



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

PLN-2039  
04/2019

**Project Title & No. Roth Minor Use Permit DRC2019-00265 / ED20-184**

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

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

**DETERMINATION: (To be completed by the Lead Agency)**

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

- ☐ The proposed project 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.

Prepared by (Print)	Signature	Date
	Steve McMasters, Principal Environmental Specialist	
Reviewed by (Print)	Signature	Date

## 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:** A request by Jon Roth for a Minor Use Permit (DRC2019-00265) to allow the construction of a 600-square-foot guesthouse with an attached 2,000-square-foot garage. San Luis Obispo County Code Section 22.30.410.E.2 states that a guesthouse shall be located no more than 50 feet from the principle residence. The applicant is requesting a modification to Section 22.30.410.E.2 to locate the guesthouse 61 feet from the principle residence. This request also includes the construction of a 3,000-square-foot expansion to an existing 3,994-square-foot workshop. San Luis Obispo County Code Section 22.30.410.G.2 states that a workshop shall not occupy an area greater than 40% of the floor area of the principle structure, except where the workshop is combined with a garage. The applicant is requesting a modification of Section 22.30.410.G.2 to allow a 6,994-square-foot workshop, which will exceed 100% of the floor area of the 3,097-square-foot principle structure. Since the workshop currently exceeds and is proposed to further exceed the square foot allowance, a Minor Use Permit is required. The project will result in the disturbance of 0.22 acres (9,583-square feet) of a 68-acre parcel. The project site is in the El Pomar-Estrella Sub Area North County planning area. The proposed project is within the Agricultural land use category and is located at 2225 Kit Fox Lane located approximately 1/2 mile east of the City of Paso Robles.

**ASSESSOR PARCEL NUMBER(S):** 026-441-013

**Latitude:** 35.63281° N

**Longitude:** 120.63183° W

**SUPERVISORIAL DISTRICT #** 1

### B. Existing Setting

**Plan Area:** North County Planning

**Sub :** El Pomar-Estrella

**Comm:** NA

**Land Use Category:** Agriculture

**Combining Designation:** Airport Review, and Flood Hazard

**Parcel Size:** 68 acres

**Topography:** Gently rolling to moderately sloping

**Vegetation:** Hay, grazing for sheep and llamas

## Initial Study – Environmental Checklist

Existing Uses: 3,097-square-foot primary residence, 1,690-square-foot farm support quarters, tennis court with clubhouse, agricultural accessory structure (used to store tractors and ag supplies, barn that predates building permits requirements of 1970, oversized 3,994-square-foot workshop

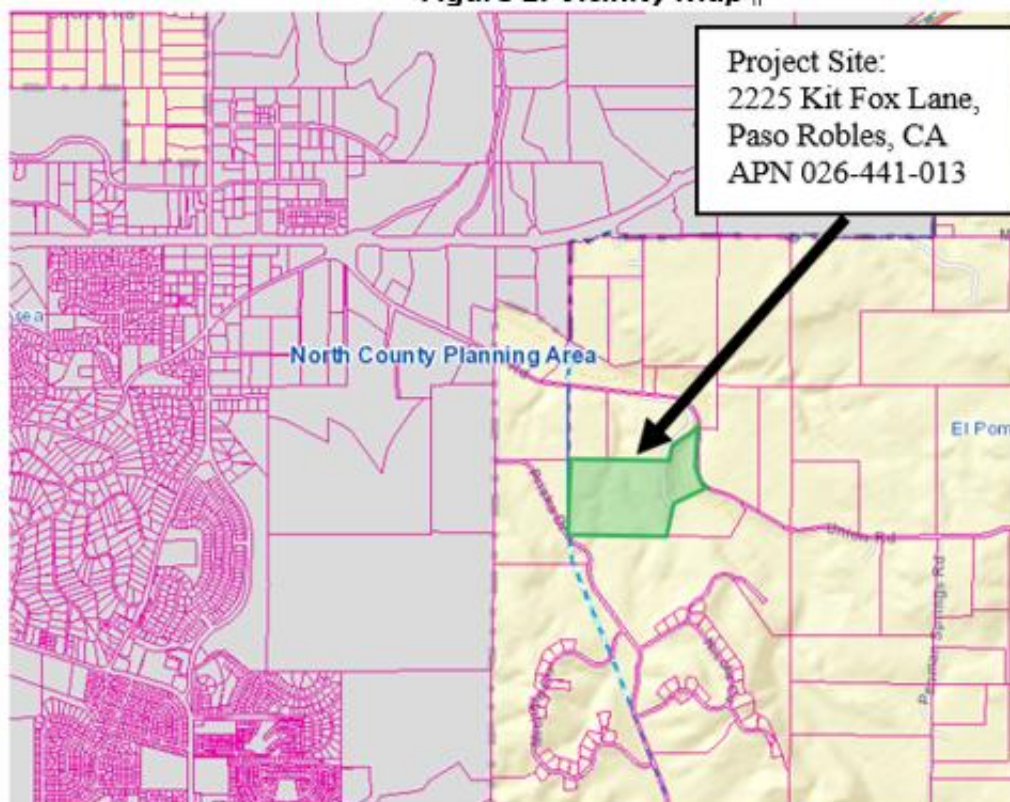
### Surrounding Land Use Categories and Uses:

North:	Agriculture; Agricultural uses and single-family residences(s)	East:	Agriculture; Agricultural uses and single-family residences(s)
South:	Agriculture; Agricultural uses and single-family residences(s)	West:	Agriculture; Agricultural uses and single-family residences(s)

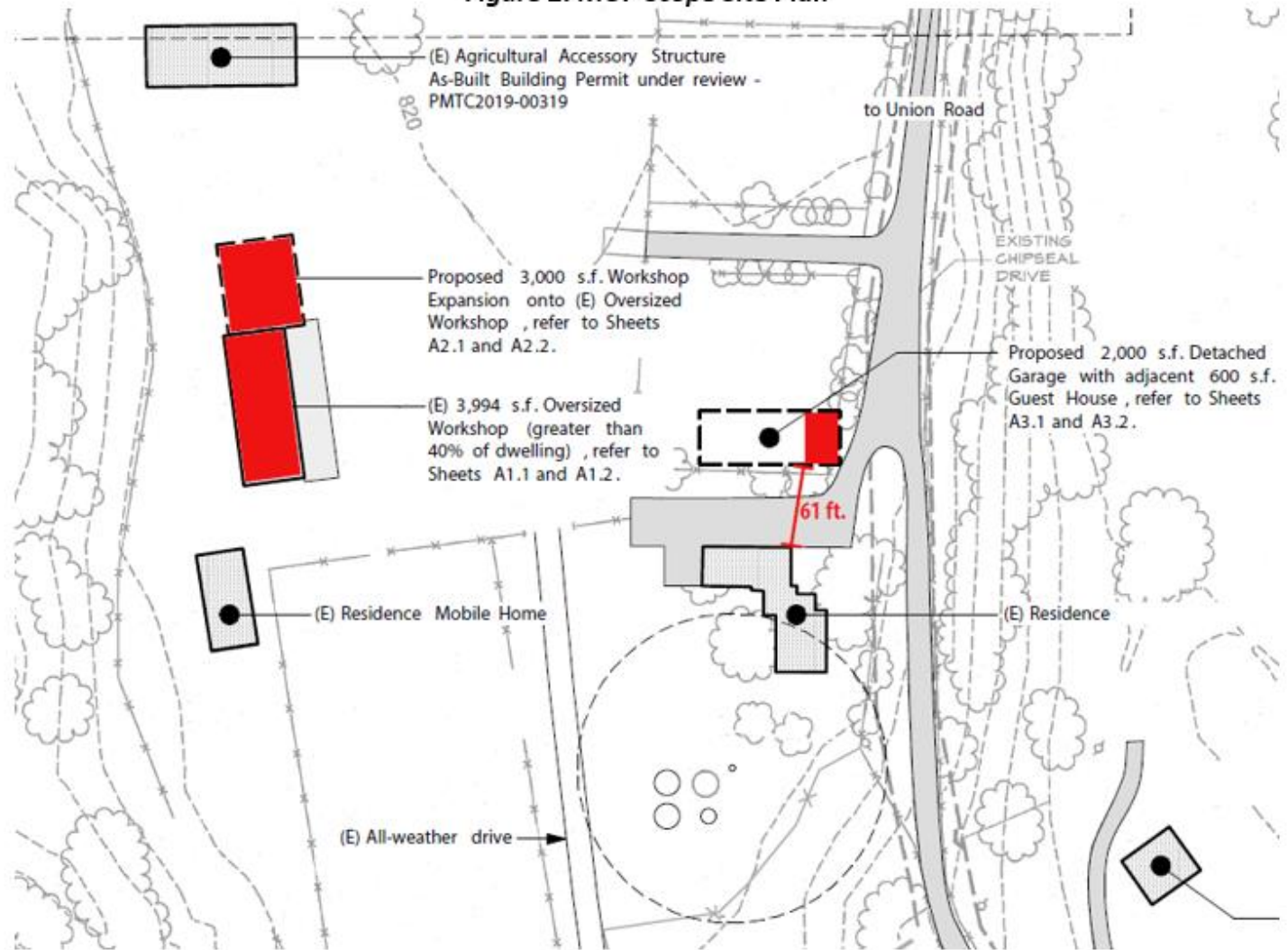
## C. Environmental Analysis

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

**Figure 1: Vicinity Map**



## Initial Study – Environmental Checklist

**Figure 2: MUP Scope Site Plan**

## 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting

The proposed development is located off of Kit Fox Lane, approximately a 1/2 mile east of Paso Robles. The project site is located within a predominantly agricultural area and is located on gently rolling to moderately sloping topography surrounded by large agricultural parcels. A primary residence, farm support quarters, a tennis court and clubhouse, an agricultural accessory structure, a barn, and an oversized workshop are located on the project parcel. The surrounding visual setting includes vast agricultural views, open hillsides, scattered rural residences, and other agricultural infrastructure and accessory development. The surrounding land is used primarily for grazing or grain cultivation.

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 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.

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



## Initial Study – Environmental Checklist

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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.

### *Discussion*

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

The project site is located in an agricultural area accessed off of Union Road. No nearby roadways have been designated as scenic highways, and the site cannot be seen from surrounding public roads.

The project site has an appealing rural character, but it is not officially or informally designated as a scenic vista. Therefore, the project would not result in a substantial adverse effect on a scenic vista, and impacts would be less than significant.

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

The project site is not located along nor is visible from a designated state scenic highway or eligible state scenic highway. Therefore, the project would not result in substantial damage to scenic resources within a state scenic highway, and there would be no impact.

(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 proposed project is located in a non-urban area and is unlikely to degrade the existing visual character or quality of public views. The project proposes the expansion of an existing workshop and construction of a guesthouse which would match the parcels current aesthetic display and fit within the area's existing agricultural setting. Therefore, impacts to the visual character of the area would be less than significant.

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

The project is small in nature and is not expected to produce a substantial amount of light; additionally, the existing infrastructure on the project site already emits light. Therefore, it is unlikely that the project would have any substantial adverse effect on day or nighttime views through the creation of substantial light or glare. 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. This section also requires that light shielding be used for outdoor lighting on new projects. Therefore, impacts relating to nighttime lighting and glare would be less than significant.

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### *Conclusion*

The project is not expected to have any adverse effects on the visual quality of the site or its surroundings, including any scenic vistas or resources. Additionally, the project would not substantially degrade the existing visual character or create a new source of substantial light or glare.

### *Mitigation*

There is no evidence that measures above what will already be required by ordinance or codes are needed. Therefore, impacts would be less than significant.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### II. AGRICULTURE AND FORESTRY RESOURCES

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

#### Setting

The project parcel is within the agricultural land use category and is not under a Williamson Act contract. Additionally, the project does not support historic crops or timberland activities.



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Based on the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP) and the San Luis Obispo County Important Farmland Map (FMMP 2018), the project site contains farmland considered Farmland of Statewide Importance.

The soil types and characteristics subject to disturbance from this project include:

Arbuckle-San Ysidro complex (2 - 9% slope).

Arbuckle. This gently sloping coarse loamy soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as potential septic system constraints due to slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

San Ysidro. This gently sloping coarse loamy soil is considered moderately to well drained. The soil has high erodibility and low shrink-swell characteristics, as well as potential septic system constraints due to slow percolation. The soil is considered Class IV without irrigation and Class II when irrigated.

