



Negative Declaration & Notice Of Determination

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

ENVIRONMENTAL DETERMINATION NO. ED20-090

DATE: May 22, 2020

PROJECT/ENTITLEMENT: Avila Valley Partners Tract Map SUB2018-00026

APPLICANT NAME: Avila Valley Partners LLC

Email: rendlerjim@gmail.com

ADDRESS: 1636 Garden Street, San Luis Obispo, CA 93401

CONTACT PERSON: Jim Rendler (Agent)

Telephone: (408) 891-8303

PROPOSED USES/INTENT: Request by **Avila Valley Partners LLC** for a Vesting Tentative Tract Map (TR 3117) and a concurrent Conditional Use Permit (SUB2018-00026) to subdivide an existing 22.76 acre parcel into a Cluster Subdivision of 23 lots consisting of: 22 residential parcels ranging from 0.3 to 1 gross acre in size, one non-buildable open space parcel (11.5 gross acre), and the construction of 22 single family residences of approximately 2,500 square feet (average) including garages on each residential lot. The 22 residential lots will be for sale and/or development.

The project will include off-site frontage road improvements and will result in the disturbance of approximately 10.1-acres of the 22.76-acre parcel. The division is proposed in two phases and will create two on-site private access roads: Phase 1 (Valle Verde Place serving 13 lots) and Phase 2 (Tierras Atlas Avenue serving 9 lots). Each phase will include associated access road and utility installations. The project includes a request to modify the street improvement standards as allowed by LUO Section 21.03.020(c)(d) to allow a private access easement to serve more than 5 parcels in each phase. The project is within the Residential Suburban land use category.

LOCATION: The project is located on the west side of Ontario Rd and Highway 101, approximately 1.5 miles northeast of the community of Avila Beach. The site is within the Urban Reserve Limits of the unincorporated community of Avila Beach in the San Luis Bay Inland Sub Area of the San Luis Obispo Planning Area.

LEAD AGENCY: County of San Luis Obispo
Dept of Planning & Building
976 Osos Street, Rm. 200
San Luis Obispo, CA 93408-2040
Website: <http://www.sloplanning.org>

STATE CLEARINGHOUSE REVIEW: YES ☒ NO ☐

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this Environmental Determination may be obtained by contacting the above Lead Agency address or (805)781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT4:30 p.m. (2 wks from above DATE)

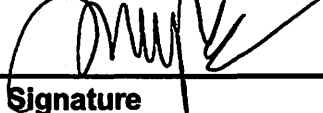
30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of DeterminationState Clearinghouse No. 2020050459

This is to advise that the San Luis Obispo County _____ as ☒ **Lead Agency**
☐ **Responsible Agency** approved/denied the above described project on July 9, 2020, and
has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures and monitoring were made a condition of approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at the 'Lead Agency' address above.



Schani Siong (ssiong@co.slo.ca.us)

7/16/2020

County of San Luis Obispo

Signature**Project Manager Name****Date****Public Agency**

Governor's Office of Planning & Research

Jul 28 2020**STATE CLEARINGHOUSE**



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

RECEIPT NUMBER: 40-07272020-103
STATE CLEARINGHOUSE NUMBER (If applicable) 2020050459

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY SAN LUIS OBISPO COUNTY DEPARTMENT OF	LEAD AGENCY EMAIL ssiong@co.slo.ca.us	DATE 07/27/2020
COUNTY/STATE AGENCY OF FILING COUNTY SAN LUIS OBISPO	DOCUMENT NUMBER	

PROJECT TITLE
AVILA VALLEY PARTNERS TRACT MAP SUB2018-00026

PROJECT APPLICANT NAME AVILA PARTNERS LLC	PROJECT APPLICANT EMAIL renderjim@gmail.com	PHONE NUMBER (408) 891-8303
PROJECT APPLICANT ADDRESS 1636 GARDEN STREET	CITY SAN LUIS OBISPO	STATE CA
		ZIP CODE 93401

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	\$2,406.75
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,136.50	\$	

☐ Exempt from fee
☐ Notice of Exemption (attach)
☐ CDFW No Effect Determination (attach)
☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other

TOTAL RECEIVED \$ 2,456.75

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Eric Brookhart, Deputy County Clerk-Recorder
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Filed in County Clerk's Office
Tommy Gong
San Luis Obispo - County Clerk-Recorder

40-07272020-103

07/27/2020
FISH
Pages: 93
Fee: \$ 2456.75

By ebrookhart, Deputy



Tommy Gong
San Luis Obispo
County Clerk-Recorder
Main Office: (805) 781-5080
Atascadero: (805) 461-6041
www.slovote.com

Receipt: 20-28279

Product	Name	Extended
FISH	FISH AND WILDLIFE FILING	\$2,456.75

# Pages	93
Document	40-07272020-103

#	
Document	SAN LUIS OBISPO COUNTY
Info:	DEPARTMENT OF PLANNING AND BUILDING
Filing Type	ND

Total	\$2,456.75
Tender (On Account)	\$2,456.75
Account#	CTY
Account Name	JE except TX & DSS
Balance	\$38,533.75
Comment	1002128426

PLEASE KEEP FOR REFERENCE

7/27/20 8:35 AM ebrookhart
San Luis Obispo



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-2039
04/2019

Initial Study – Environmental Checklist

**Project Title & No. Avila Valley Partners Tract Map with Conditional Use Permit
(SUB2018-00026 Tract Map TR 3117) ED20-090**

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

- ☐ The proposed project 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.

Schani Siong

Prepared by (Print)

Kate B. Shea

Reviewed by (Print)

Schani Siong

Signature

Kate Shea

Signature

Digitally signed by Schani Siong
DN: cn=US, E=siong@co.slo.ca.us,
O=County of San Luis Obispo, OU=Planning
& Building, DN=schani.siong
Reason: I am the author of this document
Date: 2020.05.20 14:58:35 -0700

For

Xzandrea Fowler
Environmental
Coordinator

Digitally signed by Kate Shea
DN: cn=US, E=kbshea@co.slo.ca.us,
O=County of San Luis Obispo, OU=Planning
and Building, CN=Kate Shea
Date: 2020.05.20 18:15:31 -0700

Initial Study – Environmental Checklist

Project Environmental Analysis

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

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

A. Project

DESCRIPTION: Request by Avila Valley Partners LLC for a Vesting Tentative Tract Map (TR 3117) and a concurrent Conditional Use Permit (SUB2018-00026) to subdivide an existing 22.76 acre parcel into 23 lots consisting of: 22 residential parcels ranging from 0.3 to 1 gross acre in size, one non-buildable open space parcel (11.5 gross acre), and the construction of 22 single family residences of approximately 2,500 square feet (average) including garages on each residential lot. Access to the residential lots will be via private streets (Valle Verde Place and Tierras Atlas Avenue) extending west from Ontario Road terminating in two cul-de-sacs. The 22 residential lots will be for sale and/or development.

The project will result in the disturbance of approximately 10.1-acres of the 22.76-acre parcel. The project is within the Residential Suburban land use category and is located on the west side of Ontario Rd and Highway 101, approximately 0.23 miles south of San Luis Bay Dr, approximately 1.5 miles northeast of the community of Avila Beach. The site is within the Urban Reserve Limits of the unincorporated community of Avila Beach in the San Luis Bay Inland Sub Area of the San Luis Obispo Planning Area.

The project is proposed in 2 phases; Phase 1 Valle Verde Place consisting of 13 lots and the open space parcel and Phase 2 Tierras Atlas Avenue consisting of 9 lots, each phase with its associated private driveways and utility installations. Phase 1 development is proposed on the northern portion of the site, with Phase 2 development located on the southern portion of the site. The open space parcel, which is approximately 50% of the site is in the middle between Phase 1 and Phase 2 developments.

The project is designed as a Cluster Division in accordance with LUO Section 22.22.140. Through the issuance of a Conditional Use Permit, the Cluster Division regulations allow for an increase in the residential density within urban and village reserve lines by determining the number of lots based on *gross*¹ density, rather than *net* density. In this case the gross acreage of the area to be subdivided is 22.76 acres.

¹ The total area of a legally created parcel (or contiguous parcels of land in single or joint ownership when used in combination for a building or permitted group of buildings), including any ultimate street right-of-way, existing rights-of-way deeded to the parcel, and all easements (except open space easements), across the site.

Initial Study – Environmental Checklist

ASSESSOR PARCEL NUMBER(S): 076-251-028

Latitude: 35°11'29.07 "N **Longitude:** 120° 42 ' 10.36 " W **SUPERVISORIAL DISTRICT #** 3

B. Existing Setting

Plan Area: San Luis Obispo **Sub:** San Luis Bay Inland **Comm:** Avila Beach

Land Use Category: Residential Suburban

Combining Designation: None

Parcel Size: 22.76 acres

Topography: Moderate slopes

Vegetation: Grassland, oak trees, willow thicket, coyote brush scrub, eucalyptus grove, non-native grassland

Existing Uses: Undeveloped

Surrounding Land Use Categories and Uses:

North: Commercial Retail; PG&E Education Center **East:** Residential Suburban ;Residences

South: Residential Suburban; Jehovah Witness Kingdom **West:** U.S. Highway 101; Hall

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.



Figure 1: Site Location

Initial Study – Environmental Checklist

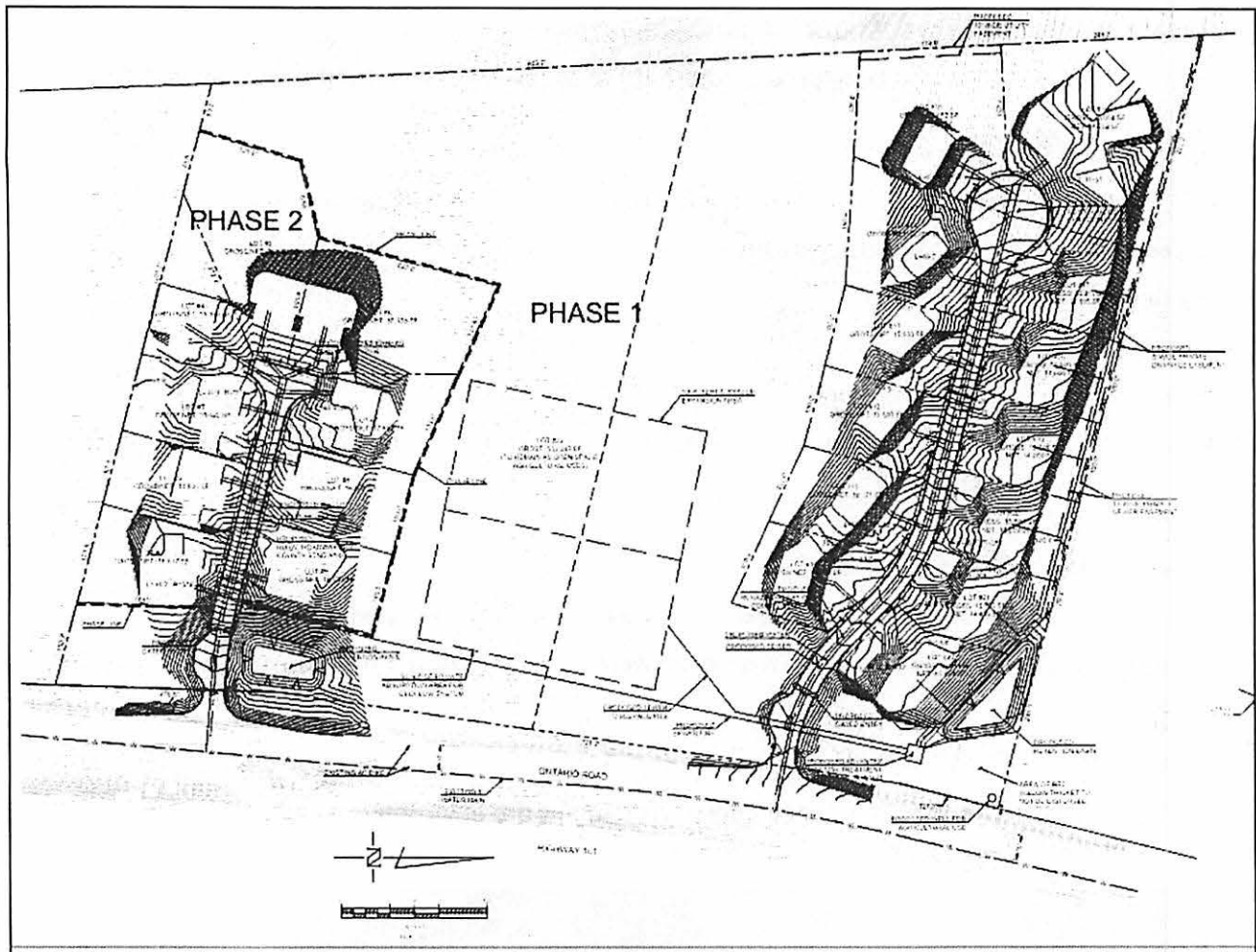


Figure 2: Proposed Tentative Map

Initial Study – Environmental Checklist

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

Setting

Regulatory Setting

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

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

State and National Scenic highway Designations

California's Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. There are several officially designated state scenic highways and several eligible state scenic

Initial Study – Environmental Checklist

highways within the county. State Route 1 is an Officially Designated State Scenic Highway and All-American Road from the City of San Luis Obispo to the northern San Luis Obispo County boundary. A portion of Nacimiento Lake Drive is an Officially Designated County Scenic Highway. Portions of Highway 101, Highway 46, Highway 41, Highway 166, and Highway 33 are also classified as Eligible State Scenic Highways – Not Officially Designated.

County General Plan Conservation and Open Space Element

In addition to policies set forth in the LUO, the County Conservation and Open Space Element (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The COSE provides a number of goals and policies to protect the visual character and identify of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways throughout the county, retaining existing access to scenic vista points, and setting the standard that new development in urban and village areas shall be consistent with the local character, identify, and sense of place.

County Land Use Ordinance

The County of San Luis Obispo Inland Land Use Ordinance (LUO) establishes regulations for exterior lighting (LUO 22.10.060), height limitations for each land use category (LUO 22.10.090), scenic highway corridor standards (LUO 22.10.095), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

The LUO also maps portions of the Salinas River Highway Corridor, the San Luis Obispo Highway Corridor, and the South County Highway Corridor to comply with County highway corridor design standards. These standards include but are not limited to setbacks from highway rights-of-way, guidelines for development along ridgelines, limitations on graded slopes, protection of landmark features, and standards for building height and color (LUO 22.10.095).

The County of San Luis Obispo LUO defines a Sensitive Resource Area (SRA) combining designation that applies to areas having high environmental quality and special ecological or educational significance. These designated areas are considered visual resources by the County and the LUO establishes specific standards for projects located within these areas. These standards include but are not limited to set back distances from public viewpoints, prohibition of development that silhouettes against the sky, grading slope limitations, set back distances from significant rock outcrops, design standards including height limitations and color palette, and landscaping plan requirements.

San Luis Obispo Inland Area Plan

The San Luis Obispo Inland Area Plan contains policies and programs for the rural portions of the San Luis Obispo planning area and the area within the San Luis Obispo Urban Reserve Line. It also contains regional policies and programs that affect both urban and rural areas. The plan establishes policies and programs for land use, circulation, public facilities, services, and resources for the rural portions of the planning area.

Initial Study – Environmental Checklist

Avila URL is divided into five subsections: Avila Valley, San Luis Bay Estates, Cave Landing/Ontario Ridge, the Town, and the Port. Each subsection has unique aesthetic character. The subsection of Avila Valley is located at the easterly edge of the Avila URL, about two miles east of the town of Avila Beach. It is bound by US 101 to the east, by Ontario Ridge on the south, and by San Luis Bay Drive on the north and west. This subsection has a rural look by design and necessity due to the sloping hills and creek topographical features. Existing residential dwelling units are set back or clustered with pockets of limited agriculture along the rolling terrain.

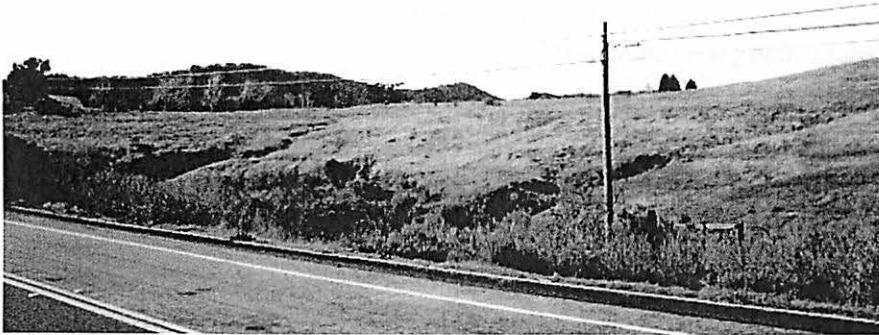
Project Setting

The proposed development is located west of Ontario Road and U.S. 101 in the Avila Valley section of the Avila URL (approximately 1.5 miles northeast of downtown Avila Beach). The site is surrounded by foothills of the Coast Range to the north and northwest, US Highway 101 on east side, single family residences on large lots scattered along foothills on west, a church (Jehovah Witness Kingdom Hall) to the south, and Pacific Gas & Electric (PG&E) Energy Education Center to the north.



