



NEGATIVE DECLARATION & NOTICE OF DETERMINATION

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

ENVIRONMENTAL DETERMINATION NO. ED Number ED20-251

DATE: December 4, 2021

PROJECT/ENTITLEMENT: Lopez Minor Use Permit ED20-251 DRC2020-00102

APPLICANT NAME: Christopher Lopez

Email: christopherlopez805@gmail.com

ADDRESS: 3020 Ironwood Ave., Morro Bay, CA 93442

CONTACT PERSON: Christopher Lopez

Telephone: (805) 249-9545

PROPOSED USES/INTENT: A request by Christopher Lopez for a Minor Use Permit / Coastal Development Permit (DRC2020-00102) to allow for the construction of an approximately 6,550-square-foot, single-family residence with an attached garage, a second 1,110-square-foot detached garage with an attached 600-square-foot guesthouse, and an approximately 2,400-square-foot barn. The project is requesting authorization to exceed the 1,000-square-foot size limitation for detached garages per Coastal Zone Land Use Ordinance Section 23.08.032.c. The project would result in the disturbance of approximately 1.6 acres of a 11.8-acre parcel.

LOCATION: The proposed project is within the Agriculture land use category and is located at 2420 Paradise Lane, approximately one mile east of the community of Los Osos. The project is within the Estero Planning Area.

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

STATE CLEARINGHOUSE REVIEW: YES ☒ NO ☐

OTHER POTENTIAL PERMITTING AGENCIES:

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

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

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

Notice of Determination

State Clearinghouse No. _____

This is to advise that the San Luis Obispo County as ☒ *Lead Agency* ☐ *Responsible Agency* approved / denied the above described project by Planning Department Hearing Officer, and has made the following determinations regarding the above described project:

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

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

Emi Sugiyama

County of San Luis Obispo

Signature

Name

Date

Public Agency



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

PLN-2039
04/2019

Project Title & No. Lopez Minor Use Permit ED20-251 (DRC2020-00102)

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.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agriculture & Forestry Resources	☐ Hazards & Hazardous Materials	☐ Recreation
☒ Air Quality	☐ Hydrology & Water Quality	☐ Transportation
☒ Biological Resources	☐ Land Use & Planning	☐ Tribal Cultural Resources
☐ Cultural Resources	☐ Mineral Resources	☐ Utilities & Service Systems
☐ Energy	☐ Noise	☐ Wildfire
☒ Geology & Soils	☐ Population & Housing	☐ 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.

Emi Sugiyama
Prepared by (Print)

Emi Sugiyama
Signature
Digitally signed by Emi Sugiyama
DN: C=US, E=esugiyama@co.slo.ca.us, O=County of San Luis Obispo, OU=Planning and Building, CN=Emi Sugiyama
Reason: I am the author of this document

Date

Young Choi
Reviewed by (Print)

Young Choi
Signature
Digitally signed by Young Choi
DN: C=US, E=ychoi@co.slo.ca.us, O=County of San Luis Obispo, OU=Department of Planning and Building, CN=Young Choi
Date: 2021.01.04 16:57:33-08'00'

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 Christopher Lopez for a Minor Use Permit / Coastal Development Permit (DRC2020-00102) to allow for the construction of an approximately 6,550-square-foot, single-family residence with an attached garage, a second 1,110-square-foot detached garage with an attached 600-square-foot guesthouse, and an approximately 2,400-square-foot barn. The project is requesting authorization to exceed the 1,000-square-foot size limitation for detached garages per Coastal Zone Land Use Ordinance Section 23.08.032.c. The project would result in the disturbance of approximately 1.6 acres of a 11.8-acre parcel. The proposed project is within the Agriculture land use category and is located at 2420 Paradise Lane, approximately one mile east of the community of Los Osos. The project is within the Estero Planning Area.

ASSESSOR PARCEL NUMBER(S): 067-171-049

Latitude: 35° 17' 58" N **Longitude:** 120° 47' 35" W **SUPERVISORIAL DISTRICT #** 1

B. Existing Setting

Plan Area:	Estero	Sub:	None	Comm:	None
Land Use Category:	Agriculture				
Combining Designation:	Coastal Zone Coastal Zone Creek or Stream GSA Seismic Hazard Area				
Parcel Size:	11.83 acres				
Topography:	Generally level to slightly sloping				
Vegetation:	Agriculture, Annual Grasslands, Coastal Scrub, Eucalyptus, Riparian, Riverine, and Wetland				
Existing Uses:	Undeveloped				

Surrounding Land Use Categories and Uses:

North: Agriculture; agricultural uses residential **East:** Agriculture; agricultural uses residential

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South: Agriculture; agricultural uses residential

West: Agriculture; agricultural uses residential

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.

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?	☐	☐	☒	☐
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Setting

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

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

California'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

Initial Study – Environmental Checklist

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.

The County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO) establishes regulations for exterior lighting (CZLUO 23.04.320), height limitations for each land use category (CZLUO 23.04.124), scenic highway corridor standards (CZLUO 23.04.210), and other visual resource protection policies. These regulations are intended to help the County achieve its Strategic Growth Principles of preserving scenic natural beauty and fostering distinctive, attractive communities with a strong sense of place as set forth in the County Land Use Element.

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

The Estero Area Plan also contains additional guidelines regarding light and glare, setbacks, and general design consistency.

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

The proposed project is located on an undeveloped parcel within a rural, agricultural setting. The surrounding visual character consists of low-density residential and agricultural development on relatively flat to slightly sloping terrain with a hillside backdrop. Surrounding parcels are similarly sized and contain single-family residences and agricultural uses. An unnamed stream is present along the southern portion of the parcel. The topography of the project site and surrounding area consists of gentle slopes. The project site is currently undeveloped, save for an agriculture reservoir dating back to at least 1965. The project site would be accessed off of Paradise Lane, a privately maintained road connecting to Los Osos Valley Road. No nearby roadways have been officially designed as scenic highways, however Los Osos Valley Road has been identified by the Estero Area Plan as a scenic corridor. The project is not within a mapped Sensitive Resource Area.

Discussion

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

The project parcel has frontage along a portion of Los Osos Valley Road which has been identified by the Estero Area Plan as a scenic corridor. To protect views from Los Osos Valley Road, development within 100 feet of the Los Osos Valley Road right-of-way are subject to the scenic corridor design standards of the CZLUO. Proposed development is located 500 feet or more from the Los Osos Valley Road right-of-way and is therefore not subject to the design standards for development within scenic corridors. Additionally, the portion of the project parcel fronting Los Osos Valley Road has a small hill

Initial Study – Environmental Checklist

which impairs views of the remainder of the parcel from Los Osos Valley Road. The project is not expected to create development which is inconsistent with existing development patterns of the area and is therefore, not expected to have 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 is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway. Therefore, *no impacts would occur*.

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

The project is located in a rural area with sparse residential and agricultural development on large agricultural parcels. The project consists of a residence, residential accessory structures, and a barn. The project is located in a non-urbanized area and would be visually consistent with the type and extent of development in the surrounding area. The project would not result in a noticeable change to public views of the area and, therefore, would not result in the degradation of the existing visual character or quality of public views of the site and its surroundings. Therefore, impacts 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 does not propose the use or installation of highly reflective materials that would create a substantial source of glare. The project would generally be consistent with the level of existing development in the project vicinity and does not propose the installation or use of outdoor lighting that would differ substantially from other proximate development. Therefore, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area and potential impacts would be *less than significant*.