Arbuckle-Positas complex (50 - 75 % slope).

Arbuckle. This very steeply sloping soil is considered moderately drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as potential septic system constraints due to steep slopes and slow percolation. The soil is considered Class IV without irrigation and Class IV when irrigated.

Positas. This very steeply sloping soil is considered very poorly drained. The soil has moderate erodibility and low shrink-swell characteristics, as well as potential septic system constraints due to steep slopes and slow percolation. The soil is considered Class IV without irrigation and Class IV 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 "Farmland of Statewide Importance." However, the project proposes minor building additions on previously disturbed areas on a section of the parcel that is already utilized for residential purposes. Therefore, no current or potential farmland would be converted to non-agricultural uses and potential impacts would be less than significant.

- (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 located 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.

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

The project would not be located 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.

(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 proposed minor grading and construction will occur over previously disturbed areas. The 3,000-square-foot workshop expansion area is currently covered with aggregate base. The 600-square-foot guesthouse and 2,000-square-foot attached garage is proposed over an existing softball field covered in compacted sand.

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.

### *Mitigation*

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

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### III. AIR QUALITY

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

#### Setting

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 9,583 square feet. This would result in the creation of construction dust, as well as short and short-term vehicle emissions (construction equipment). 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 "moderate."

The project would not 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 would be within a quarter mile of a designated serpentine rock outcrops which may have the potential to contain naturally occurring asbestos.

## Initial Study – Environmental Checklist

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### Discussion

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

As proposed, the project would result in the disturbance of approximately 9,583-square-feet. This will result in the creation of construction dust, as well as short- and short-term vehicle emissions during construction. The project would be moving less than 1,200 cubic yards/day of material and would disturb less than four acres of area, and therefore would be below the general thresholds triggering construction-related mitigation. The project is also not in close proximity to sensitive receptors that might otherwise result in nuisance complaints and be subject to limited dust and/or emission control measures during construction. From an operational standpoint, based on Table 1-1 of the CEQA Air Quality Handbook (2012), the project would not exceed operational thresholds triggering mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. Therefore, impacts related to conflict of an air quality 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 within the South-Central Coast Air Basin, which is currently considered by the state as being in “non-attainment” (exceeding acceptable thresholds) for particulate matter (PM<sub>10</sub>, or fugitive dust). Dust, or particulate matter less than ten microns (PM<sub>10</sub>), that becomes airborne and finds its way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. The proposed project would result in the creation of dust through construction activities however, activity would be short term and would not result in a cumulatively considerable net increase in PM<sub>10</sub>. Additionally, the project is small in scale and nature and is not expected to result in any other activities which may otherwise result in a cumulatively considerable net increase in PM<sub>10</sub>.

(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 1,050 feet to the southeast. Residences may be occupied by sensitive receptors who could be exposed to diesel particulates and fugitive dust from construction activities. As stated above, the project would result in 9,583-square-feet of site disturbance and minimal grading. Because the project would be grading an area less than 4 acres and would be located more than 1,000 feet from sensitive receptors, the project would be subject to SLOAPCD Rule 401 which requires the project to manage fugitive dust emissions so that they do not exceed 20% opacity. Therefore, the project would not result in substantial air pollutant concentrations within close proximity to a sensitive receptor location and impacts would be less than significant.

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

The project is not expected to result in any other emissions, such as those leading to odors. Additionally, due to the project's location in a low density, rural area, should any other emissions be produced by the project, no emissions created by the project should be great enough to adversely affect a substantial number of people.

### *Conclusion*

The project would be consistent with the County Clean Air Plan and would not result in cumulatively considerable emissions of any criteria pollutant for which the County is in non-attainment. The project would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions adversely affecting a substantial number of people. Therefore, the project would not result in significant adverse impacts related to Air Quality.

### *Mitigation*

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

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

#### Setting

#### Sensitive Resource Area Designations



## Initial Study – Environmental Checklist

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### 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 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 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.

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### Site Setting

The property is composed of rolling hills. Huer Huero Creek runs north/south along the eastern portion of the property and two unnamed blue line tributaries to Huer Huero Creek (approximately 340 east) bisect the western portion of the property. All existing development (as well as proposed) is clustered near the center of the property within previously disturbed areas. The 68-acre property contains approximately 14 acres of oak trees outside of the developed area. No oak trees are proposed to be removed with this project.

The California Natural Diversity Database (CNDDDB) also lists this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species. The kit fox is uncommon to rare. They reside in arid regions of the southern half of the state (Grinnell et al. 1937, Wilson and Ruff 1999:150). This usually nocturnal mammal lives in annual grasslands or grassy open stages of vegetation dominated by scattered brush, shrubs, and scrub. Kit foxes primarily are carnivorous, subsisting on black-tailed jackrabbits and desert cottontails, rodents (especially kangaroo rats and ground squirrels), insects, reptiles, and some birds, bird eggs, and vegetation (Egoscue 1962, Laughrin 1970, Morrell 1971, 1972, Orloff et al. 1986). Their cover is provided by dens they dig in open, level areas with loose-textured, sandy and loamy soils (Laughrin 1970, Morrell 1972). Pups are born in these dens in February through April. Pups are weaned at about 4-5 months. May not require a source of drinking water. Some agricultural areas may support these foxes. Potential predators are coyotes, large hawks and owls, eagles, and bobcats. Cultivation has eliminated much habitat. Kit foxes are vulnerable to many human activities, such as hunting, use of rodenticides and other poisons, off-road vehicles, and trapping.

The Kit Fox Evaluation, which was completed for this project on June 1, 2020 by Halden Petersen, indicates this project will impact 0.22 acres of San Joaquin kit fox habitat. The evaluation was reviewed by Jamie Marquez of the California Department of Fish and Game on August 17, 2020. The evaluation, complete with Mr. Marquez's changes, resulted in a score of 61, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). The project will result in the permanent disturbance of 9,583-square-feet (0.22-acres) of kit fox habitat.

CEQA requires the County to evaluate potential impacts to kit foxes and other listed species from the project activities and requires the County to ensure that impacts to kit foxes and other listed species from project activities are mitigated to an insignificant level before a permit can be issued. Therefore, the County worked with the California Department of Fish and Wildlife (CDFW) to develop measures (mitigation measures) that will reduce impacts to kit fox habitat from these activities to an insignificant level.

The CNDDDB search for the property also identified special status plants and animal species to have the potential to occur within 5-miles of the subject property. Examples of these include the shinning navarretia, Lemmon's jewelflower, least Bell's Vireo, Northern California legless lizard, and the western spadefoot toad.

A botanical report was not prepared for this project because the areas proposed for disturbance are previously, and continuously disturbed by existing operations. Additionally, after review of existing information along with a field visit, no botanical vegetations were observed in the areas of proposed development to warrant a botanical assessment.

## Initial Study – Environmental Checklist

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### Discussion

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

The project site has been previously disturbed and, therefore, has a low potential for any special status species to be impacted by the development. However, the project will result in the permanent disturbance of 9,583-square-feet (0.22-acres) of kit fox habitat. The implementation of the below measures will mitigate biological impacts on San Joaquin Kit Fox to a level of insignificance.

- (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 has been previously disturbed, and it is outside the dripline of riparian vegetation.

- (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?*

Two blue line tributaries bisect the western section of the project parcel; however, the proposed project site has been previously disturbed, and development is set back a minimum of 335 feet from existing water courses.

- (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 has the potential to substantially interfere with the movement of the San Joaquin Kit Fox; however, through the use of the proposed mitigation measures, this interference will be minimized.

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

The County of San Luis Obispo has adopted an oak woodland preservation ordinance; however, the project is not proposing the removal of oak trees or construction within 1.5 times the dripline of oak trees. Therefore, the project would have no impacts on local policies or ordinances protecting biological resources.

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

The project is not within or adjacent to a Habitat Conservation Plan area or the Natural Community Conservation Plan.

### Conclusion

The Kit Fox Evaluation, which was completed for this project on June 1, 2020 by Halden Petersen, indicates this project will impact 0.22 acres of San Joaquin kit fox habitat. The evaluation was reviewed by Jamie Marquez of the California Department of Fish and Game on August 17, 2020. The evaluation, complete with Mr. Marquez's changes, resulted in a score of 61 which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 0.22 acres, based on 2 times 0.44 acres impacted. The mitigation options

## Initial Study – Environmental Checklist

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identified in BR-1 through BR-11 apply to the proposed project only; should the project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.

The project is not expected to result in any adverse effects on other sensitive species and will not conflict with any existing policies or standards meant to protect biological resources. The implementation of the below measures will mitigate biological impacts on San Joaquin Kit Fox to a level of insignificance.

Mitigation Measures BR-1 and BR-11 address project impacts to San Joaquin Kit Fox.

Mitigation Measure BR-12 will address any potential impacts to nesting birds (including the least Bells vireo) that could be located in the oak trees outside of the proposed development area.

With the implementation of these mitigation measures, impacts to biological resources will be less than significant.

### *Mitigation*

See Exhibit B for mitigation measures BR-1 through BR-12.

### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Setting

The project is located in an area historically occupied 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 inhabitation, Spanish missionaries, immigrant settlers, and military branches of the United States.

As defined by CEQA, a historical resource includes:

A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).

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 proposed development would take place on previously disturbed areas located atop aggregate base and compacted sand.

#### Discussion

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

Due to the existing condition of the project site and the scope of the project, it is unlikely that any historical resources are present on the project site. Therefore, impacts to historical resources will be less than significant.

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

Due to the existing condition of the project site and the scope of the project, it is unlikely that any archaeological resources are present on the project site. In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Should any materials be unearthed during grading, LUO Section 22.10.040 requires that work must stop until the encountered resource is analyzed and adequately mitigated before work may continue. Therefore, no impacts to cultural resources are anticipated.

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

The nearest dedicated cemetery is the Paso Robles District Cemetery, located 3.56 miles to the west. Based on the low known sensitivity of the project site, and implementation of LUO Section 22.10.040, impacts to human remains are expected to be less than significant.

### Conclusion

County land Use Ordinance Section 22.10.040 includes a provision that construction work cease in the event resources are unearthed with work allowed to continue once the issue is resolved. No significant archaeological or historical resource impacts are expected to occur.

### Mitigation

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

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

#### Setting

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within the County of San Luis Obispo. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 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 "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020." In addition, the County has published an EnergyWise Plan 2016 Update to summarize progress toward implementing measures established in the EWP and outline overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

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

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

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environmentally costly energy sources. This designation is intended to identify areas of the county where renewable energy production is favorable and establish procedures to streamline the environmental review and processing of land use permits for solar electric facilities (SEFs). The 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?*

The proposed project would utilize the existing power system supplying the current development. The energy use associated with the project would be within acceptable standards. Construction of the proposed project is not expected to result in any potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The project is required to meet the mandatory measures laid out in the 2016 California Green Building Standards Code (CCR Title 24, Parts 6 and 11). Therefore, impacts will be less than significant.

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

The proposed project would not interfere with 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 will be less than significant.

### Conclusion

The project would not result in a significant energy demand during the construction phase or during operation. The project would not result in a conflict with state or local renewable energy or energy efficiency plans. Therefore, the project would not result in any potentially significant impacts related to energy.

### Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 located 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 located in an area with low 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 the NRCS, the soils underlying the site are characterized as having a moderate erodibility and moderate shrink-swell characteristics, as well as having potential septic system constraints due to slow percolation.

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 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 gently sloping and the soils on the site have a moderate 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 moderate 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 site is not located near to any potentially active faults as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map and therefore, it is unlikely that the project would create any substantial adverse effects involving the rapture of a known earthquake fault. Therefore, impacts would be less than significant.

(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. Therefore, impacts would be less than significant.

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

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

*(a-iv) Landslides?*

The project site is gently to moderately sloping. Based on the County Safety Element Landslide Hazards Map is located in an area with low potential for landslide risk. Therefore, the project would not cause adverse effects involving 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 9,583 square-feet and does not include substantial grading or vegetation removal. 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 and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with moderate potential for liquefaction risk.

*(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 also be required to comply with the most recent CBC requirements, which have been developed to property 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.

*(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 site is located on soils that have potential septic system constraints due to slow percolation. The project will utilize an existing sewer line already servicing the parcel. Therefore, there would be no impact stemming from the installation of septic systems or waste water disposal systems.



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

Due to the existing condition of the project site and the scope of the project, it is unlikely that any paleontological resources are present on the project site. No unique geologic features exist on the project site and would therefore not be affected. Therefore, impacts to paleontological resources and unique geologic features would be less than significant.

