



Initial Study - Environmental Checklist

Project Title & No. Pratt C-SUB2023-00002 LLA COAL 22-0051 ED26-013

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.

Table with 3 columns of environmental factors and checkboxes. Checked items include: Biological Resources, Land Use & Planning, Geology & Soils, Hazards & Hazardous Materials, Land Use & Planning, and Mandatory Findings of Significance.

DETERMINATION:

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

- Options for determination: 1) The proposed project COULD NOT have a significant effect... 2) Although the proposed project could have a significant effect... 3) The proposed project MAY have a significant effect... 4) The proposed project MAY have a "potentially significant impact"... 5) Although the proposed project could have a significant effect...

David Moran Prepared by (Print) Signature Date 5/8/2026
Eric Hughes Reviewed by (Print) Signature Environmental Coordinator Date 5/14/26



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

PLN-2039
 04/2019

Project Title & No. Pratt C-SUB2023-00002 LLA COAL 22-0051 ED26-013

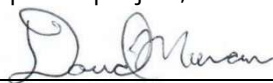
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant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

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

DETERMINATION:

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

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

David Moran  5/8/2026
 Prepared by (Print) Signature Date

 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 the **Charles A. Pratt Construction Co., Inc.** for a Coastal Development Permit (CDP) and Lot Line Adjustment (COAL 23-0051) (C-SUB2023-00002) to reconfigure the property lines of four parcels with a total area of 122.49 acres located south of Cabrillo Estates in the community of Los Osos. All four of the existing lots have been legalized through prior Certificates of Compliance (Doc #s 2021-070308, 2021-070309, 2021-070310, and 2020-007166). No new construction or site disturbance is proposed at this time; however potential future building sites are identified for the resulting four parcels. The project site is located at 2805 Rodman Drive within the Residential Suburban land use category and within the Los Osos Community Plan portion of the Estero Area Plan. The project site is also within the area covered by the Los Osos Habitat Conservation Plan. The project location is shown in Figure 1; an aerial view of existing conditions is provided in Figure 2. The Lot Line Adjustment map is provided in Figures 3 and 4. Table 1 provides a summary of the reconfigured parcels.

Table 1 – Summary of Reconfigured Parcels

Parcel ¹	Acres	Affected APNs ²
1	6.07	074-021-046
2	3.00	074-021-046
3	3.00	074-021-046
4	108.62	074-022-033 074-021-036 074-021-043 074-021-046 074-321-047 074-482-051
Total:	122.49	

Notes:

1. As shown on Figure 4.
2. As shown on Figure 3.

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This project and environmental review is limited to the adjustment of lot lines only. No new construction, grading, vegetation removal, or site disturbance is proposed or authorized as part of this Lot Line Adjustment. While potential future building areas are shown for context, the County cannot determine or assume what development, if any, may ultimately be proposed. Any future development potential is unknown at this time and would be subject to full compliance with applicable land use, coastal, fire safety, access, slope, and resource protection standards. Any such development would require a separate discretionary land use permit and Coastal Development Permit, including independent CEQA review. Potential future impacts such as fire safety constraints, access limitations, slope disturbance, biological resources, and service availability cannot be evaluated at the Lot Line Adjustment stage and would need to be analyzed in detail through future permit processes.

As stated above, no new development or site disturbance is proposed in conjunction with this Lot Line Adjustment. However, in keeping with Guidelines Section 15064 (d) this Initial Study considers both the direct and indirect physical changes to the environment as well as the “...*whole of the action*...” (Guidelines 15378). More specifically, the topical sections of this Initial Study/MND characterize the potential impacts associated with development of the reconfigured parcels in the areas identified when compared with the baseline parcel configurations.

Ordinance Modifications. None are requested.

Background and Baseline Conditions

Physical Setting

The project site consists of four contiguous parcels with a total area of 122.49 acres located on a north facing hillside just south of the Cabrillo Estates neighborhood and adjacent to the northerly boundary of Montana de Oro State Park (Figure 1). The parcels contain no structures, wells or other improvements except for a system of unimproved ranch roads and informal hiking trails. The topography consists of gently to moderately-sloping terrain covered with dense assemblages of Maritime chaparral and mixed oak woodlands; there are scattered groves of mature eucalyptus trees located on each parcel (see also Figure 10 of Section IV. Biological Resources). The Lot Line Adjustment map (Figure 3) indicates that the average slope for the reconfigured parcels varies from 17 percent to 23 percent. Assessor parcels 074-021-043 and 074-482-051 consisting of 4.0 total acres are encumbered by an open space easement recorded in 1989.

There are no surface water bodies, creeks or ephemeral drainages associated with the project site.

Regulatory Setting

Estero Area Plan

The Estero Area Plan contains planning policies and Planning Area Standards (PAS) that address special conditions affecting the community of Los Osos. Applicable policies and standards are described in each of the topical sections of this initial study.

Coastal Zone Land Use Ordinance (CZLUO) as it Relates to Parcel Size

As described in CZLUO Section 23.04.021, the minimum parcel size in the Residential Suburban land use category is determined by characteristics of the terrain (i.e., slope) and the type of water and wastewater disposal facilities to be used. For parcels subject to the Geologic Study Area combining designation with slopes between 16 and 30 percent, served by a community water supply, and on-site septic system, the minimum parcel size is 2.5 acres. As described in the project description, each lot will exceed 3.0 gross acres in size consistent with these standards.

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Combining Designations

The project site is subject to the following Combining Designations:

Combining Designation	Applicability
Coastal Appealable Zone	The project site is within the area where local land use actions may be appealed to the Coastal Commission
Sensitive Resource Area – Los Osos Ecosystem/ Terrestrial ESHA	This combining designation also denotes an Environmentally Sensitive Habitat (Terrestrial Habitat) as defined by the Coastal Act section 30107.5. It is located along the southern slopes of the first range of the Irish Hills and to Los Osos Creek. The SRA applies to the Maritime chaparral and coast live oak woodland which covers most of the project site.
Geologic Study Area	The GSA is associated with the Los Osos Fault zone which traverses the southern portion of the Los Osos Valley, extending from the eastern boundary of the Estero Planning Area through Los Osos. A 1,000-foot wide zone on either side of the fault trace has a higher potential for ground rupture during an earthquake.

Los Osos Community Plan (LOCP)

The project site is within the area governed by the LOCP which was certified in December, 2024. The LOCP contains Planning Area Standards (PASs) that apply to the project site relating to, among other things, the following:

- Resource capacity and services
- Resource Protection
- Habitat Conservation and Enhancement
- Exceptions to Building Height Standards
- Air Quality and Noise
- Residential Development and Design

Los Osos Habitat Conservation Plan (LOHCP) and Final Environmental Impact Report (FEIR)

The project site lies entirely within the area covered by the Los Osos Habitat Conservation Plan. The LOHCP provides a mechanism for property owners to comply with the provisions of the Federal and State Endangered Species Acts regarding the incidental ‘take’ of four endangered or threatened species whose habitat occurs within the community of Los Osos. These species are:

- Morro shoulderband snail (*Helminthoglypta walkeriana*)
- Morro manzanita (*Arctostaphylos morroensis*)
- Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*)
- Indian Knob mountainbalm (*Eriodictyon altissimum*)

In addition, the LOHCP provides a comprehensive conservation strategy managed by one entity with a single funding source and is designed to avoid, minimize, and mitigate the take of, and impacts to, the covered species as a result of ground disturbance associated with new development. Given the rarity of these narrowly endemic covered species, this regional plan is also intended to contribute to their recovery. The area covered by the LOHCP is shown in Figure 8 and includes a Priority Conservation Area which features large blocks of relatively intact habitat identified as important for long-term viability of the covered species in their respective recovery plans. The project site lies entirely within the Priority Conservation Area.

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The LOHCP sets forth mitigation requirements for covered activities to help implement the conservation program. These requirements include avoidance and minimization measures as well as compensatory mitigation to offset the unavoidable take/impacts to the covered species associated with new development.

The FEIR prepared and certified for the LOHCP includes mitigation measures that apply to activities (i.e., new development) covered by the LOHCP.

Public Services

The project site is within the boundaries of the Los Osos Community Services District (LOCSO) which is empowered to provide water (in the Baywood Park area), fire protection and emergency medical services, some storm drainage, limited parks and recreation, and street lighting.

The project lies inside the Urban Reserve, but outside the Urban Service Line (USL) for the community of Los Osos (Figure 5) and outside the wastewater service area. Wastewater disposal for future development will be provided by individual septic systems on each parcel. As shown in Figure 6, portions of the project site are within the service area of the Golden State Water Company.

ASSESSOR PARCEL NUMBER(S):

074-022-033 074-021-036

074-021-043 074-021-046

074-321-047 074-482-051

Latitude: 35° 17'59.1"N

Longitude: 120° 51' 04.6"

SUPERVISORIAL DISTRICT # 2

B. Existing Setting

Plan Area: Estero

Sub: None

Comm: Los Osos

Land Use Category: Residential Suburban

Combining Designation: Sensitive Resource Area Coastal Appealable Zone Terrestrial Habitat Geologic Study Area

Parcel Size: 4 parcels totaling 122.49 acres

Topography: Moderately sloping to steeply sloping

Vegetation: Chaparral Oak woodland

Existing Uses: Vacant

Surrounding Land Use Categories and Uses:

North: Residential Single Family;
single-family residence(s)

East: Residential Suburban; undeveloped

South: Recreation; undeveloped

West: Residential Suburban; undeveloped

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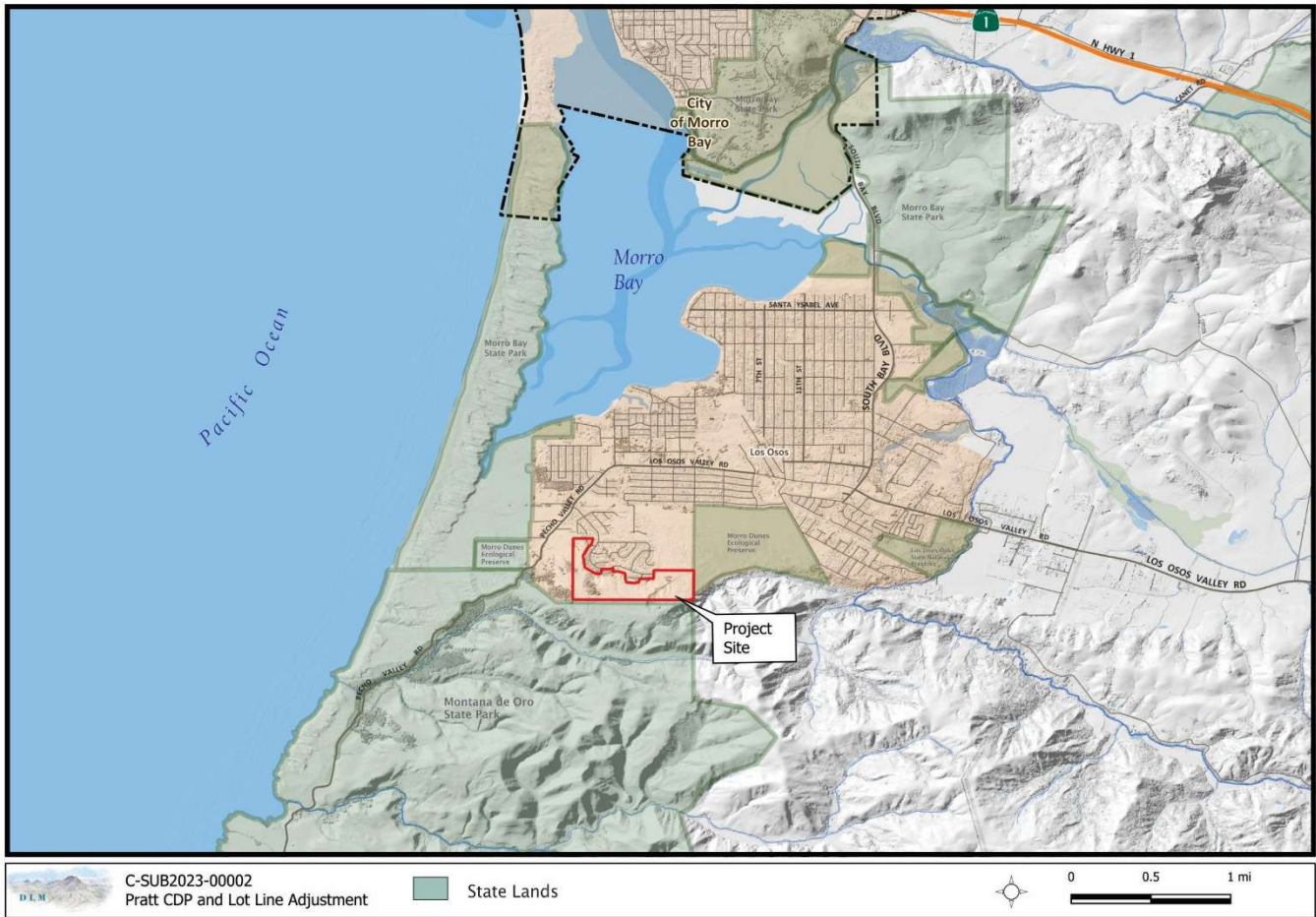


Figure 1 - Project Location

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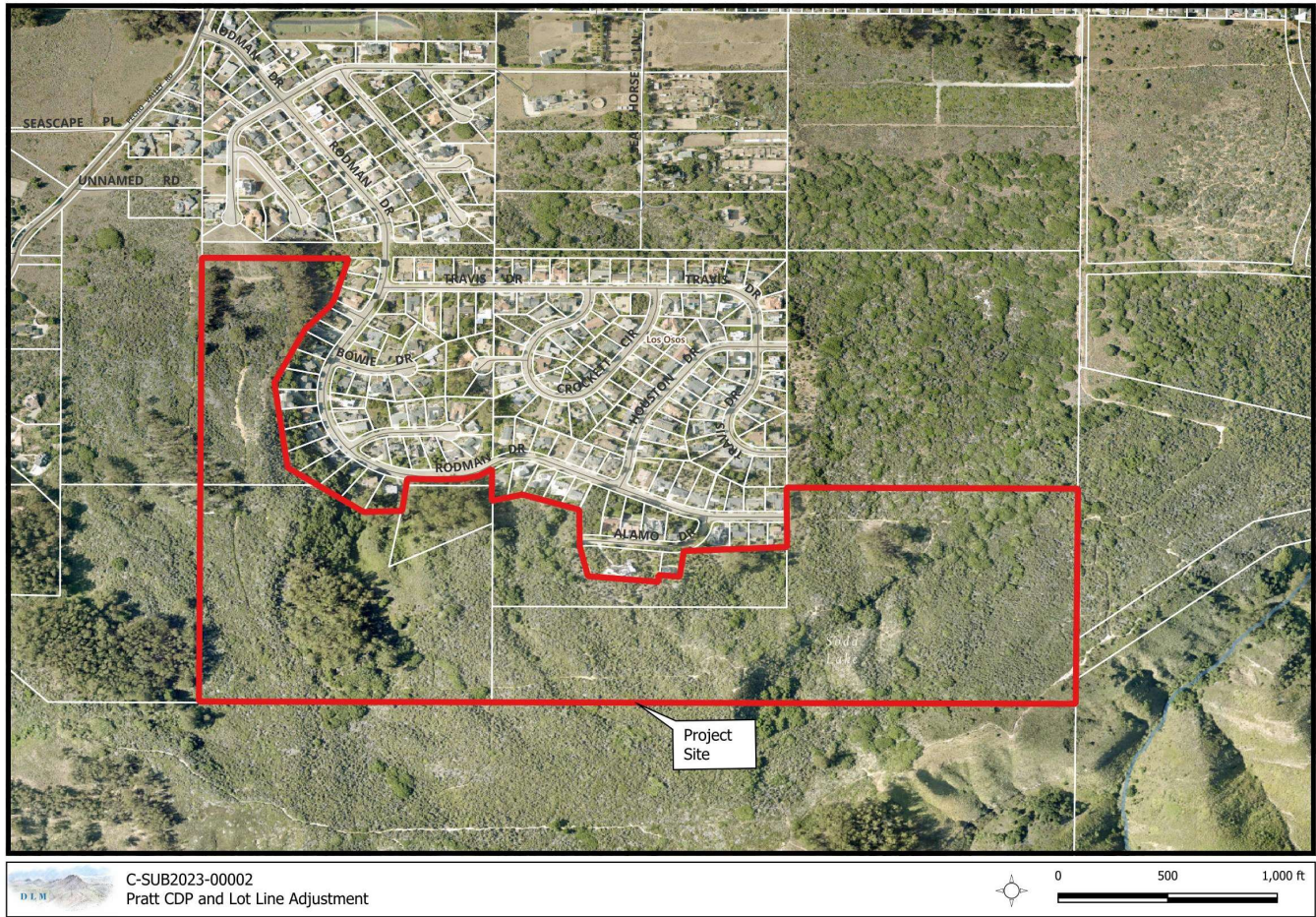


Figure 2 – Aerial View of the Project Site

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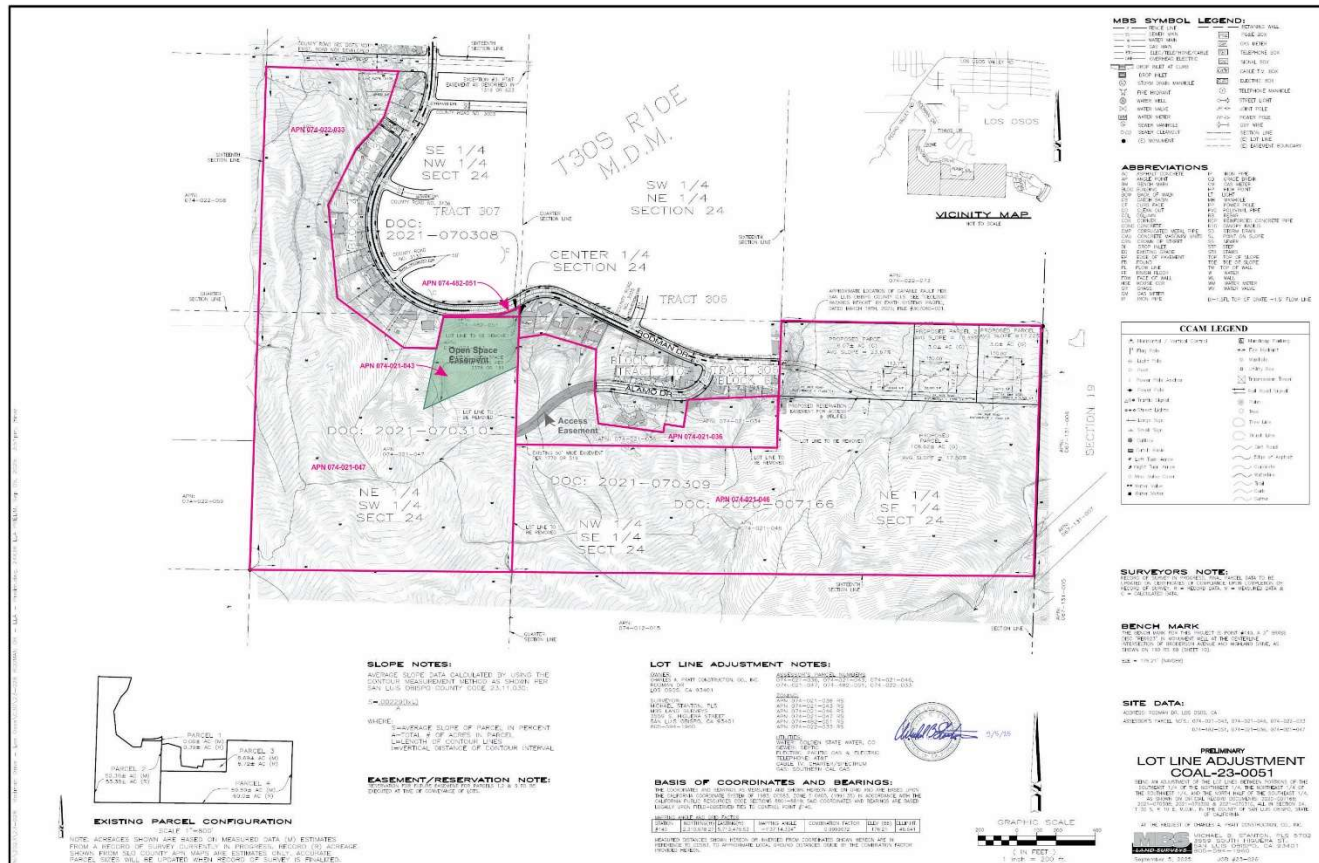


