease immediately and the animal allowed to leave under its own volition. After the burrow has been excavated to the end to determine that it is unoccupied, the excavation shall be filled with dirt and compacted to make sure that it cannot be reoccupied.

The preconstruction survey(s) shall be repeated for each phase of the project scheduled to commence upon a different date. The biologist shall submit a preconstruction survey report to the County detailing the methods and results of the surveys. The report should detail the number and location of any special-status animal species found during the surveys and measures implemented for avoidance prior to the start of construction. Observations of special-status species shall be submitted to the CNDDDB.

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- BIO-3** **Conduct a preconstruction nesting bird survey and avoid active nests.** For any vegetation removal or initial grading that is scheduled to start between February 1st and August 31st, a qualified biologist shall conduct a preconstruction survey for nesting birds within approximately 500 feet of the work area, as appropriate within the limits of the property. The survey shall be conducted within seven days before the initiation of construction. During this survey, the qualified biologist shall search for birds exhibiting nesting behavior and attempt to locate their nests. Any nests identified in the survey area shall be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (500 feet for raptors) of the construction area, the biologist in coordination with the County shall determine the extent of a buffer to be established around the nest. The buffer should 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.
- BIO-4** **Implement stormwater protection measures and install appropriate erosion and pollution control methods.** The following stormwater Best Management Practices (BMPs) and avoidance/protection measures (in addition to any required by a qualified engineer) are required to be implemented during and after each of the phases of the project:
1. As determined to be warranted to protect downstream biological resources identified within this BRA, and in compliance with the Coastal Plan Policies Coastal Watersheds Policy 8, land clearing and grading shall occur outside of the rainy season (County 2007), which is typically defined from October 15th through April 15th.
 2. Disturbance of soils should be kept to the smallest area and shortest feasible period. Driveway improvements within 100 feet of Drainage 3 shall minimize the amount of grading to the extent feasible. The top of bank shall be fenced with high visibility construction fence or other appropriate material within 100 feet up-and downstream from the road crossing prior to construction and the fencing shall be maintained throughout the construction period. The fencing is to serve as a visual boundary of the protected stream area, and shall be depicted on all construction plans. The fencing can be removed when ground disturbance has been completed.
 3. Spill kits shall be maintained on the site, and a Spill Response Plan prepared by a qualified individual shall be in place. All project-related spills of hazardous materials within or adjacent to the project site should be cleaned up immediately.
 4. No vehicles or equipment shall be refueled within 100 feet of drainage features unless a bermed and lined refueling area is constructed. No vehicles or construction equipment shall be stored overnight within 100 feet of these areas unless drip pans or ground covers are used. All equipment and vehicles should be checked and maintained on a daily basis to ensure proper operation and to avoid potential leaks or spills. Construction staging areas should attain zero discharge of stormwater runoff into these habitats.
 5. No concrete washout shall be conducted on the site outside of an appropriate containment system. Washing of equipment, tools, etc. should not be allowed in any location where the tainted water could enter drainages.
 6. The use of chemicals, fuels, lubricants, or biocides shall be in compliance with all local, state, and federal regulations. All uses of such compounds shall observe label and other restrictions

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mandated by the United States Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation.

7. A Sediment and Erosion Control Plan as required by the County shall be prepared by a qualified individual, as required under Coastal Plan Coastal Watersheds Policy 9 (County 2007).
8. All areas with soil disturbance shall have appropriate erosion controls and other stormwater protection BMPs to prevent erosion and protect the drainage features onsite and offsite. Silt fencing, erosion control blankets, straw bales, sandbags, fiber rolls and/or other types of materials shall be implemented to prevent erosion and sedimentation. Biotechnical approaches using native vegetation, including hydromulching, shall be used as feasible. Additional measures specified in Coastal Plan Policies Coastal Watersheds Policy 9 include sediment basins and terracing (County 2007). Selection of appropriate measures shall be based on evaluation of the project design, site conditions, pre-project erosion rates, environmental sensitivity of the adjacent area, and costs of on-going maintenance. All sediment and erosion control measures shall be installed per the engineer’s requirements, and in place prior to October 15. These measures shall be maintained in good operating condition throughout the construction period. Methods that are not biodegradable should be removed after vegetation has become established and following the end of the rainy season (late-spring or summer).
9. Areas with temporarily disturbed soils shall be restored under the direction of the project engineer in consultation with a qualified restoration ecologist as needed. Methods may include recontouring graded areas to blend in with existing natural contours, covering the areas with salvaged topsoil containing native seedbank from the site, and/or applying the native seed mix as detailed in Table 1. Native seed mix shall be applied to the graded areas through either direct hand seeding or hydroseeding methods prior to the onset of the rainy season (by October 15). Compost, mulch, fiber and tackifier may also be incorporated.
10. Following construction, the revegetated areas shall be inspected by the qualified restoration ecologist to ensure that disturbed soils have successfully been stabilized in the short- and long-term. The monitoring visit should include the removal of non-native species that favor disturbed conditions and outcompete native species.

Table 4 - 1: Erosion Control Native Seed Mix

Common Name	Scientific Name	Application Rate (pounds/acre)
California brome	<i>Bromus carinatus</i>	10
Purple needlegrass	<i>Stipa pulchra</i>	5
Six weeks fescue	<i>Vulpia microstachys</i>	5
Small fescue	<i>Festuca microstachys</i>	5
Tomcat clover	<i>Trifolium wildenovii</i>	5
Total		30

11. The BMPs provided in Merhaut et al. (2012) or other reputable sources that are specific to avocado orchards are recommended for future agricultural activities. These methods may include:

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- Pressure regulators for the irrigation system and use of drip or microsprinkler irrigation;
- Mulching the ground to conserve soil moisture;
- Cover crops between rows;
- Nutrient management based upon soil characteristics; and
- An integrated pest management program