### *Conclusion*

The proposed project is not expected to indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving any geologic hazards. 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*

None required.

### *Sources*

See Exhibit A.

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### VIII. GREENHOUSE GAS EMISSIONS

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

#### Setting

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 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:

Qualitative GHG Reduction Strategies (e.g. Climate Action Plans): A qualitative threshold that is consistent with AB 32 Scoping Plan measures and goals; or,

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Bright-Line Threshold: Numerical value to determine the significance of a project's annual GHG emissions;  
or,

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 CO<sub>2</sub>e/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 CO<sub>2</sub>e/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.

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?*

This project is grading and construction for a guesthouse with an attached garage and a workshop. 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 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,' and no mitigation is required. Because this project's emissions fall under the threshold, impacts would be less than significant.

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

The proposed project would 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 grading for the construction of a guesthouse with an attached garage and a workshop is not expected to generate any greenhouse gas emissions, directly or indirectly, that would have a significant impact on the

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environment. Additionally, the proposed project does not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, no mitigation is required.

### *Mitigation*

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### *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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 within the Airport Review area due to its proximity to the Paso Robles Municipal Airport and is below the general flight pattern of the nearest airport. 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 not located within a high fire hazard severity zone. Based on the County’s response time map, it will take approximately 5-10 minutes to respond to a call regarding fire or life safety.

Portions of the subject property are within the 100-year Flood Hazard Combining Designation (FH). This indicates that the Federal Emergency Management Agency (FEMA) has identified the area as one which has a 1-percent chance of becoming inundated by a flood event at least one time throughout the year. This is also referred to as the base flood or 100-year flood. The area in which the proposed project would be located is not within the 100-year flood hazard area and is at a great enough distance (430 feet) from the potential flood hazard area to not be considered at risk of hazards associated with periodic flooding.

### 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. Additionally, the project is not within one-quarter mile of an existing or proposed school. Therefore, impacts 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 within the Airport Review area due to its proximity to the Paso Robles Municipal Airport. The project meets all applicable policies outlined in the Paso Robles Municipal Airport Land Use Plan. Therefore, impacts would be less than significant.

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

The project is not expected to conflict with any regional emergency response or evacuation plan. Therefore, impacts would be less than significant.

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

The project is not located within a High Fire Severity Zone. Based on the County's fire response time map, it will take approximately 5 to 10 minutes to respond to a call regarding fire or life safety. Additionally, the project will be subject to Fire Code Review at time of Building Permits (Dell Wells, Cal Fire / March 8, 2020). A Fire Safety plan prepared by County Fire/Cal Fire will be required to lessen fire risk within the project site. Therefore, fire-related impacts to project occupants would be less than significant.

### Conclusion

The project is not expected to interfere with any adopted emergency response or evacuation plan. Finally, the threats posed by the project's location within a High Fire Hazard Severity Zone will be minimized to less than significant levels through the requirements set forth by Cal Fire.

### Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### 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 type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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### Setting

The topography of the property is gently to moderately sloping; however, the project site is relatively flat.

As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility and is considered moderately well-drained. The project parcel is not within a groundwater basin. The closest creek (Huer Huero Creek) is approximately 340 feet to the west. The project site is not located within a 100-year flood zone.

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.

Soil type, area of disturbance, and slopes are key aspects to analyzing potential sedimentation and erosion issues. The project's soil types and descriptions are listed in the previous Agriculture section under "Setting."

A sedimentation and erosion control plan are 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.

The subject property is within the Estrella Area of the Paso Robles Ground Water Basin. The Paso Robles Ground Water Basin Resource Capacity Study (RCS) has found that the Basin's demand is approaching its safe yield. The RCS has also found that groundwater levels are generally dropping throughout the basin, resulting in dry wells and causing property owners to drill deeper wells. The Board of Supervisors (The Board) has directed several actions in order to address the continuing groundwater problems. These actions would 1) allow no further creation of additional rural parcels that will raise the demand for water in the basin; 2) require discretionary land uses to offset new pumping from the basin; 3) develop a special landscape irrigation ordinance for the basin area; and 4) establish specific growth limits in the basin. The Board determined that ministerial development such as construction of single-family residences will not require special attention to water use beyond what is required in the Building Ordinance and existing Land Use Ordinance requirements. The County of San Luis Obispo created the Countywide Water Conservation Program (CWWCP) in October of 2015, which requires that all new urban and rural development within the PRGWB offset new water use at a minimum 1:1 ratio through the purchase of water offset credits prior to construction permit issuance. The County's Land Use Ordinance requires that discretionary land use permits within the North County Planning Area and within the Paso Robles Groundwater Basin, offset new water use at a ratio of 2:1.

### 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 9,583-square-feet of site disturbance;

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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 moderate erodibility, but not on moderate to steep slopes;

The project is not within a 100-year Flood Hazard designation;

The project is approximately 340 feet from the closest creek.

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.

Erosion control measures to be implemented during construction include a permanent erosion control blanket to reduce surficial erosion of the slopes and allow for vegetation growth on the slopes.

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 within the Paso Robles Groundwater Basin (PRGWB) and is subject to the Countywide Water Conservation Program (CWWCP) which requires that all new urban and rural development within the PRGWB offset new water use at a minimum 1:1 ratio through the purchase of water offset credits prior to construction permit issuance. It is expected that this offset will effectively limit the impact that the project would have on groundwater supplies and its interference with groundwater recharge. Therefore, impacts 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?*

The proposed project is not expected to result in any 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?*

The proposed project is not expected to result in substantial increases to the rate or amount of surface runoff which could 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?*

The proposed project would be outside of the 100-year flood hazard area. The project would be located at a distance that is far enough away from the potential flood area to not be considered at risk of hazards associated with periodic flooding, including the possible release of pollutants. Therefore, impacts would be less than significant.

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

The project is outside of the 100-year flood hazard area, and a drainage plan is required to ensure flood flows remain on site and are managed appropriately. Therefore, the project is not expected to impede or redirect flood flows. No impacts are anticipated.

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

As discussed in the previous section (Hazards and Hazardous Materials), portions of the subject property are within the 100-year Flood Hazard Combining Designation (FH). The area in which the project is proposed is not within the 100-year flood hazard area and is at a great enough distance from the potential flood area to not be considered at risk of hazards associated with periodic flooding, including the possible release of pollutants. No impacts are anticipated.

The project is not located in an area known to be at risk of tsunamis and is not located near any water bodies that may pose the risk of seiche.

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

The Board determined that ministerial development such as construction of single-family residences, guesthouses, etc. will not require special attention to water use beyond what is required in the Building Ordinance and existing Land Use Ordinance requirements.

### Conclusion

Based on the proposed amount of water to be used and the water source, which is for one guesthouse, no significant impacts from water use are anticipated because this is a low water use. Additionally, the County of San Luis Obispo created the Countywide Water Conservation Program (CWWCP) in October of 2015 which requires that all new urban and rural development within the Paso Robles Ground Water Basin offset new water use at a minimum 1:1 ratio through the purchase of water offset credits prior to construction permit issuance. The County's Land Use Ordinance requires that discretionary land use permits within the North County Planning Area and within the Paso Robles Groundwater Basin, offset new water use at a ratio of 2:1.

The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. It would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge.

The project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion, siltation, surface runoff, or impede or redirect flood flows.

The project would not risk release of pollutants due to project inundation or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

### Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### 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 proposed project would be located in an area designated Agricultural by the County of San Luis Obispo. The project site is surrounded by large agricultural parcels and rural residences. 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 to review for policy consistencies (e.g., Cal Fire, Environmental Health, Public Works, Agricultural Department, Airport Land Use Commission and Native American Tribes.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

#### Discussion

(a) *Physically divide an established community?*

The project is located outside of an existing community, within a rural, unincorporated area. The property is not located in such a way as to cause the physical divide of any established community. Therefore, impacts would be less than significant.

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

The project does not conflict with any land use plan, policy, or regulation in such a way that would cause a significant environmental impact which would not be otherwise addressed and mitigated through measures proposed within this document. Therefore, impacts would be less than significant.

#### Conclusion

No significant land use or planning impacts would occur.

#### Mitigation

None required.

## Initial Study – Environmental Checklist

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### *Sources*

See Exhibit A.



## Initial Study – Environmental Checklist

### 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 Land Use Ordinance provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The proposed project is not located within an EX or EX1 designation. Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, the project site is located within an Aggregate Materials study area which covers the majority of the county.

#### 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?*

It is unlikely that the proposed project will result in the loss of a valuable mineral resource due to the lack of record of such mineral on site. Therefore, impacts would be less than significant.

- (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?*

Based on Chapter 6 of the County of San Luis Obispo General Plan Conservation and Open Space Element – Mineral Resources, the project site is not located within an extractive resource area or an energy and extractive resource area, and the site is not designated as a mineral resource recovery site.

#### Conclusion

There is no evidence that measures above what will already be required by ordinance or codes are needed.

#### Mitigation

None required.

#### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### XIII. NOISE

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

#### Setting

The existing ambient noise environment is characterized by light traffic on Union Road, as well as agricultural equipment from surrounding properties. Noise-sensitive land uses typically include residences, schools, nursing homes, and parks. The nearest existing off-site noise-sensitive land uses are residences located approximately 1,000 feet to the east and south of the project site.

The project site is located within an Airport Review Area, with the nearest airport, Paso Robles Municipal Airport, located 2.3 miles north of the project site, and is subject to applicable development standards. The Paso Robles airport does not currently offer scheduled commercial flights.

The County Land Use Ordinance Section 22.10.120 establishes maximum allowed noise levels for both daytime (7 a.m. to 10 p.m.) and nighttime (10 p.m. to 7 a.m.) hours, as shown below. The maximum allowed exterior hourly noise level is 50 db for the daytime hours and 45 db for the nighttime hours.

#### Discussion

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

The construction and use of the proposed project is not expected to generate any substantial temporary or permanent increases in ambient noise levels in excess of standards established in the local general plan or noise ordinance.

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Based on the Noise Element's projected future noise generation from known stationery and vehicle-generated noise sources, the project is within an acceptable threshold area.

Project construction activities would also generate short-term (temporary) construction noise. These activities would be 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).

Therefore, impacts would be less than significant.

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

The construction and use of the proposed project is not expected to result in any excessive groundborne vibrations or noise. Therefore, impacts 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 is located within an Airport Review Area for the Paso Robles Municipal Airport. The project site is approximately 2.3 miles to the south of Paso Robles Municipal Airport. Due to the small size and limited use of Paso Robles Municipal Airport and the project distance from it, the project likely would not result in excessive noise for people residing or working in the project area. Therefore, impacts would be less than significant.

### Conclusion

The project would not result in activity that would create noise (groundborne or otherwise) or vibrations that would be in excess of any established standards. No significant noise-related impacts are anticipated.

### Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### 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 checked="" type="checkbox"/>	<input 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 project is not expected to cause any substantial population growth as it would only be providing a guesthouse. 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 proposes construction of a workshop and guesthouse with an attached garage and would not result in the displacement of existing people or housing, and would therefore not necessitate the construction of replacement housing elsewhere. Therefore, impacts would be less than significant.

#### Conclusion

The project will not result in a need for a significant amount of new housing and will not displace existing housing.

#### Mitigation

There is no evidence that measures above what will already be required by ordinance or codes are needed.

## Initial Study – Environmental Checklist

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### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

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

#### Setting

The project area is served by the City of Paso Robles Police Department and the City of Paso Robles Fire Department as the primary emergency responders. The project is located in a Local Responsibility Area for fire protection. Fire hazard severity is high and emergency response times are between 5-10 minutes. The project is within the Paso Robles Joint Unified School District.

#### 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 County Fire/Cal Fire for consistency with the Uniform Fire Code and will be required to adhere to the requirements of Uniform Fire Code. 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 are 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.

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### *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 not result in the need for new housing and would not result in population growth. Therefore, there will be no impact to existing schools or a need for new school facilities.

### *Parks?*

The proposed project would not result in the need for new housing and would not result in population growth. Therefore, there will be no impact to existing parks or a need for new park facilities.

### *Other public facilities?*

No other public facility concerns are presented by this project.

### *Conclusion*

No significant project-specific impacts to the above-mentioned public services were identified.

### *Mitigation*

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### *Sources*

See Exhibit A.



## Initial Study – Environmental Checklist

### 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 within Shandon to Barney Schwartz and the Salinas River proposed trail corridor.