Figure 3 - Lot Line Adjustment Map - Existing Parcel Configurations

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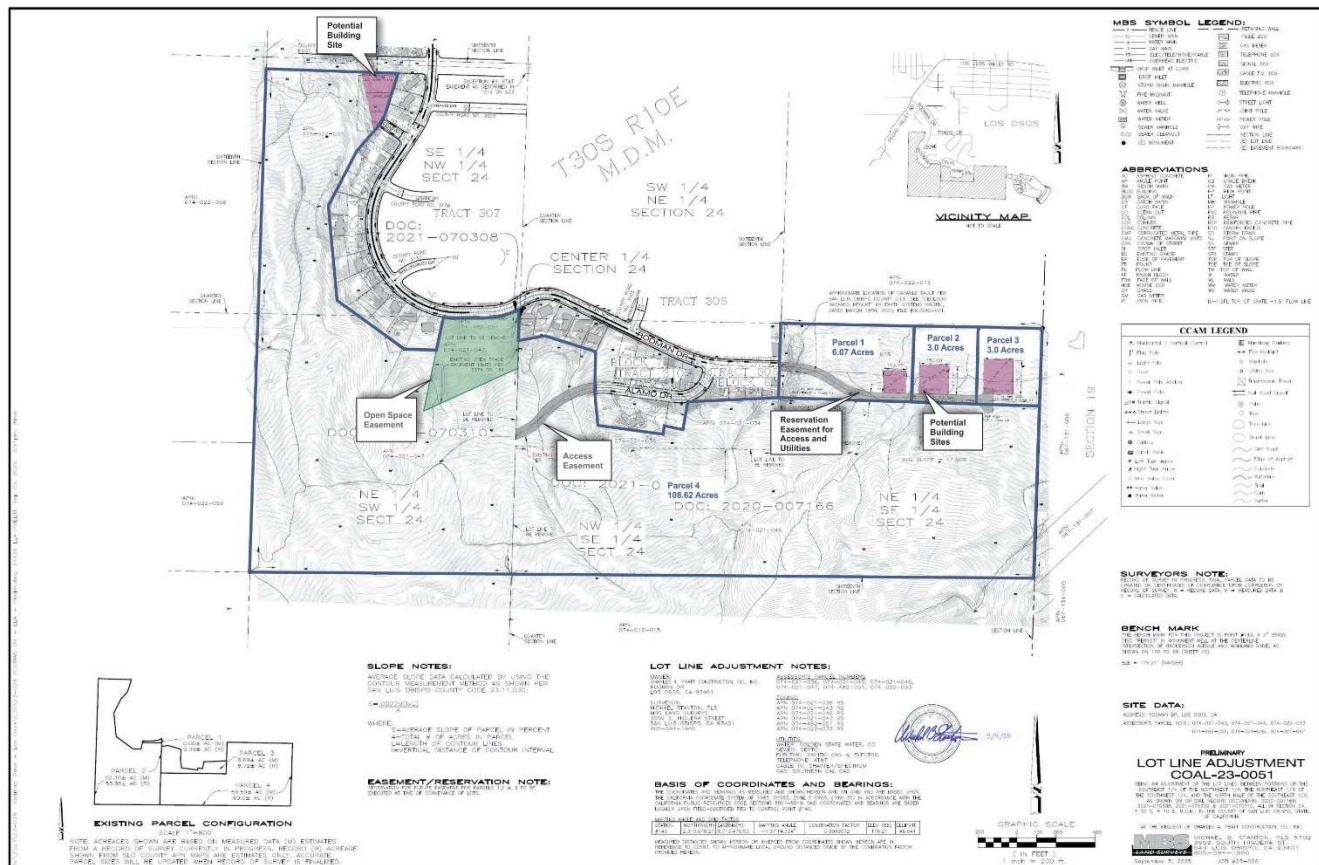


Figure 4 - Lot Line Adjustment Map - Proposed Parcel Configurations and Potential Building Sites

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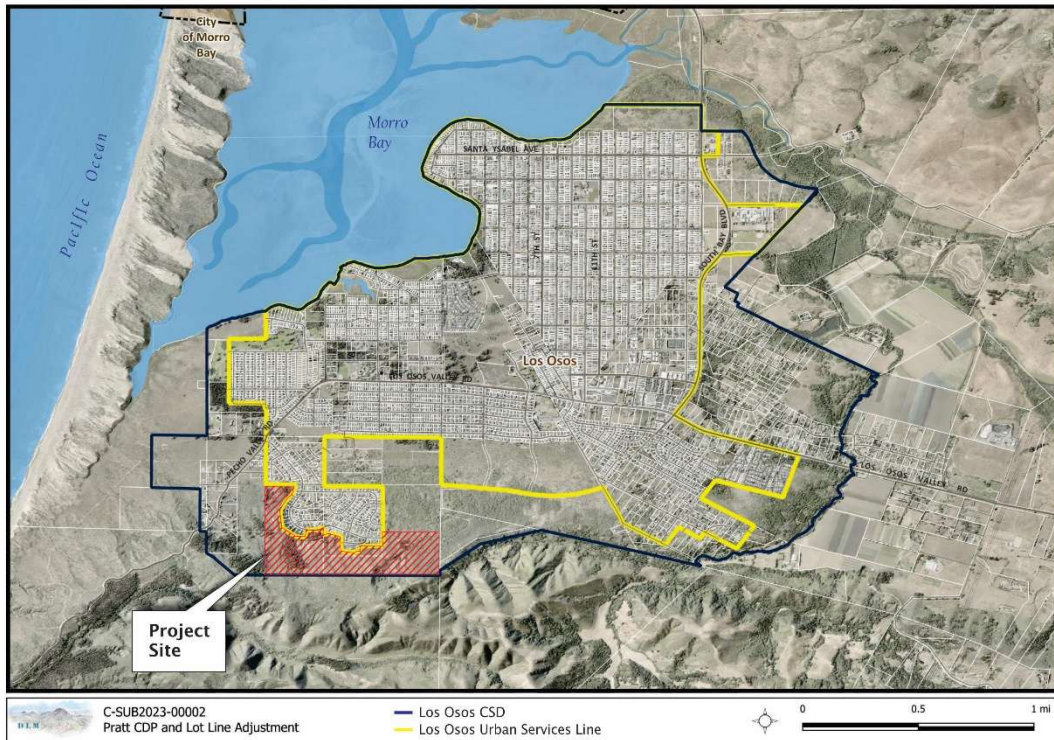


Figure 5 - Regulatory Boundaries - LOCSO and USL

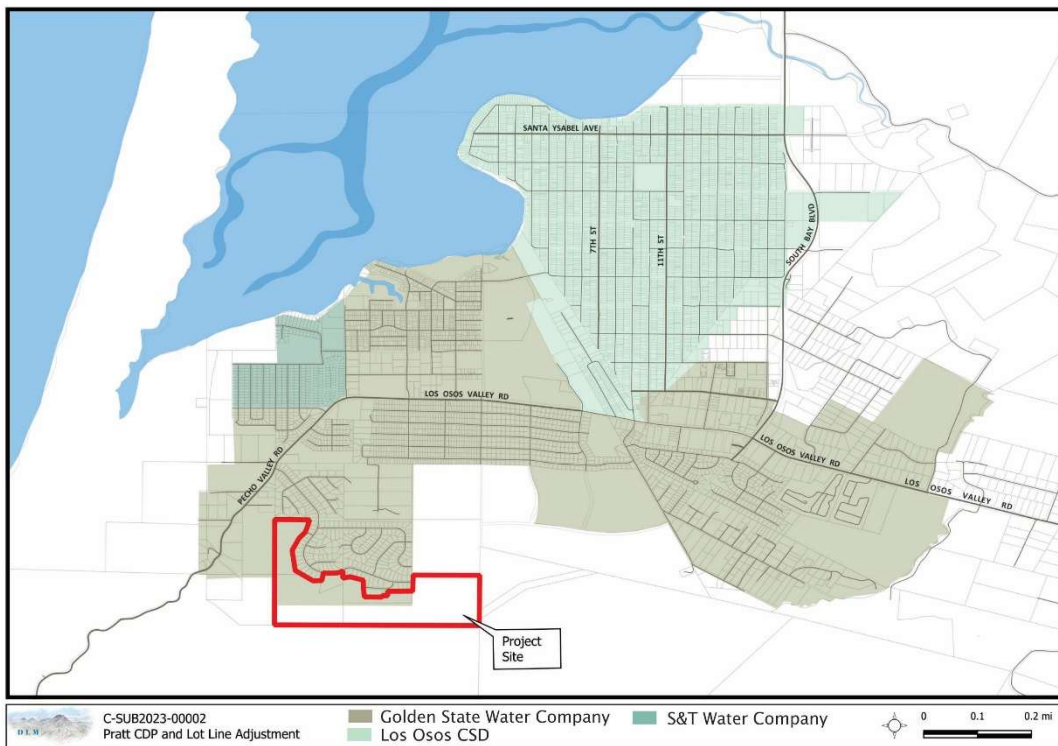


Figure 6 - Water Service Areas

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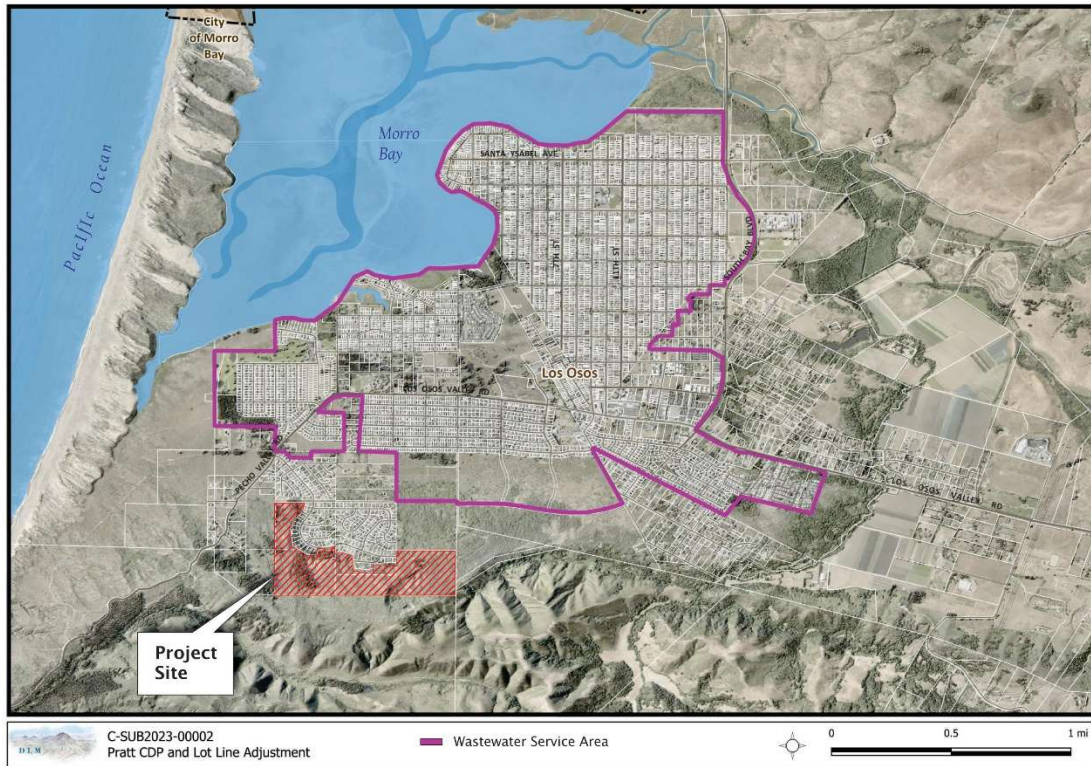


Figure 7 - Wastewater Service Area

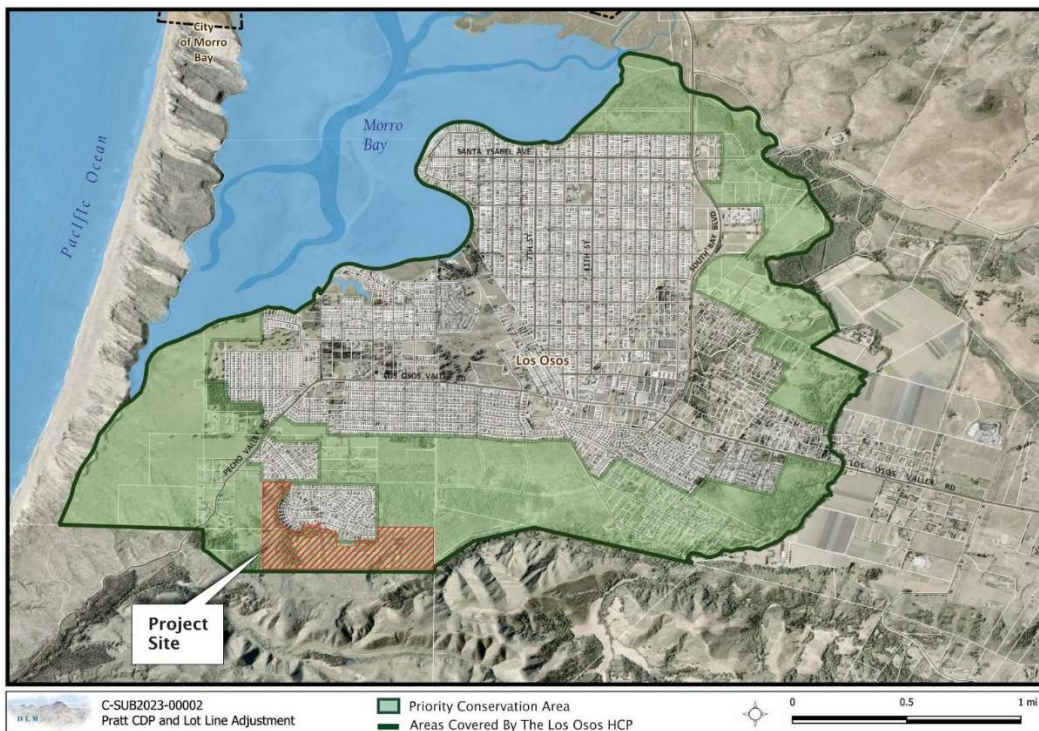


Figure 8 - Areas Covered By the LOHCP and Priority Conservation Area

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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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

As discussed in the Baseline Conditions, the project site consists of four contiguous parcels with a total area of 122.49 acres located on a north facing hillside just south of the Cabrillo Estates neighborhood and adjacent to the northerly boundary of Montana de Oro State Park (Figure 1). The parcels contain no structures, wells or other improvements except for a system of unimproved ranch roads and informal hiking trails. The topography consists of gently to moderately-sloping terrain covered with dense assemblages of Maritime chaparral and mixed oak woodlands; there are scattered groves of mature eucalyptus trees located on each parcel (see also Figure 10 of Section IV. Biological Resources). The Lot Line Adjustment map (Figure 3) indicates that the average slope for the reconfigured parcels varies from 17 percent to 23 percent. Assessor parcels 074-021-043 and 074-482-051 consisting of 4.0 total acres are encumbered by an open space easement recorded in 1989.

There are no surface water bodies, creeks or ephemeral drainages associated with the project site.

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The visual qualities of the project site and surrounding area are considered high. The main vantages for public views of the project site are provided to motorists travelling on public roads serving the surrounding area, including Pecho Valley Road and Los Osos Valley Road.

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

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

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

Estero Area Plan. Section 7. Of the Estero Area Plan provides communitywide standards for development within the community of Los Osos. Part D. of Section 7 states that development shall only be approved if it ensures that public views are not significantly impacted. In addition, the provisions of CZLUO 23.04.210 (discussed below) shall apply to the portion of Pecho Valley Road between Rodman Drive and Montana de Oro State Park. The project site is located east of Pecho Valley Road.

Part I. of Section 7. Requires that an application for development shall be accompanied by details relating to exterior lighting.

Part K. of Section 7. provides standards for the protection and replacement of trees, especially native trees.

Los Osos Community Plan. The Los Osos Community Plan (LOCP) provides goals and policies relating to the protection of environmental resources within the community, including visual resources. Policy EN-6 states that Pecho Valley Road from Rodman Drive to the boundary of Montana de Oro State Park shall be designated as a Critical Viewshed. Development along this corridor shall be subject to the Visual Resources standards included in the Coastal Zone Land Use Ordinance Section 23.04.210 (discussed below).

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.

Coastal Zone Land Use Ordinance. Coastal Zone Land Use Ordinance Section 23.04.210 sets forth standards that apply to Critical Viewsheds, Scenic Corridors and Sensitive Resource Area Combining Designations as they relate to visual resources. As discussed in the Baseline Conditions, there are no Critical Viewsheds, Scenic Corridors or SRAs that apply to visual resources affecting the project site or vicinity.

The CZLUO also sets forth standards for exterior lighting (CZLUO Section 23.04.320). In accordance with these standards, exterior lighting must be shielded and directed onto the source parcel and away from roadways and adjacent parcels.

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Scenic Highways. The only Officially Designated State Scenic Highway in San Luis Obispo County is Highway 1 which is located about 5 miles to the north of the project site.