Figure 3: Aerial View of Site

Initial Study – Environmental Checklist



Source: Arris Studio, January 2019

Figure 4: Southern portion of site



Source: Arris Studio, January 2019

Figure 5: Northern portion of site

The site currently undeveloped and mainly covered with low-growing non-native grassland. There is a small tributary along the northern border with riparian vegetation. Most of the site sits on an east-facing coastal hill with an average 15% slope. U.S. 101 is situated below the site level and separated from Ontario Road by an earthen embankment that parallels most of the site's eastern boundary. Because of the site elevation and topography, the site offers largely unobstructed views of the foothills beyond U.S.10 on the east.

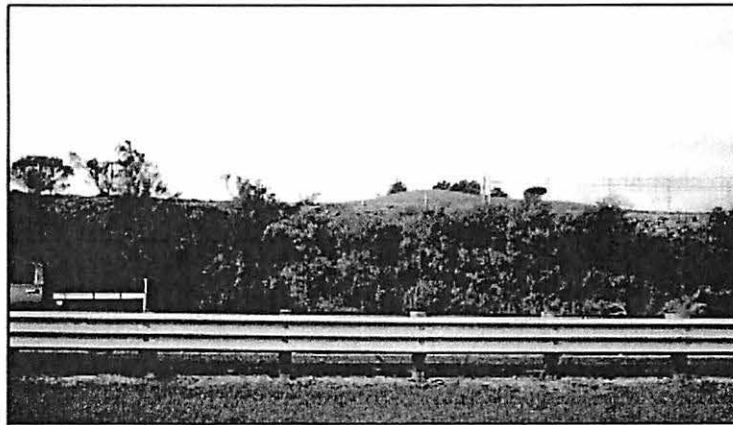
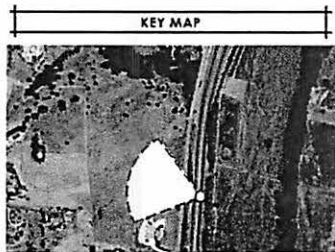
The proposed development will subdivide the 22.76 acres into 22 residential parcels and one open space parcel. The tract will have two residential layout areas, each clustered in the northern and southern portion of the site, with approximately 50% gross site area remain as an open space in the center. The proposed residential parcels would range from 0.3 acre to 1 acre in size, each developed with an approximately 2,500 square feet home with maximum 35 feet in height. This parcel is in the Residential Suburban land use category, which is part of the majority in the Avila Valley section that anticipated lower density residential expansion and allowed for single family residential development on estate sized lots in a semi-rural suburban setting within village areas or in older existing rural subdivisions.

Initial Study – Environmental Checklist

The project site is not located within any official State or County designated Scenic Highways. The site is also not subjected to a Sensitive Resource Area combining designation for visual resources. However, the County COSE has listed U.S.10 as a suggested scenic corridor, consistent with the San Luis Obispo Area Plan guidelines to protect natural foothills in Avila Valley that have high open space values.

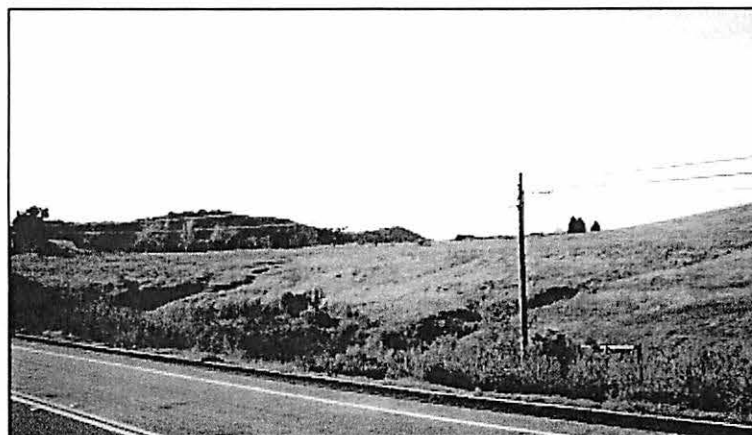
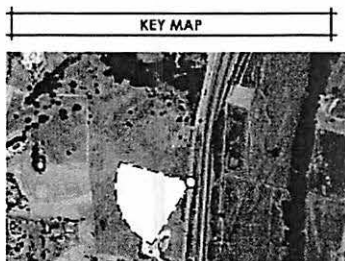
The proposed 22 single family residences will be located along the upslope of the hillside, accessed from Ontario Road. The applicant has designed the homes to be clustered in 2 areas on the northern and southern portion of the site with a private driveway serving 11-lots in each cluster. Given the upslope and elevated site topography, the proposed development will be visible from several identified public roadway viewpoints:

Viewpoint 1: Northbound U.S.101 north of San Luis Obispo Creek – At this location, the project site is mostly obscured by an embankment separating U.S.101 from Ontario Road and existing vegetation.



Existing View

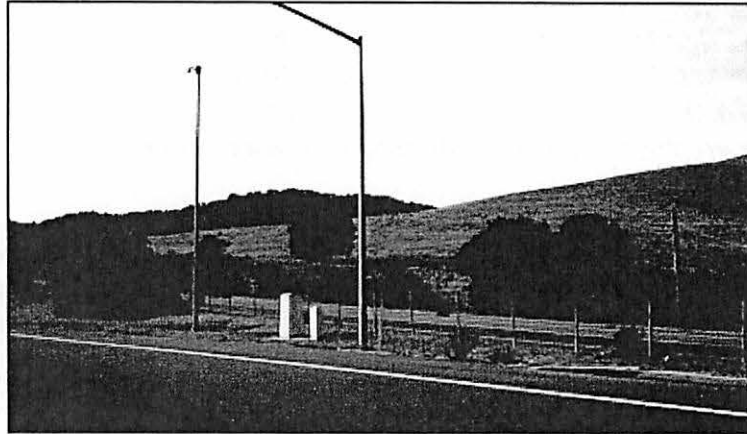
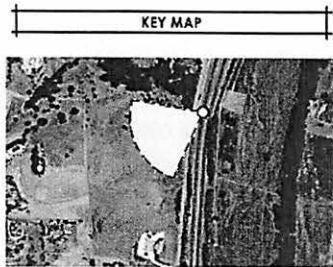
Viewpoint 2: Ontario Road immediate east of the Project Site - The project site is almost entirely visible from Ontario Road



Existing View

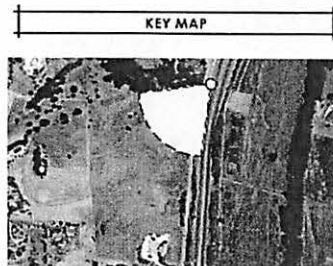
Initial Study – Environmental Checklist

Viewpoint 3: Southbound U.S.101 south of San Luis Bay Drive – At this location, the U.S. 101 highway is almost the same level as Ontario Road, allowing full visibility of the site's east-west upslope. The eastern portion of the site is partially screened by existing vegetation on site and the highway embankment.



Existing View

Viewpoint 4: Southbound U.S.101 south of San Luis Bay Drive On-Ramp – At this location, the western upslope is most visible. The north eastern portion of the site is partially screened by an existing eucalyptus grove and willow thicket along the creek.



Existing View

Discussion

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

The project is not located within an identified scenic vista, visually sensitive area, scenic corridor. The site is within Avila Valley defined in the San Luis Obispo Area Plan as semi-rural with high open space value, particularly viewed from public roadways. The scale and style of the residential development is similar to existing residential development scattered along the foothills which will not incur substantial adverse effect on any scenic vista.

Initial Study – Environmental Checklist

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

The project is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. Therefore, *no impacts would occur.*

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

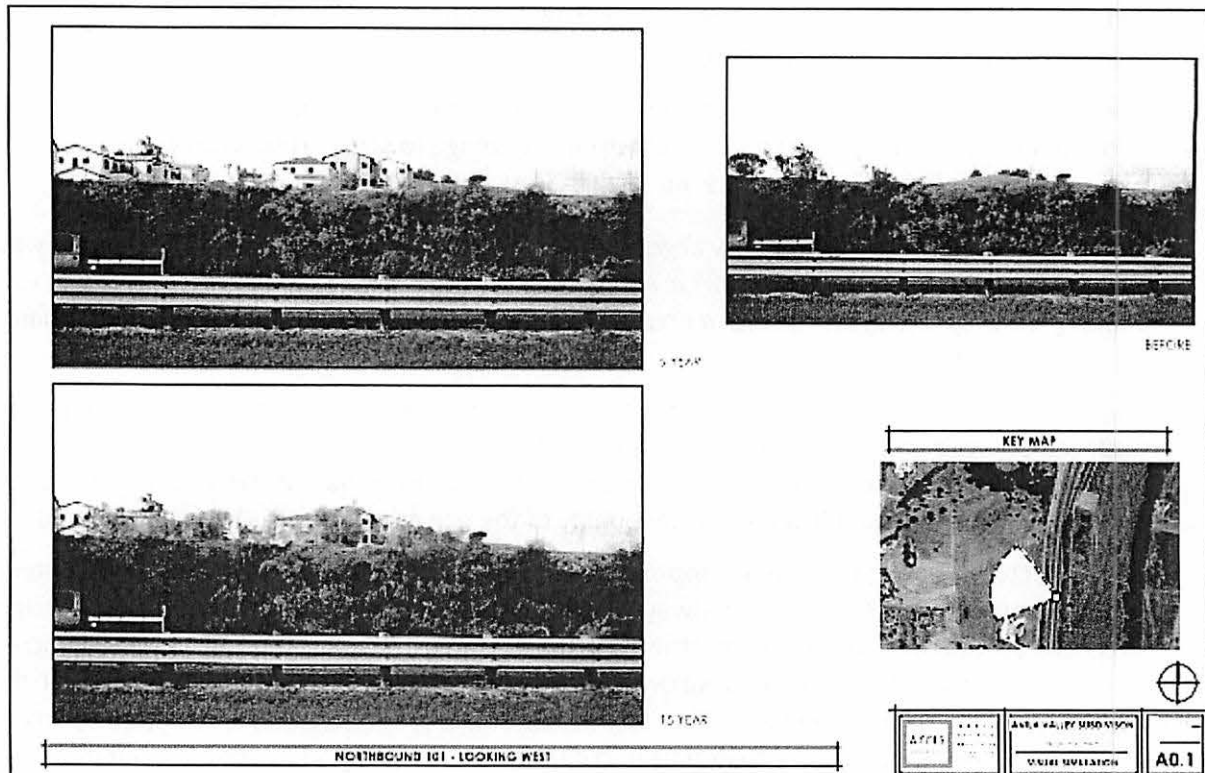
The project is within a non-urbanized area and will introduce new residential development on an undeveloped site adjacent to Ontario Road and U.S.101. The site has an upslope and ridgeline, which are elevated above the surrounding landscape in the southern half of the site. These scenic hillside and ridgeline views provide a high visual quality of the site as seen from Ontario Road and U.S. 101.

The project is designed to maintain approximately 50% of the area as open space in the center portion, which is most visible from the roadways. The new residences are clustered on the northern and southern portion on the site. The northern cluster sits on a lower hill and will be partially screened by the existing eucalyptus grove and willow thicket. The southern cluster sits on a steeper hill and has higher visibility from roadways. The overall tract design incorporates complimentary Spanish architectural elements, colors, materials to create a mix of y compatibly styled residences, consistent with the surrounding houses sizes and aesthetics.

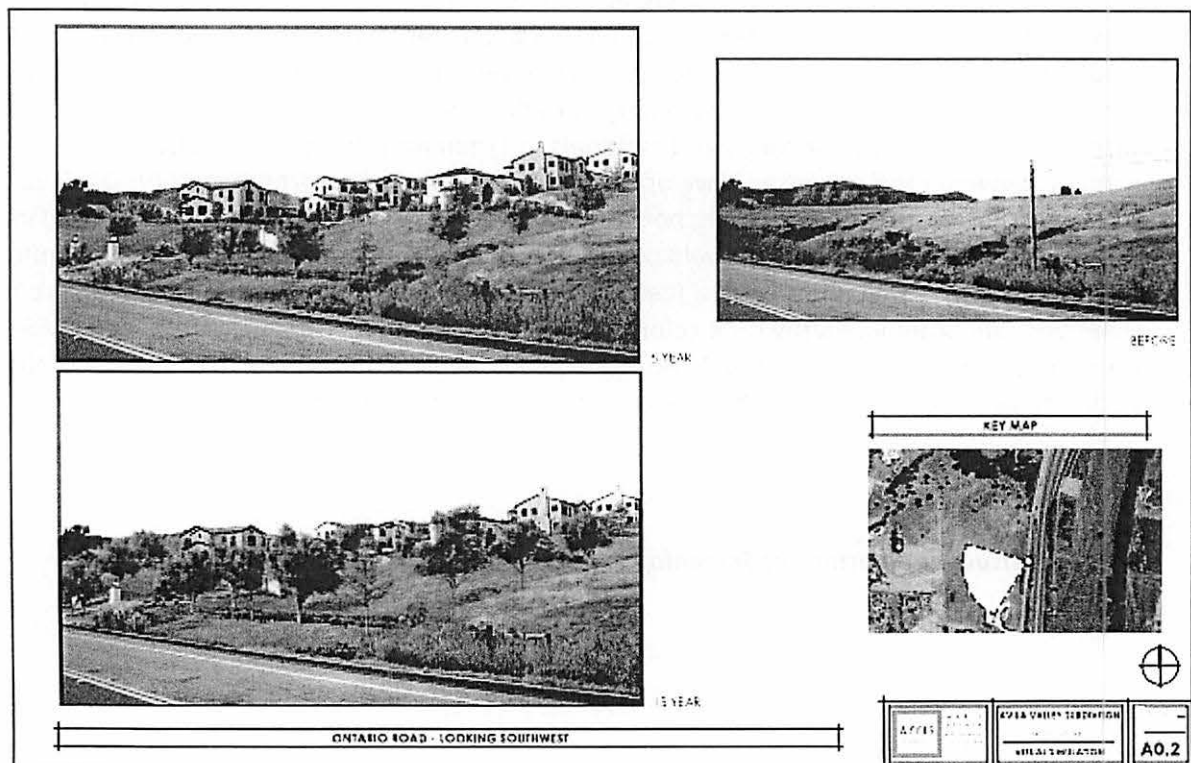
To mitigate the visual impacts, a landscaping plan is utilized to screen and soften the proposed development (VS-1). The applicant provided visual simulations of the development with screening landscaping that will blend the development with the existing surroundings (*Figure X: Viewpoints 1-4, Proposed & After 15 Years with Landscaping*). In addition, the visual impacts can be minimized with careful selection of exterior colors and materials to 1) minimize structures' massing, and 2) reduce the contrast between the proposed development and surrounding environmental (VS-2). Treatments of large walls i.e. retaining, sound walls, noise blocking house facades shall be softened with landscaping or variety of texture/materials to avoid blank wall face (VS-3). Cut and fill slopes shall be softened with recontouring to a minimum of five feet radius and revegetated (VS-4). With the incorporation of screening landscaping, earthy tone color materials, aesthetic treatments to walls and graded slopes, the project would reduce the visual impacts and not result in substantial degradation of the existing visual character or quality of public views of the site and its surroundings.