#### 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?*

Construction of the proposed project would not have an adverse effect on existing or planned recreational opportunities in the county. The project would not result in the need for new housing and would not result in population growth, and therefore would not create a significant need for additional parks, natural areas, and/or recreational resources. Therefore, there will be no impacts to recreational facility use.

- (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 or expansion of existing facilities. Therefore, there will be no impacts.

#### Conclusion

No significant impacts to recreational resources would occur.

#### Mitigation

None required

## Initial Study – Environmental Checklist

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### *Sources*

See Exhibit A.

## Initial Study – Environmental Checklist

### XVII. TRANSPORTATION

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

#### Setting

The project is within the County's Airport Review combining designation (AR). The AR is used to recognize and minimize the potential conflict between new development around the Paso Robles Municipal Airport and the ability of aircraft to safely and efficiently maneuver to and from this airport. This includes additional standards relating to limiting structure and vegetation heights as well as avoiding airport operation conflicts (e.g., exterior lighting, radio/electronic interference, etc.). The Airport Land Use Plan (ALUP) provides guidance for and limitations to the type of development allowed within the AR designation. The proposed development is considered a prohibited use under the Paso Robles Municipal Airport Land Use Plan (ALUP), however the plan states that existing parcels are entitled to be occupied by existing or new residential dwellings in accordance with General Plan and Zoning in effect as of January 1, 2005.

All projects within the AR designation are required to obtain an avigation easement to secure navigable airspace.

Access to the site is provided by Union Road, a County maintained roadway and an extension to the existing driveway would provide direct access to the proposed single-family residence. Union Road is operating at acceptable levels.

#### 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 conflict with adopted policies, plans and programs related to transportation, would not affect air traffic patterns or policies related to public transit, bicycle, or pedestrian facilities.

## Initial Study – Environmental Checklist

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- (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. The project would result in the creation of a guesthouse with an attached garage and a workshop. It is not expected that there would be any significant increase in Vehicle Miles Traveled as a result of the establishment of these uses. This is because neither use is considered a vehicle dependent form of development. Therefore, the project would not substantially increase hazards and would have a less than significant impact.

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

Union Road and the project site's access road are currently able to accommodate emergency vehicles. The project would have the highest risk of emergencies during construction, which would be temporary. The project would not block or alter egress routes for surrounding residents. Therefore, impacts related to emergency access would be less than significant.

### Conclusion

No significant transportation-related impacts are expected to occur.

### Mitigation

None required.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### XVIII. TRIBAL CULTURAL RESOURCES

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

#### Setting

Approved in 2014, Assembly Bill 52 (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.

## Initial Study – Environmental Checklist

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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.

There are no known tribal cultural resources within the immediate project site area. Compliance with the LUO would ensure potential impacts to cultural resources would be reduced to less than significant. In the consultation with the tribal representative, it was agreed that LUO Section 22.10.040 standards for archeological resources discovery during construction activities are sufficient to mitigate potential impacts to cultural resources, in the event of a discovery. No significant cultural resource impacts are expected to occur, and no mitigation measures above what area already required by ordinance are necessary.

### 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 proposed construction will occur over previously disturbed areas. The 3,000 square foot workshop expansion area is currently covered with aggregate base. The 600 square foot guesthouse and 2,000 square foot attached garage is proposed over an existing softball field covered in compacted sand. Based on the existing conditions and minimal site disturbance, impacts to historical resources and tribal historical resources would be *less than significant*.

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

In the unlikely event resources are uncovered during grading activities, implementation of LUO Section 22.10.040 (Archaeological Resources) would be required, which states:

In the event archeological resources are unearthed or discovered during any construction activities, the following standards apply:

A. Construction activities shall cease, and the Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the County Coroner shall be notified in addition to the Department so proper disposition may be accomplished.

Therefore, impacts are expected to be *less than significant*.

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### *Conclusion*

No significant impacts on tribal cultural resources would occur. In the event of an unanticipated discovery of tribal resources during earth-moving activities, compliance with the LUO would ensure potential impacts would be reduced to less than significant.

### *Mitigation*

There is no evidence that measures above what will already be required by ordinance or codes are needed.

### *Sources*

See Exhibit A.



## Initial Study – Environmental Checklist

### XIX. UTILITIES AND SERVICE SYSTEMS

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

#### Setting

The project proposes the construction of a guesthouse with an attached garage and a workshop. The project proposes the use of an on-site septic system, an on-site well for water supply, and the replacement and expansion of existing underground electrical.

Regulations and guidelines on proper wastewater system design and criteria are found within the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy), and the California Plumbing Code. For onsite wastewater treatment (septic) systems, there are several key factors to consider for a system to operate successfully, including the following:

## Initial Study – Environmental Checklist

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- Sufficient land area to meet the criteria for as currently established in Tier 1 Standards of the California OWTS Policy; depending on rainfall amount, and percolation rate, required parcel size minimums will range from one acre to 2.5 acres;
- The soil's ability to percolate or "filter" effluent before reaching groundwater supplies (30 to 120 minutes per inch is ideal);
- The soil's depth (there needs to be adequate separation from bottom of leach line to bedrock [at least 10 feet] or high groundwater [5 feet to 50 feet depending on percolation rates]);
- The soil's slope on which the system is placed (surface areas too steep creates potential for daylighting of effluent);
- Potential for surface flooding (e.g., within 100-year flood hazard area);
- Distance from existing or proposed wells (between 100 and 250 feet depending on circumstances); and
- Distance from creeks and water bodies (100-foot minimum)

The subject property is within the Estrella Area of the Paso Robles Ground Water Basin. The Paso Robles Ground Water Basin Resource Capacity Study (RCS) has found that the Basin's demand is approaching its safe yield. The RCS has also found that groundwater levels are generally dropping throughout the basin, resulting in dry wells and causing property owners to drill deeper wells. The Board of Supervisors (The Board) has directed several actions in order to address the continuing groundwater problems. These actions would 1) allow no further creation of additional rural parcels that will raise the demand for water in the basin; 2) require discretionary land uses to offset new pumping from the basin; 3) develop a special landscape irrigation ordinance for the basin area; and 4) establish specific growth limits in the basin.

The Board determined that ministerial development such as construction of single-family residences will not require special attention to water use beyond what is required in the Building Ordinance and existing Land Use Ordinance requirements. The County of San Luis Obispo created the Countywide Water Conservation Program (CWWCP) in October of 2015 which requires that all new urban and rural development within the PRGWB offset new water use at a minimum 1:1 ratio through the purchase of water offset credits prior to construction permit issuance. The County's Land Use Ordinance requires that discretionary land use permits within the North County Planning Area and within the Paso Robles Groundwater Basin, offset new water use at a ratio of 2:1. Payment of the in lieu fee will be paid with each building permit application.

### 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 the use of an existing on-site well and wastewater disposal system and would not require the expansion of existing community facilities. Therefore, impacts would be less than significant.

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

The project would be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.238), which states that no grading or building permit shall be issued until either the water

## Initial Study – Environmental Checklist

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purveyor provides a written statement that potable water service will be provided (community systems), or an on-site well is installed, tested, and certified to meet minimum capacity requirements and Health Department approval.

The project proposes the use of an on-site well to obtain water. The existing well was previously approved by Environmental Health Department. The project is a guesthouse which is expected to use a relatively small amount of water each year.

Additionally, to conserve water, the project will be subject to the County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires specific water-conserving fixtures for domestic use. Therefore, impacts would be less than significant.

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

The project proposes the use of an existing on-site wastewater treatment system. Therefore, no additional demand will be added to the community's provider's existing commitments.

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

The proposed project is which is expected to generate a limited amount of solid waste and will likely not result in the impairment of solid waste reduction goals. Therefore, 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 is required to abide by federal, state, and local management reduction statutes and regulations related to solid waste. Therefore, the project will comply with all statutes and regulations related to solid waste, and impacts will be less than significant.

### Conclusion

The project would utilize existing on-site water and sewage systems and will not generate excessive amounts of solid waste. Payment of the in lieu fee will be paid with each building permit application. Therefore, impacts would be less than significant. No significant impacts related to utilities and service systems would occur.

### Mitigation

There is no evidence that measures above what will already be required by ordinance and codes are needed.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

## XX. WILDFIRE

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

*Setting*

The project is located within a local responsibility area and is located approximately 5-10 minutes from the closest Cal Fire / County Fire station.

The topography of the project site is gently rolling and devoid of vegetation which does not accelerate the spread of wildfire.

**Figure 3: Project Site Location**



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According to information provided by the El Pomar-Estrella Area Plan Update, the climate of the region (central San Luis Obispo County) is characterized as Mediterranean, with warm dry summers and cool, damp winters. Climate data from Paso Robles (three miles west of the planning area) indicate the coolest month is December with an average low of 33° F, and the warmest month is July and August with an average high of 94 F. The average annual rainfall is 13.1 inches, with 95 percent falling between October and April. This indicates hotter and drier conditions for fuel which will more easily ignite.

### Discussion

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

The project is not expected to conflict with any regional emergency response or evacuation plan because the project involves construction of workshop, and a garage with an attached guesthouse. Therefore, impacts would be less than significant.

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

The proposed project site is located in an area of moderate wind, with an average annual windspeed of 7.6 mph (Weather Spark). The proposed project would have the highest fire risk during construction as construction vehicles have the ability to spark wildfires when operating machinery around dry vegetation. However, the proposed development would take place on previously disturbed and graded areas with no vegetation which will lower these risks.

Additionally, the project will be subject to Fire Code Review at time of Building Permits (Dell Wells, Cal Fire / March 8, 2020). A Fire Safety plan prepared by County Fire/Cal Fire will be required to lessen fire risk within the project site. Therefore, fire-related impacts to project occupants 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 and onsite driveways would be used for access and new roads would not be constructed. The proposed project would utilize existing power connections and water sources. Environmental and fire-related impacts due to installation of new infrastructure would be less than significant.

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

The risk to structures would be low due to a low landslide and liquefaction risk, location outside a 100-year flood zone, and distance from nearby streams. A Storm Water Control Plan and stormwater management will be required. These measures are required through ordinance standards. Therefore, impacts are expected to be *less than significant*.

### Conclusion

The project is not expected to result in any significant issues relating to wildfire.

## Initial Study – Environmental Checklist

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### *Mitigation*

There is no evidence that measures above what will already be required by ordinance or codes are needed.

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



## Initial Study – Environmental Checklist

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### 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 Biological Resources, specifically the San Joaquin kit fox and its habitat. Mitigation Measures BR-1 through BR-12 address these concerns and reduce impacts to the San Joaquin kit fox to less than significant levels.

- (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 sections of each environmental resource area. Cumulative impacts associated with the proposed project would be minimized to less than significant levels through ordinance requirements and the implementation of proposed mitigation measures.

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

The project's environmental impacts which might result in adverse effects on human beings, either directly or indirectly, have been analyzed in the discussion section of each environmental resource area. There are no significant impacts to human beings anticipated.

### Conclusion

The proposed project has the potential to have significant impacts to biological resources. However, with the inclusion of mitigation measures, impacts would be mitigated to less than significant.

### Mitigation

See mitigation measures BIO-1 – BIO-12, which would reduce biological resource impacts to less than significant.

### Sources

See Exhibit A.

## Initial Study – Environmental Checklist

### 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 type="checkbox"/>	County Environmental Health Services	Not Applicable
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input checked="" type="checkbox"/>	Airport Land Use Commission	None
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Wildlife	In File**
<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 Building Division	In File**
<input checked="" type="checkbox"/>	Other Native American Consultation	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 type="checkbox"/> Design Plan
<input checked="" type="checkbox"/> <b>County Documents</b>	<input type="checkbox"/> Specific Plan
<input type="checkbox"/> Coastal Plan Policies	<input type="checkbox"/> Annual Resource Summary Report
<input type="checkbox"/> Framework for Planning (Coastal/Inland)	<input type="checkbox"/> Circulation Study
<input checked="" type="checkbox"/> General Plan ( <b>Inland</b> /Coastal), includes all maps/elements; more pertinent elements:	<input checked="" type="checkbox"/> <b>Other Documents</b>
<input checked="" type="checkbox"/> Agriculture Element	<input checked="" type="checkbox"/> Clean Air Plan/APCD Handbook
<input checked="" type="checkbox"/> Conservation & Open Space Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input type="checkbox"/> Economic Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Parks & Recreation Element/Project List	<input type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Safety Element	<input type="checkbox"/> Special Biological Importance Map
<input checked="" type="checkbox"/> Land Use Ordinance ( <b>Inland</b> /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 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 checked="" type="checkbox"/> Paso Robles Airport Land Use Plan	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Energy Wise Plan	
<input checked="" type="checkbox"/> North County Area Plan/El Pomar-Estrella SA	

## Initial Study – Environmental Checklist

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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:

Biological Kit Fox Habitat Evaluation for 2225 Kit Fox Lane for DRC2019-00265. Terra Verda. June 1, 2020.