Discussion

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

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

As discussed in the regulatory setting, the viewshed associated with the portion of Pecho Valley Road between Rodman Drive and the entrance to Montana de Oro State Park is considered a *Critical Viewshed* and development along this corridor is subject to the standards set forth in CZLUO section 23.04.210. Although, no new development is proposed at this time, each of the reconfigured parcels could accommodate one single family residence, landscaping and grading within the general building areas identified for Parcels 1, 2 and 3, (Figure 4) which could degrade the scenic landscape as viewed from Pecho Valley Road. However, these impacts are considered less than significant because:

- Future development of each parcel will be subject to project specific environmental review which will evaluate potential impacts to visual resources associated with the building plans. If it is determined that a project will adversely impact the viewshed from Pecho Valley Road, compliance with the provisions of CZLUO 23.04.210 will ensure potential impacts will be less than significant.
- Figure 9 provides an illustration of areas (shown in green) within view of southbound travelers on Pecho Valley Road between Rodman Drive and Montana de Oro State Park. It should be noted that the areas identified in green reflect a line of sight that is unobstructed by intervening vegetation or buildings. Nonetheless, as shown in Figure 9, none of the potential building sites associated with the reconfigured parcels will be visible from this corridor. As shown in Figure 9, the areas where new residences may be constructed on the reconfigured parcels labeled parcels 1, 2 and 3 will have little or no visibility from the portion of Pecho Valley Road subject to CZLUO 23.04.210.

Therefore, project impacts to a scenic vista are considered *less than significant*.

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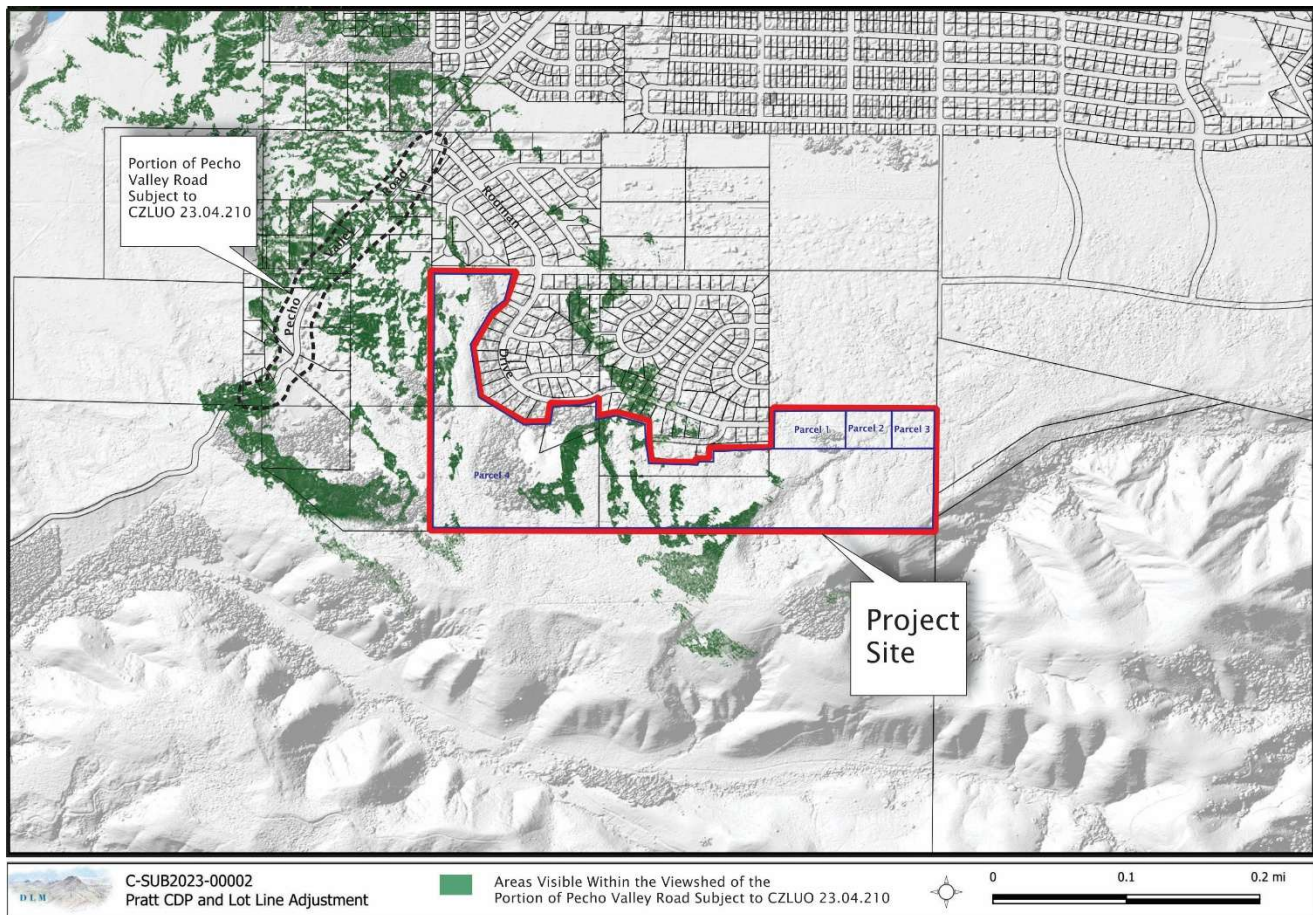


Figure 9 – Areas Visible Within the Viewshed of the Portion of Pecho Valley Road Subject to CZLUO 23.04.210

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

The project would result in a significant impact if it results in a substantial adverse effect on a scenic resource as seen from a state scenic highway. New development on Parcels 1, 2 and 3 may be briefly visible to travelers on small portions of State Route 1, which is a Designated Scenic Highway. However, views of the site will be very brief and at a distance of about 5 miles and potential impacts would be *less than significant*.

- (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?*

As discussed in the project description, no new development is proposed with the LLA. However, the Lot Line Adjustment map (Figure 4) identifies potential building sites for Parcels 1, 2 and 3 as well as a roadway reservation for a future access road extending eastward from the terminus of Rodman Avenue. Assuming all four reconfigured parcels participate in the mitigation program provided by the LOHCP, each parcel could have a maximum allowable area of disturbance of 30,000 sq.ft. and an unknown quantity of cut and fill. The future construction of a new dwelling and access roads for

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Parcels 1, 2 and 3 and on Parcel 4 has the potential to degrade the existing visual character or quality of public views of the site currently enjoyed by travelers surrounding public roadways. More specifically:

- Construction of a dwelling and associated improvements (including a septic leach field) will require grading and the removal of maritime chaparral and mature oak trees.
- The new residences would likely extend up to 25 feet or more above the natural grade.
- Each new residence would be a source of new lighting.

All of these features may be at least partially visible from public roadways in Los Osos which in turn would change the visual character of this portion of the viewshed. However, as conditioned and with implementation of mitigation measure BIO-3, potential impacts to the visual character and quality of views currently enjoyed by the public will be *less than significant with mitigation* because:

- All new grading will be subject to the provisions of the County grading standards set forth in CZLUO Section 23.05.020, including requirements for sedimentation and erosion control;
- The removal of sensitive habitat for listed species is subject to the mitigation requirements set forth in the Los Osos Habitat Conservation Plan as required by mitigation measures BIO-1 and BIO-2. In addition, the removal of oak trees is subject to the mitigation requirements of the County's tree removal regulations contained in CZ LUO Section 23.05.064 and incorporated into mitigation measure BIO-3 (discussed in greater detail in Section IV. Biological Resources).
- Each building site is at least partially screened from views from surrounding public roadways by dense to moderately scattered stands of maritime chaparral, coast live oaks or eucalyptus trees between the site and the roadways.
- Views of the project site enjoyed by motorists travelling on public roadways in the area would be brief and at a considerable distance where the new development would be indistinguishable from existing development on the hillside.
- Development of each parcel will be subject to approval of a Minor Use Permit/Coastal Development Permit which in turn will be subject to project-specific environmental review.
- As discussed below under item (d), new sources of exterior lighting will be subject to the provisions of CZLUO 23.04.320.

Therefore, based on the preceding analysis, project impacts associated with the potential degradation of the existing visual character or quality of public views are expected to 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 subjects public viewing locations to a substantial amount of point-source lighting visible at night, or if project illumination results in a noticeable spillover effect into the nighttime sky, increasing the ambient light over the region. The placement of lighting, source of illumination, and fixture types combined with viewer locations, adjacent reflective elements, and atmospheric conditions can affect the degree of change to nighttime views. If the project results in direct visibility of a substantial number of lighting sources, or allows a substantial

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amount of light to project toward the sky, significant impacts on nighttime views and aesthetic character would result.

No specific information is available regarding outdoor lighting associated with future development of each lot, although it is assumed that exterior lighting would be included as part of the residential developments for functional and/or ornamental purposes. Because of the project's distance to public roadways and recreation areas, night lighting would not be seen from the surrounding area nor would it be distinguishable from the light associated with existing development.

The project will be conditioned to comply with county standards for exterior lighting contained in the provisions of CZLUO 23.04.320. Therefore, potential impacts associated with the creation of a new source of substantial light would be *less than significant*.

Conclusion

The project will have a less than significant impact on scenic vistas and would not result in a substantial change to scenic resources in the area with implementation of mitigation measure BIO-3 relating to oak tree removal. Future development will be subject to relevant policies and standards in the County CZLUO and COSE related to the protection of scenic resources. New sources of light will be subject to compliance with the County's exterior lighting standards as prescribed in CZLUO Section 23.04.320. Impacts to aesthetic resources would be *less than significant with mitigation*.

Mitigation

Implement mitigation measure BIO-3.

Sources

Provided in Exhibit A.

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II. AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |

Setting

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

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Farmland, Farmland of Local Importance, and Grazing Land as “agricultural land.” Non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

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

Soils of the site are described in detail below. The acreage and corresponding farmland classifications are provided in Tables 2 and 3.

Map Unit: 104—Baywood fine sand, 2 to 9 percent slopes

Baywood: 85 percent

The Baywood component makes up 85 percent of the map unit. Slopes are 2 to 9 percent. This component is on stabilized dunes. The parent material consists of eolian sands. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This component is in the R014XD059CA Sandy ecological site. Nonirrigated land capability classification is 6e. Irrigated land capability classification is 3s. This soil does not meet hydric criteria.

Oceano, sand: 3 percent

Generated brief soil descriptions are created for major soil components. The Oceano soil is a minor component.

Map Unit: 105—Baywood fine sand, 9 to 15 percent slopes

Baywood: 85 percent

The Baywood component makes up 85 percent of the map unit. Slopes are 9 to 15 percent. This component is on stabilized dunes. The parent material consists of eolian sands. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This component is in the R014XD059CA Sandy ecological site. Nonirrigated land capability classification is 6e. Irrigated land capability classification is 3s. This soil does not meet hydric criteria.

Oceano, sand: 3 percent

Generated brief soil descriptions are created for major soil components. The Oceano soil is a minor component.

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Map Unit: 106—Baywood fine sand, 15 to 30 percent slopes

Baywood: 85 percent

The Baywood component makes up 85 percent of the map unit. Slopes are 15 to 30 percent. This component is on stabilized dunes. The parent material consists of eolian sands. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This component is in the R014XD059CA Sandy ecological site. Nonirrigated land capability classification is 6e. Irrigated land capability classification is 4s. This soil does not meet hydric criteria.

Oceano, sand: 3 percent

Generated brief soil descriptions are created for major soil components. The Oceano soil is a minor component.

As shown in Table 2, none of the soils underlying the project site are considered Prime or Farmland of Statewide Importance by the FMMP and COSE.

Table 2 – Farmland Classifications of the COSE and Corresponding Acreages

Soil	COES Classification	Total Acres	Impacted Acres ¹
Baywood Fine Sands, 2-9 percent slopes	Other Productive Soils	0.58	0.58
Baywood Fine Sands, 9-15 percent slopes	Unclassified	23.39	0.68
Baywood Fine Sands, 15-30 percent slopes	Unclassified	97.84	1.48
Santa Lucia Clay Loam, 50-75 percent slopes	Unclassified	2.65	0.00
Total:		122.49	2.74

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

Notes:

1. Assumes 30,000 s.ft. area of disturbance per parcel as allowed by the LOHCP.

Table 3 provides a summary of farmland classifications for soils on the project site as determined by the FMMP. As shown in Table 3, none of the soils underlying the project site are considered Prime or Farmland of Statewide Importance, including about 2.74 acres within the building areas of disturbance associated with building sites each on reconfigured parcel.

Table 3 – Farmland Classifications of the FMMP and Corresponding Acreages

FMMP Classification	Total Acres	Impacted Acres
Other Land	122.49	2.74
Total:		2.74

Source: Department of Conservation Farmland Mapping and Monitoring Program

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

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

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

The project site consists of 122.49 acres of land covered with Maritime chaparral, mixed oak woodlands and there are scattered groves of mature eucalyptus trees located on each parcel (see also Figure 10 of Section IV. Biological Resources). As shown in Table 2, if dwellings and associated improvements are constructed within the allowable building areas for each parcel (30,000 sq.ft.) future development will impact a total of about 2.74 acres of land containing *unclassified* or *other land* as determined by the COSE. Therefore, there will be *no impacts* associated with the conversion of important farmland.

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

The subject property is located within the Residential Suburban land use category and is not subject to a Williamson Act Contract; a primary residence is an allowable use on each reconfigured parcel subject to the limitations and requirements of the Los Osos Community Plan and LOHCP. Therefore, as conditioned, the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract and *no impacts* would occur.

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

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

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

The project site supports Maritime chaparral and coast live oak resources that do not meet the definition of "forest land" as prescribed in Public Resources Code Section 12220(g):

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

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Therefore, future development associated with the project will not result in the conversion of forest land to a non-forest use and *no impacts* will occur.

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

There is no crop production adjacent to, or in the vicinity of, the project site. Therefore, there would be *no impact*.

Conclusion

The project would result in no impacts relating to the conversion of important farmland. The project would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. Therefore, there would be *no impacts* to agricultural resources.

Mitigation

None are required.

Sources

Provided in Exhibit A.

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III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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"/> |
| (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 type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Setting

San Luis Obispo County Clean Air Plan

The San Luis Obispo County Air Pollution Control District (SLOAPCD) San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term air pollutant emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and particulate matter 10 micrometers or less in diameter (PM₁₀). The CAP presents a detailed description of the sources and pollutants that impact the jurisdiction’s attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality. Project consistency with the CAP is determined by considering whether the project incorporates the relevant land use planning and transportation control measures and strategies outlined in the CAP.

The County is currently designated as a non-attainment area for ozone and PM₁₀ under state ambient air quality standards. Construction and operation of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_x) as well as fugitive dust emissions (PM₁₀) and exhaust particulates.

SLOAPCD Criteria Pollutant Thresholds

The SLOAPCD has developed a CEQA Air Quality Handbook (most recently updated in 2023) to help local agencies determine the significance of project-specific air quality impacts and to determine whether mitigation measures are needed. To assist in this task, the Handbook includes screening criteria to determine the significance of project impacts. For example, according to the Handbook, a project with grading in excess of 4.0 acres and moving 1,200 cubic yards of earth per day can exceed the construction threshold for respirable particulate matter (PM₁₀).

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

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

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

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

Sensitive Receptors

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

Naturally Occurring Asbestos

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

Developmental Burning

As of February 25, 2000, the APCD prohibits developmental burning of vegetative material within San Luis Obispo County. However, under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. Any such exception must complete the following prior to any burning: APCD approval; payment of fee to APCD based on the size of the project; and issuance of a burn permit by the APCD and the local fire department authority. As a part of APCD approval, the applicant shall furnish them with the study of technical feasibility (which includes costs and other constraints) at the time of application.

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Planning Area Standards of the Los Osos Community Plan

Chapter 7 of the LOCP sets forth Planning Area Standards (PAS) that apply to all new development within the Plan area. The standards address a wide range of topics that apply community-wide. Planning Area Standard H. 1. sets forth standards for the reduction of diesel particulate matter that applies to all new construction activities. Item H.2. provides mandatory dust control measures for new construction activities.

Discussion

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

To be considered consistent with the 2001 San Luis Obispo County CAP, a project must be consistent with CAP's land use planning and transportation control measures and strategies (SLOAPCD 2012). These strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable. The project may result in the construction of up to four single family residences that would typically be occupied by three full-time residents, each, for a total of 12 new potential residents. Therefore, future development would not generate a significant number of employees and therefore would not significantly affect the local area's jobs/housing balance.

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

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

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

The County is currently designated as non-attainment for ozone and PM₁₀ under state ambient air quality standards. Construction and operation of the project would result in emissions of ozone precursors including reactive organic gasses (ROG) and nitrous oxides (NO_x) as well as fugitive dust emissions (PM₁₀).

Construction Emissions

As discussed in the project description, no new development is proposed with the LLA. However, the Lot Line Adjustment map (Figure 4) identifies potential building sites for Parcels 1, 2 and 3 as well as a roadway reservation for a future access road extending eastward from the terminus of Rodman Avenue. Assuming all four reconfigured parcels participate in the mitigation program provided by the LOHCP, each parcel could have a maximum allowable area of disturbance of 30,000 sq.ft. and an unknown quantity of cut and fill.

Construction activities will result in the generation of dust, as well as short-term construction vehicle emissions. Using the thresholds and screening factors provided in the SLOAPCD's CEQA Air Quality Handbook (2023), construction-related emissions were estimated for the construction of a new

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dwelling and access road on each parcel as shown in Table 4 below. It should be noted that this is an estimate only. As discussed previously, future construction on each lot will be subject to a Coastal Development Permit which will be subject to project specific environmental review. At that point the actual impact will be quantified from the construction plans.

Table 4 -- Estimated Construction-Related Emissions for the Future Development of Each Parcel

Pollutant	Total Estimated Emissions	APCD Emissions Threshold	Mitigation Required?
Reactive Organic Gases (ROG) + Nitrogen Oxide (NO _x) (combined)	Unknown	137 lbs./day	Unknown
	Unknown	2.5 tons/quarter	Unknown
Diesel Particulate Matter (DPM)	Unknown	7 lbs./day	Unknown
	Unknown	0.13 tons/quarter	Unknown
Fugitive Particulate Matter (PM ₁₀)	0.51 tons ¹ /quarter	2.5 tons/quarter	No

Notes:

1. Based on 30,000 sq.ft. (0.68 total acres) of disturbance per parcel and 0.75 tons of PM₁₀ generated per acre of disturbance per month and 15 days of construction.

As shown in Table 4, it is not possible to quantify construction related emissions entirely. However, as discussed in the setting, future development will be subject to project-specific environmental review as well as Planning Area Standards H.1 and H.2 of the LOCP. Assuming compliance with these code requirements, future construction related emissions associated with development of each reconfigured lot is considered *less than significant*.

Operation-Related Emissions. As discussed in the setting above, a project consisting of 99 single family residences generating 970 average daily vehicle trips would be expected to exceed the 25 lbs/day operational threshold for ozone precursors. The reconfigured parcels could accommodate up to four new single-family residences which could generate up to 39 average daily trips. Accordingly, project-specific and cumulative operational impacts are considered a *less than significant* and *less than cumulatively considerable*.

The project site does not require travel on an unpaved roadway.

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity to exposure to air pollution by virtue of their age and health (e.g. schools, day care centers, hospitals, nursing homes), regulatory status (e.g. federal or state listing as a sensitive or endangered species), or proximity to the source. The nearest sensitive receptors to the potential building sites identified for Parcels 1, 2 and 3 are residences located on Rodman Avenue to the west that are less than 1,000 feet from potential construction activities. However, as discussed above under item d., above, future development will be subject to project-specific environmental review as well as Planning Area Standards H.1 and H.2 of the LOCP. Assuming compliance with these code requirements future exposure of sensitive receptors associated with construction related emissions is considered *less than significant*.