Figure 6: Visual Simulations of Screening Landscape (Following Page)

Initial Study – Environmental Checklist

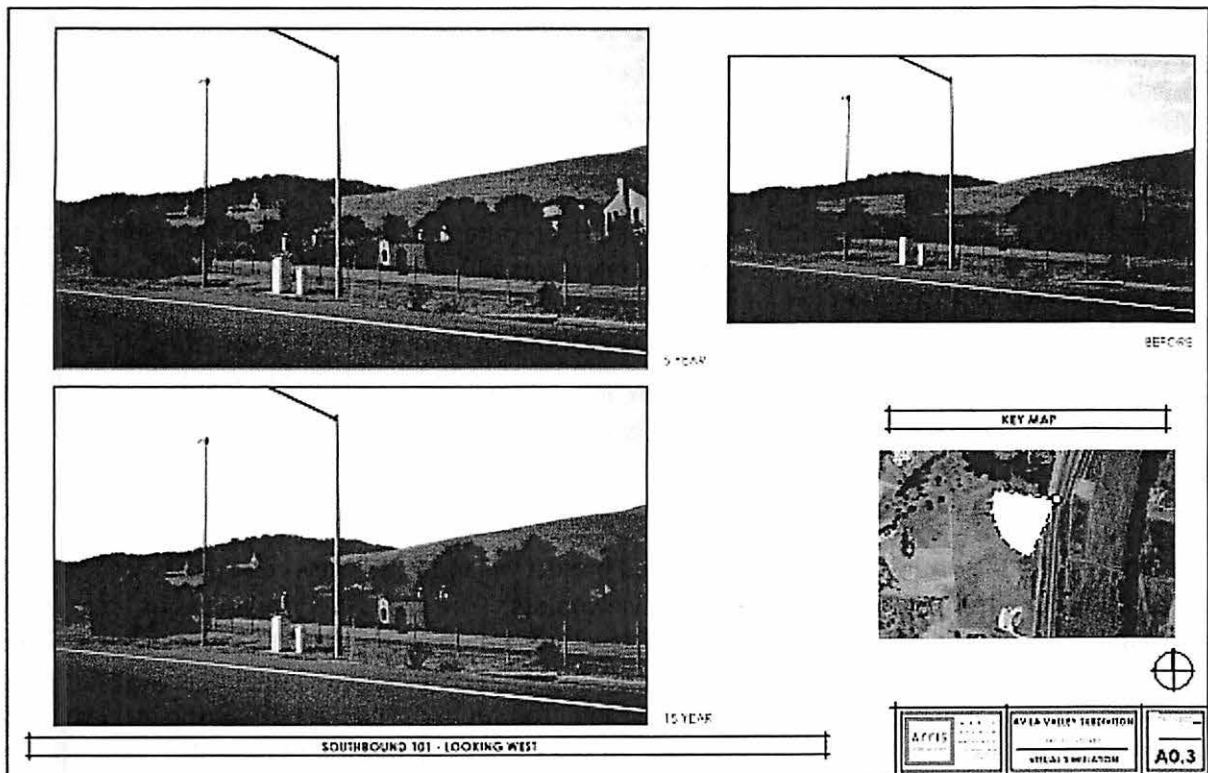


VIEWPOINT 1

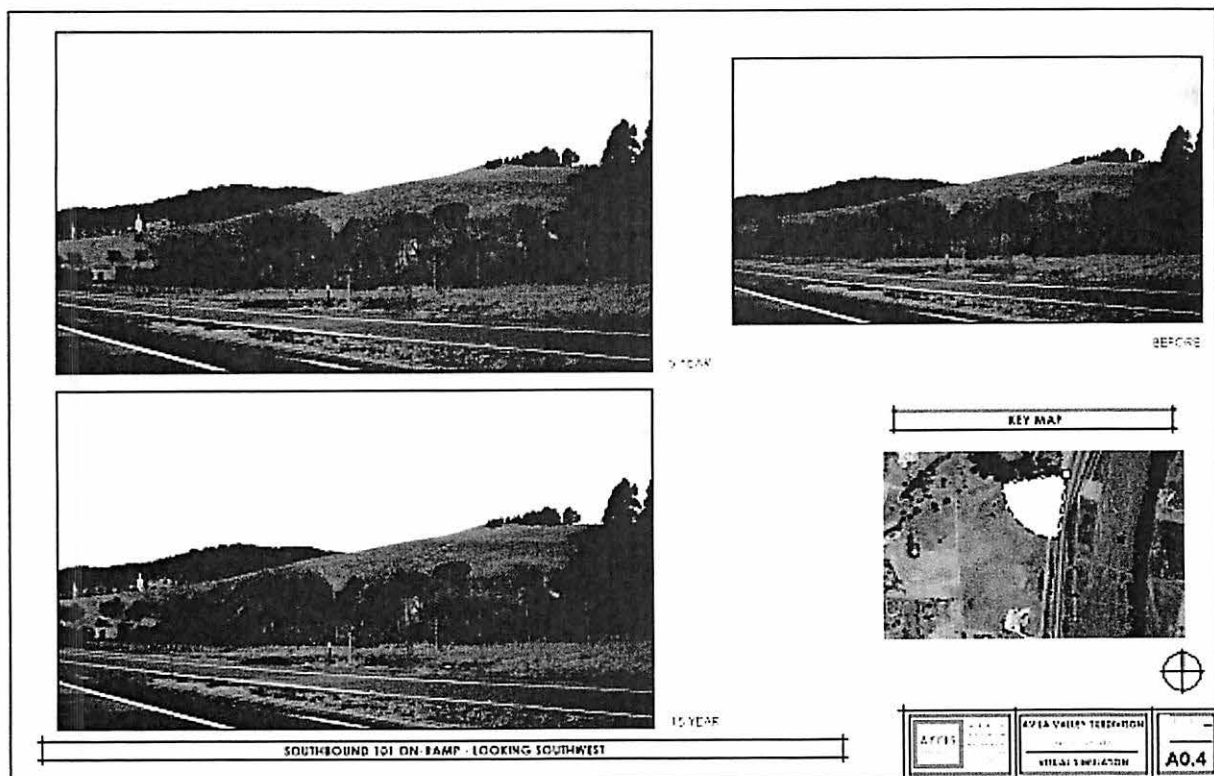


VIEWPOINT 2

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VIEWPOINT 3



VIEWPOINT 4

Initial Study – Environmental Checklist

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

The project will introduce new light source in an area previously undeveloped. Being adjacent to the U.S. 101 and surrounding developments, the project is unlikely to create any substantial adverse effect on day or nighttime visual resources. The County of San Luis Obispo's Land Use Ordinance 22.10.060 prohibits light or glare which is transmitted or reflected in a concentration or intensity that is detrimental or harmful to persons, or that interferes with the use of surrounding properties or streets. To mitigate for the potential nighttime glare, the project will be required to keep exterior lighting to a minimum using low intensity, low glare design, hooded fixtures to direct light downwards and prevent spill over onto adjacent properties (VS-5). Therefore, impacts relating to nighttime lighting and glare would be *less than significant*.

Conclusion

As the site is currently undeveloped, the proposed project will introduce new residences located on a sloping site, visible from various public roadway viewpoints. The site is in Avila Valley, where majority areas are anticipated to have lower density residential development on estate sized lots in a semi-rural suburban setting. The visual quality of the vicinity is moderate to high with existing residences and developments on larger lots scattered along the foothills, partially visible from public roadways. With the incorporation of (VS-1) screening landscaping, (VS-2) earthy tone exterior colors, (VS3-4) treatment of walls and cut/fill areas, and (VS-5) low glare exterior lighting, these mitigation measures will reduce the project's visual impacts to less than a significant level.

Mitigation

See Exhibit B for detailed descriptions of mitigation measures VS-1 to VS-5.

Sources

See 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
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project parcel is within the Residential Suburban land use category and is not under a Williamson Act contract. Additionally, the project does not support historic crops or timberland activities. Based on the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the San Luis

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Obispo County Important Farmland Map (FMMP 2018), the project site is considered Not Prime Farmland. The soil types and characteristics subject to disturbance from this project include:

Gaviota fine sandy loam (15 - 50 % slope). This moderately to steeply sloping, shallow coarse loamy soil is considered very poorly drained. The soil has high erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to: steep slopes, shallow depth to bedrock. The soil is considered Class VII without irrigation and Class is not rated when irrigated.

Pismo-Tierra complex (9 - 15 % slope).

Pismo. This moderately sloping soil is considered very poorly drained. The soil has low erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to shallow depth to bedrock. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Tierra. This moderately sloping soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to slow percolation. The soil is considered Class VI without irrigation and Class is not rated when irrigated.

Discussion

- (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?)*

Based on information provided by the Farmland Mapping and Monitoring Program of the California Resources Agency, the proposed project would be located on a parcel containing soils which are designated as "Not Prime Farmland". moreover, the existing site is zoned for residential suburban not agriculture, and there are no recorded agricultural activities on site. Therefore, no Farmland would be converted to non-agricultural uses and there would be no impacts.

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

The parcel is not under a Williamson Act contract or within land zoned for agricultural use. Therefore, there will be no impact.

- (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 would not be in an area that is zoned as forest land, timberland, or timberland zoned Timberland Production, nor would the project cause the rezoning of such lands. Therefore, there will be no impacts.

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

The project would not be in an area that is considered forest land and would therefore not result in the loss of forest land or conversion of forest land to a non-forest use, so there would be no impacts.

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

The project would not directly or indirectly result in the conversion of farmland, forest land, or timber land to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. No significant impacts to agricultural resources would occur.

Conclusion

The project would not directly or indirectly result in the conversion of farmland, forest land, or timber land to non-agricultural uses or non-forest uses and would not conflict with agricultural zoning or otherwise adversely affect agricultural resources or uses. No significant impacts to agricultural resources would occur and no mitigation measures are necessary.

Mitigation

None required.

Sources

See Exhibit A.

III. AIR QUALITY

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

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Setting

The project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by SLOAPCD)

San Luis Obispo County Clean Air Plan

The SLOAPCD's San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

As proposed, the total area of disturbance would be 10.1 acres. This would result in the creation of construction dust, as well as short- and long-term vehicle emissions. According to the United States Department of Agriculture's Wind Erodibility Index, the wind erodibility of the soils which would be disturbed by the proposed project is "high". The project would be within close proximity (within 1,000 feet) to sensitive receptors including single-family residences that might result in nuisance complaints and be subject to limited dust and/or emission control measures during construction. The project is not located within a quarter mile of a designated serpentine rock outcrops which may have the potential to contain naturally occurring asbestos.

Discussion

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

The project is located within Avila Valley in parcels designated for Residential Suburban, which is meant for lower density developments. Even designed as a cluster residential development, the project is consistent with the lower density rural residential development in the area and would not substantially change or allow for increased intensity land uses in the area. The project is consistent with the general level of development anticipated in the Avila Beach Community Plan, therefore is generally consistent with the projected population and community emissions projections within the San Luis Obispo County Clean Air Plan. Therefore, impacts related to consistency with the applicable quality plan and SLOAPCD Clean Air Plan would be *less than significant*.

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

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

Construction Impacts

As proposed, the project would result in the disturbance of approximately 10.1 acres and will be disturbing more than 4 acres of area. This will result in the creation of construction dust, as well as

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short- and long-term vehicle emissions. APCD review (June 2018) found the construction phase impacts will likely be less than the significance threshold values identified in Table 2-1 of the CEQA Air Quality Handbook with the incorporation of AQ-1 dust control measures, AQ-2 construction phase idling limitations, AQ-3 prohibition of developmental burning, AQ-4 proper notification and permitting requirements for construction equipment, inadvertent discovery of hydrocarbon contaminated soils and asbestos. With the implementation of construction mitigation measures, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment, and impacts would be *less than significant*.

Operational Impacts

The SLOAPCD's CEQA Air Quality Handbook provides operational screening criteria to identify projects with the potential to exceed APCD operational significance thresholds (refer to Table 1-1 of the CEQA Handbook). Based on Table 1-1 of the CEQA Handbook, the project does not propose a use that would have the potential to result in operational emissions that would exceed APCD thresholds. The project would not generate substantial new long-term traffic trips or vehicle emissions and does not propose construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

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

Sensitive receptors are people or other organisms that may have a significantly increased sensitivity or 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 offsite residence is approximately 550 feet to the southwest of the project site and a daycare is proposed approximately 0.2 miles south of the project site. With the implementation of the construction mitigations AQ-1 to AQ-4 described in (b) above, the project will not expose sensitive receptors to substantial pollutant concentrations and impacts would be *less than significant*.

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

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

Conclusion

Incorporation of mitigation measures AQ-1 to AQ-4 relating to construction activities, would reduce project related impacts to air quality to a less than significant level pursuant to CEQA.

Mitigation

See Exhibit B for mitigation measures AQ-1 to AQ-4

Sources

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

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Setting

Sensitive Resource Area Designations

The County of San Luis Obispo Land Use Ordinance (LUO) Sensitive Resource Area (SRA) combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection. The proposed project is not within SRA combining designation.

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW has the authority to review projects for their potential to impact special-status species and their habitats.

Migratory Bird Treaty Act

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

Clean Water Act and State Porter Cologne Water Quality Control Act

The U.S. Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetland and non-wetland water bodies that meet specific criteria. USACE jurisdiction Clean Water Act and State Porter Cologne Water Quality Control Act regulates almost all work in, over, and under waters listed as “navigable waters of the U.S.” that results in a discharge of dredged or fill material within USACE regulatory jurisdiction, pursuant to Section 404 of the Clean Water Act (CWA). Under Section 404, USACE regulates traditional navigable waters, wetlands adjacent to traditional navigable waters, relatively permanent non-navigable tributaries that have a continuous flow at least seasonally (typically 3 months), and wetlands that directly abut relatively permanent tributaries.

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) regulate discharges of fill and dredged material in California, under Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act, through the State Water Quality Certification Program. State Water Quality Certification is necessary for all projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State. Based on the U.S. Fish and Wildlife Service National Wetlands Inventory, the project site does not support wetlands, riparian or deep-water habitats (USFWS 2019).

Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic

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well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems and migration patterns must be considered together in order to sustain biological resources. The COSE identifies Critical Habitat areas for sensitive species including California condor, California red legged frog, vernal pool fairy shrimp, La Graciosa thistle, Morro Bay kangaroo rat, Morro shoulderband snail, tiger salamander, and western snowy plover. The COSE also identifies features of particular importance to wildlife for movement corridors such as riparian corridors, shorelines of the coast and bay, and ridgelines. The project site does not provide habitat for Critical Habitat species.

Site Setting

The project site is located approximately 1.8 miles northeast of Avila Beach on Ontario Road and is currently undeveloped. Vegetation onsite consists of six plant communities: eucalyptus grove, non-native grassland, needlegrass grassland, coyote brush scrub, poison oak scrub, and red willow thicket along with native coast live oak trees. Three small wetland seeps vegetated with rushes are present amongst non-native annual grassland. The red willow thicket is associated with an unnamed tributary to San Luis Obispo Creek that runs along the northern boundary of the site. The channel is offsite but a portion of the riparian canopy extends into the northern side of the site.

A Biological Report and Addendum was prepared for the project by Rincon Consultants, Inc in May and June, 2018, outlining the results of site surveys conducted during spring bloom season. The surveys found suitable habitat conditions to support special status plant and wildlife species, native coast live oak trees and potential jurisdictional water features that may be impacted by the proposed development.

Discussion

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

The Biological Report (May 2018) identified seven special status plant species and seven special status wildlife species with the potential to occur onsite and be impacted by the project.

Special status plant species with potential to occur include Hoover's bent grass, San Luis mariposa-lily, Cambria morning glory, San Luis Obispo sedge, San Luis Obispo owl's-clover, Pismo Clarkia and black-flowered figwort. One special status species was observed within the survey area: San Luis Obispo owl's clover. Two individuals were detected on the southeastern end of the site, which may likely constitute the southern edge for the regional distribution of a San Luis Obispo owl's clover population prevalent in the Irish Hill neighborhood north of the project site. The removal of two individual on the project site will not significantly affect its viability in the area (Rincon, May 2018). Direct impacts to these plant species would be minimized and/or avoided with implementation of preconstruction clearance surveys prior to disturbance and implementation of avoidance buffers if found (BR-1).

Special wildlife species with potential to occur include California legless lizard, Blainvilles horned lizard, American badger, burrowing owl, loggerhead shrike, white-tailed kite, and American bald eagle. Evidence of badger dens were observed on site. In addition, vegetation within and adjacent to the

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project site offers potential nesting habitat for bird species protected under the federal Migratory Bird Treaty Act and California Fish and Game Code. Direct and indirect impacts to these species can be minimized and/or avoided with implementation of preconstruction clearance surveys prior to disturbance, best construction management practices and implementation of avoidance buffers if found (BR-2).

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

The project site contains a portion of the riparian canopy surrounding the San Luis Obispo Creek tributary along with needlegrass grasslands (>10% cover). Riparian vegetation and needlegrass grasslands are identified as sensitive natural communities by the CDFW. The proposed development has been designed to avoid the identified needlegrass patch. Further impacts to the needlegrass grassland can be mitigated with the avoidance and revegetation through a Habitat Restoration and Revegetation Plan (BR-3).

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

The project site contains three small wetlands: one isolated seep wetland (0.024 acres in southern zone) is likely subject to RWQCB jurisdiction, two other wetlands (0.044 acres in northern zone) are likely subject to both USACE and RWQCB jurisdictions. Additionally, the red willow thicket (0.107 acres) riparian area is likely subject to CDFW and RWQCB jurisdictions. The proposed residences are located to avoid these wetland patches but site improvements including septic and drainage basins may have potential impacts to the two northern wetlands. Indirect impacts related to silt, sedimentation, or runoff caused by construction grading also have the potential to occur. These impacts to these wetlands can be minimized with the requirement of resource agency clearance and/or appropriate permit(s), and the implementation of proper drainage, erosion and sedimentation best practices during construction (BR-4)

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

The project area is not located within an Essential Connectivity Area (ECA) mapped by the CDFW. However, vegetation within and adjacent to the project site offers potential nesting habitat for bird species protected under the federal Migratory Bird Treaty Act and California Fish and Game Code. The presence of Ontario Rd and Highway 101 to the east, as well as the other development surrounding the parcel limits the utility of the site as a wildlife corridor. The riparian corridor surrounding the San Luis Obispo Creek tributary is the only potential corridor for wildlife. No direct impacts to this corridor are anticipated. Implementation of mitigation measures BR-1, BR-2, BR-4, and BR-5 will reduce potential impacts to wildlife movement and sensitive habitats to nesting birds.

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

There are 54 native coast live oak trees scattered throughout the northern portion of the project site. These trees vary in ages, range from 2-24 inches dbh and are found in low densities scattered within annual grassland. Based on their distribution, the oaks onsite do not warrant designation as oak

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woodland habitat (Rincon, May 2018). The proposed project will result in the removal of up to 43 coast live oak trees with 8" dbh or greater.

The County of San Luis Obispo has oak woodland preservation ordinance and, policies for native trees protection including mitigation for unavoidable tree removal, replacement planting and long-term monitoring plan. A tree removal permit and tree protection and replacement plan will be required to adhere to the General Plan and County Code to reduce impacts to native trees (BR-5)

- (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?*

There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other local, regional, or state habitat conservation plan adopted that includes the project site. Therefore, there will be no impact.