Conclusion

The project is not located within view of a scenic vista and project development would occur outside of the area designated as a scenic corridor. The project would not result in a substantial change to scenic resources in the area and would be consistent with existing policies and standards in the County LUO and COSE related to the protection of scenic resources. Potential impacts to aesthetic resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒	☐
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒	☐
(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))?	☐	☐	☐	☒
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
(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?	☐	☐	☒	☐

Setting

The County of San Luis Obispo supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The County of San Luis Obispo Agriculture Element

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includes policies, goals, objectives, and other requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: <https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report.aspx>.

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

Based on the FMMP, soils at the project site are within the following FMMP designation(s):

Farmland of Statewide Importance and Prime Farmland if Irrigated

Onsite soils include:

Concepcion loam, 5 to 9 percent slopes and Cropley clay, 2 to 9 percent slopes, MLRA 14

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

According to Public Resources Code Section 12220(g), forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site is not within an area that supports forest or timberland.

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 single-family residence would be located atop soils which are designated as "Farmland of Statewide Importance". The proposed residence and accessory structures are not considered an agricultural use; however, they are considered a compatible use when they stand as the sole single-family residence on property. The project has been designed to concentrate development in one area, rather than allow for development across the entire parcel and thereby minimizes impacts to Farmland. Therefore, impacts would be *less than significant*.

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

The project parcel is within the Agriculture land use category and is not under a Williamson Act contract. The County's zoning standards allow for residential uses within the Agriculture land use category with various limitations, including density. The project would result in the construction of a new single-family dwelling, residential accessory structure, and a barn. Based on the standards set forth in the CZLUO, this project would not conflict with either the existing agricultural zoning. Therefore, impacts would be *less than significant*.

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

The project site does not include land use designations or zoning for forest land or timberland; *no impacts would occur*.

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

The project site does not support forest land or timberland and would not result in the loss or conversion of these lands to non-forest use; *no impacts would occur*.

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

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. The proposed residence and residential accessory structure are not considered an agricultural use; however, they are considered a compatible use when it stands as the sole single-family residence on property. Therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

None 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?	☐	☐	☒	☐
(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?	☐	☒	☐	☐
(c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Setting

Regulatory Agencies and Standards

San Luis Obispo County is part of the South Central Coast Air Basin, (SCCAB) which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions including the U.S. Environmental Protection Agency (EPA), California Air Resources Board (ARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The California ARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988. The State Department of Public Health established California Ambient Air Quality Standards (CAAQS) in 1962 to define the maximum amount of a pollutant (averaged over a specified period of time) that can be present without any harmful effects on people or the environment. The California ARB adopted the CAAQS developed by the Department of Public Health in 1969, which had established CAAQS for 10 criteria pollutants: particulate matter (PM10 and PM2.5), ozone (O3), nitrogen dioxide (NO2), sulfate, carbon monoxide (CO), sulfur dioxide (SO2), visibility reducing particles, lead (Pb), hydrogen sulfide (H2S), and vinyl chloride.

The Federal Clean Air Act (FCAA) later required the U.S. EPA to establish National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment, and also set deadlines for their attainment. The U.S. EPA has established NAAQS for six criteria pollutants (all of which are also regulated by CAAQS): CO, lead, NO2, ozone, PM10 and PM2.5, and SO2.

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

Initial Study – Environmental Checklist

responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

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

The total area of grading or removal of groundcover is expected to be approximately 1.6 acres. The project is expected to have 2,460 cubic yards of cut and 2,362 cubic yards of fill.

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

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

Air Quality Monitoring

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

In the county of San Luis Obispo, ozone and fine particulates (particulate matter of 10 microns in diameter or smaller; PM10) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

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

Initial Study – Environmental Checklist

other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction's attainment of state standards, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

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

The project is located in an area known to contain Naturally Occurring Asbestos.

Sensitive Receptors

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

The nearest sensitive receptors are the four residences located on adjacent parcels, the nearest residence is within 200 feet of the project site.

Discussion

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

The project would not result in a new or substantially difference use in the project area. The project would not generate a substantial increase in population or employment opportunities and would not result in a significant increase in vehicle trips. The project is within an area known to contain Naturally Occurring Asbestos. The project is subject to the California Air Resources Board's Air Toxics Control Measures to minimize potential effects of grading in areas known to contain Naturally Occurring Asbestos. The proposed project would not contribute to the generation of significant levels of any air contaminants and would not conflict with or obstruct the implementation of the San Luis Obispo County Clean Air Plan or other applicable regional and local planning documents. Therefore, impacts would be *less than significant*.

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

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

Construction Impacts

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

Table 1. SLOAPCD Thresholds of Significance for Construction Activities

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Pollutant	Threshold ⁽¹⁾		
	Daily	Quarterly Tier 1	Quarterly Tier 2
Diesel Particulate Matter (DPM)	7 lbs	0.13 tons	0.32 tons
Reactive Organic Gases (ROG) + Oxides of Nitrogen (NO _x)	137 lbs	2.5	6.3 tons
Fugitive Particulate Matter (PM ₁₀), Dust ⁽²⁾		2.5 tons ⁽²⁾	

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

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

Table 2. Screening Emission Rates for Construction Activities

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

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

Table 3. Proposed Project Estimated Construction Emissions.

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Pollutant	Total Estimated Emissions	SLOAPCD Threshold		Threshold Exceeded?
		Daily	Quarterly (Tier 1)	
ROG + NO _x (combined)	548.75 lbs	137 pounds	2.5 tons	With mitigation, no
Diesel Particulate Matter (DPM)	23.63 lbs	7 pounds	0.13 tons	With mitigation, no
Fugitive Particulate Matter (PM ₁₀)	1.2 tons		2.5 tons	No

For projects involving construction and/or grading activities, the CZLUO requires that all surfaces and materials shall be managed to ensure that fugitive dust emissions are adequately controlled to below the 20% opacity limit and to ensure dust is not emitted offsite. The CZLUO includes a list of primary fugitive dust control measures required for all projects involving grading or site disturbance. The CZLUO also includes an expanded list of fugitive dust control measures for projects requiring site disturbance of greater than four acres or which are located within 1,000 feet of any sensitive receptor location. All applicable fugitive dust control measures are required to be shown on grading and building plans and monitored by a designated monitor to minimize dust complaints, reduce visible emissions below the 20% opacity limit, and to prevent transport of dust offsite (CZLUO 23.05.050).

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

Based on the volume of proposed grading, area of project site disturbance, estimated duration of the construction period, and the APCD's screening construction emission rates identified above, the project would result in the emission of criteria pollutants that would exceed construction-related thresholds established by the SLOAPCD. The project exceeds the daily thresholds for construction emissions, however remains within the limits of quarterly emissions. Mitigation measures AQ-1 and AQ-2 are recommended to reduce project construction emissions of diesel particulates as well as ROG and NO_x. Implementation of Mitigation Measures AQ-1 and AQ-2 would reduce possible impacts and therefore, the project construction impacts would be *less than significant with mitigation*.

Operational Impacts

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

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construction of new direct (source) emissions. Therefore, potential operational emissions would be *less than significant*.