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

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

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

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

Conclusion

The project would be consistent with the SLOAPCD's Clean Air Plan and is not expected to generate construction related and operational emissions that exceed SLOAPCD thresholds. Therefore, potential impacts to air quality would be *less than significant*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

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IV. BIOLOGICAL RESOURCES

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

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Regulatory Setting

Federal Laws and Regulations

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

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

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

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

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

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State Law and Regulations

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

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

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

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

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

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

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California Coastal Act. The California Coastal Act of 1976 (Public Resources Code Division 20) permanently protects the state's 1,100-mile coastline by managing development, ensuring public access to beaches, and preserving marine/land resources. Development in the coastal zone (a variable-width inland area) requires a Coastal Development Permit (CDP), often reviewed by the Coastal Commission or local governments. The Coastal Act includes protections for Environmentally Sensitive Habitat Areas (ESHA) which includes sensitive terrestrial, marine and aquatic resources within the coastal zone.

The project was referred to the Coastal Commission staff for review and comment. In their response letter of June 27, 2024 (Devon Jackson, Coastal Planner) the Commission staff state that the project site is considered ESHA and subject to a range of policies from the Local Coastal Program, summarized as follows:

ESHA Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats

New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource.

ESHA Policy 2: Permit Requirement

As a condition of permit approval, the applicant is required to demonstrate that there will be no significant impact on sensitive habitats

ESHA Policy 29: Protection of Terrestrial Habitats

Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat

Policy 30: Protection of Native Vegetation

Native trees and plant cover shall be protected wherever possible.

Policy 35: Protection of Vegetation

Vegetation which is rare or endangered or serves as cover for endangered wildlife shall be protected against any significant disruption of habitat value.

ESHA Policies 1 and 29 restrict development in ESHA to resource dependent uses. If such development does occur, ESHA Policy 2 provides specific permit requirements that such development must conform to, such as demonstrating that there will be no significant impact on sensitive habitats. If development within ESHA cannot be avoided, Section 23.07.170 provides that the allowed development shall be modified as necessary so that it is the "least environmentally damaging feasible alternative."

The Estero Area Plan Amendment (LCP-3-SLO-21-0028-1-Part G) prohibits development in the Los Osos Habitat Conservation Plan Priority Conservation Area except for land divisions that are more protective of the habitats therein than the current lot configurations.

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

Regional Water Quality Control Board. The Regional Water Quality Control Board (RWQCB) not only regulates impacts to water quality in federal waters of the U.S. under Section 401 of the Clean Water Act, but

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also regulates any isolated waters that are impacted under the state Porter Cologne Act utilizing a Waste Discharge Requirement. Discharge of fill material into waters of the State not subject to the jurisdiction of the USACE pursuant to Section 401 of the Clean Water Act may require authorization pursuant to the Porter Cologne Act through application for waste discharge requirements or through waiver of waste discharge requirements.

Special Status Species and Sensitive Habitat Regulations

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

California Natural Diversity Database (CNDDDB)

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

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

Federal and State Endangered Species Listings

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

Los Osos Habitat Conservation Plan (LOHCP) and Final Environmental Impact Report (FEIR)

The LOHCP is described in the Baseline Conditions. In addition, the FEIR prepared for the LOHCP includes mitigation measures that apply to activities (ie, new development) covered by the LOHCP.

Global and State Ranks

Global and State Ranks reflect an assessment of the condition of the species (or habitats) across its entire range. Basic ranks assign a numerical value from 1 to 5, respectively for species with highest risk to most

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secure. Other ranking variations include rank ranges, rank qualifiers, and infraspecific taxon ranks. All Heritage Programs, such as the CNDDDB use the same ranking methodology, originally developed by The Nature Conservancy and now maintained and recently revised by NatureServe. Procedurally, state programs such as the CNDDDB develop the State ranks. The Global ranks are determined collaboratively among the Heritage Programs for the states/provinces containing the species. Rank definitions, where G represents Global and S represents State, are as follows:

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

California Rare Plant Ranks

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

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

- **1A:** Plants presumed extirpated in California and either rare or extinct elsewhere.
- **1B:** Plants rare, threatened, or endangered in California and elsewhere.
- **2A:** Plants presumed extirpated in California, but common elsewhere
- **2B:** Plants rare, threatened, or endangered in California, but more common elsewhere
- **4:** Plants of limited distribution - a watch list
- **0.1:** Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
- **0.2:** Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)

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

California Department of Fish and Wildlife Animal Rank

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

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

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

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

Sensitive Habitats

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

Environmental Setting

A biological resources assessment (BRA) was prepared for project site by Ecological Assets Management, LLC, in January, 2025 which is incorporated herein by reference and available for review in its entirety at the Department of Planning and Building. The following is a summary of the findings and recommendations of that study.

The BRA includes a habitat assessment, botanical and wildlife inventories, a discussion of special status species that have potential to occur on the project site, and an analysis of potential impacts to biological resources from the project (LLA). Mitigation recommendations for potential impacts to biological resources are also provided.

The project assessed in the BRA is an adjustment of existing property lines. There is no development proposed (i.e., no structures, road construction, utility extensions, etc.), and no ground disturbances or vegetation removal associated with the proposed project.

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The BRA Assessment Area is bordered to the north by the Cabrillo Estates development, and to the south, east, and west by large undeveloped parcels composed of a mixture of native and non-native habitats. The Assessment Area slopes steeply to moderately downward from south to north with an elevation range of 79 to 272 meters (260 to 895 feet) above sea level. The University of California Davis, Soil Resource Laboratory website, SoilWeb (<http://casoilresource.lawr.ucdavis.edu/>), maps three soil units within the parcels. These soil units include: Baywood fine sand, 9 to 15 percent (%) slopes; Baywood fine sand, 15 to 30 percent (%) slopes; and, Santa Lucia channery clay loam, 50 to 75 percent (%) slopes.

The primary habitat types present within the Assessment Area consists of four plant communities: Central Maritime Chaparral, coast live oak woodland, eucalyptus forest, and coastal scrub (refer to Appendix F). The dominant habitat type present consists of large, dense stands of Central Coast Maritime Chaparral that is dominated by the federally protected Morro manzanita (*Arctostaphylos morroensis*). Due to thick layers of accumulated leaf litter, and limited sunlight penetration through dense chaparral canopies, few understory species are present within the internal areas of the maritime chaparral. Understory species observed in more open areas and along edges of maritime chaparral included bracken fern (*Pteridium aquilinum*), monkeyflower (*Diplacus aurantiacus*), and gooseberry (*Ribes sp.*). Areas of Central Maritime Chaparral adjacent to many of the residences have been thinned to address the fire hazard posed by the dense vegetation to the residences within the Cabrillo Estates development.

Methodology

To assess the site and current conditions within the Assessment Area, the site was walked by a biologist on two (2) occasions in 2024. In addition, the biologists conducted numerous surveys and assessments over most of the Assessment Area from 2015 to 2020. Along with current site visits, the results of the previous efforts were used to prepare the BRA.

Prior to visiting the parcel, the biologists reviewed the California Natural Diversity Data Base (CNDDDB) (2022) from a six (6) U.S. Geological Survey (USGS) 7.5-minute quadrangle area around the Assessment Area to evaluate the potential for occurrence of special-status species and sensitive natural communities. The search area included the following quadrangles: Morro Bay South, Port San Luis, Atascadero, San Luis Obispo, Pismo Beach, and Morro Bay North. The typical nine (9) quadrangle review was not possible due to the location of the parcel in the Morro Bay South quadrangle, which has no additional quadrangles to the west, northwest, or southwest due to the Pacific Ocean. The review area was deemed appropriate based on the parcel's unique soil type (e.g., Baywood fine sands), coastal location, dominant plant communities, current conditions, elevation, and absence of riparian/wetland/marine habitats, because these features limit the potential number of special-status plant and animal species, and sensitive plant communities that could be present.

In addition to CNDDDB results, the biologists reviewed the results from a query of the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants for the Morro Bay South, Port San Luis, Atascadero, San Luis Obispo, Pismo Beach, and Morro Bay U.S. Geological Survey (USGS) 7.5-minute quadrangles. Other databases and literature reviewed included the US Fish and Wildlife's Information for Planning and Conservation (IPac), CalFlora online database, the USFWS National Wetland Inventory, U.S. Geological Survey National Hydrography Dataset, the University of California Davis Soil Resource Laboratory SoilWeb website, and available environmental documents and reports conducted in nearby areas for background information and recent findings.

Other literature reviewed for the project included recent environmental documents and reports from nearby areas, including the County of San Luis Obispo's Draft Environmental Impact Report for the Los Osos Wastewater Project and numerous other biological resources assessments and botanical resources survey

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reports previously prepared by the biologists in Los Osos and specifically within the Cabrillo Estates Development. Since 2012, EAM has conducted focused and general biological surveys for special-status species on approximately 20 other parcels within the general project area, which includes Morro shoulderband snail protocol survey reports, biological resources assessments, and botanical resources survey results prepared for numerous vacant parcels in the adjacent Cabrillo Estates development. In addition, from 2015 to 2020 EAM has conducted previous biological surveys and prepared numerous survey results reports for most of the Assessment Area, which were also reviewed for this BRA.

The biologists visited the Assessment Area on two (2) separate occasions for the BRA, which included October 25 and December 19, 2024, to conduct a general biological assessment, and to assess existing conditions and biological resources. During the site visits, plant communities within the parcel were characterized and the potential for occurrence of special-status plants and animals identified by the CNDDDB and CNPS queries were evaluated. In addition, biologists reviewed the previous reports prepared by EAM conducted over much (but not all) of the Assessment Area. This included a Morro shoulderband habitat assessment conducted in 2015, a Wildlife Resources Report prepared in 2018, habitat mapping in 2020, and focused botanical surveys conducted in 2015. The observations and results of these assessments and surveys were reviewed and have been incorporated into the BRA, as necessary.

Habitats/Vegetative Communities of the Project Site

During the site visits five (5) natural plant communities were observed on the project site. Observed and general conditions within these plant communities are discussed below.

Arctostaphylos morroensis Shrubland Alliance (Central Maritime Chaparral)

This Alliance is mainly found along the immediate coastal slopes within uplands and stabilized slopes with sandy to sandy-loam soils at elevations from 5 to 550 meters. This Alliance is known only to an area south of Morro Bay and specifically around the Los Osos area. This Alliance is generally consistent with the Holland (1986) classification of Central Maritime Chaparral, which is classified as a sensitive natural community within the CNDDDB. This community was observed throughout the Assessment Area and was the dominant plant community.

This community, in general, is extremely dense and generally lacks a developed understory and thus likely provides limited wildlife habitat. The shrub canopy can provide nesting habitat for birds and the fruit from the manzanita are commonly eaten by species such as coyote (*Canis latrans*) and grey fox (*Urocyon cinereoargenteus*) and other wildlife species. The Manual of California Vegetation has assigned a G1 global and S1 state rarity ranking to this shrubland community, indicates it is in critical imperilment on a global and California State basis (Sawyer et al 2009).

Quercus agrifolia Forest and Woodland Alliance - Coast live oak Woodland

This Alliance is found in the western portion of California and extends from Mendocino County to the Mexican border along the coast, coast ranges, and southern California mountains and valleys in canyon bottoms, slopes, flats with deep soils consisting of sandy or loamy with high organic matter. This alliance can have dense canopies and results in sparse shrub and herbaceous layers. This Alliance is generally consistent with the Holland (1986) classification of Central Coast live oak riparian forest, Southern Coast live oak riparian forest, Coast live oak woodland, and Coast live oak forest are not considered a sensitive natural community. The Manual of California Vegetation has assigned a G5 global and S4 state rarity ranking to this Alliance, indicates it is “secure” and “apparently secure,” respectively, at this time on a global and California State basis (Sawyer et al 2009). This Alliance was found on the parcel in scattered clumps of one or numerous trees that generally were <5 meters in height. Within the Assessment Area this community

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provides suitable habitat for the nesting birds and Monterey dusky-footed woodrats will build stick nests under their canopy.

Eucalyptus Groves - *Eucalyptus* spp. Woodland Semi-Natural Alliance

Eucalyptus groves are defined in the Manual of California Vegetation as trees <60 meters tall with an open to continuous canopy and a sparse to intermittent understory. This Alliance in general is dominated by non-native eucalyptus trees, and within the Assessment Area is dominated by blue gum eucalyptus (*Eucalyptus globulus*). This Alliance provides limited habitat value for most terrestrial wildlife, but does provide roosting habitat for monarch butterfly and nesting habitat for a variety of bird and raptor species. This Alliance is not considered sensitive by the CDFW and is not protected under CEQA.

Baccharis pilularis Shrubland Alliance

Coyote brush scrub occurs on coastal bluffs, terraces, stabilized dunes of coastal bars, spits along the coastline, river mouths, stream sides, open exposed slopes, ridges, gaps in forest stands on variable soils that range from sandy to relatively heavy clay (Sawyer et al., 2009). This Alliance is characterized by coyote brush as dominant to co-dominant in the shrub canopy. This Alliance has a ranking of G5 and S5 and is not considered a sensitive natural community by the CDFW and is not protected under CEQA.

This Alliance was observed in one (1) area within the overall Assessment Area. Coyote brush was the dominant species within this area, but other common species observed included poison oak (*Toxicodendron diversilobum*) and California blackberry (*Rubus ursinus*) as a component species. This community can provide habitat for a variety of species, including providing nesting habitat for resident and migratory birds.

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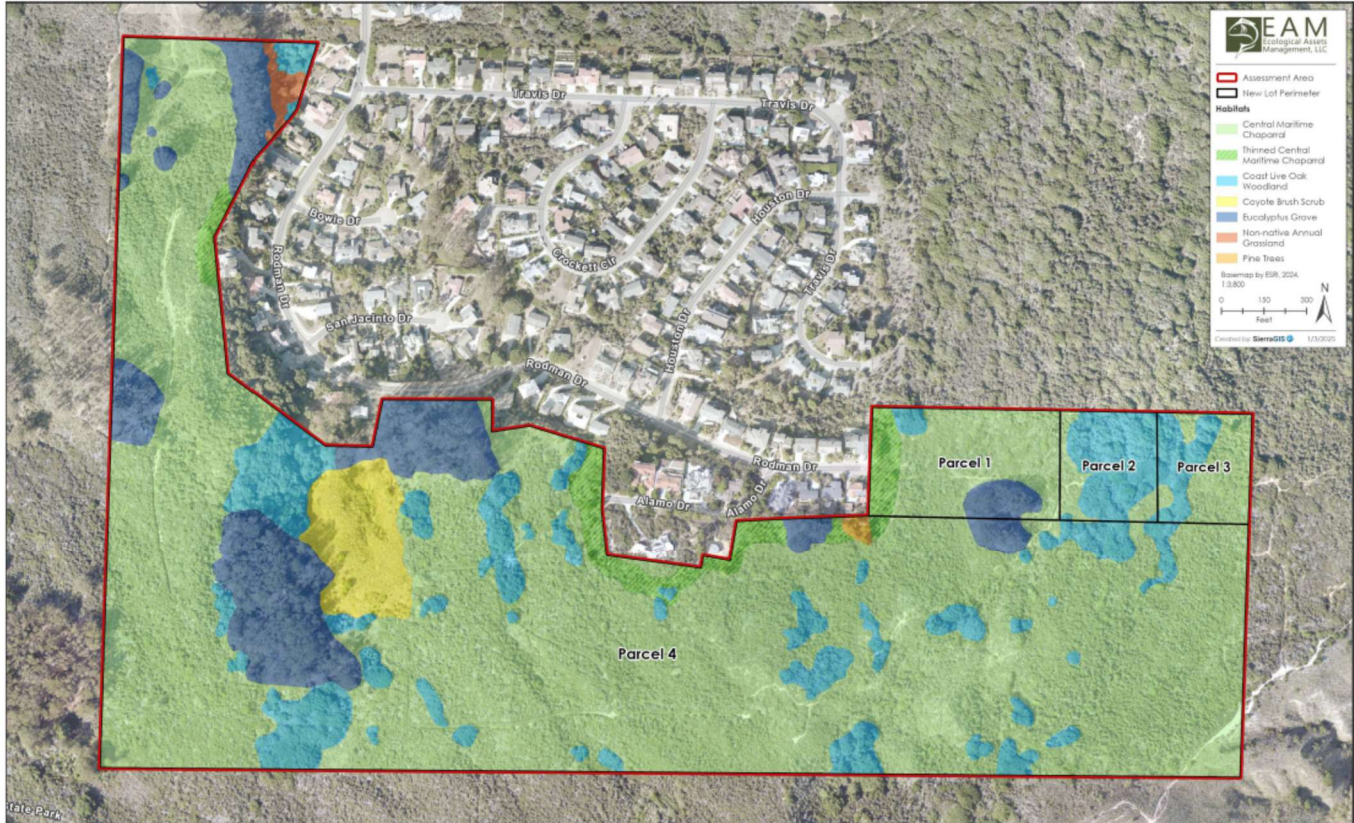


Figure 10 – Habitats of the Project Site

Aquatic Resources

There are no aquatic resources associated with the project site or in the vicinity.

Special Status Resources

Special Status Wildlife Species.

The query of the CNDDDB and other databases identified a total of eighty (80) special-status animal species as occurring within the general vicinity of the Assessment Area. Appendix B of the BRA discusses the habitat requirements of each special-status species, presence of potentially suitable habitat, and likelihood to occur within the Assessment Area. Of these eighty (80) species, fourteen (14) of them have the potential to be located on or in the general vicinity (refer to Appendix B of the BRA). In addition to these fourteen (14) special-status species, nesting birds and raptors are also likely present within the Assessment Area during the February 15 to September 1 nesting season.

Many of the other special-status wildlife species identified in the database review would be associated with riparian and aquatic habitats, or open water and estuarine/marine habitats. Since the Assessment Area does not have riparian, aquatic habitats, or estuarine/marine habitats, these species do not have a potential to occur. A list of the wildlife species observed during the current and previous site visits is included in Appendix D of the BRA.

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Based on an analysis of the database results, and the habitats observed during site visits, the following fourteen (14) special-status wildlife species and nesting birds have a potential to be present within the Assessment Area. These species include:

- Cooper's hawk (*Accipiter cooperii*) – Watch List
- Golden eagle (*Aquila chrysaetos*) – Fully Protected, Watch List
- Obscure bumble bee (*Bombus caliginosus*) – Special Animal
- Crotch bumble bee (*Bombus crotchii*) – Candidate for State Endangered Status
- Western bumble bee (*Bombus occidentalis*) – Candidate for State Endangered Status
- Monarch butterfly (*Danaus plexippus*) – Federal Candidate Species
- Morro shoulderband snail (*Helminthoglypta walkeriana*) – Federally Threatened
- Northern California legless lizard (*Anniella pulchra*) – Species of Special Concern
- Coast horned lizard (*Phrynosoma blainvillii*) – Species of Special Concern
- Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*) – Federally Endangered, State Endangered, and Fully Protected
- Western mastiff bat (*Eumops perotis californicus*) - Species of Special Concern
- Yuma myotis (*Myotis yumanensis*) – Special Animal
- San Diego desert woodrat (*Neotoma lepida intermedia*) - Species of Special Concern
- Monterey dusky-footed woodrat (*Neotoma macrotis luciana*) – Species of Special Concern
- Nesting birds and raptors

During the current site visits conducted for the BRA, and along with the site visits and surveys conducted previously, the biologist has documented the presence of three (3) special-status species within the Assessment Area, which includes Cooper's hawk, Monarch butterfly, and Monterey dusky-footed woodrat (stick nests). Both Monarch butterfly and Cooper's hawk were observed within the Assessment Area during the December 19, 2024 site visit. The observation of Monarch butterfly only included a few scattered individuals and did not include any large congregations within any of the eucalyptus trees. In addition, stick nests made by Monterey dusky-footed woodrat were observed during all surveys and site visits to the Assessment Area since 2015 and are common throughout the Assessment Area.