Conclusion

The site supports six vegetation communities that may be conducive to special status plant and wildlife species. Small wetland patches are also found on the site with native coast live oaks scattered in the northern portion of the site. In addition to project design, appropriate mitigations have been identified to minimize and/or avoid direct and indirect impacts to these sensitive biological resources. Mitigation Measures BR-1 and BR-2 address site related impacts and mitigations to special status plant and wildlife species, BR-3 address restoration and revegetation measures to the special status plant and community identified on site, BR-4 requires necessary clearance and best management practices to avoid impacts to jurisdictional waters and BR-5 outlines the requirements for native protection and replacement pursuant to County land use policies. The implementation of these mitigation measures will reduce the project's impacts to biological resources to less than a significant level.

Mitigation

See Exhibit B for detailed descriptions of mitigation measures BR-1 to BR-5.

Sources

See 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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

The project is located in an area historically occupied by the Chumash tribal people. San Luis Obispo county possesses a rich and diverse cultural heritage and therefore has a wealth of historic and prehistoric resources, including sites and buildings associated with Native American habitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

As defined by CEQA, a historical resource includes:

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

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

The 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. Based on the COSE, the project is not located in a designated Archaeological Sensitive Area or Historic Site. The County's General Plan incorporated goals, policies, and implementation strategies to identify and protect important historical and cultural resources within the county, one of which requires a Phase 1 survey for all development subject to discretionary permit within 100 feet of a creek bank.

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A Cultural Resources Survey was prepared for the project by Rincon Consultants in May 2018. The report identified no known cultural resources on the project site; however, the records search found several cultural resources within 0.5 mile of the site.

Discussion

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

The project site does not contain, nor is it located near, any historic resources identified in the National Register of Historic Places or California Register of Historic Resources. The project site does not contain a site under the Historic Site (H) combining designation and does not contain other structures of historic age (50 years or older) that could be potentially significant as a historical resource. Therefore, the project would not result in an adverse change in the significance of a historical resource and *no impacts would occur*.

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

Based on a review of past archaeological surveys conducted in the project vicinity, there are several identified archaeological resources within 0.5 mile of the project site. The closest identified cultural resource sites had recorded findings of lithic scatter, formal tool blanks and mortars and historic refuse. These findings were not significant or intact to suggest ancient habitation. Other findings include lithic scatter and a habitation site with discovered burial approximately 0.5 mile away. Even with the found cultural resources, the project site is predominantly a sloped hillside and lacks the physical features typically associated with prehistoric occupation. The Phase 1 did not find any prehistoric resources on the site. Due to the nearby findings, the incorporation of cultural resource monitoring during initial ground disturbance will mitigate impacts related to a substantial adverse change in the significance of archaeological resources to *less than significant*.

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

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

Conclusion

No historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with Cultural Resource Monitoring (CR-1) and State Health and Safety Code procedures would reduce potential impacts to less than significant.

Mitigation

See Exhibit B for mitigation measure CR-1.

Sources

See Exhibit A.

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VI. ENERGY

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

Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2019).

The County has adopted a Conservation and Open Space Element (COSE) that establishes goals and policies that aim to reduce vehicle miles traveled, conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. 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 greenhouse gas emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

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

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

The County LUO includes a Renewable Energy Area combining designation to encourage and support the development of local renewable energy resources, conserving energy resources and decreasing reliance on environmentally costly energy sources. This designation is intended to identify areas of the county where

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renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The LUO establishes criteria for project eligibility, required application content for SEFs proposed within this designation, permit requirements, and development standards (LUO 22.14.100).

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

Sources

See 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Setting

The Alquist-Priolo Earthquake Fault Zoning Act (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 Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The Safety Element of the County of San Luis Obispo General Plan identifies three active faults that traverse through the County and that are currently zoned under the State of California Alquist-Priolo Fault Zoning Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

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

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities. The California Building Code (CBC) currently requires structures to be designed to resist a minimum seismic force resulting from ground motion.

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is being impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide

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activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. The project is in an area with low to moderate potential for landslides.

Shrink/swell potential is the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. According to the NRCS, the soils underlying the site are characterized as having a moderate to high erodibility and low shrink-swell characteristics, as well as having potential septic system constraints due to steep slopes and shallow depth to bedrock.

The County LUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate. This report is then required to be evaluated by a geologist retained by the County. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault trace within an Earthquake Fault Zone (LUO 22.14.070). The proposed project is not located within GSA combining designation.

The County Conservation and Open Space Element (COSE) identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils.

The project site is moderately sloping and the soils on the site have a low shrink-swell (expansive) potential. According to the County's Land Use View, the project site is not within the County's Geologic Study Area, and it has a low landslide risk and low liquefaction potential. There are no potentially active faults within a mile of the project site, and there are no notable geologic features on the project site, including serpentine or ultramafic rock/soils.

Discussion

- (a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- (a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

The project is not on or near an earthquake fault as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other evidence. The project would therefore not likely cause potential substantial adverse effects from the rupture of a known earthquake fault. In addition, the proposed project would be subject to professional engineering and construction standards to ensure the reservoirs are constructed in a stable manner. Therefore, the potential for impacts related to surface ground rupture to occur at the reservoir sites is low, and potential impacts would be *less than significant*.

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(a-ii) Strong seismic ground shaking?

The project would be required to comply with the California Building Code (CBC) to ensure the effects of a potential seismic event would be minimized to the greatest extent feasible. The project would be subject to California Building Code, therefore impacts related to the production of strong seismic ground shaking would be *less than significant*.

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

According to the County Safety Element, the project site has low liquefaction potential.

(a-iv) Landslides?

The project site is moderately sloping. Based on the County Safety Element Landslide Hazards Map, the project is in an area with low to moderate potential for landslide risk. Therefore, the project would not cause adverse effects involving liquefaction, a product of landslides, and impacts would be *less than significant*.

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

The project would result in the disturbance of approximately 10.1 acres. During grading activities there would be a potential for erosion and sedimentation to occur. A sedimentation and erosion control plan is required for all construction and grading projects (LUO Section 22.52.120) to minimize potential impacts related to erosion and sedimentation, and includes requirements for specific erosion control materials, setbacks from creeks, and siltation. Upon implementation of the above control measures, as recommended by the county, impacts related to soil erosion and sedimentation would be reduced to *less than significant*.

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

Landslides typically occur in areas with steep slopes or in areas containing escarpments. Based on the Landslide Hazards Map provided in the County Safety Element, the project site is not located within an area with slopes susceptible to local failure.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element, the project is not located in an area of historical or current land subsidence. Based on the County Safety Element Liquefaction Hazards Map, the project site is in an area with low potential for liquefaction risk and impacts will be *less than significant*.

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

The project site is located on soils that have a low expansion potential. The project would be required to comply with the most recent CBC requirements, which have been developed to properly safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, the project will not create a substantial direct or indirect risk to life or property from soil expansion, and impacts will be *less than significant*.

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

The project is subject to RWQCB permitting of small domestic wastewater treatment and disposal system which required installations of an advanced treatment system and engineered seepage pits. The applicant submitted a preliminary clearance letter from RWQCB (Nov 5, 2018) confirming the viability of the proposed engineered system. Impacts to the onsite soils and septic system will be *less than significant*.

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

According to the Cultural Resources Survey prepared by Rincon Consultants (May 2018), no paleontological sites have been identified within the project site. No unique geologic features exist on the project site and would therefore not be affected. Therefore, impacts would be *less than significant*.

Conclusion

The project would be required to comply with CBC requirements which have been developed to properly safeguard against seismic and geologic hazards. The project would not result in significant impacts related to geology or soils and no mitigation is necessary.

Mitigation

No mitigation measures above what are required by ordinance are required.

Sources

See Exhibit A.

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"/>

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Setting

As noted in Section 3 Air Quality, the project site is located in the South Central Coast Air Basin (SCCAB) under the jurisdiction of the San Luis Obispo County Air Pollution Control District (SLOAPCD). The SLOAPCD has developed and updated a CEQA Air Quality Handbook (2012) and clarification memorandum (2017) to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Greenhouse Gas (GHG) Emissions have been found to result in an increase in the earth's average surface temperature by exacerbating the naturally occurring "greenhouse effect" in the earth's atmosphere. The rise in global temperature has been projected to lead to long-term changes in precipitation, sea level, temperatures, wind patterns, and other elements of the earth's climate system. This phenomenon is commonly referred to as global climate change. These changes are broadly attributed to GHG emissions, particularly those emissions that result from human production and use of fossil fuels.

The passage of AB32, the California Global Warming Solutions Act (2006), recognized the need to reduce GHG emissions and set the greenhouse gas emissions reduction goal for the State of California into law. The law required that by 2020, State emissions must be reduced to 1990 levels. This is to be accomplished by reducing greenhouse gas emissions from significant sources via regulation, market mechanisms, and other actions. Subsequent legislation (e.g., SB97-Greenhouse Gas Emissions bill) directed the California Air Resources Board (CARB) to develop statewide thresholds.

In March 2012, the San Luis Obispo County Air Pollution Control District (APCD) approved thresholds for GHG emission impacts, and these thresholds have been incorporated into the APCD's CEQA Air Quality Handbook. APCD determined that a tiered process for residential / commercial land use projects was the most appropriate and effective approach for assessing the GHG emission impacts. The tiered approach includes three methods, any of which can be used for any given project:

1. Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,
2. Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions; or,
3. Efficiency-Based Threshold: Assesses the GHG impacts of a project on an emissions per capita basis.

For most projects, the Bright-Line Threshold of 1,150 metric tons of carbon dioxide per year (MT CO₂e/year) will be the most applicable threshold. In addition to the residential/commercial threshold options proposed above, a bright-line numerical value threshold of 10,000 MT CO₂e/yr was adopted for stationary source (industrial) projects.

It should be noted that projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the CARB (or other regulatory agencies) and will be "regulated" either by CARB, the federal government, or other entities. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. Other programs that are intended to reduce the overall GHG emissions include Low Carbon Fuel Standards, Renewable Portfolio Standards, and the Clean Car Standards. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions.

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

Discussion

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

The proposed project would involve the construction of 22 new single-family residences. The average carbon footprint of a single-family residential home is approximately 10 metric tons making the total GHG emissions of the project roughly 220 metric tons. Using the GHG threshold information described in the Setting section, the project is expected to generate less than the Bright-Line Threshold of 1,150 metric tons of GHG emissions. Therefore, the project's potential direct and cumulative GHG emissions are found to be *less than significant* and less than a cumulatively considerable contribution to GHG emissions. Section 15064(h)(2) of the CEQA Guidelines provide guidance on how to evaluate cumulative impacts. If it is shown that an incremental contribution to a cumulative impact, such as global climate change, is not 'cumulatively considerable', no mitigation is required.

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

The proposed project would not interfere with any applicable plans, policies, or regulations regarding greenhouse gas emissions including the County of San Luis Obispo's EnergyWise Plan, which notes the emission reduction goals for the county by 2035 (San Luis Obispo County 2011). Therefore, impacts would be *less than significant*.

Conclusion

The project would not violate any regulations regarding GHG emissions, and it would not surpass any emission thresholds. Therefore, the project would result in *less than significant impacts*.

Mitigation

None necessary.

Sources

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

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Setting

The project is not located in an area of known hazardous material contamination and is not on a site listed on the "Cortese List" (which is a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5) (SWRCB 2019; California Department of Toxic Substance Control [DTSC] 2019). The project is located within a moderate fire hazard severity zone within a State Responsibility Area and based on the County's response time map, it will take approximately 0-5 minutes to respond to a call regarding fire or life safety. The project is not located within an Airport Review Area and the closest active landing strip, San Luis Obispo County Regional Airport, is 4.25 miles northeast of the project site.

Discussion

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

The project does not propose the routine use, transport, or disposal of hazardous materials. Therefore, the project is not likely to create a significant hazard to the public or environment through exposure to hazardous materials, and impacts will 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?*

Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Handling of these materials has the potential to result in an accidental release. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws. Additionally, the construction contractor would be required to implement BMPs for the storage, use, and transportation of hazardous materials during all construction activities. Therefore, impacts would be *less than significant*.

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

The project does not propose the use of hazardous materials, nor the generation of hazardous emissions. The nearest school is Bellevue-Santa Fe Charter School, located 0.6 miles to the west. There are no schools within a quarter mile of the proposed project. Therefore, there would be *less than significant*.

- (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?*

The project is not located in an area of known hazardous material contamination and is not on a site listed on the "Cortese List" pursuant to Government Code Section 65962.5. Therefore, there would be *no impact*.

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- (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 project is not located within an airport land use plan and is not located within two miles of an airport. Therefore, there would be no risk of exposing persons to a safety hazard or excessive noise from the operation of the airport and there would be *no impact*.

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

The project would not conflict with any regional emergency response or evacuation plan as the existing access roads would be wide enough to accommodate emergency vehicles and project construction would be contained within the project site. Construction and operation of the project would not require road closure, and the project would not physically block the nearby residents from evacuating during an emergency. 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?*

According to Cal Fire, the project site is in a moderate fire hazard severity zone within a State Responsibility Area, and response times are between 0 and 5 minutes. In accordance with Sections 903.2 of the Building Code, fire sprinklers will be installed. The project proponent would also be required to adhere to a Fire Safety Plan prepared by the Cal Fire to lessen fire risk within the project site. With this in consideration, impacts would be *less than significant*.

Conclusion

The project is not known to contain or involve hazardous materials. Compliance with fire safety requirements in building codes, fire safety plan and proximity to fire services will reduce the project's impacts to *less than significant*.

Mitigation

No mitigation measures above what are required by ordinance are required.

Sources

See 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 project proposes to obtain its potable water needs from County water system (CSA12) as well as from an onsite well for irrigation and back up supply. The proposed project would obtain 2 residential service main connections, located along Ontario Road and will be privately conveying to 22 residential connections. The project is subject to the County's Plumbing Code (Chapter 7 of the Building and Construction Ordinance [Title 19]), and/or the "Water Quality Control Plan, Central Coast Basin" for its wastewater requirements, where wastewater impacts to the groundwater basin will be less than significant.

The topography of the project is moderately sloping. As described in the NRCS Soil Survey, the soil surface is considered to have high erodibility and is considered very poorly drained. The project parcel is not within a groundwater basin. The closest creek from the proposed development is approximately 0.18 miles to the east. The project site is not located within a 100-year flood zone. The proposed development has been designed to avoid the riparian edge along the northern boundary and the three isolated wetland seeps found on site.

For areas where drainage is identified as a potential issue, the Land Use Ordinance (LUO Sec. 22.52.110) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows. The applicant provided a Preliminary Stormwater Control Plan and Drainage Report (Above Grade Engineering, March 2018), which outlined full compliance measures with the performance requirements (1,2,3 & 4) incorporated into the project. Proposed drainage conditions involve capturing roadway and driveway run-off in storm drain inlets located near the property line of each proposed road. These inlets will be directed into appropriately sized on-site retention/detention basins that will adequately treat and limit peak flow discharge from the development. Building roof run-off designed to flow into landscaped areas.

A sedimentation and erosion control plan is required for all construction and grading projects (LUO Sec. 22.52.120) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program. When work is done in the rainy season, the County's Land Use Ordinance requires that temporary erosion and sedimentation measures to be installed.

Discussion

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

With regards to project impacts on water quality the following conditions apply:

- Approximately 10.1 acres of site disturbance;
- Storm Water Pollution Prevention Plan (SWPPP) is required;
- The project will be subject to standard County requirements for drainage, sedimentation and erosion control for construction and permanent use;
- The project is on soils with high erodibility, and moderate slopes;
- The project is not within a 100-year Flood Hazard designation;
- The project is within 500 feet from the closest creek and at least 100 feet from the nearest surface water body;

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- All hazardous materials and/or wastes will be properly stored onsite, which include secondary containment should spills or leaks occur; and
- Stockpiles will be properly managed during construction to avoid material loss due to erosion.

Implementation of Land Use Ordinance Section 22.52.110 and Section 22.52.120 will help ensure *less than significant impacts* to water quality standards and surface and ground water quality.

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

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

- (c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- (c-i) *Result in substantial erosion or siltation on- or off-site?*
 - (c-ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
 - (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?*
 - (c-iv) *Impede or redirect flood flows?*

The project has been conditioned to provide final grading, drainage, erosion and sedimentation control plans, and SWPPP for review and approval prior to building permit issuance as required by LUO Section 22.52.100, 110 and 120.

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

The proposed project is not located in a 100-year flood zone, and it is 1.12 miles from the Pacific Ocean. Therefore, impacts would be *less than significant*.

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

The project will be conditioned to comply with relevant provisions of the Central Coast RWQCB Basin Plan. Therefore, impacts would be *less than significant*.

Conclusion

No significant hydrology and water quality impacts is anticipated to occur.

Mitigation

No mitigation measures above what are required by ordinance 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 type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

The 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 proposed subdivision would be in an area designated Residential Suburban by the County of San Luis Obispo. The project site is adjacent to Ontario Road and Highway 101 and is otherwise surrounded by scattered suburban homes and undeveloped land. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, North County Area Plan, etc.). Referrals were sent to outside agencies and other County departments to review for policy consistencies (e.g., County Fire/CAL FIRE for Fire Code, SLOAPCD for Clean Air Plan, etc.).