California Department of Conservation (DOC). 2019. Farmland Mapping and Monitoring Program - DLRP Important Farmland Finder. Accessed on: June 14, 2019. Available at: <<https://maps.conservation.ca.gov/DLRP/CIFF/>>

California Department of Fish and Wildlife (CDFW). 2018. CDFW Lands Viewer. Accessed on July 1, 2019. Available at: < <https://apps.wildlife.ca.gov/lands/>>

California Department of Fish and Wildlife (CDFW). 2019. California Natural Diversity Database BIOS Viewer. Accessed on June 18, 2019. Available at: < <https://apps.wildlife.ca.gov/bios/?bookmark=327>>

California State Water Resources Control Board. 2019. Geotracker. Accessed on June 18, 2019. Available at: <<http://geotracker.waterboards.ca.gov>>

California Department of Toxic Substances Control (DTSC). 2019. EnviroStor. Accessed on June 18, 2019. Available at: <<https://www.envirostor.dtsc.ca.gov/public/>>

California Department of Transportation (Caltrans). 2008. Scenic Highway Guidelines. October 2008.

California Department of Conservation (DOC). California Geological Survey Information Warehouse for Mineral Land Classification. 2019. Accessed on June 18, 2019. Available at <<https://maps.conservation.ca.gov/cgs/informationwarehouse/mlc/>>

CalRecycle. May 14, 2019. SWIS Facility Detail. Accessed on June 18, 2019. Available at: <<https://www2.calrecycle.ca.gov/swfacilities/Directory/40-AA-0008>>

County of San Luis Obispo. 2011. EnergyWise Plan. Available at <<https://www.slocounty.ca.gov/Departments/Planning-Building/Energy-and-Climate/Energy-Climate-Reports/EnergyWise-Plan.aspx>> Accessed on: June 3, 2019.

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

San Luis Obispo Air Pollution Control District (SLOAPCD). 2012. CEQA Air Quality Handbook. Accessed on June 14, 2019. Available at: < [https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA\\_Handbook\\_2012\\_v2%20%28Updated%20Map2019%29\\_LinkedwithMemo.pdf](https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/CEQA_Handbook_2012_v2%20%28Updated%20Map2019%29_LinkedwithMemo.pdf)>

San Luis Obispo Air Pollution Control District (SLOAPCD). 2017. CEQA Air Quality Handbook Clarification Memo. Accessed on June 14, 2019. Available at: < [https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/FINAL\\_Clarification%20Memorandum%2020172.pdf](https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/FINAL_Clarification%20Memorandum%2020172.pdf)>

U.S. Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory Surface Waters and Wetlands. June 5, 2019. Available at: <<https://www.fws.gov/wetlands/data/Mapper.html>>

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Weather Spark. 2018. Average Weather in Templeton, California. Access on June 30, 2019. Available at: <  
<https://weatherspark.com/y/1290/Average-Weather-in-Templeton-California-United-States-Year-Round>>

## Initial Study – Environmental Checklist

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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.

#### **Biological Resources**

**BR-1** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.44 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

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

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

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$1,100.00. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification identifying your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase **0.44** credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the

## Initial Study – Environmental Checklist

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owners of The Palo Prieto Conservation Bank. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation and would total **\$1,110.00**. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

- BR-2** Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:
- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
  - b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site-disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.
  - c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
  - a. Potential kit fox den: 50 feet

## Initial Study – Environmental Checklist

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- b. Known or active kit fox den: 100 feet
- c. Kit fox pupping den: 150 feet

- 2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
- 3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

**BR-3** Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.

In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

**BR-4** During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.

**BR-5** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

**BR-6** During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.



## Initial Study – Environmental Checklist

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- BR-7** During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of **four** inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.
- BR-10** During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.
- BR-11** Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:
- If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
  - If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.
- Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.
- BR-12** **Prior to permit issuance and initiation of any ground disturbing activities**, the applicant shall provide construction timelines to the County Department of Planning and Building in order to minimize impacts to nesting birds (including least Bell's vireo) and bats. Construction and grading activities should take place outside the bird nesting season, which is February 1 through August 31. If construction and grading activities occur during nesting bird season, provide evidence that a County approved qualified biologist has been obtained to conduct a clearance survey within one week prior to the initiation of ground disturbance to identify nests and burrows. Visual surveys for bats should be conducted in the vicinity of all trees that have cavities, broken limbs, resulting in hanging woody debris, and large patches of loose bark.



## Initial Study – Environmental Checklist

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- a. If Active nest sites of bird species protected under the Migratory Bird Treaty Act and/ or California Fish and Game Code Section 3503 are observed within the project area, the particular construction activity should be modified and /or delayed as necessary to avoid direct impacts of the identified nests, eggs, and/or young. Potential project modifications may include establishing appropriate “no activity” buffers around the nest site. Construction activities should not occur in the buffer until a biologist has determined that the nesting activity has ceased.
- b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of project related disturbances, an appropriate buffer around the nest site (potentially up to 50 feet (250 feet for raptors) of the construction area, the biologist in consultation with CDFW, shall determine the extent of a buffer to be established around the nest. The buffer will delineated with flagging and no work shall take place within the buffer area unit the young have let the nest, as determined by the biologist.

**DEVELOPER'S STATEMENT FOR  
ROTH MINOR USE PERMIT  
DRC2019-00265**

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

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The Kit Fox Evaluation, which was completed for project Roth Minor Use Permit, DRC2019-00265 on June 1, 2020 by Halden Petersen, indicates your project will impact 0.22 acres of San Joaquin kit fox habitat. The evaluation form was reviewed by Jamie Marquez of the California Department of Fish and Game on August 17, 2020. The evaluation, complete with Mr. Marquez's changes, resulted in a score of 61 which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). Total compensatory mitigation required for the project is 0.22 acres, based on 2 times 0.44 acres impacted. The mitigation options identified in BR-1 through BR-11 apply to the proposed project only; should your project change, your mitigation obligation may also change, and a reevaluation of your mitigation measures would be required.

The following mitigation measures address impacts that may occur as a result of the development of the project.

**Biological Resources**

**BR-1** Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the County of San Luis Obispo, Department of Planning and Building, Environmental and Resource Management Division (County) (see contact information below) that states that one or a combination of the following three San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of 0.44 acres of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) (see contact information below) and the County.

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

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

Mitigation alternative (b) above, can be completed by providing funds to The Nature Conservancy (TNC) pursuant to the Voluntary Fee-Based Compensatory Mitigation Program (Program). The Program was established in agreement between the Department and TNC to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The fee, payable to "The Nature Conservancy", would total \$1,100.00. This fee is calculated based on the current cost-per-unit of \$2500 per acre of mitigation, which is scheduled to be adjusted to address the increasing cost of property in San Luis Obispo County; your actual cost may increase depending on the timing of payment. This fee must be paid after the Department provides written notification about your mitigation options but prior to County permit issuance and initiation of any ground disturbing activities.

- c. Purchase 0.44 credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

Mitigation alternative (c) above, can be completed by purchasing credits from the Palo Prieto Conservation Bank (see contact information below). The Palo Prieto Conservation Bank was established to preserve San Joaquin kit fox habitat, and to provide a voluntary mitigation alternative to project proponents who must mitigate the impacts of projects in accordance with the California Environmental Quality Act (CEQA). The cost for purchasing credits is payable to the owners of The Palo Prieto Conservation Bank, and would total \$1,110.00. This fee is calculated based on the current cost-per-credit of \$2500 per acre of mitigation. The fee is established by the conservation bank owner and may change at any time. Your actual cost may increase depending on the timing of payment. Purchase of credits must be completed prior to County permit issuance and initiation of any ground disturbing activities.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Planning Department.

**BR-2** Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the County Division of Environmental and Resource Management. The retained biologist shall perform the following monitoring activities:

- a. Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox dens and submit a letter to the County reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless

observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the County.

- c. Prior to or during project activities, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, before project activities commence, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

- d. In addition, the qualified biologist shall implement the following measures:
1. Within 30 days prior to initiation of site disturbance and/or construction, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:
    - a. Potential kit fox den: 50 feet
    - b. Known or active kit fox den: 100 feet
    - c. Kit fox pupping den: 150 feet
  2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
  3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

<p><b>Monitoring:</b> Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Planning Department.</p>
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- BR-3** Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: "Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox". Speed limit signs shall be installed on the project site within 30 days prior to initiation of site disturbance and/or construction.
- In addition, prior to permit issuance and initiation of any ground disturbing activities, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.
- BR-4** During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the County, during which additional kit fox mitigation measures may be required.
- BR-5** Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the county, as well as any related biological report(s) prepared for the project. The applicant shall notify the County shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.
- BR-6** During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.
- BR-7** During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.
- BR-8** During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.
- BR-9** Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

**BR-10** During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and County. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

**BR-11** Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the County to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

**Monitoring (San Joaquin Kit Fox Measures BR-3 – BR-11):** Compliance will be verified by the County Division of Environmental and Resource Management in consultation with the California Department of Fish and Game. As applicable, each of these measures shall be included on construction plans.

**BR-12** Prior to permit issuance and initiation of any ground disturbing activities, the applicant shall provide construction timelines to the County Department of Planning and Building in order to minimize impacts to nesting birds (including least Bell's vireo) and bats. Construction and grading activities should take place outside the bird nesting season, which is February 1 through August 31. If construction and grading activities occur during nesting bird season, provide evidence that a County approved qualified biologist has been obtained to conduct a clearance survey within one week prior to the initiation of ground disturbance to identify nests and burrows. Visual surveys for bats should be conducted in the vicinity of all trees that have cavities, broken limbs, resulting in hanging woody debris, and large patches of loose bark.

- a. If Active nest sites of bird species protected under the Migratory Bird Treaty Act and/ or California Fish and Game Code Section 3503 are observed within the project area, the particular construction activity should be modified and /or delayed as necessary to avoid direct impacts of the identified nests, eggs, and/or young. Potential project modifications may include establishing appropriate "no activity" buffers around the nest site. Construction activities should not occur in the buffer until a biologist has determined that the nesting activity has ceased.
- b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of project related disturbances, an appropriate buffer around the nest site (potentially up to 50 feet (250 feet for raptors) of the construction

area, the biologist in consultation with CDFW, shall determine the extent of a buffer to be established around the nest. The buffer will delineated with flagging and no work shall take place within the buffer area until the young have left the nest, as determined by the biologist.

**Monitoring:** Required prior to issuance of a grading and/or construction permit. Compliance will be verified by the County Planning Department.