Based on the biologist's experience with biological resources in the Los Osos area, species such as Northern California legless lizard and coast horned lizard, even though not observed during the survey efforts, are likely present due to known nearby occurrences and suitable habitats on site. Also, Morro shoulderband snail is potentially present within the sparse chaparral and non-native annual grassland habitats located within the far northwest corner of the Assessment Area. Morro shoulderband snail have been documented by EAM on the two (2) parcels that are adjacent to this area. However, it should be noted that the dense maritime chaparral, and the oak and eucalyptus woodland habitats observed in the upper elevations of the Assessment Area do not provide suitable habitat for Morro shoulderband snail. This has been documented with dozens of surveys conducted over the last 25 years within and around the Assessment Area.

Morro Bay kangaroo rat was identified as potentially present within the general area during the CNDDDB and other database queries conducted for the BRA. This small, nocturnal, burrowing rodent was previously found within open, low-growing coastal sage scrub habitats south and southeast of Morro Bay, within the community of Los Osos. A 2011 and 2021 5-year review conducted by the USFWS concluded that the species may possibly be extinct due to the species having not been observed in the wild since 1986 (USFWS 2011, USFWS 2021). More recent protocol surveys conducted on nearby parcels, including the 48-acre parcel to the west (APNs 074-022-058 and -059) with similar habitats did not observe the species. Since the habitats

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within the Assessment Area are poor quality for Morro Bay kangaroo rat, and the species has not been observed in the wild for nearly 40 years, the species is not expected to occur within the Assessment Area.

Suitable nesting habitat for numerous resident and migratory birds, and raptors is present throughout the Assessment Area.

Many of the other species identified within the BRA as being potentially present within the Assessment Area, such as the bumblebee and bat species, have a low to moderate potential for presence, and their presence could be as a migrant/transient or may only forage within the Assessment Area. Additional surveys would be needed to confirm their presence/absence.

Critical Habitats and Special Status Natural Communities

The Assessment Area was reviewed to determine if it is located within federally-designated critical habitat. It was determined that the parcels are not located within any critical habitat unit, but two (2) critical habitat units for Morro shoulderband snail border the Assessment Area on the northwest and northeast sides. The proposed lot line adjustment will not result in impacts to any critical habitat unit.

Special-status Plant Species

Of the twenty-two (22) special-status plant species identified as potentially occurring within the Assessment area, both Morro manzanita (*Arctostaphylos morroensis*) and sand almond (*Prunus fasciculata var. punctata*) were observed during the current or previous survey efforts. Focused botanical surveys were not conducted as part of this current BRA as the proposed project is a lot line adjustment and this action will not result in any impacts to special-status plant species.

In addition, many individual coast live oak trees and areas of coast live oak woodland were also observed within the Assessment Area. Although oak woodlands are not listed as a sensitive community by the CNDDB, under SB 1334 (Kuehl bill), County governments are responsible for conserving oak woodlands within their jurisdiction. During the CEQA review process, SB 1334 requires County governments to determine if a proposed project would result in the conversion of oak woodland. If conversion would occur, the County is mandated to require implementation of specified mitigation as outlined in an oak woodland management plan. In San Luis Obispo County, oak woodlands are defined as areas containing greater than ten percent (10%) oak canopy cover. The County of San Luis Obispo oak management plan defines conversion as cutting or removing ten (10%) percent or more of the oak woodland canopy or removing more than ten (10) oak trees. No impacts to oak trees or oak woodland will occur from the proposed lot split, any future development on the adjusted parcels could impact oak trees or oak woodland and mitigation for such impacts would be required at that time.

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Discussion

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

As discussed in the setting, the project site contains suitable habitat for a number of sensitive plant and animal species. Accordingly, the LOHCP was prepared as a way to provide a mechanism for property owners to comply with the provisions of the Federal and State Endangered Species Acts regarding the incidental 'take' of four endangered or threatened species whose habitat occurs within the community of Los Osos. These species are:

Morro shoulderband snail (*Helminthoglypta walkeriana*)
 Morro manzanita (*Arctostaphylos morroensis*)
 Morro Bay kangaroo rat (*Dipodomys heermanni morroensis*)
 Indian Knob mountainbalm (*Eriodictyon altissimum*)

The area covered by the LOHCP is shown in Figure 8 and includes a Priority Conservation Area which features large blocks of relatively intact habitat identified as important for long-term viability of the covered species in their respective recovery plans. The project site is entirely within the area covered by the LOHCP and within the Priority Conservation Area.

Property owners who participate in the LOHCP are required to implement a range of measures to avoid and/or minimize the take of covered plants and animal species associated with covered activities to help implement the conservation program. These requirements include compensatory mitigation to offset the unavoidable take/impacts to the covered species associated with new development. For a property within the Priority Conservation Area, the ratio of on-site habitat protection to the area of disturbance is 3:1. In addition, the property owner is charged a restoration and management fee to help offset the ongoing costs of managing protected areas. The LOHCP sets a maximum area of disturbance for each participating parcel of 30,000 square feet. Vacant parcels inside the Priority Conservation Area that are too small to set aside habitat on site to help offset project impacts (i.e., <2.75 acres for the maximum 30,000 sf or 0.69 acres of impacts) must pay the habitat mitigation fee.

Lastly, the FEIR prepared for the LOHCP identifies a number of mitigation measures to minimize impacts associated with implementation of the Plan. These measures apply to all new development activities within the LOHCP area and, in part, set forth procedures that must be followed to protect and conserve the habitats for listed species covered by the LOHCP as well as listed species that are not covered but may be present in the same habitat.

Special-Status Plants

As discussed in the setting, future development to construct residences and access roads on each of the reconfigured parcels may adversely impact Morro manzanita and sand almond. Morro manzanita is one of the plant species covered by the LOHCP. Mitigation measure BIO-1 requires the owner(s) of the reconfigured parcels to conduct seasonally timed preconstruction surveys for listed plant species based on project-specific plans to determine potential impacts and to recommend appropriate mitigation. For federal and State listed species, BIO-2 requires an applicant for land use permits to demonstrate compliance with the federal and State ESA's prior to building permit

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issuance. Impacts to covered plant species may be accomplished by participation in the LOHCP. With implementation of BIO-1 and BIO-2, impacts to special status plant species associated with the future construction of dwellings and access roads on each reconfigured parcel is considered *less than significant with mitigation*.

Special Status Wildlife

As discussed in the setting, several special status wildlife species have the potential to occur on each of the reconfigured parcels that may be directly or indirectly impacted by construction activities and subsequent occupation by residents. These species include, but may not be limited to the following. A site-specific BRA could reveal other listed species on the reconfigured parcels.

Reptiles

Northern California Legless Lizard and Coast Horned Lizard

Northern California legless lizard and coast horned lizard have the potential to occur on each of the reconfigured parcels. Legless lizard and coast horned lizard may be present in areas of loose soils and leaf litter, which are primarily limited to oak woodland habitats. With implementation of mitigation measure BIO-1, these impacts are considered *less than significant with mitigation*.

Mammals

Morro Bay Kangaroo Rat

Potentially suitable habitat for the Fully Protected Morro Bay kangaroo rat is present within a small area located within the far northwest corner of the Assessment Area. However, Morro Bay kangaroo rat is unlikely to be present as protocol surveys conducted on the adjacent parcel to the west in 2020/2021 were negative for the species and the species may possibly be extinct due to the species having not been observed in the wild since 1986. Nonetheless, suitable habitat exists within the project area.

As discussed in the setting, Morro Bay kangaroo rat is one of the two wildlife species covered by the LOHCP. Mitigation measure BIO-1 requires the owner(s) of the reconfigured parcels to conduct preconstruction surveys for listed wildlife species based on project-specific plans to determine potential impacts and to recommend appropriate mitigation. For federal and State listed wildlife species, mitigation measure BIO-2 requires that the property owner demonstrate compliance with the federal and State ESA's prior to building permit issuance. With implementation of BIO-1 and BIO-2, impacts to Morro Bay kangaroo rat associated with the future construction of dwellings and access roads on each reconfigured parcel is considered *less than significant with mitigation*.

Dusky Footed Wood Rat

Woodrat typically inhabit forested areas with dense understories. No woodrat nests were observed in the understory of scrub vegetation during the survey. However, suitable habitat exists on the reconfigured parcels that may be impacted from the future development of each parcel. With mitigation BIO-1, potential impacts to wood rat are considered *less than significant with mitigation*.

Mollusks

Morro Shoulderband Dune Snail (MBDS)

Potentially suitable habitats for MBDS are present within the lower elevations of the project site within the sparse chaparral and non-native annual grassland habitats located within the northwest

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portion of the Assessment Area. Impacts to species from the proposed lot line adjustment will not occur, but future development of the parcels could result in impacts to the species.

MBDS is one of the wildlife species covered by the LOHCP. Mitigation measure BIO-1 requires the owner(s) of the reconfigured parcels to conduct preconstruction surveys for listed wildlife species based on project-specific plans to determine potential impacts and to recommend appropriate mitigation. For federal and State listed wildlife species, BIO-2 requires that the property owner demonstrate compliance with the federal and State ESA's prior to building permit issuance. With implementation of mitigation measures BIO-1 and BIO-2, impacts to MBDS associated with the future construction of dwellings and access roads on each reconfigured parcel is considered *less than significant with mitigation*.

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

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

There are no potential jurisdictional aquatic features, water bodies or ephemeral streams present within the Study Area or within 50 feet of project site, and no potential wetlands. Therefore, there would be *no impact* to riparian or sensitive resources associated with development of future dwellings and access roads on the reconfigured parcels.

- (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?*

There are no vernal pool resources or potential wetlands on the project site or on nearby properties that would be impacted by the future construction of dwellings and access roads on the reconfigured parcels. Therefore, there would be *no impact* to wetland resources associated with the future development dwellings on the reconfigured parcels.

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

Wildlife Corridors

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

Wildlife movement is likely to occur on the project site as it contains large blocks of suitable habitat for various species. The project site provides a throughway for wildlife species to off-site habitat and therefore may function as significant regional movement corridors. However, the future development of residences and access roads on each of the reconfigured parcels will not introduce significant

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features that would be expected to affect wildlife movement through surrounding natural habitats and impacts to wildlife movement are considered *less than significant*.

Migratory Nesting Birds and Sensitive Avian Species

Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the Federal MBTA). Native bird species, protected under the MBTA are likely to nest within the Study Area during the nesting season (generally March 1 through August 15).

Impacts to or take of nesting birds could occur if nests are destroyed by ground or vegetation disturbance activities, or if adults abandon nests due to disruption from construction noise levels or human activity. Migratory non-game native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take (as defined therein) of all native birds and their active nests, including raptors and other migratory non-game birds (as listed under the Federal MBTA).

Therefore, with implementation of Mitigation Measure BIO-1 and BIO-3, these impacts are considered *less than significant with mitigation*.

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

Impacts to, or removal of, mature oak trees (i.e., greater than six inches in diameter at breast height [DBH]) or oak woodland habitat is evaluated under CEQA. As a CEQA Lead Agency, the County of San Luis Obispo currently applies a 4:1 mitigation ratio for removed trees and a 2:1 mitigation ratio for impacted trees.

Impacts to oak trees may include trimming, compaction, or excavation within the critical root zone and placement of year-round or summer watering within the critical root zone. trimming and/or disturbance within the critical root zone of several trees may be required. Impacts to and removal of individual oak trees and oak woodland habitat are protected under CEQA via Senate Bill 1334 (Kuehl Bill) and California Public Resources Code 21083.4.

Based on the location of the reconfigured parcels and potential location of access roads, the construction of future dwellings and access roads on these sites is likely to result in direct and indirect impacts to live oaks.

Therefore, with implementation of Mitigation Measures BIO-3, these impacts are considered *less than significant with mitigation*.

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

As discussed in the setting, the project site is located within the area subject to the LOHCP and an applicant for development of the reconfigured parcels may choose to participate in the Preserve System associated with the LOHCP. With implementation of BIO-1 and BIO-2, potential impacts associated with conflicts with an adopted Habitat Conservation Plan, Natural Community

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Conservation Plan, or other approved local, regional, or state habitat conservation plan would be *less than significant with mitigation*.

Conclusion

Upon implementation of mitigation measures BIO-1, BIO-2 and BIO-3 potential impacts to biological resources associated with future development would be *less than significant with mitigation*.

Mitigation

BIO-1 Biological Resources Assessment. Applications for land use permits for Parcels 1, 2, 3 and 4 shall be accompanied by a project-specific biological resources assessment prepared by a qualified biologist to document the existing biological resources within the project footprint plus a buffer and to determine the potential impacts to those resources. The biological resources assessment shall evaluate the potential for impacts to all biological resources including, but not limited to: special status plant and wildlife species, nesting birds, wildlife movement, sensitive plant communities, and other resources judged to be sensitive by local, state and/or federal agencies. The assessment shall recommend feasible mitigation measures for each identified impact. Depending on the results of the biological resources assessment, design alterations, further technical studies (i.e., protocol and/or pre-construction surveys) and/or consultations with the Service, CDFW, and/or other local, state, and federal agencies may be required.

As part of this evaluation, the biologist shall evaluate whether the LOHCP Preserve System provides suitable habitat and potential mitigation for impacts to any non-covered species. If the applicant chooses to participate in the LOHCP Preserve System, it may be considered for mitigation of impacts to non-covered species only where it provides the appropriate habitats and this approach would not result in conflicts with the needs of the covered species, the primary focus of the reserve.

BIO-2 Compliance With Federal and State Endangered Species Acts. Prior to the issuance of building permits for new development associated with Parcels 1, 2, 3 and 4 the applicant shall provide evidence that the project has complied with relevant provisions of the federal and state Endangered Species Acts which may include, but is not limited to, participation in the Preserve System and associated avoidance and minimization requirements set forth in the Los Osos Habitat Conservation Plan.

BIO-3 Oak Tree Mitigation. Applications for land use permits for Parcels 1, 2, 3 and 4 shall be accompanied by an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. The mitigation plan shall be prepared by a licensed arborist or qualified biologist and shall detail the methods and requirements for oak tree mitigation. For oak tree removals or impacts during project implementation, the applicant shall provide mitigation (on site if feasible) in accordance with the County's guidelines, typically 4:1 for removals and 2:1 for impacted trees. At a minimum, the mitigation plan shall:

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.

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- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee).
- Describe detailed planting methods, as appropriate. Replacement trees shall be of one-gallon size of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least seven years.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.
- The plan shall be prepared by a licensed arborist or qualified botanist and be submitted to the County for approval prior to the start of construction.

Sources

Provided in Exhibit A.

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V. CULTURAL RESOURCES

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

Setting

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

As defined by CEQA, a historical resource includes:

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

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

Planning Area Standards of the Los Osos Community Plan

Chapter 7 of the LOCP sets forth Planning Area Standards (PAS) that apply to all new development within the Plan area. There are no standards that apply to cultural resources.

Discussion

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

The project site has no structures or other improvements associated with an important historical location or event as defined by section 15064.5. Therefore, the LLA and future development on each parcel would result in *no impacts* associated with an adverse change in the significance of an historical resource.

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

A cultural resources investigation was conducted for the project site in 1990 by Charles Dills which is incorporated by reference. The study included a field survey of the project site which revealed no evidence of cultural resources and no investigations of the site or nearby properties. The site is not subject to the Archaeology combining designation.

However, there is always the possibility, however remote, that significant cultural resources could lie buried below the surface within the areas associated with future construction on each reconfigured parcel. Therefore, if artifacts, burials, or other indicators of significant cultural resources are encountered during grading or other earth-moving construction activities, work should stop immediately and a qualified archaeologist should be called to the site to evaluate the find and suggest mitigation measures, if necessary.

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

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

Based on existing conditions and the results of the previous archaeological survey, buried human remains are not expected to be present in the area proposed for development. In the event of an accidental discovery or recognition of any human remains, California State Health and Safety Code Section 7050.5 and CZLUO 23.04.200 (Protection of Archaeological Resources) require that no further disturbances shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. With adherence to State Health and Safety Code Section 7050.5 and County 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

No historic or cultural resources are present on the project site. Adherence with County 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

Provided in Exhibit A.

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VI. ENERGY

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

Setting

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

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

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

Local Energy Plans and Policies

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

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State Building Code Requirements

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2025 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements. While the CBC has strict energy and green-building standards, U-occupancy structures (such as greenhouses used for cultivation activities) are typically not regulated by these standards.

Vehicle Fuel Economy Standards

In October 2012, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA), on behalf of the Department of Transportation, issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO₂) per mile for the fleet of cars and light-duty trucks by the model year 2025.

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

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

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

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-

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Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of oxides of nitrogen (NO_x) and particulate matter (PM) from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Discussion

- (a) *Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*
- (b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Construction Activities

As discussed in the project description, the project will not result in any new grading, construction or ground disturbance. However, each reconfigured parcel could support the future construction of one single family dwelling as well as access roads or driveways. During construction activities for new residences, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. The energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the county. Based on the size and scope of likely building construction, new construction on these parcels would not have the potential to result in adverse environmental impacts through the use of diesel fuel for construction equipment. In addition, project contractors save costs by avoiding the wasteful, inefficient, or unnecessary consumption of energy resources, such as idling. Therefore, potentially significant environmental impacts associated with the consumption of energy resources during construction of new residences would be avoided and project construction activities would not result in a conflict with a state or local plan for renewable energy or energy efficiency. Therefore, project construction impacts associated with energy use would be *less than significant*.

Project Operations

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

The CBC 2022 Building Energy Efficiency Standards include mandatory energy efficiency standards. A new single-family residence is subject to compliance with these standards. Lastly, the new residences will be required to comply with the relevant provisions of the 2025 California Green Building Code and the County of San Luis Obispo's Green Building Ordinance.

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

Fuel Use. Ongoing occupation of residences constructed on each reconfigured parcel would result in fuel use associated with motor vehicle trips generated by residential occupancy of four new dwellings. All vehicles used by residents would be subject to applicable state and federal fuel economy standards and State-mandated smog inspections.