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Discussion

(a) *Physically divide an established community?*

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

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

The project would be consistent with the property's land use designation and the guidelines and policies for development within the applicable area plan, inland LUO, and the COSE. The project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects. The project would be consistent with existing land uses and designations for the proposed site and, therefore, would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating environmental effects. With the incorporation of specified mitigation measures, project related impacts are considered less than significant.

Conclusion

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

Mitigation

None necessary.

Sources

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

1. Mineral or petroleum extraction occurs or is proposed to occur;
2. The state geologist has designated a mineral resource area of statewide or regional significance pursuant to 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.

Discussion

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

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

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

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

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Conclusion

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

Mitigation

None required.

Sources

See Exhibit A.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

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

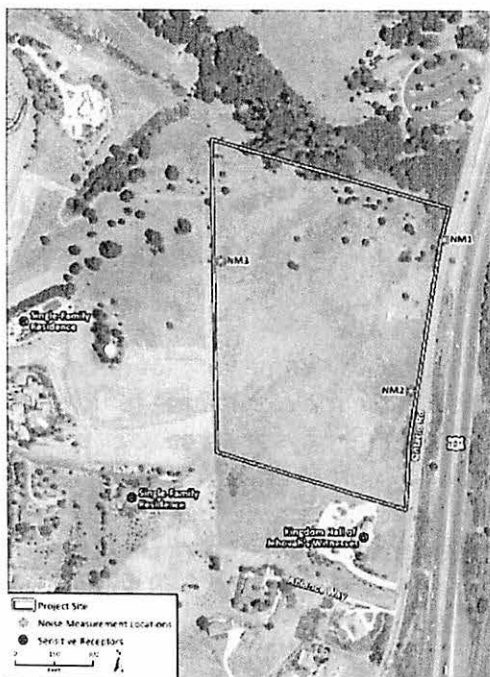
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All sound levels referred to in the Noise Element are expressed in A-weighted decibels (dB). A-weighting de-emphasizes the very low and very high frequencies of sound in a manner similar to the human ear. Noise sensitive uses that have been identified by the County include the following:

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

The nearest existing off-site noise-sensitive land uses include single family residences and a religious center. The religious center is located approximately 100 feet to the south of the project and holds religious services on Tuesdays (7pm) and Sundays (10am). The nearest residences are approximately 300 feet to the southwest of the project, and approximately 700 feet west on the opposite side of the ridgeline. The project itself includes residential uses which would be new noise-sensitive receptors. The closest northeastern residence will be approximately 150 feet from Ontario Road and 260 feet from U.S. 101. The primary sources of noises in the project site vicinity are motor vehicles along Ontario Road (collector road) and U.S 101 (highway). The project site is not located within an Airport Review Area, and the nearest airport, San Luis Obispo County Regional Airport, is 4.25 miles northeast of the project site. The applicant submitted a Noise Study (Rincon, May 2018) which summarized the results of the noise measurements on site, project related noise impacts and proposed mitigation measures to reduce the noise impacts to the existing sensitive receptors and future residents.

Figure 7: Noise Measurement Locations and Nearby Sensitive Receptors (Rincon, May 2018)



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The noise measurements (NM1 & NM2) were chosen based on the proposed siting of residences closest to the dominant noise sources (roadways). NM1 has a direct line of sight with U.S. 101 and measured the highest ambient noise level at 70 dBA. NM2 is topographically elevated with the existing embankment along Ontario Road blocking its direct line of sight to U.S. 101 and measured 60.8 dBA ambient noise. NM3 is farthest from these roadways and measured the lowest ambient noise at 58.4 dBA.

Table 1 – Noise Monitoring Results

Measurement Number	Measurement Location	Primary Noise Source	Sample Time	Leq[15] (dBA)
1	Northeastern boundary of project site, adjacent to Ontario Road	U.S. 101 (140 feet from centerline)	7:29 a.m. – 7:44 a.m.	70.0
2	Southeastern boundary of project site, adjacent to Ontario Road	Ontario Road (60 feet from centerline)	7:52 a.m. – 8:07 a.m.	60.8
3	Northwestern boundary of project site	U.S. 101 (975 feet from centerline)	8:24 a.m. – 8:39 a.m.	58.4

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

Table 2. 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 County LUO noise standards are subject to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. on weekdays, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. Noise associated with agricultural land uses (as listed in Section 22.06.030), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

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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?*

Temporary Construction Noise

Project construction would result in a temporary increase in noise levels associated with construction activities, equipment, and vehicle trips. Construction noise would be variable, temporary, and limited in nature and duration. These activities are limited to the daytime hours of 7:00 a.m. to 9:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday or Sunday, in accordance with County construction noise standards (County Code Section 22.10.120.A). Construction noise levels could reach 82 dBA at the church located 100 feet south of the project site, up to 72 dBA for residences approximately 300 feet southwest of the site. Modern building construction may reduce exterior-to-interior noise levels by 25 dBA with closed windows, which will result in an interior noise level up to 57 dbA at the Church, exceeding the County's maximum allowed 45 dBA dBA for interior noise level. To mitigate this temporary impact, construction activities shall be prohibited within 500 feet of the church between 9.30 am till the conclusion of morning services on Sundays (N-1).

Increased Off-Site Traffic Noise

The increased traffic volumes associated with the project will result in an increase of less than 0.01 dBA in ambient noise levels along U.S. 101, which currently measures at 70 dBA during peak hour traffic (at NM1). U.S. 101 is the dominant noise source because of its high traffic volume, vehicle speeds and truck trips. The minimal increase of project related traffic volume will not result in an increase in traffic noise exceeding 1 dBA at these existing high ambient noise environments.

Exposure of New Residences to Traffic Noise

The nearest two residences in the northern portion are approximately 150 feet from Ontario Road and 260 feet from U.S. 101. The nearest two residences in the southern portion will be approximately 160 feet from Ontario Road and 300 feet from U.S. 101. These residence outdoor use areas / backyards will be exposed to ambient roadway noise from Ontario Road and U.S. 101. The following Table 3 outlined the noise exposure of the closest proposed residences (adjusted to include 1dBA increase from project traffic volume)

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Table 3: Noise exposure of the closest proposed residences (adjusted to include 1dBA increase from project traffic volume)

Location	Existing plus Project Estimated Roadway Noise Level (dBA, Ldn)	Topography Adjustment (dB) ¹	Estimated Outdoor Living Area Exposure (dBA, Ldn)	Above Exterior Noise Threshold? (60 dBA, Ldn)	Above Interior Noise Threshold? ² (45 dBA, Ldn)
Closest proposed single- family residence to roadways at northeastern portion of the project site	71.6	0	71.6	Yes	Yes
Closest proposed single- family residence to roadways at southeastern portion of the project site	70.6	-5	65.6	Yes	No

¹ The topography adjustment for the closest single-family residences at the southeastern portion of the project site is attributable to an existing embankment east of the project site. This adjustment to noise levels is derived from the County's Noise Element.

² The manner in which newer dwelling units in California are constructed generally provides a reduction of exterior-to-interior noise levels of about 25 dBA with closed windows (FTA 2006). This assumed 25 dBA reduction is applied to the exterior noise levels.

The Noise Element of the County of San Luis Obispo General Plan includes policies for regulating noise impacts in the planning process. These policies include standards for new development near transportation noise sources. The proposed residences closest to U.S. 101 on northeast and southeast would be exposed to exterior noise level of 71.6 and 70.6 dBA respectively. Even with modern building construction which can reduced noise levels by 25 dBA, the interior noise level for the northeast residences will still exceed County's 45 dBA standard. The homes on southeast portion may have acceptable interior noise level due to the exterior-to-interior noise attenuation with modern building code.

For residential land use, exterior noise exposure of between 70 to 85 dBA is considered unacceptable. Furthermore, Policy 3.3.2 of the County Noise Element forbids new development of noise sensitive land use in areas with transportation noise sources exceeding 60 dBA exterior noise level and 45 dBA interior noise levels without proper mitigation. The Noise Study (May 2018) recommended a 12 feet sound wall placed along the eastern boundary of these residences and re-orient the four closest residential units to the U.S. 101 to provide additional concrete/ masonry noise barrier as part of the unit design. The revised site plan flips the floor plans to orient noise sensitive portions of the houses away from the highway and use the non-noise sensitive portions of the residences as noise barrier. The re-oriented residential units would break line-of-sight between the highway to attenuate the direct noise from the highway. The 12 feet sound wall will break line of sight along additional rear

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backyards, reducing the noise levels at exterior use areas. The sound wall will mitigate the noise impact and reduce approximately noise levels by 5 to 10 dBA (N-2).

For interior noise levels, the northeast residences closest to the road exceed the County's standard of 45 dBA. The 1.5 dBA reduction can be achieved by minimizing wall openings facing the roadways and providing windows with Sound Transmission Class (STC) of 33 or greater and wall assemblies with STC of 50 or greater (N-3). This will mitigate the interior noise to less than significant and comply with the County's noise ordinance. Incorporation of these mitigation measures will reduce the noise impacts to *less than significant level*.

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

Construction equipment has the potential to generate minor groundborne noise and/or vibration, but these activities would be limited in duration and restricted to avoid church service periods on Sundays (N-1) to reduce noise impacts to sensitive receptors. The project does not propose a use that would generate long-term operational groundborne noise or vibration. Therefore, with the incorporation of N-1 mitigation measure, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

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

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

Conclusion

The project will introduce new sensitive receptors to existing high ambient noise from Ontario Road and U.S. 101. The highway is a dominant noise source due to its high traffic volume, vehicle speeds and truck trips. Temporary construction noise impacts on the existing nearby sensitive receptors such as the religious center can be reduced by restricting construction hours on Sundays to avoid service times (N-1). Project design including reorienting the residential structures closest to the road to utilize solid walls as noise barriers and sound walls along the eastern lot boundaries will reduce the exterior noise levels to acceptable levels (N-2). Utilization of higher acoustically rated window and wall assemblies will help lower the interior noise levels to comply with County noise ordinance (N-3). These mitigation measures have been developed to reduce the noise impacts to maximum extent feasible and comply with the County's Noise standards; therefore, impacts will be *less than significant*.

Mitigation

See Exhibit B for detailed mitigation measures N-1 to N-3.

Sources

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

Setting

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

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 proposed project will create new residences which will increase the supply of homes in the area leading to potential, small population growth. This is in line with County and Local plans to increase housing availability. The proposed project would not result in new jobs in the area that would require new housing. The project does not propose new roads or infrastructure to undeveloped or underdeveloped areas that would indirectly result in population growth. Therefore, impacts would be *less than significant*.

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

The proposed project does not involve the displacement, either directly or indirectly, of existing people or housing that would necessitate the construction of replacement housing elsewhere. The project proposes the creation of additional housing to increase home supply. Therefore, *no impacts* would occur.

Conclusion

The proposed project would provide additional housing. Therefore, no population and housing impacts would occur.

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Mitigation

None necessary.

Sources

See Exhibit A.

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:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project area is served by the County Sheriff's Department and Cal Fire as the primary emergency responders. The nearest sheriff station is located at the Oceano substation approximately 7.63 miles to the southeast of the proposed project. The project is in a State Responsibility Area for fire protection. Fire hazard severity is high and emergency response times are between 0-5 minutes. The project is within the San Luis Coastal Unified School District.

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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 proposed project was reviewed by Cal Fire for consistency with the Uniform Fire Code and will be required to adhere to the requirements of Uniform Fire Code. A Fire Safety Plan from CAL Fire was provided for the project. The proposed project, along with other projects in the area, will result in a cumulative effect on fire protection services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant*.

Police protection?

The proposed project, along with other projects in the area, would result in a cumulative effect on police protection services. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property that was used to estimate the public facility fees in place. Therefore, impacts would be *less than significant*.

Schools?

The proposed project would result in the creation of new housing and may result in minor population growth. This population growth would result in a cumulative effect on existing school facilities. The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property. Therefore, impacts would be *less than significant*.

Parks?

The proposed project would result in the creation of new housing and may result in minor population growth. The project is subject to Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and Recreation facilities). The project's direct and cumulative impacts would be within the general assumptions of allowed use for the subject property. The applicant is proposing an open space parcel between the two residential clusters, which can be used as additional recreational area for the area. Therefore, impacts would be *less than significant*.

Other public facilities?

The project will be subjected to improvements to the frontage along Ontario Road such as widening to accommodate additional roadway for bike lanes. This is consistent with the Bike Coalition Committee and Healthy Communities Committee recommendations to promote safer multi use roadway along Ontario Road. The proposed project would not generate a substantial long-term demand for roads, solid waste, or other public services or utilities. Electrical demands of the project would be within expected uses for the property. The proposed project site would be accessed by the existing local circulation system and would not generate substantial long-term operational trips. Therefore, potential impacts on public services or utilities would be *less than significant*.

Initial Study – Environmental Checklist

Conclusion

No significant impacts to public services or utilities would occur.

Mitigation

None necessary.

Sources

See Exhibit A.

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

According to the Recreation Element, the project site is located 0.18 miles to the west of the San Luis Creek proposed trail corridor. A popular local multi use trail, the Bob Jones trail is approximately 0.4 miles south of the project site.

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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 proposed project would have a cumulative effect on the use of existing parks and recreational facilities through population growth caused by the construction of new homes. The project is located within close vicinity to a public open space area. The project is subject to Quimby Act. The Quimby fees shall be collected at a time of building issuance, per 21.09.010 (Parks and recreation facilities). Therefore, the local area has the recreational capacity to handle the increased use caused by the project, and impacts would be *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 proposed project does not include recreational facilities or require construction of or expansion of recreational facilities. Therefore, impacts will be *less than significant*.

Conclusion

No significant impacts to recreational resources would occur.

Mitigation

None necessary.

Sources

See Exhibit A.

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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 main roadways with existing Level of Service (LOS) surrounding the project are as follows:

U.S. 101: State facility located west of Project Site, is a four-lane freeway and provides access to the Project Site via full-access interchanges at San Luis Bay Drive and Avila Beach Drive.

San Luis Bay Drive: North of Project Site, is a two-lane arterial road extending southwest from Monte Road to Avila Beach Drive into the community of Avila Beach

Avila Beach Drive: South of Project Site, is a two-lane arterial road extending west from U.S.101 through the community of Avila Beach

Ontario Road: East of Project Site, is a two-lane collector road adjacent to west side of U.S.101 and provides direct access to the Project Site.

Shell Beach Drive: South of Project Site, is a two-lane frontage road extending southeast from Avila Beach Drive into the community of Shell Beach

Monte Road: is a two-lane local road extending north from U.S. 101

Existing Intersection Operations

The County has established the acceptable Level of Service on roads for this rural area as "C" or better. The applicant submitted a Traffic Report (Nov 2018) studying the projects impacts to 7 study-area intersections in the vicinity. Per the traffic report, the proposed 22 new residences will generate 208 average daily trips (ADT), with 16 AM and 22 PM peak hour trips. Of the seven study-area intersections, the impact analysis found three intersections currently exceed the County's LOS C standard and/or the Caltrans LOS C standard for weekday PM peak hour traffic:

Intersection #1 San Luis Bay Drive / Ontario Road

Intersection # 4 Avila Beach Drive / Ontario Road

Intersection #5 Avila Beach Drive / U.S. 101 SB Ramp – Shell Beach Road

Initial Study – Environmental Checklist

The traffic report found all seven study-area intersections are operating at LOS C or better during weekend peak hour period (Sat mid-day period).

Project Specific Analysis

Access to the subdivision is proposed via two new connections on Ontario Road. This segment of Ontario road between San Luis Bay Drive and Avila Beach Drive is a two-lane rural road containing 12-foot travel lanes in each direction plus shoulders designated as bike lanes. Existing traffic volume on Ontario Road is about 2,200 ADT, which equates to LOS A operations. The project will add 208 ADT to the roadway. Based on this traffic volume, the project traffic would not significantly impact traffic operations on this segment of Ontario Road. With the project traffic, the increased volume remains below the threshold for a separate left turn lane into the project site. Sight distances for the proposed driveways were calculated and found to exceed County's standards for roads with 50 MPH speed (ATE, Nov 2018). The proposed project is not located within a quarter mile buffer of a railroad crossing.

Based on the traffic analysis, the project will cumulatively contribute to the roadway impacts particularly in the three identified deficient intersection summarized below:

Intersection #1 San Luis Bay Drive / Ontario Road

Existing Conditions = LOS D for PM peak hour

Existing + Project Conditions = LOS D for PM peak hour

Cumulative + Project Conditions = LOS D-E for PM peak hour

Intersection # 4 Avila Beach Drive / Ontario Road

Existing Conditions = LOS D for PM peak hour

Existing + Project Conditions = LOS D for PM peak hour

Cumulative + Project Conditions = LOS E for PM peak hour & LOS D for Weekend peak hour

Intersection #5 Avila Beach Drive / U.S. 101 SB Ramp – Shell Beach Road

Existing Conditions = LOS F for PM peak hour

Existing + Project Conditions = LOS F for PM peak hour

Cumulative + Project Conditions = LOS F for PM peak hour

Intersection #4 appears to be more significantly impacted during weekends due to its popularity amongst cyclists along Ontario Road. The other two intersections do not appear to be substantially affected by the additional project-related traffic. The County's 2015 Avila Circulation Study and Traffic Impact Fee update report identified signalizations will be required at these deficient intersections to improve the overall level of service. The project is subject to the Avila Valley Road Improvement Fee, which addresses cumulative impacts to county roads in the area by funding areawide circulation impacts.