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

The proposed project would require disturbance within 1,000 feet of a sensitive receptor (i.e. single-family residences). Implementation of the proposed project would result in the generation of dust, potentially affecting local residents and businesses in close proximity to the project site. Dust complaints could result in violation of the APCD's nuisance rules, a potentially significant air quality impact. As such, the project would be subject to expanded fugitive dust control measures in addition to primary measures pursuant to Land Use Ordinance Section 23.05.050 C (Construction Procedures, Air Quality Controls). These measures shall be shown on all grading and building plans in accordance with LUO Section 23.05.050 C. Compliance with these measures would ensure fugitive dust emissions are adequately controlled to below 20 percent opacity limit as identified in the APCD's 401 Visible Emissions rule and that dust is not emitted offsite. Through the incorporation of mitigation measure AQ-2, impacts would be minimized to *less than significant levels with mitigation*.

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

Construction could generate odors from heavy diesel machinery and materials used for excavation and construction of the project. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with typical construction equipment and activities, and would dissipate within a short distance from the active work area. The project site is almost entirely surrounded by existing open agricultural space with scattered residences and no significant long-term operational emissions or odors would be generated by the project. Therefore, impacts related to other emissions adversely affecting a substantial number of people would be *less than significant*.

Conclusion

The project would have the potential to result in ROG, NOX, and DPM emissions that exceed the daily thresholds established by SLOAPCD for construction emissions. Mitigation Measures AQ-1 through AQ-2 have been identified to reduce construction-related emissions. With implementation of these measures, potential impacts to air quality would be less than significant.

Mitigation

AQ-1 **Prior to issuance of construction permits**, the following measures related to ROG and NOX shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

- a) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b) Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;

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- d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e) Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- g) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i) Electrify equipment when feasible;
- j) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-2

Prior to issuance of construction permits, the following measures related to fugitive dust emissions shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

- a) Reduce the amount of the disturbed area where possible;
- b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c) All dirt stock pile areas should be sprayed daily as needed;
- d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

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- i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Sources

See Exhibit A.

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IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
(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?	☐	☐	☒	☐
(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?	☐	☒	☐	☐
(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?	☐	☐	☒	☐
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
(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?	☐	☐	☐	☒

Setting

Sensitive Resource Area Designations

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The County of San Luis Obispo Land Use Ordinance (LUO) Sensitive Resource Area (SRA) combining designation applies to areas of the county with special environmental qualities, or areas containing unique or sensitive endangered vegetation or habitat resources. The combining designation standards established in the LUO require that proposed uses be designed with consideration of the identified sensitive resources and the need for their protection.

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.

Coastal Tree Removal Standards

The purpose of these standards is to protect existing trees and other coastal vegetation from indiscriminate or unnecessary removal consistent with Local Coastal Plan policies and pursuant to Section 30251 of the Coastal Act which requires protection of scenic and visual qualities of coastal areas. Tree removal means the destruction or displacement of a tree by cutting, bulldozing, or other mechanical or chemical methods, which results in physical transportation of the tree from its site and/or death of the tree. No tree removal is proposed as part of this project.

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).

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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 is located within a rural portion of the County, just east of the community of Los Osos. According to the project's Biological Resources Assessment, prepared by Kevin Merk Associates, LLC in June of 2020, the site is bordered to the west by an equestrian property and Paradise Lane, and to the east by a plant nursery. Los Osos Valley Road forms its northern border, and agricultural/grazing lands are to the south. Previous agricultural activities are apparent and the site is known to have been mowed on a regular basis over the last ten years. The project site is located on a flat terrace containing disturbed annual grassland and no existing paving or structures. A bermed reservoir is present on site, however it is no longer in use and remains filled only on a seasonal basis by groundwater and precipitation. Additionally, an unnamed tributary of Warden Creek runs through the site; no other wetland habitats or hydrologic features are present on the project parcel.

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?*

According to the project's Biological Resources Assessment, construction of the project would impact five occurrences of the Cambria morning-glory population on site. The assessment concluded that the proposed project will not jeopardize the continued existence of this species onsite or in the region as larger occurrences of Cambria morning glory were found on site and the criteria for determining a significant impact on a California Rare Plant Rank 4 were not met. Mitigation Measure BIO-1 has been added to reduce potential impacts to Cambria morning-glory to levels of less than significant. No additional rare plant species are considered to have potential to occur on the site.

Construction activities could potentially impact special-status animal species. Species that may be impacted as a result of construction activities include Blainville's horned lizard, the California red-legged frog, burrowing owl, southwestern pond turtle, and American badger. Additionally, the project's Biological Resources Assessment identified that construction activities could potentially directly impact nesting of special-status avian species as well as bird species protected under the Migratory Bird Treaty Act and/or California Fish and Game Code.

Construction equipment or activities could injure or kill individuals of these species in work areas. To reduce potential project impacts on special-status wildlife species to a level below significance, the following Mitigation Measures, BIO-2 through BIO-8, are required.

As stated above, impacts to candidate, sensitive, or special status species would be *less than significant with mitigation incorporated*.

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- (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?*

According to the project's Biological Resources Assessment, no riparian habitat or sensitive natural communities occur within the proposed project impact area. Project impacts will be setback at least 100 feet from riparian habitat. Therefore, no direct impacts resulting from the project would occur.

No indirect effects, such as runoff of sediment or pollutants, are expected because the reservoir is surrounded by a berm. No indirect effects would occur to the small patch of on-site wetland habitat due to its position outside the impact area. The Annual Grassland semi-natural community within the project impact areas is not considered to be sensitive. Therefore, impacts on riparian habitat or sensitive natural communities is expected to be *less than significant*.

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

The proposed project has been designed to avoid disturbance within 100 feet of wetland habitats. However, wetland habitat may still be indirectly affected by pollutants and/or sediment from surface runoff from the project site. According to the project's Biological Resources Assessment, stormwater runoff from the project site could potentially result in pollutants and/or sediment entering federally protected wetland habitat in the onsite unnamed tributary. Mitigation Measure BIO-9 would ensure incorporation of BMPs relating to stormwater runoff and therefore, the project's impacts to wetland habitat would be *less than significant with mitigation incorporated*.

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

The proposed project has been designed to avoid disturbance within stream channels. Additionally, the tributary of Warden Creek that runs through the site is ephemeral and does not support fish. No equipment or materials would be placed in the channel which would affect fish downstream. The project site is located in an area surrounded by agriculture and rural residential development and is not expected to represent a significant wildlife corridor. The project does not include permanent fencing or structures, apart from the proposed residence, which would be a barrier to wildlife movement. According the Biological Resources Assessment, the frequently mowed on-site grassland is not expected to be a wildlife nursery site for any species. Therefore, impacts to native fish or wildlife, wildlife corridors, and wildlife nursery sites would be *less than significant*.

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

The project would not adversely affect sensitive habitats or resources identified in the COSE or native tree species protected under the County Code. The project is not located within an SRA designated for protection of unique or sensitive endangered vegetation or habitat resources. The project has been designed to avoid, to the maximum extent feasible, disturbance within areas that may support sensitive resources that are protected by local policies and plans. Therefore, the project would not result in a conflict with local policies or ordinances protecting biological resources and impacts would be *less than significant*.

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

The project is not located within an area under an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is not within areas identified as critical habitat. Therefore, the project would not conflict with the provisions of an adopted plan and *no impacts would occur*.

Conclusion

The Biological Resources Assessment, which was completed for the project in June of 2020 by Kevin Merk Associates, LLC indicates the project has the potential to impact special-status plant and animal species and federally protected wetland habitat. The mitigation measures identified in BIO-1 through BIO-9 apply to the proposed project only; should the project change, the mitigation obligation may also change, and a reevaluation of the mitigation measures would be required.

The project 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 potentially impacted species and habitats to a level of insignificance.