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

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

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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VII. GEOLOGY AND SOILS

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

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project site consists of four contiguous parcels with a total area of 122.49 acres located on a north facing hillside just south of the Cabrillo Estates neighborhood and adjacent to the northerly boundary of Montana de Oro State Park (Figure 1). The parcels contain no structures, wells or other improvements except for a system of unimproved ranch road and informal hiking trails. The topography consists of gently to moderately-sloping terrain covered with dense assemblages of Maritime chaparral and mixed oak woodlands; there are scattered groves of mature eucalyptus trees located on each parcel (see also Figure 10 of Section IV. Biological Resources). The Lot Line Adjustment map (Figure 3) indicates that the average slope for the reconfigured parcels varies from 17 percent to 23 percent. There are no surface water bodies, creeks or ephemeral drainages associated with the project site. There are no rock outcroppings or other geologic features. According to the Geologic Map of the Morro Bay South Quadrangle by Wieggers (2009), the site is underlain by older eolian deposits that have lapped onto bedrock of the Miguelito member of the Pismo formation to the south, with several localized outcrops of Pismo formation distributed across the subject properties. According to maps included in the Safety Element, the project site is located in an area with a low risk of landslides and a low liquefaction potential.

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

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

The CZLUO applies a Geologic Study Area (GSA) combining designation to areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. According to the Los Osos Community Plan, the project site is within a Geologic Study Area (GSA) combining designation associated with the Los Osos Fault which traverses the southern portion of the Los Osos Valley, extending from the eastern boundary of the Estero Planning Area through the community of Los Osos. A 1,000-foot wide zone on either side of the fault trace (Figure 11) has a higher potential for ground rupture during an earthquake.

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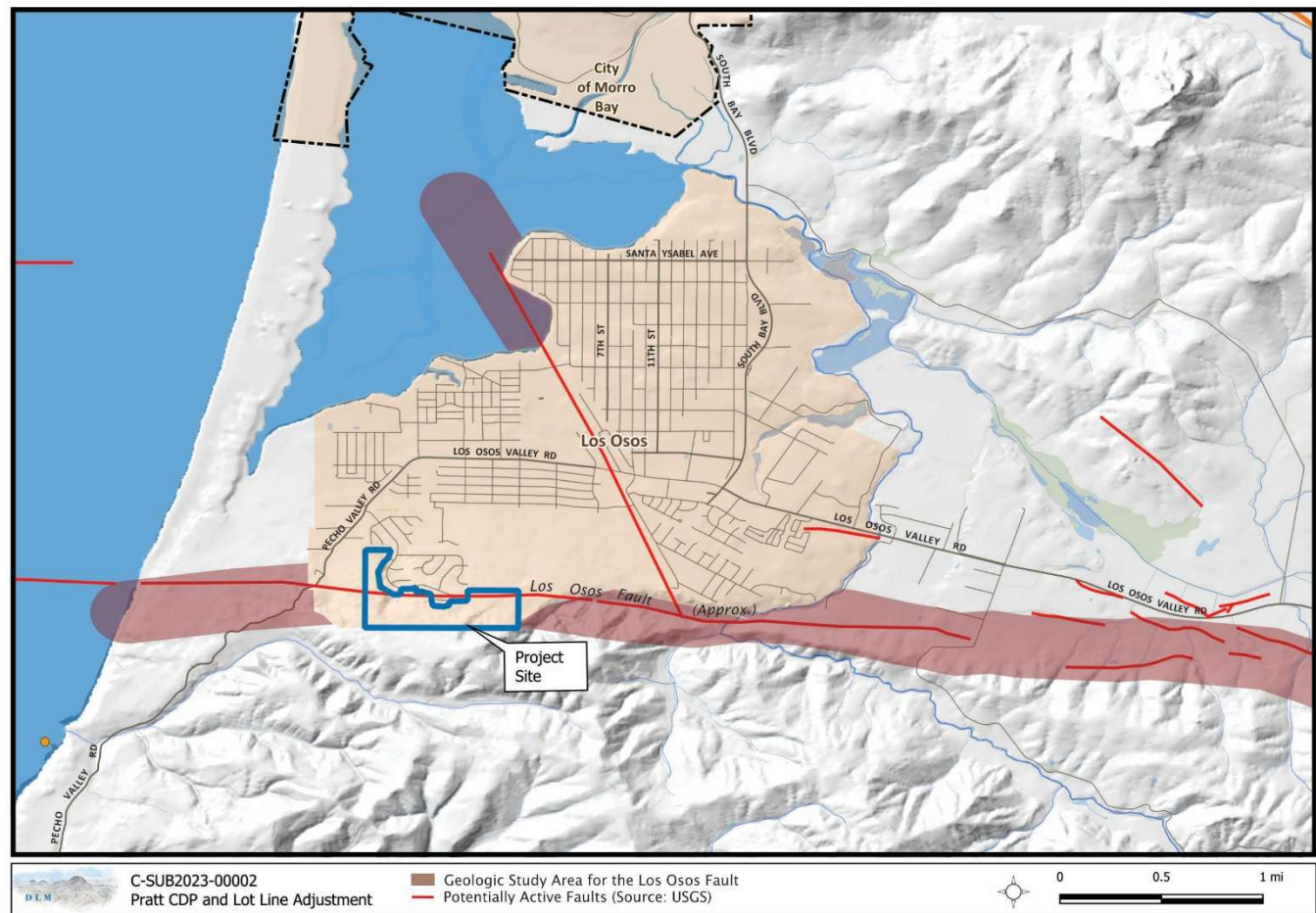


Figure 11 – Geologic Study Area Associated With the Los Osos Fault Zone

CZLUO section 23.07.084 requires applications for new development within a GSA to be accompanied by a report prepared by a certified engineering geologist that identifies, describes and illustrates, where applicable, potential hazard of surface fault rupture, seismic shaking, liquefaction or landslide associated with a project site. Accordingly, a geologic hazards report was prepared for the project site in March, 2025 by Earth Systems Pacific. That study is incorporated by reference and available for review in its entirety at the Department of Planning and Building, 976 Osos Street, San Luis Obispo. The report includes a field reconnaissance by a certified engineering geologist, a review of historical aerial photographs of the site, a review of published maps and reports pertaining to the region and area of the site, and preparation of a report summarizing the regional geologic conditions and potential geologic hazards at the site as required by CZLUO 23.07.084. The report required by CZLUO 23.07.084 is not a geotechnical engineering (soils) report and does not address subsurface conditions at the site or provide engineering parameters such as site response to liquefaction, expansive soils, seismic design criteria, etc., which will be required to fully satisfy the code requirements if development is planned on any of the reconfigured lots in the future.

The following is a summary of the findings and recommendations of that study.

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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.*

A portion of the Los Osos Fault located five miles to the east lies within an Alquist-Priolo Fault Hazard Zone. However, the Los Osos fault may underlie a portion of the project site. As discussed in the setting, the portion of the Los Osos Fault that underlies the community of Los Osos has been included within a Geologic Study Area for a portion of the Los Osos fault, mapped as an inferred trace trending east-west on several geologic maps published by different agencies (Lettis & Hall 1994, Wiegers 2009, SLOCO 2025).

According to the geologic hazards study, there are recent examples of previously unknown faults rupturing the ground surface, most notably during the Ridgecrest earthquakes that occurred in July 2019. The indications at the site are that the potential for surface faulting is low, but there is some possibility for ground rupture in the area containing reconfigured parcels 1, 2 and 3, given the proximity to a Holocene-active fault. Therefore, mitigation measure GEO-1 is recommended which requires a geotechnical investigation to be completed for each future building site to determine the presence or absence of the fault as well as to provide recommendations for ensuring future development complies with relevant construction codes. With mitigation GEO-1, potential impacts associated with rupture of a known earthquake fault is considered *less than significant with mitigation*.

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

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

As discussed above under item a-i, the Los Osos fault may underlie a portion of the project site in the areas where parcels 1, 2 and 3 are proposed. All new structures constructed on the project site will be subject to the seismic risk standards of the CBC and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. Implementation of the project in compliance with relevant construction codes in addition to mitigation measure GEO-1 would ensure the exposure of people or structures to significant increased risks associated with seismic ground shaking are *less than significant with mitigation*.

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

Based on the Safety Element Liquefaction Hazards Map, the project site is located in an area with a low potential for liquefaction. The geologic hazards study concurs with this conclusion and assumes groundwater is not likely present within 50 feet of surface. The potential for liquefaction and/or lateral spreading on the project site is low.

In addition, all future development will 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*.

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(a-iv) *Landslides?*

The site is underlain by older eolian deposits which are wind-blown sand that has lapped onto the Irish Hills to the south. Although these deposits have undergone some degree of soil development and are vegetated, the sandy deposits are prone to shallow surficial soil slumps and mud flows on steeper slopes. The County has mapped areas within the subject properties as high potential for landslides as shown on the County's Landslide Map. The occurrence of isolated outcrops of Pismo formation bedrock across the subject properties may be indicative of an ancient deep-seated landslide that has been partially buried by the migrating sand dunes. Although an ancient landslide that has subsequently been partially buried by sedimentary processes does not present a landslide hazard it may have implications to the location of the Los Osos fault, if this geomorphology represents an ancient landslide.

Therefore, a geotechnical investigation must be prepared for each building site to determine slope stability based on site-specific construction plans. With mitigation GEO-1, the potential impacts would be *less than significant with mitigation*. In addition, the project will be conditioned to comply with CBC building requirements.

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

Construction of a new dwelling within each of the reconfigured parcels would result in approximately 2.75 acres of site disturbance and an unknown quantity of cut and fill. During site preparation and grading/leveling activities for a new dwelling and access road, there would be a potential for erosion to occur.

Section 23.05.036 of the CZLUO requires that a sedimentation and erosion control plan be prepared for new development that includes specific Best Management Practices (BMPs) to be employed to control sedimentation and erosion. These mandatory BMPs include, but are not limited to, the following:

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

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

In addition, future construction on each reconfigured parcel may be subject to Regional Water Quality Control Board (RWQCB) requirements for preparation of a Storm Water Pollution Prevention Plan (SWPPP) which may include the preparation of a Storm Water Control Plan to further minimize

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on-site erosion. Upon implementation of the recommended BMPs, impacts related to soil erosion would be *less than significant*.

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

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

Future development will be required to comply with the CBC standards designed to significantly reduce potential risks associated with unstable earth conditions as identified by a geotechnical study as required by mitigation measure GEO-1. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse would be *less than significant with mitigation*.

- (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?*

Future development will be required to comply with applicable CBC standards designed to reduce potential risks associated with expansive soils. Therefore, potential impacts associated with expansive soil would be *less than significant*.

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

Future development will be required to demonstrate to the Environmental Health Department that soils are capable of accommodating a septic leach field to serve the new dwelling. Therefore, as conditioned, the project will have a *less than significant* impact associated with soils incapable of adequately supporting the use of septic tanks.

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

As discussed in the project description, no new development is proposed with the LLA. However, the Estero Area Plan sets forth urban area standards for the community of Los Osos which includes standards for development in areas suspected to be rich in paleontological resources. These standards require new development in such areas to be accompanied by a pre-construction survey to determine the significance of paleontological resources and procedures to be followed to protect such resources. Figure 7-45 of the Area Plan depicts areas with known sensitivity for paleontological resources which includes portions of the project site. Future development associated with the reconfigured parcels will be conditioned to provide a paleontological survey prior to construction as required by planning area standard O.1. of the Estero Area Plan. Therefore, potential impacts to paleontological resources would be *less than significant*.

Conclusion

The project site has a low potential for liquefaction and some areas are mapped as high potential for landslides. The project site is located within a GSA combining designation for the Los Osos fault zone and may be subject to significant geologic hazards associated with this fault. Based on the preceding analysis, with incorporation of mitigation measure GEO-1 and compliance with the relevant provisions of the CBC, potential impacts associated with geology and geologic hazards affecting the future development of the reconfigured parcels is considered *less than significant with mitigation*.

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Mitigation

GEO-1 Geotechnical study. Applications for land use permits for Parcels 1, 2, 3, or 4, shall be accompanied by a report satisfying the requirements set forth in CZLUO Section 23.07.084 and prepared by a certified engineering geologist. In addition to the requirements described in CZLUO section 23.07.084 a. through d., the report shall include an investigation for traces of the Los Osos fault within the project site area and shall provide project-specific engineering design recommendations which shall be implemented during project design and construction.

Sources

Provided in Exhibit A.

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VIII. GREENHOUSE GAS EMISSIONS

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

Setting

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

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

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

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

The initial Scoping Plan was approved by CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB 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.

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

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

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

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

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

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EnergyWise Plan

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

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

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

Discussion

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

The California Energy Emissions Model (CalEEMod, 2022) was utilized to estimate the project's annual construction related and operational carbon dioxide equivalent emissions in metric tons (MTCO_{2e}, Table 6) assuming a new dwelling is constructed on each parcel. The estimated emissions were then compared with the interim threshold of 690 MMTCO_{2e} per year to determine significance.

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Table 6 – Operational GHG Emissions

Project Component	Quantity	Emissions Rate (Annual MTCO ₂ e/)		Estimated Projected Annual Increase In CO ₂ Emissions (MT/year) Without Mitigation ¹
		Construction	Operation	
Single Family Residences	4	7.48	47.2	54.68

Sources: County of San Luis Obispo Department of Planning and Building, 2023, CalEEMOD version 2022

Notes:

1. CalEEMOD CalEEMOD version 2022. Assumes one new dwelling is constructed on each parcel.

As shown in Table 6, project-related GHG emissions will be well below the 780 MTCO₂e interim threshold for a completion year of 2027. As stated above, a project estimated to generate less than 780 MTCO₂e GHG is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

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

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

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

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

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Supporting Action	Project Consistency
Require the use of energy-efficient equipment in all new development, including but not limited to Energy Star appliances, high-energy efficiency equipment, heat recovery equipment, and building energy management systems.	All new energy using fixtures associated with each new dwelling must satisfy current energy efficiency requirements.
Encourage new projects to provide ample daylight within the structure through the use of lighting shelves, exterior fins, skylights, atriums, courtyards, or other features to enhance natural light penetration.	Future dwellings will be subject to current building codes relating to energy efficiency.
Minimize the use of dark materials on roofs by requiring roofs to achieve a minimum solar reflectivity index (SRI) of 10 for high-slope roofs and 64 for low-slope roofs (CALGreen 5.1 Planning and Design).	

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

The RTP includes the region's SCS and outlines how the region will meet or exceed its GHG reduction targets by creating more compact, walkable, bike-friendly, transit-oriented communities, preserving important habitat and agricultural areas, and promoting a variety of transportation demand management and system management tools and techniques to maximize the efficiency of the transportation network. The RTP and SCS provide guidance for the development and management of transportation systems county-wide to help achieve, among other objectives, GHG reduction goals. The RTP/SCS recommend strategies for community planning such as encouraging mixed-use, infill development that facilitate the use of modes of travel other than motor vehicles. The project consists of a LLA that could support the construction of four new dwellings. Therefore, the RTP actions are not applicable.

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

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California Air Resources Board (CARB) 2022 Scoping Plan. Pursuant to AB 32, the California Air Resources Board (CARB or Board) prepared and adopted the initial Scoping Plan to “*identify and make recommendations on direct emissions reductions measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives*” in order to achieve the 2020 goal, and to achieve “*the maximum technologically feasible and cost-effective GHG emissions reductions*” by 2020 and maintain and continue reductions beyond 2020. AB 32 requires CARB to update the Scoping Plan at least every five years.

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

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

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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

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Setting

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

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

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

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

Discussion

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

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

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

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

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

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

Oils, gasoline, lubricants, fuels, and other potentially hazardous substances may be used and temporarily stored onsite during future construction activities associated with each parcel. A spill or leak of these materials under accident conditions during construction activities could create a potentially significant hazard to the surrounding environment.

Through required compliance with CalFire and County standards potential operational hazards associated with the future use of hazardous materials onsite would be effectively minimized. Therefore, potential impacts associated with hazards to the public or the environment through reasonably foreseeable upset or accident conditions would be *less than significant*.

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

The closest school facility is located approximately 3 miles to the north of the project site. Therefore, the project site is not located within 0.25 mile of an existing or proposed school; therefore, *no impacts* would occur.

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

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

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

The nearest airstrip in proximity to the project site is the San Luis Obispo County Regional Airport located approximately 15 miles to the east. The project site is not located within an Airport Review designation or adjacent to a private airstrip. The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impacts* would occur.

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

The project may require temporary road closures to construct new dwellings on each parcel. However, any road closures would be required to be designed to accommodate emergency vehicle

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access. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, impacts would be *less than significant*.

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

The project is in an urban area of the County and about five miles from the Fire Station No. 15 in Los Osos. Future development on each reconfigured parcel will be conditioned to implement building and site improvements in accordance with the Fire Code, as determined by CalFire. Therefore, potential impacts associated with the future exposure of people or structures to significant risk involving wildland fires would be *less than significant*.

Conclusion

The project may include the use of potentially hazardous materials during construction. Compliance with CalFire and County standards will ensure that potential impacts associated with hazards and hazardous materials would be *less than significant*.

Mitigation

None are required.

Sources

Provided in Exhibit A.

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X. HYDROLOGY AND WATER QUALITY

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

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Setting

The topography consists of gently to moderately-sloping terrain covered with dense assemblages of Maritime chaparral and mixed oak woodlands; there are scattered groves of mature eucalyptus trees located on each parcel (see also Figure 10 of Section IV. Biological Resources). The Lot Line Adjustment map (Figure 3) indicates that the average slope for the reconfigured parcels varies from 17 percent to 23 percent. Assessor parcels 074-021-043 and 074-482-051 consisting of 4.0 total acres are encumbered by an open space easement recorded in 1989. There are no surface water bodies, creeks or ephemeral drainages associated with the project site.

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

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

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

There are three water purveyors serving the community of Los Osos: The Los Osos Community Services District (Baywood only), the S&T Water Company and the Golden State Water Company (GSWC) which serves portions of the project (Figure 6). The GSWC is a *mutual water company* which is a private, non-profit corporation that provides water services to shareholders (often property owners) at cost. According to the LOCP, all of the domestic drinking water in Los Osos is extracted from the Los Osos Groundwater Basin. The County's Resource Management System (RMS), has assigned a Level of Severity III to the basin which means that the basin is at, or approaching, overdraft conditions. Water quality issues facing the basin include nitrate contamination in the upper aquifer from septic systems and seawater intrusion due to over-extraction from the lower aquifer. The basin was adjudicated in 2015 (*Los Osos Community Services District v. Golden State Water Company et al*) which resulted in a stipulated judgement. According to the judgement, the sustainable yield of the basin is assumed to be 2,400 acre feet per year which is allocated among different

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“pools” of groundwater reflecting the different users of the basin. The three domestic water purveyors serving Los Osos are included in the “Purveyor Pool” which is allocated a total of 1,430 AFY, or about 60 percent of the sustainable yield. These allocations are reviewed annually based on a calculation of the sustainable yield for the current year, which in turn is used to inform the growth rate for the current year in accordance with the County’s Growth Management Ordinance (Title 26 of the County Code). For example, in December, 2025, the Board of Supervisors approved a maximum annual allocation for new dwellings in the community of Los Osos for calendar year 2026 of 0.4 percent (25 dwelling units) within the urban reserve line. The growth rate in future years will be based on a five-year rolling average of the most recent annual basin yield metric as reported by the Los Osos Groundwater Basin Management Committee.