Initial Study – Environmental Checklist

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 uses that would interfere or conflict with applicable policies related to circulation, transit, roadway, bicycle, or pedestrian systems or facilities. According to County Dept of Public Works final review (March 20, 2019), the project is subjected to various conditions involving Ontario Road widening, access and improvements, easements and dedications, and general improvement maintenance. Ontario Road will be widened to A-1 rural road standard with Class 2 Bike Lanes, which will be in compliance with the County Bikeways Plan. The project would contribute funding to future communitywide improvements identified in the County's 2015 Avila Circulation Study and Traffic Impact Fee update via payment of traffic mitigation fees to offset its contribution to traffic impacts. Improvements to the site, frontage road, and fee payment will lessen the project impacts to *less than significant*.

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

CEQA Guidelines section 15064.3 does not apply until July 1, 2020 and the County has not elected to be governed by the provisions of this section in the interim. Therefore, the project would not substantially increase hazards and would have a *less than significant impact*.

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

The project will be introducing two private access roads connections onto Ontario Road and is subjected to County Dept of Public Work's conditions to implement appropriate frontage improvements including road widening. These frontage improvements will not substantially increase hazards to the roadways. Therefore, *no impacts would occur*.

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

Ontario Road and the connecting roads in the area are currently able to accommodate emergency vehicles. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, impacts related to emergency access would be *less than significant*.

Conclusion

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

Mitigation

No mitigation measures beyond what is required by ordinance are necessary.

Sources

See 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

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

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

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

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

The Native American Heritage Commission was contacted for a Sacred Lands File (SLF) and contact list of Native Americans culturally affiliated with the area. The SLF search was negative and 10 Native American individuals were outreached to by the applicant's archeologist on January 28, 2018. The Northern Chumash Tribal Council and YTT Northern Chumash tribes responded on Feb 1 and Jan 30. The YTT tribe noted that the project site may likely contain a Northern Chumash cultural site, due to the numerous cultural resources in the area and recommended further subsurface analysis to be conducted prior development.

On June 4, 2018, the County sent AB 52 consultation letters to four Native American tribes: YTT Northern Chumash Tribe, Northern Chumash Tribal Council, Xolon Salinan, and Salinan Tribe of Monterey and San Luis Obispo Counties. No comments or request for consultation were received by the County.

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 County has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52 and the project site does not contain any known tribal cultural resources that have been listed or been found eligible for listing in the California Register of Historical Resources, or in a local register of historical potential sources as defined in PRC Section 5020.1. Potential impacts associated with the inadvertent discovery of tribal cultural resources would be subject to LUO 22.10.040 (Archaeological Resources), which requires that in the event resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department shall be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of tribal cultural resources would be *less than significant*.

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

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with cultural monitoring and land use regulations (LUO 22.10.040). Therefore, potential impacts would be *less than significant*.

Conclusion

The scattered resources found in the vicinity does not appear to be connected to a singular significant cultural site. The Phase 1 study (Rincon, 2018) found no evidence of cultural resources on the site nor any significant site characteristics or features that are typically supportive of prehistoric occupation. Tribal comments were incorporated with the cultural monitoring mitigation to ensure any potential impacts to tribal cultural resources would be *less than significant*.

Mitigation

See Exhibit B for mitigation measure CR-1.

Sources

See Exhibit A.

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

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

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

Per the County's Stormwater Program, the Public Works Department is responsible for ensuring that new construction sites implement best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1.0 acre or more must obtain coverage under the SWRCB's Construction General Permit. Pacific Gas & Electric Company (PG&E) is the primary electricity provider and both PG&E and Southern California Gas Company provide natural gas services for urban and rural communities within the County of San Luis Obispo. 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 will be served by the Cold Canyon landfill.

The project will contract with County CSA12 for 4.25 AFY of potable water, which will be provided via 2 main connections at Ontario Road right-of-way. Potable water will be internally conveyed to individual residences, metered separately and managed by the Homeowners Association (HOA). The site currently has a well capable of producing approximately 54 gpm which will be used for outdoor landscaping and backup water supply.

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The project received a preliminary Health Clearance letter from the County Environmental Health Department dated October 28, 2019, determining that there is preliminary evidence that there will be sufficient water available to serve the proposed project.

Stormwater runoff from the new development will be channeled into vegetated areas and two retention basins located at the lower portion of the slope at entry roadways. The project will be installing a domestic wastewater advanced treatment and disposal system on site subject to RWQCB permit regulations. The remaining utilities i.e. gas and electric will be extended underground from Ontario Road.

Discussion

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

The project proposes to receive domestic water from County CSA12 and install an advanced wastewater treatment and disposal system on site. CSA12 will supply water to via two main connections along Ontario Road right-of-way and the homes will be privately sub-metered for their domestic connections. In the event of severe water shortage, the proposed project can utilize the well for backup potable water source by forming a new public water system. The water conveyance facilities and rate structure of this water system shall meet the criteria set forth in California Health and Safety Code, Part 12, Chapter 4: California Safe Drinking Water Act, Section 116280.

The project has adequate open space area to accommodate 48,000 square feet of seepage pit system. This area will contain the min. 98 seepage pits calculated to adequately discharged treated effluent.

The applicant will be required to provide a final will serve letter from County CSA12 and evidence of approved small domestic wastewater treatment and disposal system by RWQCB at the time of application for construction permits, showing compliance with applicable conditions (UTL-5). Therefore, impacts to existing facilities will be *less than significant with mitigation*.

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

The applicant submitted a Water Supply and Demand (Wallace Group, April 30, 2020), outlining the provisions of existing water infrastructure and condition, proposed water usage per person and residency factor used to calculate the total water demand for the project. The project has an option to purchase 4.25 AFY of CSA 12 County water and drilled an on-site well producing approximately 54 gpm of water flow. Water quality testing showed well water is suitable for irrigation, with arsenic levels requiring treatment if well were to be used for potable water source. The project's indoor water demand is estimated to be 3.78 AFY, which is below the allotment of 4.25 AFY. The indoor water demand is based on 58.6 gpcd, a comparable residency factor of 2.6 persons/ household and included included one residential swimming pool allowed for the entire tract. The project will also provide one 5,000 gallon water tank to be used in the event of a temporary CSA12 shutdown event.

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Table 1 - Residential Indoor Water Use (Based Upon March 31, 2020 Letter)

Residential Indoor Water Use Data / per Unit			
Residential Indoor Water Use, per Person			58.6 gpcd
Residency Factor			2.6 ppl/home
Residential Indoor Water Use, per Home			152.4 gpd
Total/Unit			0.17 AFY

Table 2 - Water demands at Buildout (Excluding Agricultural Component).

Total CS12 Water Demand	Units	No.	AFY per Unit	Estimated Water Demand, AFY
22 Single Family Residential Homes ¹	Homes	22	0.17	3.75
Residential High-Water Demand (Pool) ⁵	AC	1	0.03	0.03
Total				3.78

Total well water demand (for outdoor use) for the project is 3.11 AFY. This is approximately 2,800 gallons per day, which results in a well runtime of less than 1 hour / day.

Total Well Water Demand				
Residential Drought Tolerant Landscape ¹	AC	2.1	0.86	1.84
Residential Medium Water Use Landscape ⁴	AC	0.7	1.76	1.20
Common Area Drought Tolerant Landscape ²	AC	0.1	0.56	0.07
Total				3.11

¹Using values agreed to by SLO County Public Works, in letter dated March 31, 2020.

²Total Common Area Drought Tolerant Landscape includes the cul-de-sac street frontages near Ontario Road and a portion of Ontario Road.

³Water Demand for the Residential Drought Tolerant Landscapes includes front yards and graded slopes immediately adjacent to each home.

⁴Residential Medium Water Use Landscapes include ornamental plants that require a moderate amount of water to maintain health and vigor. This may include small areas of turf if offset by more drought tolerant plants.

⁵Residential High-Water Demand is for the Lot 16 pool. This design will include the only pool in the development. Potable water will be used for pool to avoid the need for well water treatment.

Although the projected domestic water demand is lower than the 4.25 AFY allotment, the project will be conditioned to ensure sufficient water amount is allowed for contingency in the event of multiple dry years. Furthermore, there are foreseeable developments in the vicinity in the near future that will create additional demand on CSA12 water supply. Due to this water resource constraint, no accessory dwelling units (ADU) are allowed and private swimming pool is limited to one lot within the entire subdivision. Future ADU and pools may be allowed if additional domestic water can be secured and adequate evidence of water supply is provided to the County (UTL-1). During a regular season, water conservation will be achieved through general compliance with building and land use water efficiency ordinances, tankage provision, and CSA contractual overage rate payments. In the event of a severe

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drought, additional mandatory water conservation measures, privately enforced by the HOA would include the following: (UTL-2 listed in the applicant's proposed priority for implementation):

- 1) increases in residential water rates and/or penalties to encourage water reductions;
- 2) a reduction or moratorium on irrigation for residential landscaping;
- 3) a reduction or moratorium on irrigation for common areas (unless served by reclaimed water);
- 4) a prohibition on water use for swimming pool and spas;
- 5) mandatory water allocations for residential users;

In the event of severe water supply shortage, groundwater can be utilized as supplemental potable water source and distributed through a small community domestic water system established per State and County regulations. This process shall be handled through County Environmental Health Services (UTL-3).

All water conservation measures and management best practices will be outlined in a required Water Management Plan (UTL-4). This plan shall include guidelines on water resource management during regular and severe drought seasons, and protocols for metering, monitoring and maintenance for both domestic indoor water and well water system. Incorporation of these mitigation measures will reduce the project's impacts to *less than significant*.

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

The project will be installing an advanced wastewater treatment and disposal system on site with the use of engineered seepage pits for effluent distribution in the open space parcel. The applicant submitted a preliminary clearance letter from RWQCB (Nov 2018) confirming the viability of the proposed onsite engineered system. The project does not include new connections to existing wastewater treatment facilities; therefore, *no impact would occur*.

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

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

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

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

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Conclusion

The project proposes to receive water from County CSA12 and install an advanced wastewater treatment and disposal system on site. The project will need to provide evidence of executed water contract with CSA12 for 4.25 AFY at the time of application for subdivision improvement plans and, permit for the domestic wastewater treatment system by RWQCB, prior to permit issuance (UTL-5). Long term water conservation measures and management protocols are outlined in the Water Management Plan (UTL-4). The Plan also includes guidelines for using well water as potable water source through the formation of a public water system (UTL-3) and additional privately enforced conservation measures (UTL-2). Due to foreseeable water constraints in the future, the project will be conditioned to prohibit ADU and limit swimming pools to one lot within the entire subdivision unless additional water can be secured (UTL-1). Incorporation of these mitigation measures and conditions will reduce the project's impacts to utilities and service systems to *less than significant*.

Mitigation

See Exhibit B for detailed mitigation measures UTL-1 to UTL-5

Sources

See Exhibit A.

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"/>

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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

The proposed project site is located in a Moderate Fire Hazard Severity Zone and has an average annual windspeed of approximately 8.8 miles per hour (Average Weather in Avila Beach, CA, Weatherspark.com). Existing conditions that may exacerbate fire risk include the moderately sloping topography and the moderate windspeed.

The County of San Luis Obispo Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger.

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 buildings materials.

Discussion

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

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

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

The proposed project is not within a *High Fire Hazard Severity Zone*. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be *less than significant*.

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

Existing local roads would be used for access, and the only new road construction would be the private 26-foot wide driveways with adequate turnarounds for emergency vehicles. The project will include a 100' fuel break vegetation plan for the open space area. All other utility infrastructure for the proposed project, such as for water, septic, cable, and power will be underground and will not exacerbate fire risks. As the fire risk for the parcel is low and no prominent infrastructure additions that may exacerbate fire risk will be made, impacts will be *less than significant*.

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

The site has moderate slopes and the proposed residences (and improvements) will be on graded pads constructed to best management practices outlined in the submitted Stormwater Control Plan for both pre-construction and post construction of the project. Retention of the 95th percentile storm event is achieved in the two areas of bioretention basins. The project site is not in a high wildfire risk area and does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

Initial Study – Environmental Checklist

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<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"/>

Setting

Refer to setting information provided above.

Discussion

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

The project has the potential to impact Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise and Utilities. Mitigation measures have been placed within each of these sections to address potential impacts and their implementation would reduce impacts to *less than significant*.

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- (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)?*

Potential cumulative impacts of the proposed project have been analyzed within the discussion of each environmental resource area above. With incorporation of ordinance requirements and mitigation measures identified within the discussion, cumulative impacts associated with the proposed project would be *less than significant*.

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

Based on the nature and scale of the project, the project would not result in a substantial adverse direct or indirect effect on human beings.

Conclusion

With the implementation of mitigation measures in addition to the required ordinance and code, the project related impacts will be *less than significant*.

Mitigation

None required.

Sources

See 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 checked="" type="checkbox"/>	Air Pollution Control District	In File
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	None
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<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 Avila Valley Advisory Council _____	In File
<input type="checkbox"/>	Other <u>County Dept of Parks & Recreation</u>	None

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

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

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Avila Community Plan
<input checked="" type="checkbox"/> <u>County Documents</u>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input type="checkbox"/> Annual Resource Summary Report
<input checked="" type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan (Inland/Coastal), includes all maps/elements; more pertinent elements:	<input checked="" type="checkbox"/> <u>Other Documents</u>
<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 type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input 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 checked="" type="checkbox"/> Affordable Housing Fund	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input type="checkbox"/> Airport Land Use Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> SLO Area Plan/ San Luis Bay Inland	

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

Civil Plan Set of Tentative Tract Map, Above Grade Engineering, February 4, 2019.

Visual Analysis, Rincon Consultants, February 2019.

Conceptual Landscape Plan, Oasis Associates, May 18, 2019.

Revised (Final) Visual Simulations, Arris Studio Architects, March 11, 2020.

Traffic and Circulation Study, Associated Transportation Engineers, November 14, 2018.

Preliminary Stormwater Control Plan, Above Grade Engineering, March 23, 2018.

Preliminary Drainage Report, Above Grade Engineering, April 11, 2018.

Master Fire Protection Plan, Collings & Associates, January 24, 2019

Groundwater Potential for Tentative Tract Map 3117 Memo, Cleath-Harris Geologists, Inc. September 28, 2018.

Biological Resources Assessment, Rincon Consultants, May 2018

Cultural Resources Report, Rincon Consultants, May 2018

Noise Study, Rincon Consultants, May 2018

Site Plan Revision Noise Memo, Rincon Consultants, May 17, 2018.

Well Test Report (4 hour well test), Mello & Son's, September 25, 2019

Well Completion Report submitted to County Environmental Health September 18, 2019

Revised Preliminary Water Clearance letter, Environmental Health, October 28, 2019

Revised Water Supply and Demand for Avila Valley Partners, Wallace Group. April 30, 2020

U.S. Census Bureau, Selected Housing Characteristics American Community Survey (ACS) 5-Year Estimates (by zip code) 2013-2017 and **CA Block Group 060790116001 (SLO Country Club/ CSA 18)** mirrors the national average with 2.6 PPH over a sample size of 611 households.

Report E-5 Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2019, with 2010 Benchmark, California Dept of Finance, Demographic Research Unit, Released May 1, 2019. Accessed March 13, 2020. <http://dof.ca.gov/Forecasting/Demographics/Estimates/E-1/>

General Waster Discharge Requirements for Small Domestic Wastewater Treatment Systems, State Water Resource Control Board Order WQ 2014-0153-DWQ, California Water Boards. Released September 23, 2014.

Detailed description of wastewater system to California Regional Water Quality Control Board, prepared by Above Grade Engineering, October 26, 2017

Verification of viability of proposed wastewater treatment and disposal system, email from Regional Water Board staff (Jon Rokke) dated Nov , 2018.

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Exhibit B - Mitigation Summary

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

AESTHETICS

VS-1 Screening Landscape: To provide visual screening for the proposed development, the applicant shall submit and implement the following:

a. Landscape Plan. *At the time of application for subdivision improvement plans and/or construction permits*, the applicant shall submit a landscape plan to the County Department of Planning and Building for review and approval. The landscape plan shall be developed and signed by a licensed landscape architect and shall include fast growing, evergreen vegetation that will help screen the water tank, walls (*sound walls, retaining, noise blocking/ highway facing house facades*) and blend the entire new development (such as the main structures, driveways, access roads, accessory structures) into the existing environment when viewed from Ontario Road and U.S. 101. Criteria for landscaping as follow:

- i. General landscaping should include various tree types and understory vegetation to create a more natural setting around the development. Screening plants shall cover 75% of the critical elements (*sound walls, retaining walls, noise blocking/ highway facing house facades, water tanks*) as seen from Ontario Road and U.S. 101, upon maturity or 10 years, whichever occurs first.
- ii. Screening plants shall include evergreen trees capable of growing to a minimum height of 25 feet tall at maturity. Trees shall be planted from a minimum 15-gallon container size. Shrubs shall be planted among the screen trees. Shrubs shall be planted from five-gallon containers. All landscaping plants shall be native to the area and utilize plants identified in the County's Approved Plant List.
- iii. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.