Mitigation

- BIO-1** **Prior to ground disturbance**, collect Cambria morning-glory seed within the project footprint, and, following instruction provided in the project's Biological Resources Assessment, apply seed outside of the construction footprint and future use areas, to ensure no net loss of the population.
- BIO-2** **Prior to ground disturbance**, schedule initial phases of construction, including the start of vegetation removal, grubbing, and initial site grading, during the dry season (May 1 through October 31) when California red-legged frogs and southwestern pond turtles are not expected to be in the impact area.
- BIO-3** **Within seven days prior to the start of vegetation removal or grading**, a qualified biologist shall conduct a preconstruction wildlife survey of the impact areas and the reservoir for special-status wildlife species, using techniques appropriate for the species detailed in the project's Biological Resources Assessment. Construction activities can begin once it has been determined that there are no special-status wildlife species within impact areas.
- If any special-status wildlife species are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that particular area and the animal allowed to leave the work zone on its own volition. The biologist shall monitor the area to determine when individuals of special-status species have left and work can commence.
- If any California red-legged frogs or other rare species are found, the County and appropriate regulatory agency shall be contacted and work delayed until authorization to proceed is given.
- BIO-4** **Within seven days prior to the start of ground-disturbing activities**, a qualified biologist shall conduct a preconstruction den survey of the project impact area plus a 100-foot buffer

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for dens occupied by American badger. Any potential dens found shall be marked in the field with flagging, and a 50-foot no work buffer shall be flagged. For potential burrows/dens that cannot be avoided with at least a 50-foot buffer, please refer to mitigation measure BIO-5.

BIO-5 **Prior to ground disturbance**, in the event that potential American badger dens are found, a qualified biologist shall install wildlife trail cameras and/or tracking medium outside potential burrows or dens that are found during the preconstruction survey, and monitor those sites daily for at least three days to determine whether the den(s) are currently occupied. Any unoccupied dens shall be excavated to prevent badgers from re-entering.

If the work takes place in the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 50 feet of maternal dens, until they have left the den.

Any occupied burrows or dens that are being used by a single adult with no young that cannot be avoided shall be blocked incrementally by placing sticks and debris over the entrance for three to five days, to discourage the badger from using the den. Only after the badger has left the den, as determined by wildlife cameras and/or tracking medium, can the den be excavated and work proceed.

BIO-6 **During project construction**, in the periods in which there are open trenches or excavations, escape ramps consisting of a 2:1 sloped soil area leading from the bottom to ground level, shall be installed so that special-status animal species that have become entrapped in the excavations have the possibility to escape.

If this is not possible, **during project construction**, a qualified biologist shall inspect open trenches for entrapped animals each day prior to the start of work. A third option is that trenches / excavations shall be completely covered with plywood or similar material during overnight periods.

If any special status animal species are found, appropriate authorizations shall be obtained from California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Services to remove the animal(s) from the project site and relocate to suitable habitat away from project activities. For common wildlife, the biologist shall capture and relocate the individual out of harm's way. Work shall be halted until the entrapped animal has been relocated.

BIO-7 **Prior to ground disturbance**, a qualified biologist shall prepare and present a Worker Environmental Awareness Program to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It shall include a description of special-status species potentially occurring on the project site and their natural history; the status of the species and their protection under environmental laws and regulations; and, the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site.

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- BIO-8** **Within seven days before the initiation of construction activities**, and if it is not possible to schedule the initiation of construction between September 1 and January 31, such as the limitations detailed in Mitigation Measure BIO-2, a qualified biologist shall conduct a preconstruction survey for nesting birds within a 250 feet buffer of project impact areas. During this survey, the qualified biologist shall inspect all potential nest substrates in the impact and buffer areas, and any nests identified will be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (250 feet for raptors) of the construction area, the biologist, in consultation with CDFW and the County, shall determine the extent of buffer to be established around the nest. The buffer will be delineated with flagging or staking, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist.
- BIO-9** **Prior to issuance of construction permits**, all plans shall note the erosion and sedimentation control methods outlined in the project's Biological Resources Assessment (Kevin Merk Associates, LLC, June 2020).
- Prior to initiation of construction activities**, the applicant shall install appropriate erosion and sediment controls.
- Prior to final inspection**, all temporarily disturbed areas shall be revegetated with native plants

Sources

See Exhibit A.

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V. CULTURAL RESOURCES

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

Setting

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, and immigrant settlers.

As defined by CEQA, a historical resource includes:

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

The County of San Luis Obispo LUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites and/or structures important to local, state, or national history. Standards are included regarding minimum parcel size and permit processing requirements for parcels with an established structure and Historic Site combining designation. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the Land Use Element (CZLUO 23.07.100).

San Luis Obispo County was historically occupied by two Native American tribes: the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is not known, as those boundaries may have changed over time.

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

Based on the COSE, the project is not located in a designated Archaeological Sensitive Area. A Phase I Archaeological Surface Survey was prepared by Thor Conway of Heritage Discoveries Inc. in July 2019 which produced negative results for the presence of cultural resources.

Discussion

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

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

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

A Phase I Archaeological Surface Survey was prepared by Thor Conway of Heritage Discoveries Inc. in July 2019 which produced negative results for the presence of cultural resources. The report concluded that no further archaeological studies are necessary. In the unlikely event that resources are uncovered during grading activities, implementation of CZLUO 23.05.140 (Archaeological Resources Discovery) would be required. This section requires that in the event archaeological resources are encountered during project construction, construction activities shall cease, and the County Planning and Building Department must be notified of the discovery so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and the disposition of artifacts may be accomplished in accordance with state and federal law. Therefore, impacts related to a substantial adverse change in the significance of archaeological resources would be *less than significant*.

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

The nearest cemetery, Los Osos Valley Memorial Park, is located approximately one-half mile west of the project site. No human remains are known to exist on-site, and it is not expected that any should be encountered through ground movement resulting from the proposed project. No cultural resources were observed on the project site during the Phase I Survey of the site conducted in July of 2019. With adherence to State Health and Safety Code Section 7050.5 and County CZLUO, impacts related to the unanticipated disturbance of archaeological resources and human remains would be reduced to less than significant; therefore, potential impacts would be *less than significant*.

Conclusion

No archaeological or historical resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive archaeological resources or human remains are discovered during project construction activities, adherence with County CZLUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to cultural resources would be less than significant and no mitigation measures are necessary.

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Mitigation

None necessary.

Sources

See Exhibit A.

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

Setting

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

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

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

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards

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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.

Discussion

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

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. As for the operation of the project, based on the provided design plans, the project would likely not 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).

According to information provided by the California Public Utilities Commission (2018), the average California home uses approximately 497 kWh per month. The proposed solar array would be able to cut down some if not all of this energy use to ensure that the project was operating on a clean energy source. Therefore, impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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VII. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☒	☐	☐
(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.	☐	☒	☐	☐
(ii) Strong seismic ground shaking?	☐	☒	☐	☐
(iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
(iv) Landslides?	☐	☐	☒	☐
(b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
(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?	☐	☐	☒	☐
(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?	☐	☒	☐	☐
(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?	☐	☐	☒	☐

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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?	☐	☐	☒	☐

Setting

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

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The Safety Element establishes policies that require new development to be located away from active and potentially active faults. The element also requires that the County enforce applicable building codes relating to seismic design of structures and require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code. According to the project's Engineering Geology Investigation prepared by GeoSolutions in October of 2020, the San Andreas fault is the most likely active fault to produce ground shaking at the site although it is not expected to generate the highest ground accelerations because of its distance from the site. Splays of the Los Osos Fault Zone is mapped through the subject property.