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

  
\_\_\_\_\_  
Signature of Owner(s)

Jon Roth  
\_\_\_\_\_  
Name (Print)

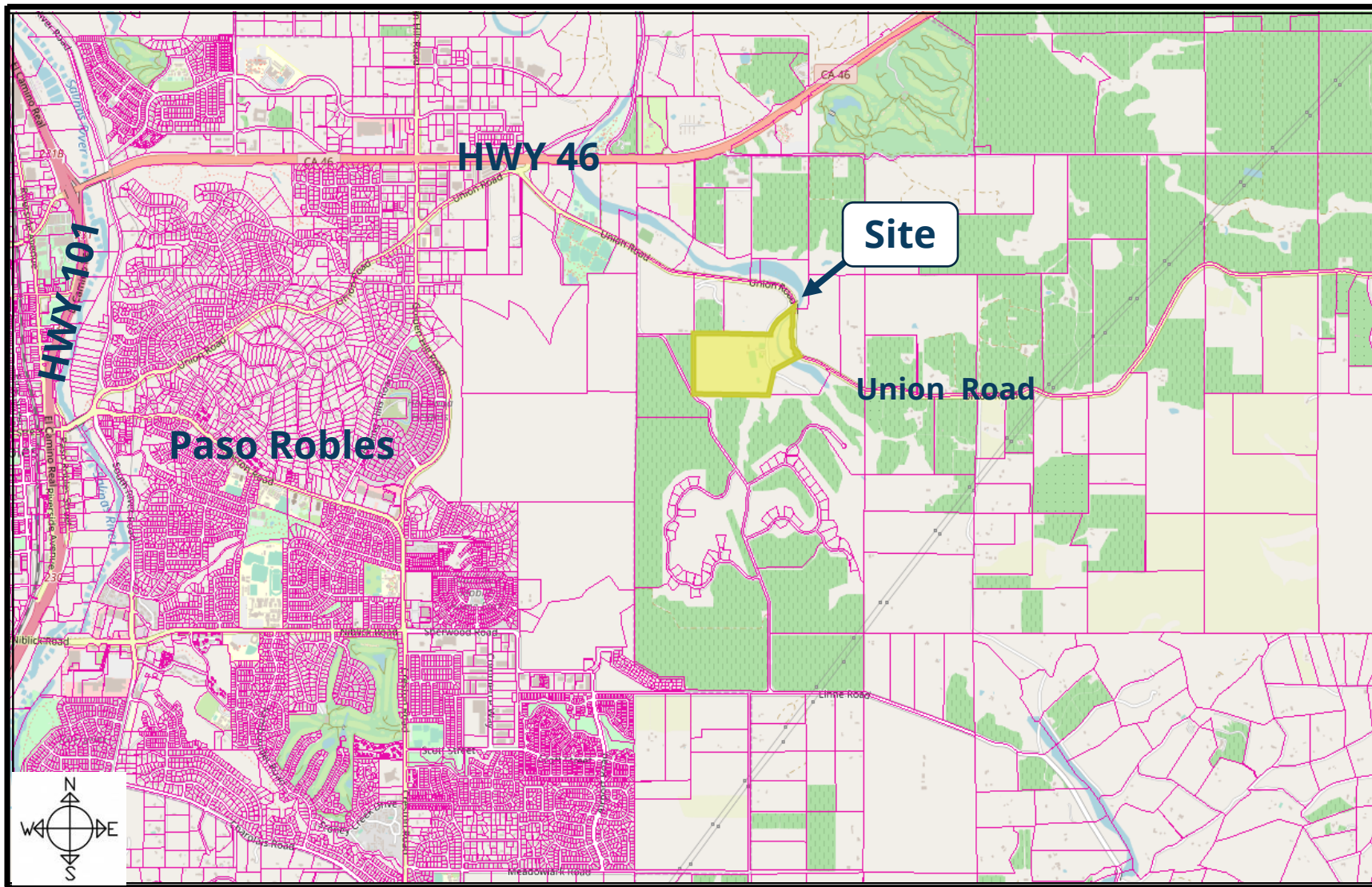
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Signature of Owner(s)

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Name (Print)

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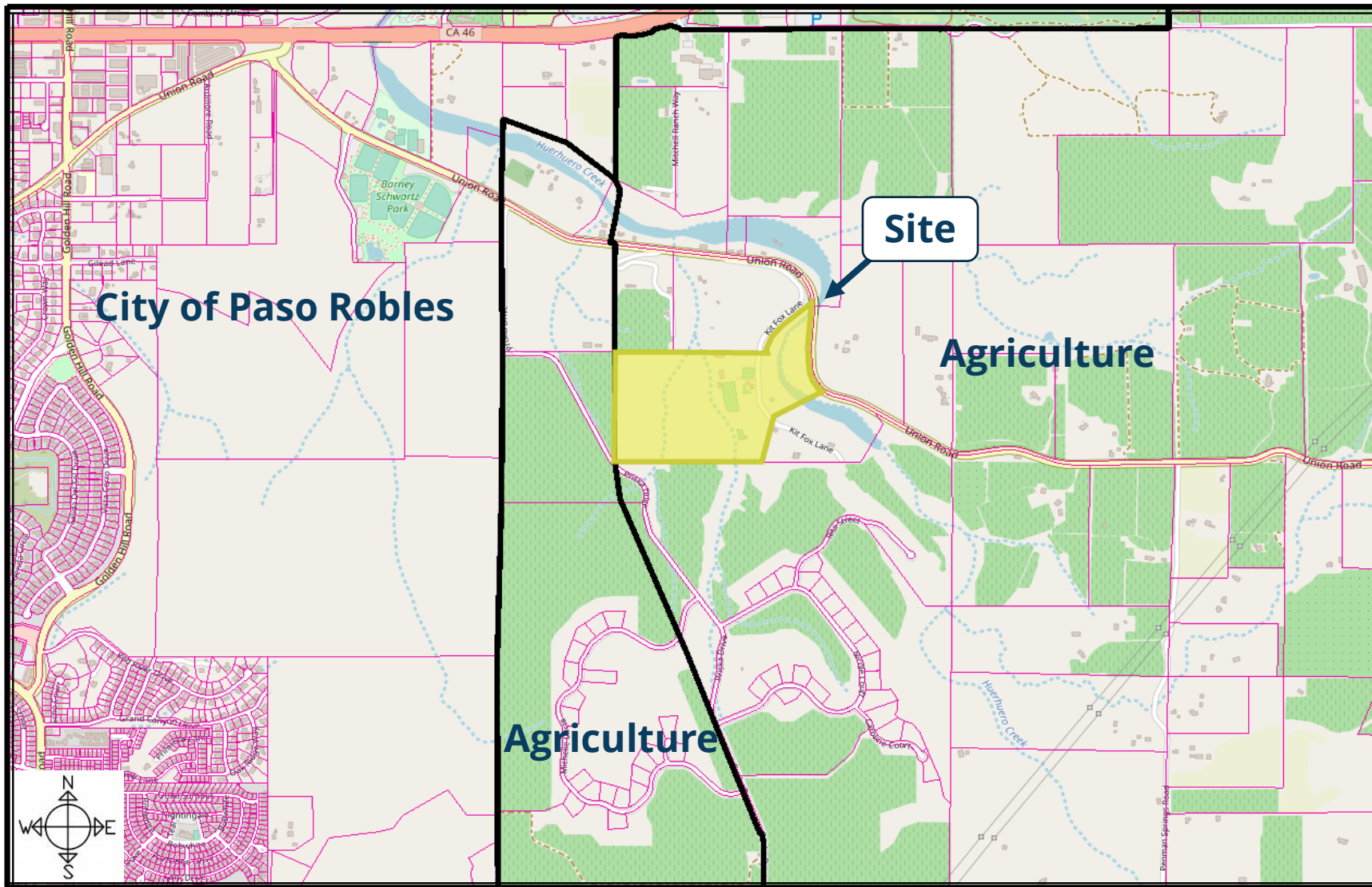




COUNTY OF SAN LUIS OBISPO

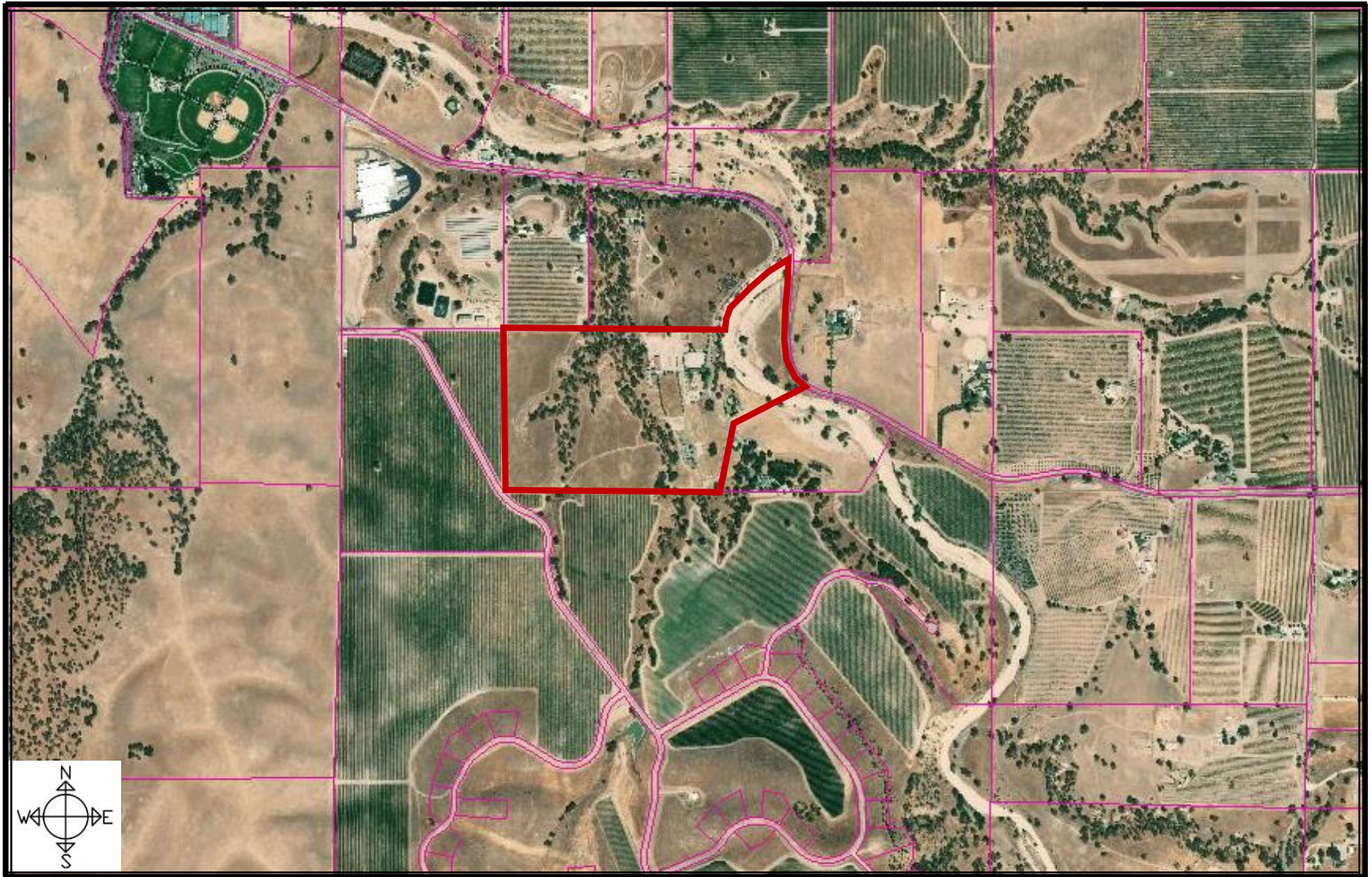
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DRC2019-00265





COUNTY OF SAN LUIS OBISPO

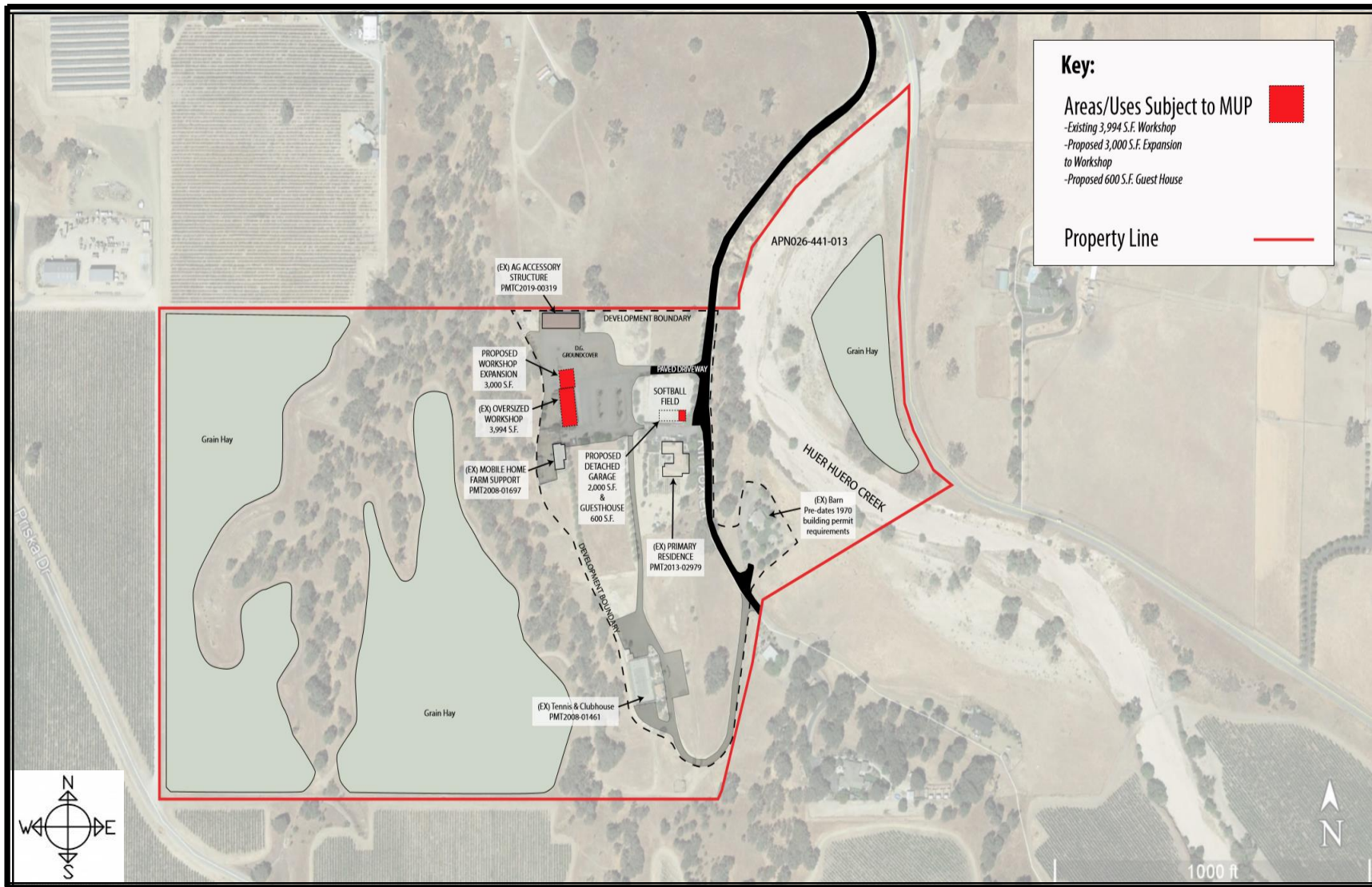
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DRC2019-00265