Prior to final inspection of subdivision improvement and/or individual lot construction permits, the applicant shall implement the approved landscape/ screening plan.

b. Landscape Plan Cost Estimate/ Bonding. *Prior to issuance of subdivision improvement plans and/or construction permits*, the Applicant shall obtain a cost estimate for the required landscape screening plan to determine the costs of landscape installation and/or landscape maintenance for 5 years. The Cost Estimate shall be prepared by a qualified individual familiar with estimating costs to install and maintain the required landscaping (e.g., landscape contractor, etc.). The Applicant will work with the County to determine an acceptable financial mechanism to establish a means to assure funding for installation and maintenance of the required landscape plan. The County will release its interest or obligation in the financial mechanism once the measure has been completed to the satisfaction of the County.

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- c. **Landscape Performance & Monitoring:** *Prior to final inspection of subdivision improvement and/or construction permits*, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for 5 years. At the end of the 5 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria have not been met, then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.

VS-2 Exterior Colors & Material Palette. To minimize visual impacts from the proposed development, exterior colors and materials shall be selected and applied to *1) minimize the structure's massing, and 2) reduce the contrast between the proposed development and the surrounding environment*. Colors shall be compatible with the prominent natural colors of the surrounding environment, including vegetation, rock outcrops, etc. To achieve the goal of minimizing the mass and contrast between the new structures and surrounding environment, the following selection can include and not limited to; darker, non-reflective, earth tone colors on walls or chimneys, darker green, grey, slate blue, or brown colors for roof elements and/or usage of darker color selections within chroma / value of 6 or less described in the Munsell Book of Color.

Prior to issuance of construction permits and/or approval of subdivision improvement plans, the Applicant shall provide architectural elevations and a color board showing all exterior colors and finish materials that match the above requirements. These shall also be specified on applicable construction/ improvement drawings for County review and approval. Once County review is complete, Applicant shall adhere to the approved colors and materials during construction.

VS-3 Wall Treatments. Retaining walls, sound walls, and noise blocking/ highway facing house facades that exceed six feet in height shall be constructed in colors and tones compatible with the surrounding environment, and shall use textured materials and/or construction methods which create a textured effect, when viewed from Ontario Road and U.S. 101. Landscaping that will either screen from in front or grow over from above the wall shall be established. Landscape materials shall be from the County's approved plant list and be considered non-invasive and drought-tolerant.

Prior to issuance of construction permits and/or approval of subdivision improvement plans, the Applicant shall incorporate all these elements on all applicable construction/ improvement drawings for County review and approval.

VS-4 Cut and Fill Slopes. To reduce visual impacts from grading activities, cut or fill area that will be visible

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from Ontario Road and U.S. 101 shall be minimized to maximum extent possible and blended with adequate and appropriate landscaping. For these visible slopes, the Applicant shall:

- Delineate the vertical height of all cut and fill slopes on the project construction drawings;
- Recontour the edge of the cut slopes and fills so they are rounded off to a minimum radius of five feet;
- Stockpile sufficient topsoil to be reapplied or re-keyed over these areas to provide at least 8" of stabilized topsoil for the reestablishment of vegetation;
- As soon as the grading work has been completed, reestablished cut and fill slopes with non-invasive, fast-growing vegetation;
- Any exposed roots for adjacent screening shrubs or trees, shall be cleanly cut just below the new surface grade.

Prior to issuance of construction permits and/or approval of subdivision improvement plans, the Applicant shall incorporate all these elements on all applicable construction/ improvement drawings for County review and approval.

VS-5 Exterior Light Plan. The Applicant shall prepare an Exterior Lighting Plan to reduce nighttime lighting visual impacts. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties, Ontario Road and U.S.101. All lighting poles, fixtures, and hoods shall be dark colored. The Lighting Plan shall focus on keeping the lumen/light intensity level to the lowest possible while still meeting minimum safety and security requirements. Up lighting of any types is not allowed in the development.

When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from the highway to avoid glare and, when near a neighboring property, shall be pointed away.

Prior to issuance of construction permits and/or approval of subdivision improvement plans, the Applicant shall prepare and submit the Exterior Lighting Plan for County review and approval. Once approved, the exterior lighting elements shall be shown on all applicable construction/ improvement drawings and installed as approved.

<p>Monitoring: Required prior to issuance, approval of improvement plans and/or construction permits and before recordation of final map. Compliance will be verified by the County Department of Planning and Building.</p>

AIR QUALITY

AQ-1 Dust Control Measures: Projects with grading areas greater than 4 acres, shall implement the following to manage fugitive dust emissions such that no exceed APCD's 20% opacity limit (APCD Rule 401) or prompt nuisance violations (APCD Rule 402):

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- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site or exceeding APCD's limit of 20% opacity for greater than 3 minutes in any 60-minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. When water use is a concern due to drought conditions, the contractor shall consider the use of an APCD-approved dust suppressant where feasible to reduce water amount used for dust control;
- c. All dirt stock-pile areas shall be sprayed daily and covered with tarps/ dust barriers as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible, following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soils or other loose materials are to be covered or maintain at least two feet of freeboard in accordance with CVC Section 23114;
- j. Designate access points and require all employees, subcontractors and other to use them. Install and operate a track-out prevention device where vehicles enter and exit unpaved roads into paved streets. Rumble strips or steel plate devices need periodic cleaning to be effective. If paved roadways accumulate tracked out soils, the track-out prevention device may need to be modified.
- k. Sweep streets at the end of each day if visible soils material is carried onto adjacent paved roads. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible;
- l. All these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress.

AQ-2 Construction Phase Idling Limitations. Projects with diesel powered construction activity near any sensitive receptor shall implement the following measures to reduce toxic risk from diesel emissions:

- a. Idling Restrictions for On-road Vehicles

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Section 2485 of Title 13, the California Code of Regulations limits diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds and licensed for operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:

- i. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and,
 - ii. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d) of the regulation.
- b. Idling Restrictions for Off-Road Diesel Equipment
- i. Off-road diesel equipment shall comply with the 5-minute idling restriction identified in Section 2449(d)(2) of the CARD In-Use Off-Road Diesel regulation.
 - ii. Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit.
- c. Idling Restrictions Near Sensitive Receptors
- i. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
 - ii. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - iii. Use of alternative fueled equipment is recommended;
 - iv. Signs that specify no idling areas must be posted and enforced at the site.

AQ-3 Development burning of vegetative materials within San Luis Obispo County is prohibited.

AQ-4 Applicable Permit and Notification Requirements.

- a. *Hydrocarbon Contaminated Soil.* Should hydrocarbon contaminated soil be encountered during construction activities, APCD must be notified as soon as possible and no later than 48 hours after affected materials is discovered to determine if APCD Permit will be required. Additional protective measures shall be implemented and adhered to, as applicable
- b. *Demolition/ Asbestos.* Compliance with various regulatory jurisdictions including stipulated in the National Emissions Standard for Hazardous Air Pollutants (40CFR61, Subpart M- asbestos HESHAP) will be required if construction activities include demolition and disturbances of asbestos contained materials.
- c. *Construction Permit.* All applicable State registration and/or APCD permit(s) shall be obtained for construction equipment (50HP or greater) and operations that may have permitting requirements.

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Monitoring: Required at the time of construction permit application and during any ground disturbing activities. Compliance will be verified by Air Pollution Control District, in consultation with the County Department of Planning and Building.

BIOLOGICAL RESOURCES

BR-1 Special Status Plant Species & Needlegrass Community

- a. **Preconstruction Survey.** *Prior to any ground disturbance (including staging and mobilization)*, a County-qualified plant botanist/biologist shall conduct surveys for special status plant species and needlegrass in all area subject to ground-disturbing activity, including and not limited to, staging or work mobilization, grading, site improvements for access roads, utility lines, drainage and basin installations, etc). The surveys shall be conducted during the appropriate blooming period(s) according to protocols established by the USFWS, CDFW, and California Native Plant Society (CNPS). All listed plant species found shall be marked and avoided. Any populations of special-status plants found during surveys will be fully described, mapped, and a CNPS Field Survey Form or written equivalent shall be prepared. Reference sites must be visited to document target species are detectable. Valid botanical surveys will be considered current for up to five years; if construction has not commenced within five years of the most recent survey, botanical surveys must be repeated.
- b. **Special Status Plant Species Avoidance.** Needlegrass grassland community and any special status plant species discovered within the Study Area, an approved biologist will flag and fence these locations as off limits before construction activities start, to avoid impacts if feasible. Avoidance area should include appropriate buffer zones.

BR-2 Special Status Wildlife Species

- a. **Best Management Practices.** The following Best Management Practices (BMPs) shall be implemented for project construction activities within the work area.
 - i. No pets or firearms shall be allowed at the project site during construction activities.
 - ii. During project activities, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
 - iii. Pallets or secondary containment areas for chemicals, drums, or bagged materials shall be provided. Should material spills occur, materials and/or contaminants shall be cleaned from the project site.
 - iv. All vehicles and equipment shall be in good working condition and free of leaks.
 - v. Construction work shall be restricted to daylight hours (7:00 AM to 7:00 PM) to avoid impacts to nocturnal and crepuscular (dawn and dusk activity period) species.
 - vi. All open trenches shall be constructed with appropriate exit ramps to allow species that accidentally fall into a trench to escape. Trenches will remain open for the shortest period necessary to complete required work.
 - vii. No water will be impounded in a manner to attract sensitive species.

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- viii. Erosion control and landscaping specifications shall allow only natural-fiber, biodegradable meshes and coir rolls, (i.e. no plastic-mesh temporary erosion control measures) to prevent impacts to the environment and to fish and terrestrial wildlife.
 - ix. During construction, the project will make all reasonable efforts to limit the use of imported soils for fill. Soils currently existing on-site should be used for fill material. If the use of imported fill material is necessary, the imported material must be obtained from a source that is known to be free of invasive plant species.
 - x. Equipment and vehicles must be free of caked on mud and weed seeds/propagules before accessing and leaving the project site
- b. *Blainville's Horned Lizard and California Legless Lizard.*** The following actions are undertaken to avoid and minimize potential impacts to Blainville's horned lizard and California legless lizard.
- i. *A minimum of two weeks prior to initiation of ground disturbing activities and vegetation removal, a qualified biologist shall conduct a pre-construction clearance survey. Any individuals captured by these efforts shall be relocated to designated open space areas onsite or at County-approved off-site locations. Captured animals shall be placed into containers with sand or moist paper towels and released in the designated areas within three hours.*
- c. *American Badger. Prior to ground disturbance (including staging and mobilization),*** a qualified biologist shall complete a survey for badger dens. In order to avoid the potential direct take of adults and nursing young, no ground disturbance shall occur within 50 feet of an active badger den as determined by a qualified biologist between March 1 and June 30. Construction activities between July 1 and March 1 shall comply with the following measures to avoid direct take of adult and weaned juvenile badgers:
- i. Conduct a biological survey of the anticipated disturbance areas between 2 weeks and 4 weeks prior to construction. The survey should cover the entire area proposed for disturbance. Surveys should focus on both old and new den sites. If dens are too long to see the end, a fiber optic scope (or other method approved by the qualified biologist) can be used to assess the presence of badgers. Alternatively, motion-activated wildlife cameras shall be used to determine occupancy status. If the camera method is used, cameras must be used for four consecutive nights to make a determination on den activity and occupancy status.
 - ii. Inactive dens shall be excavated by hand with a shovel to prevent badgers from reusing them during construction.
 - iii. Badgers shall be discouraged from using currently active dens prior to the grading of the site by partially blocking the entrance of the den with sticks, debris and soil for 3 to 5 days or through use of a 1-way door. After badgers have stopped using active dens within the development area, the dens shall be hand excavated with a shovel to prevent re-use.
- d. *Burrowing Owl.*** The following actions are undertaken to avoid and minimize potential impacts to burrowing owl:
- i. *Within two weeks prior to start of construction, a pre-construction clearance survey for burrowing owls should be conducted by a qualified biologist. The survey should include the entire area of disturbance including the access road plus at least a 500-foot buffer where feasible. If burrowing owls are detected, the following additional measures are recommended.*

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- a) A no-disturbance buffer should be established around occupied burrows under the guidance of a qualified biologist. The buffer size should range from 150 feet to 650 feet depending on the time of year and level of construction activity (refer to CDFW 2012). The qualified biologist should monitor the occupied burrow to ensure the no-disturbance buffer is maintained and observed, and to determine when the burrow is no longer occupied and the no-disturbance buffer can be removed.
 - b) In the event that burrowing owls are present and resulting in delays to construction, burrowing owls can be evicted from burrows after development of an exclusion plan approved by the County, in consultation with CDFW.
- e. **Nesting Birds.** The following actions are undertaken to avoid and minimize potential impacts to nesting birds:
- i. For construction activities occurring during the nesting season (generally February 1 to September 15), surveys for nesting birds covered by the California Fish and Game Code and the Migratory Bird Treaty Act shall be conducted by a qualified biologist no more than 14 days prior to vegetation removal. The surveys shall include the disturbance area plus a 500-foot buffer around the site. If active nests are located, all construction work shall be conducted outside a buffer zone from the nest to be determined by the qualified biologist. The buffer shall be a minimum of 50 feet for non-raptor bird species and at least 300 feet for raptor species. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. The buffer area(s) shall be closed to all construction personnel and equipment until the adults and young are no longer reliant on the nest site. A qualified biologist shall confirm that breeding/nesting is completed, and young have fledged the nest prior to removal of the buffer. If buffer zones are determined to be infeasible, a full-time qualified biological monitor must be onsite to monitoring construction within the buffer zones to ensure active nests and nesting birds are not impacted.
 - ii. If feasible, removal of vegetation within suitable nesting bird habitats will be scheduled to occur in the fall and winter (between September 1 and February 14), after fledging and before the initiation of the nesting season.
 - iii. If a suspected American bald eagle nest is discovered during the pre-construction survey, then the applicant shall consult with the County, USFWS, and CDFW regarding appropriate nest buffers and nest monitoring. If a nest is discovered with construction underway, a no-activity buffer a minimum of 660 feet from the nest must be implemented, or as otherwise directed by CDFW and USFWS, until appropriate authorizations are obtained. Any subsequent buffer adjustments shall be made in consultation with the County, CDFW and USFWS and shall rely on monitoring observations and activity at the site.

Prior to issuance of construction permits and/or approval of subdivision improvement plan, the applicant shall show the above measures on all applicable construction drawings and submit to the County for review and approval, which may include consultation with the California Department of Fish and Wildlife (CDFW).

Prior to commencement of any site disturbance, the Applicant shall retain a qualified biologist to perform the necessary pre-construction surveys to determine presence/absence of sensitive species. Wildlife surveys shall be done no more than 30 days prior to the start of work. If surveys show an

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absence of sensitive species, work may proceed without additional measures being required. If sensitive species are found, mitigation shall be proposed to avoid and/or minimize impacts. Any buffers required shall be established before any work begins. Once established, the applicant will notify the County to verify. The applicant shall keep all staking/ fencing in good working order as long as the sensitive species is present.

Prior to final inspection and/or occupancy of individual lot construction permits, the approved field biologist shall prepare a final report for the County on the effectiveness of the measures used and the level of protection and minimization of impacts to the sensitive species identified on-site.

Monitoring: Required prior to permit issuance, ground disturbance, approval of improvement plans and final inspection of construction permits. Compliance will be verified by the County Department of Planning and Building and mitigation monitors.

BR-3 Habitat Restoration & Revegetation Plan (HRRP)

- a. Preparation of Habitat Restoration & Revegetation Plan (if needed pursuant to results of the pre-construction surveys).** If full avoidance is not feasible, all impacts to special status plant will be mitigated at a minimum ratio of 2:1 (number of acres/individuals restored to number of acres/individuals impacted) for each species as a component of habitat restoration. Needlegrass grassland habitat including temporarily impacted by construction shall be mitigated at 1:1 ratio in the HRRP revegetation palette to functionally replace and prevent no-net loss of habitat.

All replanting shall be on site, to maximum extent feasible. Onsite mitigation for Pismo clarkia will include the collection of seed from the site where it was lost as a result of project related activities and the future establishment of Pismo clarkia at a mitigation site within the range of Pismo Clarkia and containing suitable habitat using the salvaged seed. The restoration plan shall also include, at a minimum, the following components:

- i. Description of the project/impact site (i.e., location, responsible parties, areas to be impacted by habitat type);
- ii. Goal(s) of the compensatory mitigation project [type(s) and area(s) of habitat to be established, restored, enhanced, and/or preserved and/or numbers and extent of special status species to be established; specific functions and values of habitat type(s) to be established, restored, enhanced, and/or preserved];
- iii. Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values);
- iv. Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan [including species to be used, container sizes, seeding rates, etc.]);
- v. Maintenance activities during the monitoring period, including weed removal and irrigation as appropriate (activities, responsible parties, schedule);
- vi. Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year, along with performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, and annual

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monitoring reports for a minimum of five years at which time the project proponent shall demonstrate that performance standards/success criteria have been met;

- vii. Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80% survival of container plants, if used, and achievement of comparable or improved species composition by vegetation type based on a metric of meeting or exceeding vegetation cover and composition that is comparable or higher quality than the impacted vegetation. This shall be demonstrated by achieving at least 80% relative cover of non-invasive species with similar native species composition compared with the impacted site.
- viii. Relative cover will be determined in comparison to a reference plot for native species or a quantitative baseline survey of the impacted site. The plan must achieve establishment of target numbers and extent of special status species based on required replacement ratios, at the end of five years of monitoring.
- ix. An adaptive management program and remedial measures to address any shortcomings in meeting success criteria;
- x. Notification of completion of compensatory mitigation and agency confirmation; and
- xi. Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism).