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

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

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of

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landslide, there is a considerable amount of development that is impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. Per the County's Land Use View Mapping Application, the project is located in an area with low potential for landslides.

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

The County CZLUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and/or their occupants with potential hazards to life and property. All land use permit applicants located within a GSA are required to include a report prepared by a certified engineering geologist and/or registered civil/soils engineer as appropriate, with the exception of construction of one single-story single family residence, agricultural uses not involving a building, agricultural accessory structures, and alterations or additions to any structure which does not exceed 50 percent of the assessed value of the structure. In addition, all uses within a GSA are subject to special standards regarding grading and distance from an active fault within an Earthquake Fault Zone (CZLUO 23.07.080).

Paleontological resources are fossilized remains of ancient environments, including fossilized bone, shell, and plant parts; impressions of plant, insect, or animal parts preserved in stone; and preserved tracks of insects and animals. Paleontological resources are considered nonrenewable resources under state and federal law. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils, as determined by rock type, past history of the rock unit in producing fossil materials, and fossil sites that have been recorded in the unit. Paleontological resources are generally found below ground surface in sedimentary rock units. The boundaries of the sedimentary rock unit is used to define the limits of paleontological sensitivity in a given region.

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

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

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Discussion

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

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

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

According to the project's Engineering Geology Investigation prepared by GeoSolutions dated October of 2020, the San Andreas fault is the most likely active fault to produce ground shaking at the site although it is not expected to generate the highest ground accelerations because of its distance from the site. Splays of the Los Osos Fault Zone are mapped through the subject property. To account for multiple splays and uncertainty of fault characteristics observed in the seismic reflection survey a 50-foot setback for habitable structures (i.e. single-family residence) is recommended on both sides of the surface fault location. Non-habitable structures may be located within the setback zone. If the future development is proposed with the setback area, additional investigation should be performed.

The project would be required to comply with the California Building Code (CBC) and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. The project does not include unique components that would be particularly sensitive to seismic ground shaking or result in an increased risk of injury or damage as a result of ground shaking.

Through the incorporation of Mitigation Measure GEO-1, potential for substantial adverse effects involving rupture of a known earthquake fault would be minimized. Therefore, impacts relating to rupture of an earthquake fault and strong seismic ground shaking are *less than significant with mitigation incorporated*.

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

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

(a-iv) *Landslides?*

The project site has relatively flat topography and 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 result in significant adverse effects associated with landslides and impacts would be *less than significant*.

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

The project would result in approximately 1.6 acres of site disturbance and, during grading activities, there would be a potential for erosion to occur. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential

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impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Additionally, the project's Biological Resources Assessment and Soil's Engineering Report outline recommendations which would limit soil erosion. Compliance with existing regulations and the recommendations outlined in the provided reports would reduce potential impacts related to soil erosion and loss of topsoil to *less than significant with mitigation incorporated*.

- (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 in an area with slopes susceptible to local failure or landslide.

The project would be required to comply with CBC seismic requirements to address potential seismic-related ground failure including lateral spread. Based on the County Safety Element and USGS data, the project is not located in an area of historical or current land subsidence (USGS 2019). Based on the County Safety Element Liquefaction Hazards Map, the project site is located in an area with low potential for liquefaction risk. The project is located within the GSA combining designation and, based on the project's Soils Engineering Report (GeoSolutions Inc, October 2019), the potential for seismic liquefaction of the soils is low. Therefore, impacts related to on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse would be *less than significant*.

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

The project's Soils Engineering Report prepared by GeoSolutions Inc. dated October of 2019 noted that the presence of potentially expansive material on the project site. Recommendations to address potential issues were added to the report and have been incorporated into Mitigation Measure GEO-1. In addition, all future development would be required to comply with the most recent CBC requirements, which have been developed to properly safeguard structures and occupants from land stability hazards, such as expansive soils. Therefore, potential impacts related to expansive soil would be *less than significant with mitigation incorporated*.

- (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 proposes the use of an on-site wastewater disposal system (septic with leach field).

Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil types for the project, as provided in the previous Agricultural Resource section, are Concepcion loam (5 - 9 % slope) and Cropley clay (2 - 9 % slope). The main limitations of these soil for wastewater effluent include:

Slow Percolation: Where fluids will percolate too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be greater than 30 and less than 120 minutes per inch. In this case, a Percolation Testing Report compiled by GeoSolutions, Inc. dated October 9, 2019 identified an average stabilized percolation rate of 93.5 minutes per inch for all leach line locations. Therefore, impacts would be *less than significant*.

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

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

Conclusion

The proposed project is not expected to indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving any geologic hazards after the implementation of Mitigation Measure GEO-1. The site is considered suitable for this type of development and the proposed project is not expected to result in erosion, loss of topsoil, substantial direct or indirect risks to life or property. The on-site soils would be able to support the proposed on-site wastewater disposal. Any issues associated with the project's geology and soils as it relates to construction and soils engineering should be mitigated to less than significant levels through the mitigation provided below.

Mitigation

GEO-1 **Prior to issuance of construction permits**, the engineering geologist and geotechnical engineer shall review the project improvement plans and prepare written review letters. The letter shall verify conformance with the recommendations of the Engineering Geology Investigation (GeoSolutions, October 12, 2020) and the Soils Engineering Report (Geosolutions, October 8, 2019) for the project.

During project construction and prior to final inspection, the applicant shall implement and comply with all recommendations of the Engineering Geology Investigation (GeoSolutions, October 12, 2020) and the Soils Engineering Report (Geosolutions, October 8, 2019) for the project.

Sources

See Exhibit A.

VIII. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Setting

Greenhouse gases (GHG) are any gases that absorb infrared radiation in the atmosphere, and are different from the criteria pollutants discussed in Section III, Air Quality, above. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement).

Carbon dioxide is the most abundant GHG and is estimated to represent approximately 80-90% of the principal GHGs that are currently affecting the earth's climate. According to the ARB, transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

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

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

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

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

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reaching the 2050 goals. The most recent update released by ARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

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

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

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

Discussion

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

Based on the nature of the proposed project and Table 1-1 of the SLOAPCD CEQA Air Quality Handbook, the project would generate less than the SLOAPCD Bright-Line Threshold of 1,150 metric tons of GHG emissions. The project's construction-related and operational GHG emissions and energy demands would be minimal. Therefore, the project's potential direct and cumulative GHG emissions would be less than significant and less than a cumulatively considerable contribution to regional GHG emissions.

Projects that generate less than the above-mentioned thresholds will also participate in emission reductions because air emissions, including GHGs, are under the purview of the ARB (or other regulatory agencies) and will be regulated by standards implemented by the ARB, the federal

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government, or other regulatory agencies. For example, new vehicles will be subject to increased fuel economy standards and emission reductions, large and small appliances will be subject to more strict emissions standards, and energy delivered to consumers will increasingly come from renewable sources. As a result, even the emissions that result from projects that produce fewer emissions than the threshold will be subject to emission reductions. Therefore, potential impacts associated with the generation of greenhouse gas emissions would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

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?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
(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?	☐	☐	☐	☒
(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?	☐	☐	☐	☒
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

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Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the State, local agencies, and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California EPA to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. The California Department of Toxic Substance Control's (DTSC's) EnviroStor database tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, school cleanup sites, school investigation sites, and military evaluation sites. The State Water Resources Control Board's (SWRCB's) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program Sites. The remaining data regarding facilities or sites identified as meeting the "Cortese List" requirements can be located on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>.