**COUNTY OF SAN LUIS OBISPO**

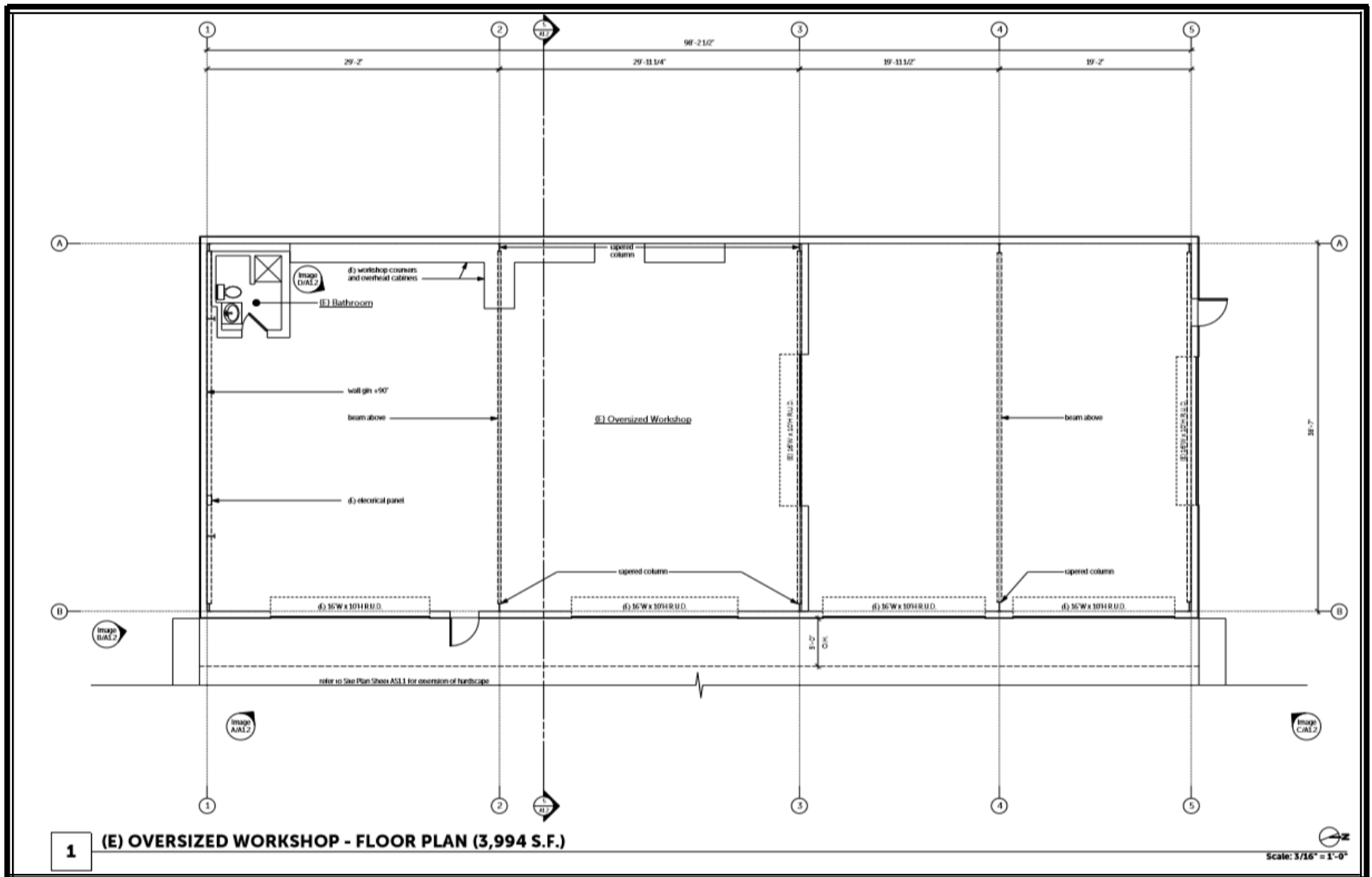
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DRC2019-00265**

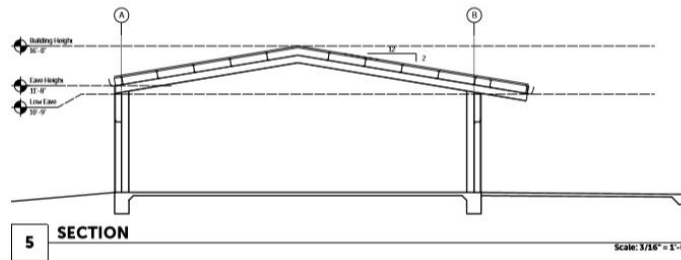
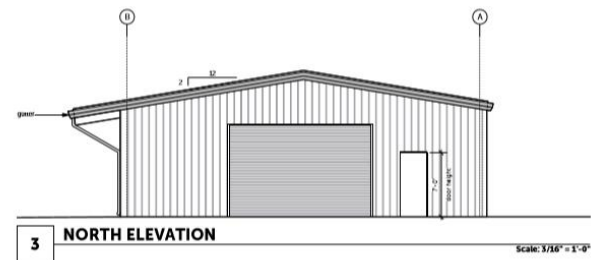
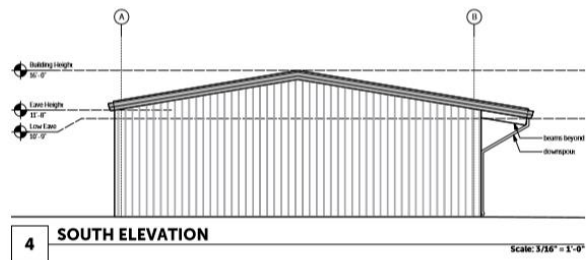
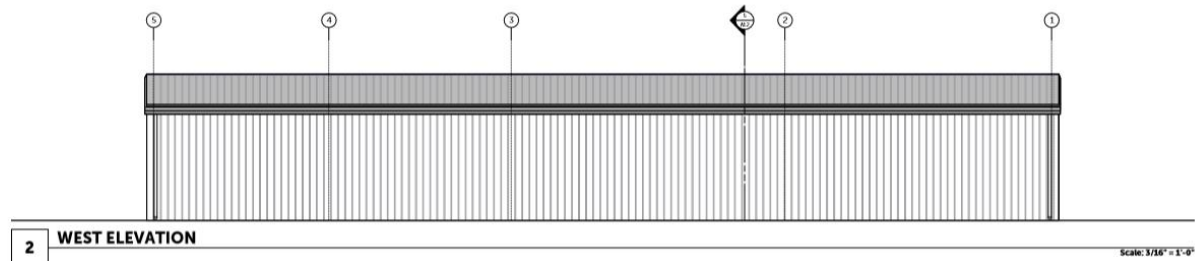
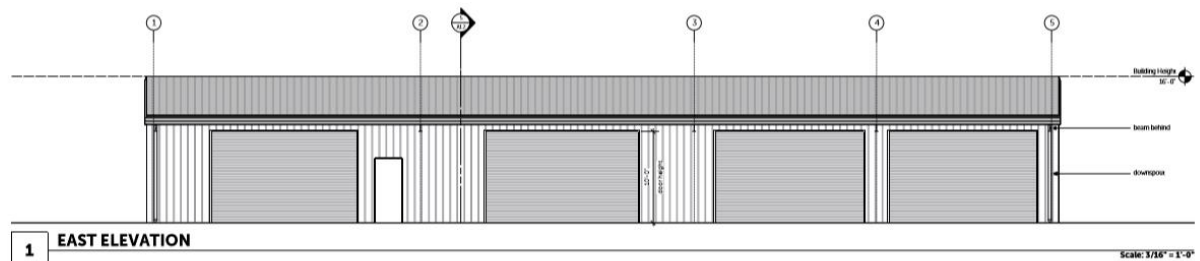




COUNTY OF SAN LUIS OBISPO

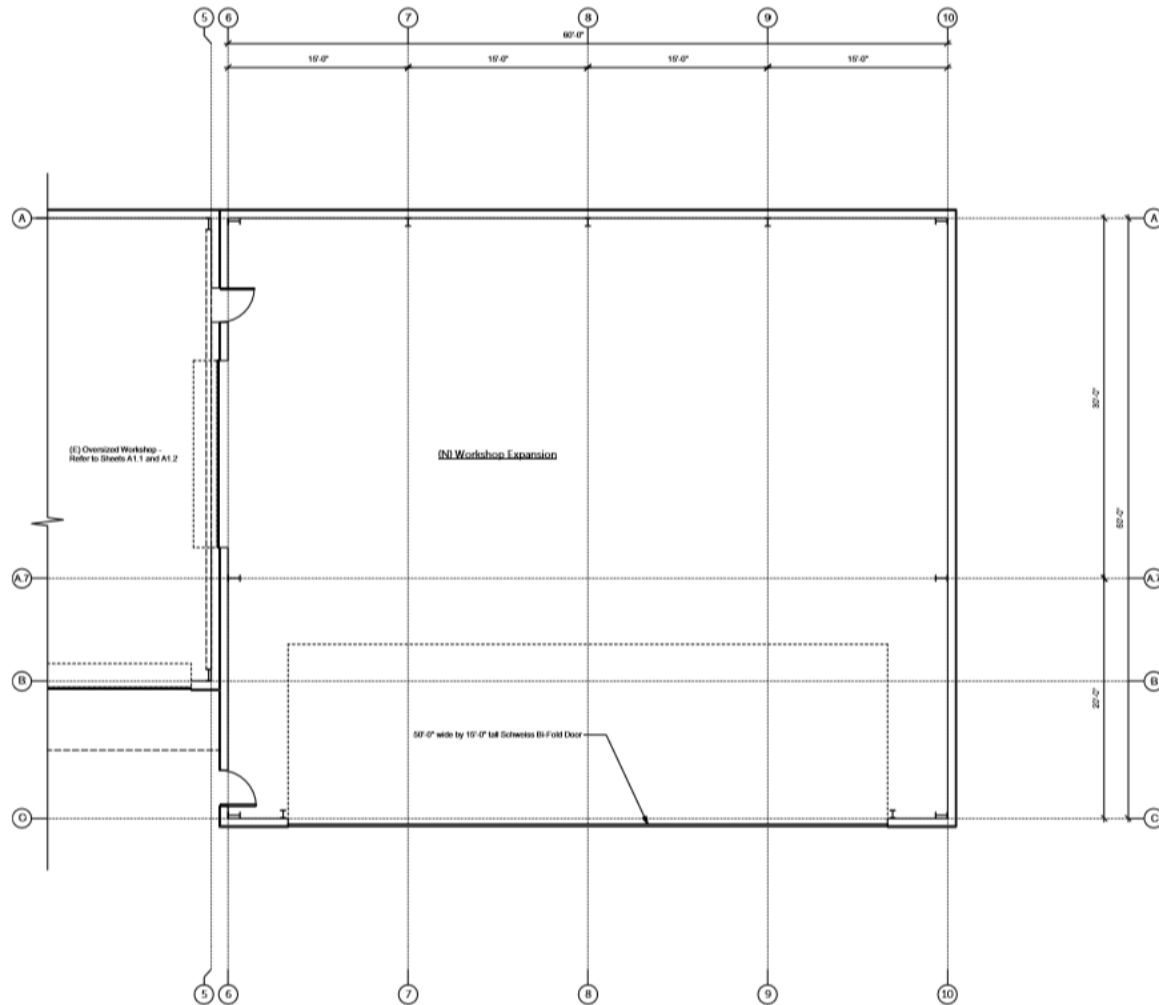
Site Map  
DRC2019-00265





COUNTY OF SAN LUIS OBISPO

Elevations  
DRC2019-00265



1

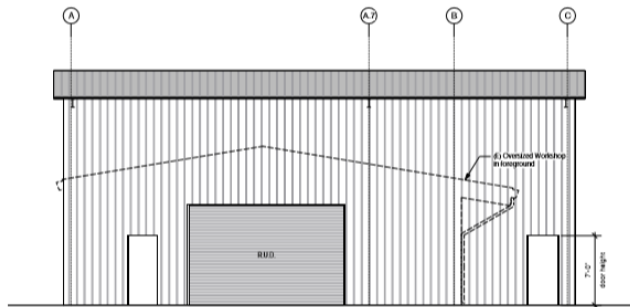
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Scale: 3/16" = 1'-0"