Prior to issuance of construction permits and/or approval of subdivision improvement plans, the Applicant shall submit to the County for review and approval, a Habitat Restoration and Revegetation Plan (HRRP) that incorporates the above elements. All applicable field measures cited in the approved HRRP shall be shown on construction drawings and reviewed for completeness by County Planning. During construction/improvements, the applicant shall keep all required field measures in good working order during the construction phase. All post-construction/ improvement measures shall be included on an additional map sheet prior to map recordation.

b. Ongoing HRRP Monitoring & Compliance. Prior to final inspection and/or occupancy of individual lot construction permits, the Applicant shall submit the following to the County for review and approval

- i. *Cost estimate* that addresses the remaining monitoring/reporting and maintenance elements specified in the Plan. A financial mechanism, acceptable to the County, shall be established by the County to cover these post-construction costs. This mechanism would be released at the point the revegetation efforts are deemed a 'success' per the criteria established in the Plan.
- ii. *Ongoing compliance reporting* per approved HRRP until the site has been successfully restored.
- iii. *Final field completion summary report* prepared by the biologist outlining all post-construction/ improvement measures shall be adhered to/ installed/ maintained by the applicant and/or successor(s) in interest until the designated areas are successfully restored.

<p>Monitoring: Required prior to approval of improvement plans, issuance and final inspection of construction permits. Compliance will be verified by the County Department of Planning and Building and mitigation monitors.</p>
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BR-4 Jurisdictional Waters

- a. **Agency Permitting - Waterway.** *Prior to issuance of construction permit or approval of subdivision improvement plan involving any riparian area or drainage feature*, the Applicant shall obtain a Section 404 Nationwide Permit from USACE, a Section 401 Water Quality Certification from RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW to authorize project-related impacts in all areas potentially under the jurisdiction of these regulatory agencies and provide satisfactory evidence to the County. The applicant shall provide to the County for each of these agencies that either a) evidence a permit was not necessary, or b) a copy of the required permit. When such permits are required, any applicable requirement shall be shown on applicable construction drawings and adhered to during construction.
- b. **Wetland and Riparian Avoidance and Minimization.** Project actions would be designed to prevent indirect impacts to the wetlands and red willow thicket. General project staging and laydown activities shall not occur within wetlands or riparian areas during construction. To avoid unnecessary encroachment into wetlands and riparian areas, these features will be clearly shown on project plans and the limits marked with highly visible flagging, rope, or similar materials in the field. Silt fencing or other measures may be used to protect these areas from sediment transport or other indirect impacts that could result from adjacent construction.

Monitoring: Required prior approval of improvement plans, issuance of construction permits and during construction. Compliance will be verified by Resource Agency, in consultation with the County Department of Planning and Building / mitigation monitors.

BR-5 Native Tree Protection

- a. **Native Trees – Avoidance Measures.** To avoid impacts to individual native (oak) trees, the following aspects will be integrated into the project design and shown on construction plans:
 - i. Minimize impacting or removing oak trees to maximum feasible.
 - ii. Locate all structures, and construction activities, outside of the tree dripline, and where possible outside of the tree's root zone;
 - iii. Trimming to about 15 vertical feet of any encroaching limbs should be done before any construction activities begin to avoid these limbs being irreparably ripped/broken by large vehicles.
 - iv. When the site requires substantial grading near oaks, consider surface drainage aspects (oaks rely on surface water) to retain similar drainage characteristics to oak's root zones.
 - v. In the event that construction would require work affecting more than 25 percent of the root zone around an existing tree, the project applicant shall consult with an approved arborist on a case by case basis to minimize effects on the impacted tree and to determine if the tree should be determined a removal for mitigation purposes. Any trees identified as needing to be removed must be included in the '**Tree Replacement & Monitoring Plan**'.
- b. **Native Trees – Impact Minimization & Protection Measures.** The following measures shall be completed to minimize native tree (oak) impacts:
 - i. For trees identified as 'impacted' or 'to remain protected' they shall be marked in the field as

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such and protected to the extent possible prior to any ground disturbing activities. Protective measures shall be visible to work crews and be able to remain in good working order for the duration of the construction work. Waterproof signage at protective edge is recommended (e.g., "TREE PROTECTION AREA – STAY OUT"). All trees to remain on-site that are within 50 feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

- ii. Adequate tree protection measures (e.g., sturdy fencing) shall be shown on the construction plans. Protection measures shall remain in good working order during construction.

Prior to final inspection of subdivision improvements, verification of the required protection of the specified native trees shall be provided to the County by a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist).

c. Native Trees – Tree Replacement & Monitoring Plan. *At the time of application for construction permits and/or subdivision improvement plans*, the Applicant shall provide a Tree Replacement & Monitoring Plan consisting of the following:

- i. **Native Tree (Oak) Inventory Plan.** The applicant shall clearly show on the grading and construction plans a 'Native Tree (Oak) Inventory' identifying the locations of all native trees within 25 feet of the proposed project limits (including ancillary elements, such as trenching). For each of the trees shown, they shall be marked with one of the following 1) to be removed, 2) to be impacted, or 3) to remain intact/protected. This should be noted as the "*Native Tree Impact Plan*".
- ii. **Tree Replacement Plan.** The applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. This includes all ground disturbance within the dripline of the oak tree. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- iii. **Monitoring Duration.** Trees replaced onsite shall be monitored and maintained for no less than 7 years. The 'Tree Replacement Plan' shall include success criteria and adaptive management provisions to ensure that at (seven) years from planting there is no net loss of trees when compared to those removed/impacted and that those replanted trees are alive and in a vigorous and healthy condition. Replacement trees that do not survive must be replanted and maintained for an additional 7 years.

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- iv. **Monitoring Reporting.** To guarantee the success of the new trees, the Applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than 7 years. ***Prior to final inspection and/or occupancy of individual lot construction permits***, the Applicant shall submit to the County, the initial planting letter and plan. Following which, the first monitoring report shall be submitted to the County one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation.
- v. **Cost Estimate.** A cost estimate for the tree replanting plan shall be prepared by a qualified individual (e.g., landscape contractor), which shall include the costs to install and maintain the required new trees for a period of 7 years. ***Prior to issuance of construction permits and/or approval of subdivision improvement plan***, the cost estimate shall be submitted by the Applicant for County review and approval. Once approved, a financial mechanism acceptable to the County (e.g., performance bond, CD, cash, etc.), equal to the cost estimate (plus administrative costs), shall be posted by the applicant to cover this tree planting/ maintenance. The bond will be released upon successful establishment of the required trees.

Prior to issuance of construction permits and/or approval of subdivision improvement plan, the Applicant shall submit to the County for review and approval, the *Native Tree (Oak) Inventory Plan, Tree Replacement & Monitoring Plan* outlined above along with the other applicable replacement/ planting provisions specified within this measure.

Prior to final inspection and/or occupancy of individual lot construction permits, verification by the applicant with a letter to the County from a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) stating the County required replacement/planting provisions specified in this measure have been adhered to/ successfully completed. An additional map sheet shall be prepared for the following post recordation elements: monitoring the success of the replanting efforts, timely installation/ planting of remedial measures and any financial guarantee required to satisfy this mitigation measure.

Monitoring: Required prior to approval of improvement plans, issuance and final inspection of construction permits and before final map recordation. Compliance will be verified by the County Department of Planning and Building and mitigation monitors.

CULTURAL/ TRIBAL CULTURAL RESOURCES

CR-1 Cultural Resource Monitoring

- a. **Monitoring Plan.** ***Prior to issuance of construction permits and/or approval of subdivision***

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improvement plan, the applicant shall submit a monitoring plan, prepared by a County-approved archaeologist, for review and approval by the County Department of Planning and Building. The intent of this Plan is to monitor all earth-disturbing activities in areas identified as potentially sensitive for cultural resources, per the approved monitoring plan. The monitoring plan shall include at a minimum:

- a. List of personnel involved in the monitoring activities;
- b. Inclusion of involvement of the Native American community, as appropriate;
- c. Description of how the monitoring shall occur;
- d. Description of frequency of monitoring (e.g., full-time, part time, spot checking);
- e. Description of what resources are expected to be encountered;
- f. Description of circumstances that would result in the halting of work at the project site (e.g., What is considered “significant” archaeological resources?);
- g. Description of procedures for halting work on the site and notification procedures; and
- h. Description of monitoring reporting procedures.

Crew Education. The monitoring plan shall also include provisions defining education of the construction crew and establishing protocol for treating unanticipated finds. In consultation with a County-approved archaeologist, the applicant shall provide cultural resources awareness training to all field crews and field supervisors. This training will include a description of the types of resources that may be found in the project area, the protocols to be used in the event of an unanticipated discovery, the importance of cultural resources to the Native American community, and the laws protecting significant archaeological and historical sites.

The archaeologist shall verify implementation of the Monitoring Plan during any ground disturbing activities. **Prior to final inspection of construction permits**, a final field completion report on compliance shall be submitted by the archaeologist to County Dept of Planning.

- b. **Construction Monitoring.** *During all ground disturbing construction activities*, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American Representative to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

Monitoring: Required prior to approval of improvement plans, issuance and final inspection of construction permits. Compliance will be verified by the County Department of Planning and Building and mitigation monitors.

NOISE

- N-1 Restricted Construction Hours.** The use of noise-generating construction equipment shall be prohibited within 500 feet of the church on Sundays between 9.30 am to the conclusion of morning religious service.

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N-2 Project Design.

- A. *Sound walls*, or alternative noise barriers, shall be installed along the eastern lot line of the two most northeastern residences and two most southeastern residences of the project site. The sound walls shall be, at minimum, a 12-foot high above grade to reduce noise levels in residential backyards and habitable rooms. To improve the appearance of these walls, the developer shall plant fast-growing trees to substantially screen the eastern most residences from the views of motorists on U.S. 101. If an alternative material is used, the developer shall submit a report to the County of San Luis Obispo by a qualified acoustical consultant certifying that the specific exterior noise reduced techniques would achieve noise standards compliant with County ordinance.
- B. *Structure Orientation*. Residences on lots adjacent to Ontario Road shall utilize the houses' solid walls as noise barrier, reduce openings on highway facing walls, and orient noise sensitive portions away from the highway.

- N-3 **Acoustic Rated Wall/ Window Assembly**. For residences on lots adjacent to Ontario Road, the construction shall utilize higher acoustic rating window assembly with Sound transmission Class (STC) 33 or greater, and wall assemblies with STC of 50 or greater to ensure interior noise levels do not exceed 45dBA,

Monitoring: Required prior to issuance, during construction and final inspection of construction permits. Compliance will be verified by the County Department of Planning and Building.

UTILITIES & SERVICE SYSTEMS

- UTL-1 **Prohibition of Accessory Dwelling Units (ADU) & Swimming Pools**. Due to identified water resource constraints, accessory dwelling units (ADU) are prohibited for this tract. Swimming pool is limited to one within the entire subdivision. ADUs and/or additional swimming pools may be allowed in the future if additional water can be secured and adequate evidence of water supply is provided to the County at the time of building permit application. *This measure shall be included on an additional map sheet prior to recordation of the final map and incorporated in the Covenants, Conditions, and Restrictions.*
- UTL-2 **Additional Mandatory Water Conservation Measures**. *In the event of a severe drought (Tier 2 criteria)* additional water conservation measures are mandatory to reduce overall water consumption, and shall be enforced by the Homeowners Association or any other legal entity authorized to manage the development's water resource (listed in the applicant's proposed priority for implementation)
- increases in residential water rates and/or penalties to encourage water reductions;
 - a reduction or moratorium on irrigation for residential landscaping;
 - a reduction or moratorium on irrigation for common areas (unless served by reclaimed water);
 - a prohibition on water use for swimming pool and spas;
 - mandatory water allocations for residential users;

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UTL-3 Establishment of a Domestic Water System. *In the event of severe water supply shortage*, groundwater can be utilized as supplemental potable water source and distributed through a small community domestic water system established per State and County regulations. This process shall be handled through County Environmental Health Services.

UTL-4 Water Monitoring and Management Measures. The following actions shall be undertaken to minimize potential substantial impacts to water resource:

a. Water Management Plan. *At the time of application for subdivision improvement plans*, the applicant shall prepare a Water Management Plan for approval by the County Planning, Public Works and Environmental Health Services. The Plan shall provide guidelines on how water resources shall be managed during **regular season (Tier 1)** and **severe drought (Tier 2)**. This plan shall include, but is not limited to:

- i. Definition of “severe” drought (i.e. drought exceeding 3 years or declared through local/statewide emergency)
- ii. Identification of *general water conservation measures* to reduce residential indoor/ outdoor and common area water usage during regular season (Tier 1) i.e. drought tolerant landscaping and water saving techniques, MWELO compliance, CBC required low-flow fixtures, water tank storage, metering and reporting to County etc.
- iii. Identification of *additional mandatory water conservation measures* to reduce residential indoor/ outdoor and common area water usage during severe drought (Tier 2) as proposed by developer in the priority order i.e. increased residential water rates, reduced/ceased residential landscape irrigation, reduced/ ceased irrigation in common areas, prohibition on water use for swimming pool and/or spas, and mandatory water allocation per household.
- iv. *In the event of severe water supply shortage*, groundwater can be utilized as supplemental potable water source and distributed through a small community domestic water system established per State and County regulations. This process shall be handled through County Environmental Health Services.
- v. *Determination of appropriate early triggers* to determine when “severe” drought conditions exists and process for initiating additional water conservation measures for individual home owners and tract wide.
- vi. *Monitoring and reporting protocol* for water management for both groundwater and CSA water usage.

Once it is determined that a “severe” drought condition exists, restricted (drought) water usage measures shall remain in effect until it is shown satisfactorily to the County that the “severe” drought condition no longer exists.

b. Water Metering, Monitoring & Reporting – The Water Management Plan shall include protocol provisions for the following:

- i. *Metering and monitoring of the residential indoor water system* (every 6 months, and annually at full build out). Reports shall be submitted to the County (Dept of Planning) to demonstrate compliance with CSA12 annual water allotment of 4.25AFY, unless additional water has been

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- procured and evidenced to the County (The proposed clustered residential subdivision will be developed in two phases: Phase 1 (13 lots) and Phase 2 (9 lots).
- ii. *Metering and monitoring of the well water* for residential outdoor and common area water system. Reports shall be submitted to the County (Dept of Public Works).
 - iii. *Maintenance of the overall interior water system* including well pumping, water tank storage, distribution, underground pipes, and reclamation, if applicable.
 - iv. *Monitoring reports to the County* describing the implementation and management of conservation measures implemented during Tier 1 and/or Tier 2 drought as applicable.
- c. Administration & Enforcement** - The Water Management Plan shall be administered by a water management services contractor employed by and enforced by the Homeowners Association (HOA). The water management services shall prepare an annual report documenting (at a minimum):
- i. indoor water use per residence
 - ii. groundwater use for residential outdoor use and common area use
 - iii. treated water disposal or reuse
 - iv. maintenance activities and corrective actions, and compliance with the conditions of the Water Management Plan.
- The annual report shall be prepared by qualified engineer and submitted to the HOA. The HOA shall submit the annual report to the County Public Health Services and Planning/ Building Department. For the life of all phases of the project, in the event the water management services and Homeowners Association are out of compliance with the Water Management Plan, no additional building permit, operational permit, or business license will be issued for any lot within the project until any identified remedial work has been completed.
- d. Water Savings Landscaping** - *At the time of application for subdivision improvement plans (for common area) and/or prior to construction permit issuance (for individual lots)*, the following measures shall be shown on applicable plans for landscaped and turf areas, consistent with the approved Water Management Plan:
- i. To maximize drought-tolerance and minimize water usage, low water-use turf grass, meadow grass, or low-height grass substitutes, shall be used;
 - ii. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling for all irrigation systems;
 - iii. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, Covenants, Conditions and Restrictions [CC&Rs], landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch; and,
 - iv. Watering times shall be programmed for 100% saturation of the root zone to the maximum allowable depletion. Systems shall also be programmed to avoid runoff.
- e. Water Management Ongoing Compliance** - *For the life of the project*, the development will maintain ongoing compliance with CSA contract obligations and any County/ Stated enacted drought management plan or water conservation measures such as the Low Reservoir Response Plan or equivalent conservation programs, as applicable

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UTL-5 Final Will-Serve Letter & Wastewater Permit. *At the time of application for subdivision improvement plans*, the applicant shall provide evidence of a fully executed water contract with CSA12 for 4.25 AFY and obtain a final will-serve letter for the project. Domestic wastewater treatment system permit issued by RWQCB shall be submitted to the County prior to construction permit issuance.

Monitoring: Required prior to approval of improvement plans, issuance and final inspection of construction permits and before final map recordation. Compliance will be verified by the County Department of Planning and Public Works, in consultation with Environmental Health Services.