The project site is not located within close proximity to any site included on the Cortese List, EnviroStor database, or GeoTracker database.

The California Health and Safety Code provides regulations pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the California Building Code, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones.

The project is not located within a high fire hazard severity zone and, based on the County's response time map, it will take approximately 0-5 minutes to respond to a call regarding fire or life safety. For more information about fire-related hazards and risk assessment, see Section XX. Wildfire.

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

Discussion

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

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

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

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal and state environmental and workplace safety laws for the

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handling of hazardous materials, including response and clean-up requirements for any minor spills. Therefore, potential impacts would be *less than significant*.

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

The project site is not located within 0.25 mile of an existing or proposed school facility; therefore, *no impacts would occur*.

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

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

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

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

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

- (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 or adjacent to a wildland area. Based on the County Safety Element, the project is not located within a high or very high fire hazard severity zone. The project would be required to comply with all applicable fire safety rules and regulations including the California Fire Code and Public Resources Code prior to issuance of building permits; therefore, potential impacts would be *less than significant*.

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Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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?	☐	☐	☒	☐
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
(i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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	☐	☐	☒	☐
(iv) Impede or redirect flood flows?	☐	☐	☒	☐
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Setting

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

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

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

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or have the potential to impact waters of the State. Waters of the State are defined by the Porter-Cologne Act as any surface water or groundwater, including saline waters, within the boundaries of the state.

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

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

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

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

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in a 100-year flood zone is subject to Federal Emergency Management Act (FEMA) regulations. The County Land Use Ordinance designates a Flood Hazard (FH) combining designation for areas of the County that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements, including, but not limited to, the preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements for substances that could be injurious to human, animal or plant life in the event of flooding. The project site is not located within a Flood Hazard combining designation. An ephemeral, unnamed tributary of Warden Creek runs through the project parcel, adjacent to the project site. All development is located outside of the creek channel and at least 100 feet from the creek's riparian vegetation.

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Discussion

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

The project site is located adjacent to an unnamed tributary of Warden Creek and project construction and operation could adversely affect the creek's surface water quality. The site features gentle slopes (average slope of 5%) and therefore, runoff is expected to be low to moderate. Through design, the project has minimized the potential for a substantial change to the volume or velocity of runoff leaving any point of the site. The project is setback outside of the creek channel. Additionally, through use of permeable surfaces where feasible, the introduction of a significant increase in impervious surface area will be avoided. Review and approval of a Stormwater Control Plan by the County's Public Works Department is required prior to building permit issuance. Impacts to surface water or groundwater quality would be *less than significant*, with in incorporation of Stormwater Control Plan measures, preparation of SWPPP, and Erosion and Sedimentation controls outlined in mitigation measure BIO-9.

- (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 Warden Creek Subbasin of the Los Osos Groundwater Basin and is subject to the Countywide Water Conservation Program (CWWCP) and Sustainable Groundwater Management Act (SGMA). SGMA requires medium- and high-priority basins to develop groundwater sustainability agencies (GSAs), develop groundwater sustainability plans (GSPs) and manage groundwater for long-term sustainability. The latest basin prioritization project of the California Department of Water Resources, SGMA 2019 Basin Prioritization, was completed in December 2019.

The Warden Creek Subbasin is located in the non-adjudicated areas of the basin, and while designated by the SGMA 2019 Basin Prioritization as very-low priority, the County of San Luis Obispo formed a Groundwater Sustainability Agency in an effort to manage these basin areas within their respective jurisdictions. However, the Groundwater Sustainability Agency responsible for overseeing SGMA compliance has not completed the planning efforts that will define the need for any groundwater mitigation requirements. The Estero Area Plan states that "New development using water from the Los Osos Groundwater Basin shall be required to offset water use within the Los Osos Groundwater Basin and shall not result in a net increase in water use." County Code Section 19.07.042 outlines standards for new development that uses water from the Los Osos Groundwater Basin and includes offset measures for projects which have the potential to increase water use. Conformance with the applicable standards of County Code Section 19.07.042 will effectively limit the impact that the project would have on groundwater supplies and its interference with groundwater recharge. Additionally, the project is relatively small in nature, consisting of a residence, a residential accessory structure, and a barn. The project is not expected to result in a substantial decrease in groundwater supplies or 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 project is subject to the County's Erosion and Sedimentation Control Plan requirements, as outlined in County Code Section 23.05.042. Conformance with these standards would

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ensure that the project would not result in any substantial erosion or siltation on or off site. Additionally, the project is required to apply the erosion and sedimentation control methods outlined in the project's Biological Resources Assessment (Kevin Merk Associates, LLC, June 2020). These measures require measures beyond best management practices and protect the surrounding environment from erosion which may result from project construction. Conformance with the County Code requirements and Biological Resources Assessment will aid in reducing project impacts relating to erosion and siltation to *less than significant* levels.

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

The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could result in flooding on- or off-site. Additionally, the project is subject to County Code Section 23.05.040 which requires preparation of a drainage plan at time of application for building permits. Based on the nature and size of the project, changes in surface hydrology would be negligible. Therefore, potential impacts related to increased surface runoff resulting in flooding would be *less than significant*.

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

The proposed project is required to submit a drainage plan, consistent with County standards and therefore, it 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. The project would not substantially increase the amount of impervious surface area or the rate and volume of surface runoff in a manner that could exceed the capacity of existing stormwater or drainage systems. Based on the nature and size of the project, changes in surface hydrology would be negligible. The project would be 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. Therefore, impacts would be *less than significant*.

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

Based on the County Flood Hazard Map, the project site is not located within a 100-year flood zone. The project would be subject to standard County requirements for drainage, sedimentation, and erosion control for construction and operation. Therefore, impacts would be *less than significant*.

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

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

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

The project is within the Warden Creek Subbasin of the Los Osos Groundwater Basin and is subject to the Countywide Water Conservation Program (CWWCP) and Sustainable Groundwater Management Act (SGMA). At time of application for construction permits, project conformance with the applicable standards of County Code Section 19.07.042 (Water Conservation Provisions) will be required and will effectively limit the impact that the project would have on groundwater supplies and consistency with the SGMA. Additionally, the project is relatively small in nature, consisting of a residence, a residential accessory structure, and a barn. The project would not substantially increase water demand, deplete groundwater supplies, or interfere substantially with groundwater recharge. The project would not conflict with the Central Coastal Basin Plan, SGMA, or other local or regional plans or policies intended to manage water quality or groundwater supplies; therefore, impacts would be *less than significant*.

Conclusion

Based on the proposed amount of water to be used and the water source, which is for one single-family residence and accessory structures, no significant impacts from water use are anticipated. 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.

Though compliance with County Code standards and the requirements of the project's Biological Resources Assessment, 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.

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XI. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

Setting

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

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

The project is also within the Estero Planning Area and is subject to the standards outlined in the Estero Area Plan.

Discussion

(a) Physically divide an established community?

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

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

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

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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XII. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

Setting

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

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

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

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

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

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

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Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

XIII. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
(b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☐	☒

Setting

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

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

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

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

The nearest sensitive receptors are the four residences located on adjacent parcels, the nearest residence is within 200 feet of the project site.