The stipulated judgement also requires the County and the community’s three water purveyors to cooperate on the development of a Basin Plan which was released in 2015. The Basin Plan calls for a series of water conservation, water reuse, management, and infrastructure programs to be implemented over time to ensure the long-term sustainability of the basin. The intensive water conservation program includes greywater reclamation, reuse of treated wastewater, and stormwater retention and infiltration.

The County uses the Growth Management Ordinance to ensure that the pace, quantity, and type of new development accommodated by the LOCP does not further impact the basin and remains within the sustainable yield.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The Safety Element of the County of San Luis Obispo General Plan establishes policies to reduce flood hazards and reduce flood damage, including, but not limited to, prohibition of development in areas of high flood hazard potential, discouragement of single-road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas.

Discussion

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

As discussed in the project description, no new development is proposed with the LLA. However, the Lot Line Adjustment map (Figure 4) identifies potential building sites for Parcels 1, 2 and 3 as well as a roadway reservation for a future access road extending eastward from the southern terminus of Rodman Avenue. Assuming all four reconfigured parcels participate in the mitigation program provided by the LOHCP, each parcel could have a maximum allowable area of disturbance of 30,000 sq.ft. and an unknown quantity of cut and fill.

Future grading for an access road, building sites and other ground disturbing activities associated with the future construction of roadways and residences could result in runoff from each site that adversely impacts surface or groundwater quality. Accordingly, future development will be required to prepare and implement a sedimentation and erosion control plan to minimize the potential for soil erosion, which will be subject to the review and approval of the County Building Division in accordance with CZLUO Section 23.05.036. The erosion and sedimentation control plan must set forth measures to minimize potential impacts related to erosion and will include requirements for specific erosion control materials, setbacks from creeks, and siltation. In addition, the project is located outside of a stormwater management area (MS4) and construction of a new dwelling and associated improvements will likely disturb an area greater than 1.0 acre, therefore, the project will be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) by a

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qualified SWPPP developer in order to demonstrate compliance with the Federal Clean Water Act which prohibits certain discharges of stormwater containing pollutants.

The project was referred to the Stormwater Program Manager for review and comment. The response letter of January 31, 2024 (Anthony Schuetze) states that future development will be required to provide a site-specific drainage and erosion control plan incorporating appropriate Best Management Practices during construction activities.

Future development of each parcel will be conditioned to require all potentially hazardous materials to be stored, refilled, and dispensed on-site in full compliance with applicable County Department of Environmental Health standards, and compliance with existing County and state water quality, sedimentation, and erosion control standards. Therefore, future development would not result in a violation of any water quality standards, discharge into surface waters, or otherwise alter surface water quality; therefore, impacts would be *less than significant*.

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

As described in the setting, the project site is partially located within the service area of the Golden State Water Company (GSWC) (Figure 6) which derives all of its supplies from the Los Osos groundwater basin. As discussed in the setting, portions of the project site are located within the service area of the Golden State Water Company (Figure 6). However, reconfigured Parcels 1, 2 and 3 are not.

The project was referred to the GSWC for review and comment. In their referral response (e-mail from Abe Khalil, February 27, 2026) the GSWC had no comments or concerns with the project which suggests that they have the capacity to serve the four new dwellings that may be constructed on the reconfigured parcels, assuming the property owner applies for, and receives, an allocation in accordance with Section 26.01.070 of the County Code.

The GSWC is a mutual water company and is therefore not subject to the oversight and approval of service area boundary changes by the Local Agency Formation Commission (LAFCo). The project was referred to LAFCo for review and comment. In their referral response letter dated March 19, 2026, it was noted that the project does not fall within the purview of LAFCo and therefore no comments were provided (Rob Fitzroy, Executive Officer).

The project was also referred to the Environmental Health Department (EHD) for review and comment. In their response dated January 18, 2024, (letter from Jeremiah Damery, REHS) EHD requires that any existing utility systems (if any) have legally approved permits and that new construction must satisfy approved setbacks from property lines. New utilities must be located on the parcel containing the structure being served.

Overall, project impacts to groundwater supplies are considered *less than significant* because:

- No new development is proposed at this time and future development will be subject to project specific environmental review at which time project specific water demand and associated impacts will be assessed. However, water demand associated with the development of four single family dwellings on the reconfigured parcels is estimated to be about 0.8 AFY per dwelling (a total of 2.4 AFY) including domestic use and irrigation of ornamental landscaping. This equates to about 0.17 percent of the total water allocated to water purveyors under the stipulated judgement.

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- The development of each reconfigured parcel will also be subject to the permit allocation provisions of the County's Growth Management Ordinance. The allocation of residential building permits for Los Osos is based on a current calculation of the sustainable yield of the groundwater basin.
- Dwellings constructed on each lot will be subject to the water conservation provisions of the Basin Plan adopted in 2015.

(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?*

As discussed above under item (a.) the project is located within a County of San Luis Obispo Municipal Stormwater Management Area (MS4 Coverage Area); however, compliance with the Central Coast Post-Construction Requirements (Resolution R3-2013-00032) may also be required. At the time of application for construction permits for new dwellings in each reconfigured parcel, the applicant will be required to complete a Stormwater Control Plan (SWCP) Application and supporting documents or Stormwater Post Construction Requirements Waiver Request Form.

Upon implementation of the stormwater control plan, as well as compliance with the standards required by the CZLUO and RWQCB, project impacts would be *less than significant*.

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

According to the Safety Element Flood Hazard Map, no portions of the project site are within an area affected by the 100-year or 500-years storms.

Construction of new dwellings on each parcel will result in an increase in impervious surfaces and a corresponding increase in surface runoff. Future development will be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site.

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

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

The construction of a new residence on each parcel may be subject to post-construction stormwater requirements through preparation and implementation of a SWPPP, which would identify appropriate Best Management Practices to capture and treat runoff before it leaves the site. Based on required compliance with applicable state and County drainage and stormwater control regulations, as well as implementation of the Preliminary Stormwater Control Plan, impacts associated with future development would be *less than significant*.

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

Based on the Safety Element Flood Hazard Map, no portions of the project site are located within a 100-year flood zone. Therefore, *no impacts* would occur.

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

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

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

As discussed in the setting and under item a), above, future development of each parcel will be subject to the applicable provisions of the Basin Plan prepared for the Los Osos Groundwater Basin. In addition, new development will be required to comply with relevant permitting of the RWQCB. New dwellings constructed on each parcel will be served by a new septic leach field constructed to County standards. Therefore, potential impacts associated with conflict or obstruction of a water quality control plan or sustainable groundwater management plan would be *less than significant*.

Conclusion

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

Mitigation

None are required.

Sources

See Exhibit A.

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XI. LAND USE AND PLANNING

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

Setting

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

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

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

The project site is located within the area governed by the Los Osos Community Plan and the Estero Area Plan. In addition, the project site is subject to the Sensitive Resource Area, Coastal Appealable Zone, Terrestrial Habitat and Geologic Study Area combining designations.

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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 LLA would result in reconfigured parcels that are consistent with the general level of development within the project vicinity and would not create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *impacts would be less than significant*.

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

Consistency With the Coastal Zone Land Use Ordinance

As described in CZLUO Section 23.04.021, the minimum parcel size in the Residential Suburban land use category is determined by characteristics of the terrain (ie, slope) and the type of water and wastewater disposal facilities to be used. For parcels subject to the Geologic Study Area combining designation with slopes between 16 and 30 percent, served by a community water supply, and on-site septic system, the minimum parcel size is 2.5 acres. As described in the project description, each lot will exceed 3.0 gross acres in size consistent with these standards.

Consistency With Real Property Division Ordinance

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

Consistency With the County's Growth Management Ordinance

Each year the Board of Supervisors sets a maximum limit for new residential permits that may be issued within the Urban Reserve Line for Los Osos in accordance with the County's Growth Management Ordinance (Title 26). The project site is within the Los Osos Urban Reserve but lies outside the Urban Services Line (USL) and wastewater service area. Therefore, each reconfigured parcel is eligible to apply for a building permit allocation, assuming water and wastewater services can be provided.

Consistency With the Estero Area Plan – Planning Area Standards

As discussed in the setting, the project site is subject to the following combining designations:

Sensitive Resource Area/Terrestrial Habitat/ESHA

As discussed in Section IV. Biological Resources, each of the reconfigured parcels supports critical habitat for listed plant and animal species. The project site lies within the area covered by the LOHCP which provides a streamlined mechanism for property owners to comply with the Federal and State Endangered Species Acts in the pursuit of lawful use of their properties. With mitigation measures BIO-1 and BIO-2, future development of the reconfigured lots will be required to demonstrate compliance with the ESAs prior to application for a building or grading permit for each parcel. The LOHCP is discussed in greater detail in the Baseline Conditions and in Section IV. Biological Resources.

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Coastal Appealable Zone

The project site lies within the portion of the Coastal Zone where discretionary actions may be appealed to the California Coastal Commission.

Geologic Study Area

As discussed in Section VII. Geology and Soils, the project site may be underlain by portions of the Los Osos Fault which is considered active. Compliance with mitigation measure GEO-1 will ensure compliance with the requirements of the Geologic Study Area designation.

Policies and Programs of the General Plan Housing Element

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

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

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

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

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

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

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

In accordance with State law, the Housing Element must be updated every eight years. For each Housing Element cycle, the State Department of Housing and Community Development produces a Regional Housing Needs Allocation for the county which is then distributed among the County and the seven incorporated cities by the Council of Governments (SLOCOG). According to the 2019 Regional Housing Needs Assessment, the methodology for making these allocations is based on a jurisdiction’s proportional share of population and jobs and is aimed at improving the intraregional jobs/housing imbalance. The share of dwelling units allocated to the unincorporated county is provided below by income category:

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

Source: 2020-2028 Housing Element, Table 4.1.

The Housing Element provides an assessment of vacant land within the urban areas of the unincorporated county to demonstrate that there is sufficient land designated for housing development to construct the County’s projected Regional Housing Need of 3,256 units. The analysis

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

- The analysis is intended to demonstrate the feasibility of meeting the County's Regional Housing Need, only, and does not include all of the vacant land designated for residential development within the unincorporated county. And,
- Although the analysis identifies a number of sites where the construction of affordable housing is feasible, it does not identify specific communities or sites where affordable housing *must* be constructed to meet the Regional Housing Need. Rather, the provision of affordable housing is considered a regional problem to be solved throughout the unincorporated county. As a result, Housing Element strategies aimed at achieving the County's Regional Housing Need may not address the 'affordability gap' within a given unincorporated community.

The project is consistent with the residential density allowable within the Residential Suburban land use category and no new parcels will be created. Therefore, the project will result no net increase in residential development potential and will have a neutral affect on the County's efforts to achieve its regional fair share of market-rate housing consistent with the goals, policies and programs of the Housing Element.

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

Conclusion

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

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

Mitigation

Implement mitigation measures BIO-1, BIO-2 and BIO-3 and GEO-1.

Sources

Provided in Exhibit A.

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XII. MINERAL RESOURCES

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

Setting

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

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

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

The 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 California PRC Sections 2710 et seq. (SMARA); and
3. Major public utility electric generation facilities exist or are proposed.

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

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Discussion

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

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

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

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

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

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

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XIII. NOISE

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

Setting

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

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

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

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

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

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

Table 7 -- Maximum allowable exterior noise level standards⁽¹⁾

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

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

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

The existing ambient noise environment is characterized by traffic on Rodman Drive and sounds associated with home ownership within the Cabrillo Estates neighborhood. The nearest sensitive receptors are offsite residences located less than 1,000 feet to the west and north of potential construction areas.

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

Discussion

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

Construction Impacts. According to the 2005 Federal Highway Administration's Roadway Construction Noise Mode Database, noise associated with heavy construction equipment can range from about 73 to 101 dBA for non-impact equipment. Noise levels 50 feet from stationary equipment can range from 68 to 88 dBA, with. Table 8 provides an estimate of noise generated by temporary construction activities that may be used for construction of new dwellings on each of the reconfigured parcels.

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Table 8 -- Estimate of Noise From Construction Equipment

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

Notes:

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

As shown in Table 8, construction related noise associated with building a dwelling on parcels 1, 2 and 3 would likely temporarily exceed the maximum hourly daytime levels allowed by the County's noise standards at the nearest property lines. This 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 and that construction equipment be equipped with appropriate mufflers recommended by the manufacturer. Compliance with these standards would ensure short-term construction noise would be *less than significant*.

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

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

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

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

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

The nearest airstrip in proximity to the project site is the San Luis Obispo County Regional Airport located approximately 15 miles to the east. The project site is not located within an Airport Review designation or adjacent to a private airstrip. The project site is not located within or adjacent to an airport land use plan or within 2 miles of a public airport or private airstrip; therefore, *no impact would occur*.

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Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XIV. POPULATION AND HOUSING

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

Setting

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

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

Discussion

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

The project proposes the reconfiguration of four parcels and will result in no net increase in development potential. However, each new dwelling could accommodate one residence that would be occupied by about three persons each. Employed residents would not require new or additional housing as a result of the proposed project. The project would not generate new employment opportunities that would encourage population growth in the area. The lot line adjustment does not include the extension or establishment of new roads, utilities, or other infrastructure to the site that would induce development and population growth in new areas. However, the easterly extension of Rodman Avenue will be required to serve the development of parcels 1, 2 and 3, only, and will terminate in a hammerhead-type turnaround to accommodate emergency vehicles. In addition, future development of each parcel may be subject to inclusionary housing fees to offset any potential increased need for housing in the area. Therefore, the project would not directly or indirectly induce substantial growth and 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, impacts would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

Sources

Provided in Exhibit A.

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

Setting

Fire protection services for this area are provided by CalFire/County Fire Department. Emergency personnel would be able to reach the site within less than 5 minutes of receiving a call from Station 15 located in Los Osos.

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

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

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

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public services. A public facility fee program (i.e., development impact fee program) has been adopted to

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

Discussion

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

Fire protection?

The future construction of new dwellings and access roads will be subject to project specific environmental review and will be conditioned to comply with all applicable fire safety rules and regulations, including the California Fire Code and California PRC, which require access roads to accommodate emergency vehicle access, vegetation clearing or trimming around all existing and proposed structures. Future development will be conditioned to implement all requirements identified by CalFire as detailed in their referral response letter of February 13, 2024 (Kevin McClean, CalFire), including items to be completed prior to final inspection/operation, but not limited to implementation of a fire safety plan. Construction of a new dwelling on each reconfigured parcel would not create a significant new demand for fire services. In addition, the future development of each parcel will be subject to public facility fees to offset the increased cumulative demand on fire protection services. Therefore, impacts would be *less than significant*. Additional information regarding wildfire hazard impacts is discussed in Section XX, Wildfire. Additional information regarding fire related hazard impacts is discussed in Section IX, Hazards and Hazardous Materials.

Police protection?

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

Schools?

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

Parks?

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

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Other public facilities?

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

Conclusion

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

Mitigation

None are necessary.

Sources

Provided in Exhibit A.

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XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Parks and Recreation Element (Recreation Element) of the County of San Luis Obispo General Plan establishes goals, policies, and implementation measures for the management, renovation, and expansion of existing parks and recreation facilities and the development of new parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. The nearest public parks to the project site are located in the community of Los Osos about 2 miles to the north and Montana De Oro State Park which is adjacent to the south.

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 be conditioned to provide land, amenities, or facilities consistent with the Recreation Element.

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years. 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 will result in the reconfiguration of four contiguous parcels. A new dwelling constructed on each parcel could be occupied by as many as three persons who would slightly increase the demand for parks and recreation. Therefore, the project would not result in substantial growth

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within the area and would not substantially increase demand on any proximate existing public neighborhood or regional park or other recreational facilities.

The project is not proposed in a location that would affect any existing public trail, park, recreational facility, and/or natural area.

The project was referred to the County Parks Department for review and comment. In their response (e-mail from Elizabeth Kavanaugh, April 16, 2024) the Parks Department is recommending that a 15 foot wide trail easement over the project site to be approved by County Parks if a nexus can be found between the project and the need for the trail easement.

Payment of standard development impact fees would ensure any incremental increase in use of existing parks and recreational facilities would be reduced to *less than significant*.

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

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

Conclusion

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

Mitigation

None are necessary.

Sources

Provided in Exhibit A.

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XVII. TRANSPORTATION

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

Setting

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

The County has established Level of Service (LOS) "C" or better for rural roadways. The project site is currently undeveloped and generates no traffic. The project site is served by Rodman Drive, a County-maintained collector. The project site is not located in an adopted Road Impact Fee area.

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

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

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

Discussion

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

The project does not propose the substantial temporary or long-term alteration of any proximate transportation facilities. Motor vehicle trips associated with the future construction of a dwelling on each parcel are expected to be about 9.6 additional trips per day per dwelling (about 40 total trips per day). Construction activities will require temporary construction trips to and from the site.

Future development of each parcel would not noticeably impact traffic operations on Rodman Drive or Pecho Valley Road, County-maintained collector and arterial, respectively, and is not expected to reduce levels of service on nearby roads, conflict with adopted policies, plans or programs for transportation, and would not cause congestion on the local circulatory network. Future development of each reconfigured parcel is not expected to generate significant foot or bicycle traffic, or generate significant public transit demand and would have a *less than significant* impact on levels of service/conditions for these 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 or reduce the Level of Service below LOS "C". 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 2023 RTP. Therefore, potential impacts would be *less than significant*.

The project was referred to the Public Works Department for review and comment; their response (letter of May 14, 2025 from James Cooper, County Surveyor) did not identify any significant traffic impacts and no mitigation measures above what are already required by existing regulations are necessary. Therefore, project impacts associated with a conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities are considered *less than significant*.

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

Section 15064.3 of the CEQA Guidelines requires that a CEQA compliance document include an assessment of whether a project would generate potentially significant levels of VMT. To assist in these efforts, the County of San Luis Obispo has developed new Transportation Impact Analysis

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Guidelines (TIAG) (March 2021) that include thresholds of significance for VMT as well as screening criteria and methodologies for performing VMT analysis.

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

Map Based Screening. The TIAG includes two maps that depict areas of the unincorporated county where residential and work-based projects would generate an average VMT that is 15% below (or lower than) the baseline VMT metric (or 85% of the baseline or lower) and would therefore not require a VMT analysis. According to Figure 1 of the TIAG screening maps, the project site is located within one of these areas identified for the community of Los Osos. Therefore, VMT impacts associated with future development of each parcel is considered *less than significant* and *less than cumulatively considerable*.

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

No new development is proposed at this time. Future development of each parcel will be subject to project-specific environmental review to assess potential traffic safety issues. However, parcels 1, 2 and 3 are located along the easterly extension of Rodman Drive adjacent to the Cabrillo Estates neighborhood. This would appear to be a logical extension of the existing roadway and would not create any new traffic-related hazards.

A project referral package was sent to the Public Works Department; in their response letter of May 14, 2025, the Public Works Department did not raise any concerns regarding the future development of each reconfigured parcel. Therefore, project impacts related to traffic hazards are considered *less than significant*.

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

Future development of each parcel will be conditioned to construct all roadways and access improvements consistent with County standards. Future development is not expected to 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. Future development would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, the project would not adversely affect existing emergency access and impacts would be *less than significant*.

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XVIII. TRIBAL CULTURAL RESOURCES

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

Setting

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

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the CRHR; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of California PRC Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth California PRC Section 5024.1(c).