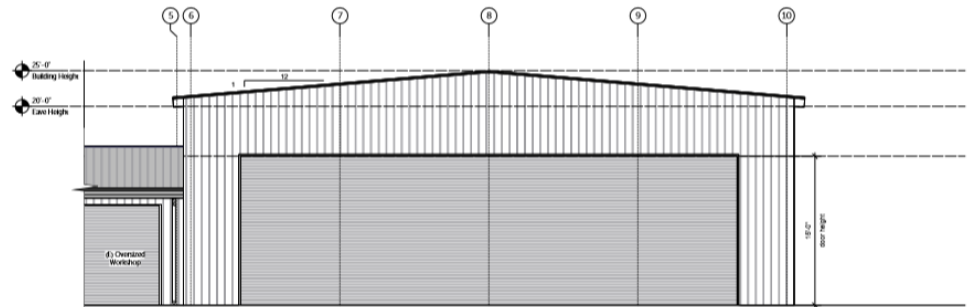
COUNTY OF SAN LUIS OBISPO

Floor Plans  
DRC2019-00265



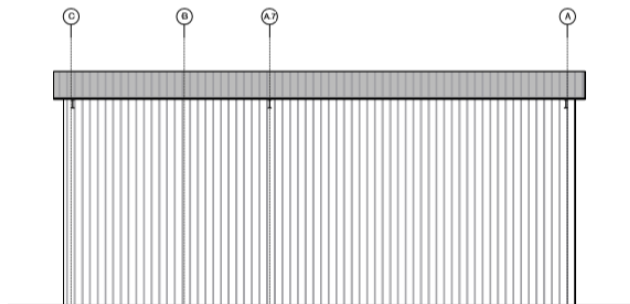
**3 SOUTH ELEVATION**

Scale: 3/16" = 1'-0"



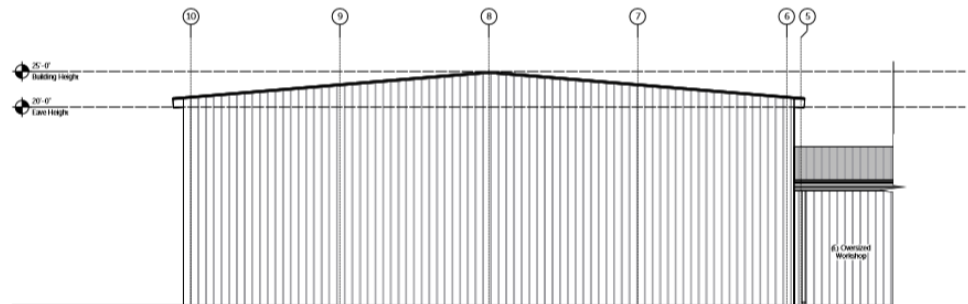
**1 EAST ELEVATION**

Scale: 3/16" = 1'-0"



**4 NORTH ELEVATION**

Scale: 3/16" = 1'-0"



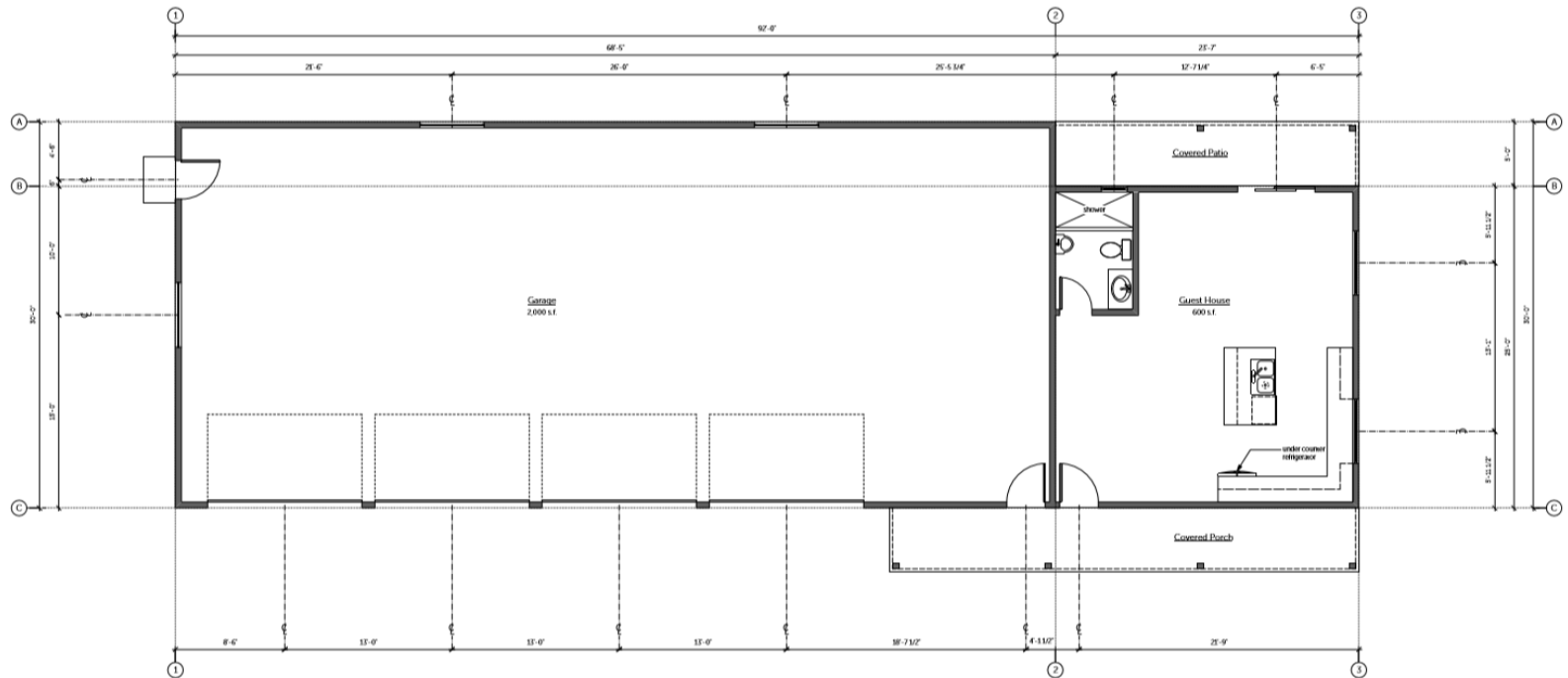
**2 WEST ELEVATION**

Scale: 3/16" = 1'-0"



**COUNTY OF SAN LUIS OBISPO**

**Elevations  
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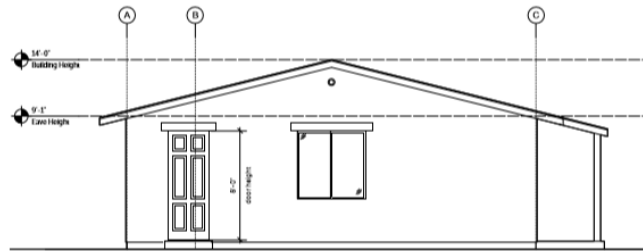
1 (N) DETACHED GARAGE (2,000 S.F.) AND GUEST HOUSE (600 S.F.) - FLOOR PLAN



COUNTY OF SAN LUIS OBISPO

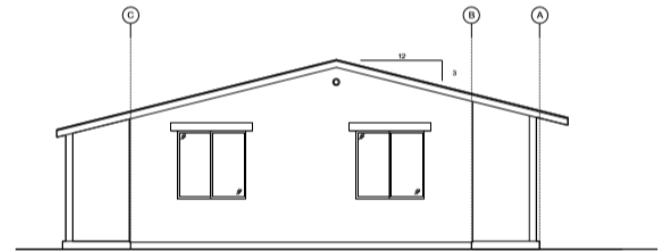
Floor Plans  
DRC2019-00265





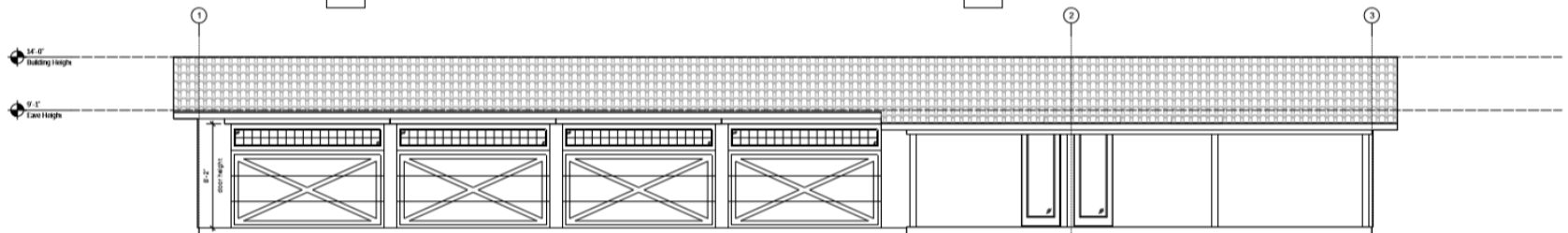
**2 WEST ELEVATION**

Scale: 1/4" = 1'-0"



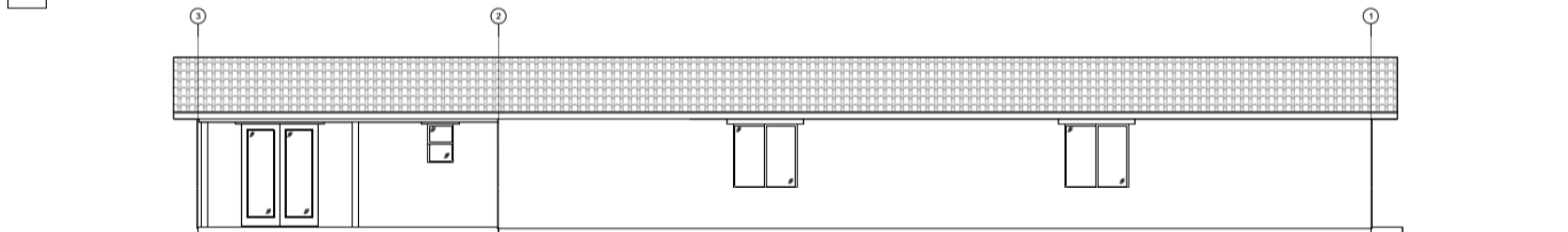
**1 EAST ELEVATION**

Scale: 1/4" = 1'-0"



**3 SOUTH ELEVATION**

Scale: 1/4" = 1'-0"



**4 NORTH ELEVATION**

Scale: 1/4" = 1'-0"



**COUNTY OF SAN LUIS OBISPO**

**Elevations  
DRC2019-00265**