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

Table 3. Maximum allowable exterior noise level standards⁽¹⁾

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

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

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

The County CZLUO noise standards are subject to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7 a.m. or after 9 p.m. on weekdays, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. Noise associated with agricultural land uses (as listed in Section 23.06.040), traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

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?*

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

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

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

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

The project does not propose substantial grading/earthmoving activities, pile driving, or other high impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Construction equipment has the potential to generate minor groundborne noise and/or

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vibration, but these activities would be limited in duration and are not likely to be perceptible from adjacent areas. The project does not propose a use that would generate long-term operational groundborne noise or vibration. Therefore, impacts related to exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

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XIV. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Setting

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

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

The project is located within a rural, agricultural area with scattered residential development.

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 be providing only for a single-family residence. The project would not generate a substantial number of new employment opportunities that would encourage population growth in the area. Therefore, the project would not directly or indirectly induce substantial growth and impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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XV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☒	☐
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other public facilities?	☐	☐	☒	☐

Setting

Fire protection services in unincorporated San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE), which has been under contract with the County of San Luis Obispo to provide full-service fire protection since 1930. Approximately 180 full-time state employees operate the County Fire Department, supplemented by as many as 100 state seasonal fire fighters, 300 County paid-call and reserve fire fighters, and 120 state inmate fire fighters. CAL FIRE responds to emergencies and other requests for assistance, plans for and takes action to prevent emergencies and to reduce their impact, coordinates regional emergency response efforts, and provides public education and training in local communities. CAL FIRE has 24 fire stations located throughout the county. The project would be served by County Fire Station #315 – South Bay, located approximately 2.5 miles west of the project site. The project is located in an area with moderate fire hazard severity and with an identified emergency response time of 0-5 minutes.

Police protection and emergency services in the unincorporated portions of the county are provided by the San Luis Obispo County Sheriff's Office. The Sheriff's Office Patrol Division responds to calls for service, conducts proactive law enforcement activities, and performs initial investigations of crimes. Patrol personnel are deployed from three stations throughout the county, the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The project would be served by the Coast Station in Los Osos, located approximately 2.5 miles northwest of the project site.

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

Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County. The project site is located approximately one mile west of Los Osos Oaks State Reserve Park, a State-maintained day use park.

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

Discussion

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

Fire protection?

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

Police protection?

The project does not propose a new use or activity that would require additional police services above what is normally provided for similar surrounding land uses. The project would not result in a significant increase in demand for police protection services and would not result in the need for new or altered police protection services or facilities. In addition, the project would be subject to development impact fees to offset the project's contribution to demand on law enforcement services. Therefore, impacts related to police services would be *less than significant*.

Schools?

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

Parks?

As discussed in Section XIV. Population and Housing, the project would not induce a substantial increase in population growth and would not result in the need for additional parks or recreational

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services or facilities to serve new populations. Therefore, potential impacts would be *less than significant*.

Other public facilities?

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

Conclusion

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

Mitigation

None necessary.

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XVI. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
(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?	☐	☐	☐	☒

Setting

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

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

The County Bikeways Plan identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The Bikeways Plan is updated every 5 years and was last updated in 2016. The plan identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

Discussion

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

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

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

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

Conclusion

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

Mitigation

None necessary.

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XVII. TRANSPORTATION

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

Setting

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include the South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. The California Department of Transportation (Caltrans) maintains annual traffic data on state highways and interchanges within the county. The project will be accessed by Paradise Lane, a privately maintained roadway connecting to Los Osos Valley Road, an arterial two-lane road.

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

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

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

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

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

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

Discussion

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

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

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

The County of San Luis Obispo has not yet identified an appropriate model or method to estimate vehicle miles traveled for proposed land use development projects. Section 15064.3, subdivision (b) states that if existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively.

Based on the nature and location of the project, the project would not generate a significant increase in construction-related or operational traffic trips or vehicle miles traveled. The project would not substantially change existing land uses and would not result in the need for additional new or

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expanded transportation facilities. The project would be subject to standard development impact fees to offset the relative impacts on surrounding roadways. Therefore, potential impacts would be *less than significant*.

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

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

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

The project would not result in road closures during short-term construction activities or long-term operations. Individual access to adjacent properties would be maintained during construction activities and throughout the project area. Project implementation would not affect long-term access through the project area and sufficient alternative access exists to accommodate regional trips. Therefore, the project would not adversely affect existing emergency access and impacts would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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XVIII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
(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.	☐	☐	☒	☐

Setting

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

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

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

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

A Phase I Archaeological Surface Survey was prepared by Thor Conway of Heritage Discoveries Inc. in July 2019 which produced negative results for the presence of cultural resources.

Discussion

- (a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- (a-i) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

No resources have been found on site or within the project scope which would be considered a historical resource according to Public Resources Code section 5020.1(k). Therefore, impacts would be *less than significant*.

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

The project site does not contain any resources determined by the County to be a potentially significant tribal cultural resource. Impacts associated with potential inadvertent discovery would be minimized through compliance with existing standards and regulations (CZLUO 23.05.140). Therefore, potential impacts would be *less than significant*.

Conclusion

No tribal cultural resources are known or expected to occur within or adjacent to the project site. In the event unanticipated sensitive resources are discovered during project activities, adherence with County CZLUO standards and State Health and Safety Code procedures would reduce potential impacts to less than significant; therefore, potential impacts to tribal cultural resources would be less than significant and no mitigation measures are necessary.

Mitigation

None necessary.

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Sources

See Exhibit A.

XIX. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(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?	☐	☐	☐	☒
(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?	☐	☐	☒	☐
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Setting

The County Public Works Department provides water and wastewater services for specific County Service Areas (CSAs) that are managed through issuance of water/wastewater "will serve" letters. The Department of Public Works currently maintains CSAs for the communities of Nipomo, Oak Shores, Cayucos, Avila Beach, Shandon, the San Luis Obispo County Club, and Santa Margarita. Other unincorporated areas in the County rely on on-site wells and individual wastewater systems. Regulatory standards and design criteria for onsite

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wastewater treatment systems are provided by the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (California OWTS Policy).

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

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

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 on-site well and wastewater disposal and would not require the expansion of existing community facilities. The project would not result in a substantial increase in demand on water, wastewater, or stormwater collection, treatment, or disposal facilities and would not require the construction of new or expanded water, wastewater, or stormwater facilities. The project would not result in a substantial increase in energy demand, natural gas, or telecommunications; no new or expanded facilities would be required. No utility relocations are proposed. 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 proposes the use of an on-site well to obtain its water. The existing well was previously approved by Environmental Health Department. The project is a single-family residence 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 on-site wastewater treatment system. Therefore, no additional demand will be added to the community's provider's existing commitments. The project does not include new connections to wastewater treatment facilities; therefore, *no impact would occur*.

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

Construction activities would result in the generation of minimal solid waste materials; no significant long-term increase in solid waste would occur. Local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of State or local

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standards or otherwise impair the attainment of solid waste reduction goals. Therefore, potential impacts would be *less than significant*.

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

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

Conclusion

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

Mitigation

None necessary.

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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐

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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☒	☐

Setting

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

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

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

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

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

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Implementation strategies for this policy include identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants applying for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

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

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

Discussion

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

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

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

The project site is generally flat to slightly sloping and currently contains grassland vegetation. CalFire standards require a 100-foot fuel break surrounding the project structures. Proposed uses would not significantly increase or exacerbate potential fire risks and the project does not propose any design elements that would exacerbate risks and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, potential impacts would be *less than significant*.

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

The project proposes an update and expansion to its existing driveway to meet Cal Fire standards. The project also proposes the addition of a fire hydrant and water tanks within close proximity to the proposed residence to assist in fire protection. Therefore, impacts would be *less than significant*.