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

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

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 project site does not possess any natural or human-produced features that are normally associated with the native peoples of the central coast of California. The site is not subject to the Archaeology combining designation and there are no known resources on surrounding properties. And lastly, no development is proposed with the parcel map.

The project site does not contain any known tribal cultural resources that have been listed or have been found eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1.

However, there is always the possibility that significant cultural resources could lie buried below the surface. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to CZLUO requirements for Archaeologically Sensitive Areas, which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, there would be *no impact* related to a substantial adverse change in the significance of tribal cultural resources.

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

As discussed in Section V. Cultural Resources, the project site was subject to a cultural resources investigation in 1990 (Charles Dills) that resulted in no findings of significance. In addition, the project site does not contain features typically associated with cultural resources in the areas of disturbance.

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As described in the Section V. Cultural Resources, the project will result in no land disturbance that could adversely impact native resources. Therefore, outreach for consultation to tribal representatives was not required in accordance with AB 52 Cultural Resources.

However, there is always the possibility that significant cultural resources could lie buried below the surface. If human remains are discovered during future construction, work must stop at the discovery location and any nearby area suspected to contain human remains (California Public Resources Code [PRC] 7050.5). The San Luis Obispo County Coroner must be contacted to determine whether the cause of death should be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (PRC 5097). The coroner will contact the NAHC. The NAHC will contact the most likely descendant (MLD) who will be afforded the opportunity to recommend means for treatment of the human remains following protocols in PRC 5097.98.

Compliance with existing regulations (CZLUO 23.05.040) would reduce potential impacts to *less than significant*.

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

The Department of Public Works is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must obtain coverage under the SWRCB’s

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Construction General Permit. PG&E is the primary electricity provider and both PG&E and SoCalGas provide natural gas services for urban and rural communities within the county. The project's energy needs would be provided by PG&E.

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

Discussion

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

Water Supply

As discussed in Section X. Hydrology and Water Quality, portions of the project site lie within the service area of the Golden State Water company which derives all of its supplies from the Los Osos Groundwater Basin which in turn is subject to the requirements of the Los Osos Groundwater Basin Plan. Future development will be subject to project-specific environmental review and will be subject to the water conservation measures of the Basin Plan.

The project was referred to the Environmental Health Department for review and comment. In their response (e-mail of February 6, 2024 from J. Damery), the EH Department did not identify any issues regarding water supply.

Therefore, impacts would be *less than significant*.

Wastewater

Each new dwelling constructed on the reconfigured parcels will require the construction of a new septic leach field. The project was referred to the Environmental Health Department for review and comment. In their response (e-mail of February 6, 2024 from J. Damery), the EH Department did not identify any issues regarding wastewater disposal. Individual wastewater disposal systems must be designed and constructed to meet County and State regulations consistent with the County's Onsite Wastewater Treatment Systems Local Agency Management Program (LAMP). All septic system leach fields (and expansion areas) shall be installed at a minimum of 100 feet away from all domestic water wells (if any). Systems shall not be placed on natural slopes that exceed 30% without additional requirements being met. Designs for steep slope systems will only be approved when submitted by a licensed engineer. The project will be conditioned to comply with these requirements.

Therefore, 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?*

As discussed above under item a), future development will be served by the Golden State Water Company and will be conditioned to comply with the water conservation requirements of the Basin Plan. Therefore, as conditioned, impacts related to water supplies would be *less than significant*.

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- (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?*

As discussed under item a), future development of each parcel will be conditioned to demonstrate the adequacy of a wastewater system consistent with County LAMP standards prior to permit issuance. Therefore, *impacts will be less than significant.*

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

The nearest landfill to the site is the Cold Canyon Landfill located approximately 20 miles to the southeast. The landfill has a remaining capacity of approximately 12 million cubic yards. The incremental amount of waste generated by the future development of each reconfigured parcel that is not recycled/reused would be within the service capacity of the landfill. Future construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project, and the project does not propose to generate solid waste in excess of State or local standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant.*

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

Future development of each parcel 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.*

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XX. WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 CALFIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency’s ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” is located in the Santa Lucia Mountains, which extend parallel to the coast along the entire length of San Luis Obispo County. The project would be located within the service area of the CalFire/County Fire Department and it would take less than 5 minutes to respond to a call regarding fire or life safety from Station No. 15 in Los Osos.

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

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

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

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

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

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

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

Discussion

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

Future development of each parcel is not expected to require any temporary road closures. However, any road closures would be required to be designed to accommodate emergency vehicle access. Future development would not likely impair implementation or physically interfere with County hazard mitigation or emergency plans. Future development of each parcel would not have a permanent impact on any adopted emergency response plans or emergency evacuation plans. Temporary construction activities and staging would not substantially alter existing circulation patterns or trips. Access to adjacent areas would be maintained throughout the duration of the project.

Based on the County's Land Use View tool and Dam and Levee Failure Plan, the project is not located within an area that would be inundated in the event of a dam failure or tsunami. The project would not impair implementation or physically interfere with County hazard mitigation or emergency plans; therefore, no impacts related to emergency plans would occur.

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Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Potential impacts would be *less than significant*.

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

Winds in the area vary from 6-8 miles per hour and primarily come from the west off the Pacific ocean. As described in Section 6, Geology and Soils, potential for landslides affecting the site is low, and the project is not proposing disturbance in areas of steep slopes that would be conducive to the formation of debris flows off site.

The site is located within the service area of CalFire and, based on the County's fire response time map, it would take about 5 minutes to respond to a call regarding fire or life safety. Future development of each parcel will be conditioned to comply with all fire safety rules and regulations, including the California Fire Code and Public Resources Code, which includes improvements to the site to accommodate emergency vehicle access, vegetation clearing or trimming, and installation of a water storage tank for fire protection. Compliance with the Uniform Fire Code and the recommendations of CalFire as detailed in their referral response letter of February 13, 2024 (Kevin McClean, CalFire) will ensure that potential impacts to future development associated with slope, prevailing winds, and other factors will be *less than significant*.

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

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

Any new construction will be required to comply with all fire safety rules and regulations, including the California Fire Code and Public Resources Code, which includes construction of an access road/driveway to accommodate emergency vehicle access, vegetation clearing or trimming around all proposed structures, and installation of fire sprinklers. These infrastructure improvements would reduce fire risk. 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?*

Winds in the area vary from 6-8 miles per hour and primarily come from the north and west. As described in Section VI. Geology and Soils, the site is underlain by older eolian deposits which are wind-blown sand that has lapped onto the Irish Hills to the south. Although these deposits have undergone some degree of soil development and are vegetated, the sandy deposits are prone to shallow surficial soil slumps and mud flows on steeper slopes. The County has mapped areas within the subject properties as high potential for landslides as shown on the County's Landslide Map. The occurrence of isolated outcrops of Pismo formation bedrock across the subject properties may be indicative of an ancient deep-seated landslide that has been partially buried by the migrating sand dunes. Although an ancient landslide that has subsequently been partially buried by sedimentary processes does not present a landslide hazard it may have implications to the location of the Los Osos fault, if this geomorphology represents an ancient landslide.

However, based on the size and location of the reconfigured parcels, and the characteristics of the surrounding terrain, the project will not include design elements that would expose people or structures to significant risks such as downslope or downstream flooding or landslides, as a result of

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runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

None are required.

Sources

Provided in Exhibit A.

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion

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

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

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

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

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

Aesthetics

The analysis provided in Section I., Aesthetics, concludes that the future development of each reconfigured parcel will result in development that is consistent with the type, scale, character and location of surrounding properties and areas visible from public vantages. Project impacts, when combined with additional development and activities likely to occur on surrounding properties within the viewshed are considered *less than cumulatively considerable*.

Agriculture and Forestry Resources

The analysis provided in Section II, Agriculture and Forestry Resources, indicates that the project would not result in the permanent conversion of important farmland. In addition, no potential impacts to forest land or timberland would occur. The project would not result in a conflict with existing zoning for agricultural use or with any existing Williamson Act contracts. Therefore, when considered with the potential impacts of other reasonably foreseeable development, the contribution of the project’s potential impacts to agriculture and forestry resources is considered *less than cumulatively considerable*.

Air Quality

No new development is proposed with this project. However, the analysis provided in Section III, Air Quality, concludes that the future development of each parcel would result in construction-related emissions that cannot be quantified at this time for comparison with SLOAPCD thresholds of significance for construction emissions. Future construction related emissions may adversely impact sensitive receptors on the surrounding parcels. Overall, cumulative impacts are expected to be *less than cumulatively considerable with mitigation*.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified avoidance and mitigation measures for listed species and their habitats, and oak trees. With implementation of measures BIO-1, BIO-2 and BIO-3 potential impacts to biological resources would be less than significant.

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

Cultural Resources

The analysis provided in Section V. Cultural Resources concludes that the future development of dwellings and access roads on each reconfigured parcel would not likely result in significant impacts to cultural resources and project related impacts are considered less than significant.

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

Energy

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

Geology and Soils

As discussed in Section VII. Geology and Soils, the project is not located within an Alquist-Priolo Fault Hazard Zone but is located within a Geologic Study Area associated with the Los Osos fault. With mitigation measure GEO-1, as well as compliance with the CBC and other applicable standards, the effects of ground instability or a potential seismic event would be minimized through compliance with current engineering practices and techniques. Therefore, project related impacts to soils and geologic resources are considered *less than cumulatively considerable*. Based on the underlying geologic formation, the project's potential impacts to previously unknown paleontological resources would be *less than significant* and *less than cumulatively considerable*.

Greenhouse Gas Emissions

As discussed in Section VI, Energy, new dwellings constructed on each reconfigured parcel is estimated to generate less than 760 MMTCO_{2e} GHG in 2027 and is assumed to have a less than significant adverse impact that is not cumulatively considerable and consistent with the GHG reduction objectives of AB32 and SB32.

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

Hazards and Hazardous Materials

As discussed in Section IX. Hazards and Hazardous Materials, construction activities associated with new residences constructed on each reconfigured parcel may include the use of hazardous materials that could result in potential hazards through routine transport, use, and disposal as well as under upset or accident conditions. Compliance with applicable regulations relating to the use and handling of hazardous materials will reduce potential impacts by restricting the location of equipment maintenance, refueling and other potentially hazardous activities, and identifying the appropriate response protocol for immediate cleanup of any spills.

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

Hydrology and Water Quality

As discussed in Section X. Hydrology and Water Quality, the project is not expected to require the construction of additional water supply infrastructure that would result in a significant impact on the environment. Compliance with the provisions of the Basin Plan will ensure future development will not result in a cumulatively adverse impact to water supplies.

With regard to stormwater runoff, as discussed in Section X. Hydrology and Water Quality, any future development will be conditioned to ensure post-construction runoff will satisfy NPDES standards and will not adversely impact downstream properties or improvements.

Therefore, project impacts are considered *less than cumulatively considerable*.

Noise

As discussed in Section XIII, Noise, project related noise associated with construction of a future residence and access road/driveway on each reconfigured parcel would be less than significant.

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

Population and Housing

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

The project could be expected to be occupied by about 12 new residents if a dwelling is constructed on each reconfigured parcel. When considered with the potential impacts of other reasonably foreseeable development in the unincorporated county, the contribution of the subject project to impacts related to housing and population is considered *less than cumulatively considerable*.

Public Services

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

Transportation

Local Traffic Impacts. Total ADT is estimated to increase by about 40 trips per day associated with four new dwellings constructed on each parcel. As discussed in Section XVII, Transportation, the project would not result in a conflict with a plan or policy addressing the circulation system, or increase hazards due to a geometric design feature. Therefore, the project's potential traffic impacts would be *less than cumulatively considerable*.

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

Fire protection access requirements will be enforced as conditions of approval for any new dwelling constructed on each reconfigured parcel.

Vehicle Miles Traveled. Based on the screening criteria provided in the County's Transportation Impact Analysis Guidelines, impacts on VMT from future development is considered de minimis and will therefore be *less than significant* and *less than cumulatively considerable*.

Other Impact Issue Areas

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

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

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

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. The cumulative impact to human beings is expected to be *less than significant with mitigation*.

Conclusion

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

Sources

Provided in Exhibit A.

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Exhibit A - Initial Study References and Agency Contacts

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

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

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

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Project File for the Subject Application | <input type="checkbox"/> Design Plan |
| County Documents | <input type="checkbox"/> Specific Plan |
| <input type="checkbox"/> Coastal Plan Policies | <input type="checkbox"/> Annual Resource Summary Report |
| <input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland) | <input type="checkbox"/> Circulation Study |
| <input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements: | Other Documents |
| <input checked="" type="checkbox"/> Agriculture Element | <input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook |
| <input checked="" type="checkbox"/> Conservation & Open Space Element | <input checked="" type="checkbox"/> Regional Transportation Plan |
| <input type="checkbox"/> Economic Element | <input checked="" type="checkbox"/> Uniform Fire Code |
| <input checked="" type="checkbox"/> Housing Element | <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) |
| <input checked="" type="checkbox"/> Noise Element | <input checked="" type="checkbox"/> Archaeological Resources Map |
| <input checked="" type="checkbox"/> Parks & Recreation Element/Project List | <input type="checkbox"/> Area of Critical Concerns Map |
| <input checked="" type="checkbox"/> Safety Element | <input type="checkbox"/> Special Biological Importance Map |
| <input checked="" type="checkbox"/> Land Use Ordinance (Inland/Coastal) | <input 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 checked="" type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Energy Wise Plan | |
| <input checked="" type="checkbox"/> Estero Area Plan | |

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

Project-Specific Studies and Supporting Materials

Project application materials

Archeological Report Summary, January 7, 1990, Charles Dills

Archeological Report Summary, 1973

Ecological Assets Management, LLC, Inc., January 3, 2025, Biological Resources Assessment

Earth Systems Pacific, Geologic Hazards Report, March 18, 2025

Agency And Tribal Review

CalFire/County Fire, letter of February 13, 2024 from Kevin McLean

California Coastal Commission, letter of June 27, 2024 from Devon Jackson, Coastal Planner

County Parks Department, e-mail of April 16, 2024 from Elizabeth Kavanaugh

Department of Public Works, letter of May 14, 2025 from James Cooper, County Surveyor

Environmental Health Department, email of February 6, 2024 from J. Damery

Los Osos Community Advisory Council, e-mail from Claire Momberger

Local Agency Formation Commission, e-mail from Rob Fitzroy, Executive Officer

Stormwater Management, letter of January 31, 2026 from Anthony Schuetze, Stormwater Program Manger

Other County References

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San Luis Obispo County. 1999. General Plan Safety Element. <https://www.slocounty.ca.gov/getattachment/893b6c58-7550-4113-911c-3ef46d22b7c8/Safety-Element.aspx> accessed August 2018

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

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

Carollo Engineers, San Luis Obispo County 2012 Master Water Report, Volume III, Table 8.

California Geological Survey (CGS). 2015. CGS Information Warehouse: Mineral Land Classification. Available at <<https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc>>

County of San Luis Obispo. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016.

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

Diblee, Thomas W., Jr. 2004. Geologic Map of the Creston & Shedd Canyon Quadrangles, San Luis Obispo County, California. National Geologic Map Database. Available at:
<https://ngmdb.usgs.gov/Prodesc/prodesc_71748.htm>.

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

Los Osos Habitat Conservation Plan and Final EIR

Occupational Health and Safety Administration Technical Manual, Section III, Chapter 5 part II.B.6.

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

San Luis Obispo Air Pollution Control District (SLOAPCD). 2012. CEQA Air Quality Handbook. April 2012.

_____. 2017. Clarification Memorandum for the San Luis Obispo County Air Pollution Control District's 2012 CEQA Air Quality Handbook. November 2017.

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

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Exhibit B - Mitigation Summary Table

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

Biological Resources

BIO-1 Biological Resources Assessment. Applications for land use permits for Parcels 1, 2, 3 and 4 shall be accompanied by a project-specific biological resources assessment prepared by a qualified biologist to document the existing biological resources within the project footprint plus a buffer and to determine the potential impacts to those resources. The biological resources assessment shall evaluate the potential for impacts to all biological resources including, but not limited to: special status plant and wildlife species, nesting birds, wildlife movement, sensitive plant communities, and other resources judged to be sensitive by local, state and/or federal agencies. The assessment shall recommend feasible mitigation measures for each identified impact. Depending on the results of the biological resources assessment, design alterations, further technical studies (i.e., protocol and/or pre-construction surveys) and/or consultations with the Service, CDFW, and/or other local, state, and federal agencies may be required.

As part of this evaluation, the biologist shall evaluate whether the LOHCP Preserve System provides suitable habitat and potential mitigation for impacts to any non-covered species. If the applicant chooses to participate in the LOHCP Preserve System, it may be considered for mitigation of impacts to non-covered species only where it provides the appropriate habitats and this approach would not result in conflicts with the needs of the covered species, the primary focus of the reserve.

BIO-2 Compliance With Federal and State Endangered Species Acts. Prior to the issuance of building permits for new development associated with Parcels 1, 2, 3 and 4 the applicant shall provide evidence that the project has complied with relevant provisions of the federal and state Endangered Species Acts which may include, but is not limited to, participation in the Preserve System and associated avoidance and minimization requirements set forth in the Los Osos Habitat Conservation Plan.

BIO-3 Oak Tree Mitigation. Applications for land use permits for Parcels 1, 2, 3 and 4 shall be accompanied by an oak tree mitigation plan and establishment of an oak tree planting site or conservation easement that shall be protected in perpetuity. The mitigation plan shall be prepared by a licensed arborist or qualified biologist and shall detail the methods and requirements for oak tree mitigation. For oak tree removals or impacts during project implementation, the applicant shall provide mitigation (on site if feasible) in accordance with the County's guidelines, typically 4:1 for removals and 2:1 for impacted trees. At a minimum, the mitigation plan shall:

- Include a detailed inventory of the species and quantity of all oak trees to be removed or impacted.
- Discuss the proposed construction methods, construction schedule, and the implementation schedule of activities proposed as part of the plan.

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- Quantify and describe the anticipated impacts to individual oak trees and/or oak woodland habitat, as applicable.
- Identify all appropriate methods for fulfillment of required mitigation (e.g., on-site plantings, conservation easement, or in-lieu fee).
- Describe detailed planting methods, as appropriate. Replacement trees shall be of one-gallon size of local origin, and of the same species as was impacted. Replacement trees shall be seasonally maintained (browse protection, weed reduction and irrigation, as needed) and monitored annually for at least seven years.
- Identify suitable areas for establishment of new oak trees and/or protection of existing oak woodland habitat, as appropriate.
- Describe short-term and long-term monitoring protocols and/or vegetative growth performance criteria for mitigation success.
- The plan shall be prepared by a licensed arborist or qualified botanist and be submitted to the County for approval prior to the start of construction.

Geology and Soils

GEO-1 Geotechnical study. Applications for land use permits for Parcels 1, 2, 3, or 4, shall be accompanied by a report satisfying the requirements set forth in CZLUO Section 23.07.084 and prepared by a certified engineering geologist. In addition to the requirements described in CZLUO section 23.07.084 a. through d., the report shall include an investigation for traces of the Los Osos fault within the project site area and shall provide project-specific engineering design recommendations which shall be implemented during project design and construction.