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

The project site is generally flat and would not be located near a hillslope or in an area subject to downstream flooding or landslides. The project site is not in a high or very high wildfire risk area and does not include any design elements that would expose people or structures to significant risks,

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including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts would be *less than significant*.

Conclusion

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

Mitigation

None necessary.

Sources

See Exhibit A.

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
(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)?	☐	☐	☒	☐
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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 and Geology and Soils. Mitigation measures have been placed within each of these sections to address potential impacts and their implementation would reduce impacts to less than significant levels. The most significant of these impacts would be seen in the Biological Resources section. Mitigation Measures BR-1 through BR-9 address these concerns and reduce impacts to the biological resources to less than significant levels. Therefore, the project would not result in significant impacts to biological resources and would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop

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below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

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

The proposed project does not have impacts that are individually limited, but cumulatively considerable. Therefore, potential cumulative impacts would be *less than significant*.

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

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

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Exhibit A - Initial Study References and Agency Contacts

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

Contacted	Agency	Response
☒	County Public Works Department	Attached
☒	County Environmental Health Services	Attached
☒	County Agricultural Commissioner's Office	Attached
☐	County Airport Manager	Not Applicable
☐	Airport Land Use Commission	Not Applicable
☐	Air Pollution Control District	Not Applicable
☐	County Sheriff's Department	Not Applicable
☐	Regional Water Quality Control Board	Not Applicable
☒	CA Coastal Commission	None
☒	CA Department of Fish and Wildlife	None
☐	CA Department of Forestry (Cal Fire)	Not Applicable
☐	CA Department of Transportation	Not Applicable
☐	Community Services District	Not Applicable
☐	Other _____	Not Applicable
☐	Other _____	Not Applicable

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

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

☒ Project File for the Subject Application	☐ Design Plan
☒ County Documents	☐ Specific Plan
☒ Coastal Plan Policies	☐ Annual Resource Summary Report
☒ Framework for Planning (Coastal)	☐ Circulation Study
☒ General Plan (Coastal), includes all maps/elements; more pertinent elements:	☒ Other Documents
☒ Agriculture Element	☒ Clean Air Plan/APCD Handbook
☒ Conservation & Open Space Element	☒ Regional Transportation Plan
☐ Economic Element	☒ Uniform Fire Code
☒ Housing Element	☒ Water Quality Control Plan (Central Coast Basin – Region 3)
☒ Noise Element	☐ Archaeological Resources Map
☒ Parks & Recreation Element/Project List	☐ Area of Critical Concerns Map
☒ Safety Element	☐ Special Biological Importance Map
☒ Land Use Ordinance (Coastal)	☐ CA Natural Species Diversity Database
☒ Building and Construction Ordinance	☒ Fire Hazard Severity Map
☐ Public Facilities Fee Ordinance	☒ Flood Hazard Maps
☐ Real Property Division Ordinance	☐ Natural Resources Conservation Service Soil Survey for SLO County
☐ Affordable Housing Fund	☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
☐ Airport Land Use Plan	☐ Other
☒ Energy Wise Plan	
☒ Estero Area Plan	

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

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

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

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

California Public Utilities Commission. 2018. Delivery, Consumption & Prices for Utility Service within California. January 18, 2018.

California State Water Resources Control Board. 2012. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems. June 19th, 2012.

Conway, Thor. 2019. Phase I Archaeological Surface Survey at 2420 Paradise Lane, Los Osos, San Luis Obispo County, California. July 30, 2019.

County of San Luis Obispo Department of Planning and Building. 2018. Onsite Wastewater Treatment System Local Agency Management Program. January 18th, 2018.

Department of Conservation (DOC). 2019. San Luis Obispo County Tsunami Inundation Maps. Available at: <<https://www.conservation.ca.gov/cgs/tsunami/maps/San-Luis-Obispo>>.

Geo Solutions. 2019. Percolation Testing Report. October 9, 2019.

Geo Solutions. 2020. Engineering Geology Investigation. October 12, 2020.

Geo Solutions. 2019. Soils Engineering Report. October 8, 2019.

Kevin Merk Associates, LLC. 2020. Lopez Residence Project Biological Resources Assessment. June 2020.

Natural Resources Conservation Service. Web Soil Survey National Cooperative Soil Survey. Accessed December, 24 2020.

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

San Luis Obispo Council of Governments (SLOCOG). 2019. Responsibilities. Available at: <<https://slocog.org/about/responsibilities>>.

San Luis Obispo County Air Pollution Control District (APCD). 2001. Clean Air Plan – San Luis Obispo County. December 2001.

United States Geological Survey (USGS). 2019. Areas of Land Subsidence in California. Available at: <https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html>

U.S. Fish and Wildlife Service (USFWS). 2019. National Wetlands Inventory Surface Waters and Wetlands. May

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5, 2019. Available at: <<https://www.fws.gov/wetlands/data/Mapper.html>>

____. 2015. Geotracker. Available at: <<http://geotracker.waterboards.ca.gov/>>

____. 2018. Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTUS Policy) Fact Sheet. August 2018.

____. 2016. 2015/2016 County Bikeways Plan. July 6th, 2016.

____. 2016. Emergency Operation Plan. December 2016.

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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.

Air Quality

AQ-1 **Prior to issuance of construction permits**, the following measures related to ROG and NOx shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

- l) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- m) Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- n) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- o) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- p) Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- q) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- r) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- s) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- t) Electrify equipment when feasible;
- u) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- v) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-2 **Prior to issuance of construction permits**, the following measures related to fugitive dust emissions shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

- n) Reduce the amount of the disturbed area where possible;

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- o) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- p) All dirt stock pile areas should be sprayed daily as needed;
- q) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- r) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- s) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- t) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- u) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- v) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- w) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- x) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- y) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- z) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

Biological Resources

BIO-1 **Prior to ground disturbance**, collect Cambria morning-glory seed within the project footprint, and, following instruction provided in the project's Biological Resources Assessment,

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apply seed outside of the construction footprint and future use areas, to ensure no net loss of the population.

BIO-2 **Prior to ground disturbance**, schedule initial phases of construction, including the start of vegetation removal, grubbing, and initial site grading, during the dry season (May 1 through October 31) when California red-legged frogs and southwestern pond turtles are not expected to be in the impact area.

BIO-3 **Within seven days prior to the start of vegetation removal or grading**, a qualified biologist shall conduct a preconstruction wildlife survey of the impact areas and the reservoir for special-status wildlife species, using techniques appropriate for the species detailed in the project's Biological Resources Assessment. Construction activities can begin once it has been determined that there are no special-status wildlife species within impact areas.

If any special-status wildlife species are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that particular area and the animal allowed to leave the work zone on its own volition. The biologist shall monitor the area to determine when individuals of special-status species have left and work can commence.

If any California red-legged frogs or other rare species are found, the County and appropriate regulatory agency shall be contacted and work delayed until authorization to proceed is given.

BIO-4 **Within seven days prior to the start of ground-disturbing activities**, a qualified biologist shall conduct a preconstruction den survey of the project impact area plus a 100-foot buffer for dens occupied by American badger. Any potential dens found shall be marked in the field with flagging, and a 50-foot no work buffer shall be flagged. For potential burrows/dens that cannot be avoided with at least a 50-foot buffer, please refer to mitigation measure BIO-5.

BIO-5 **Prior to ground disturbance**, in the event that potential American badger dens are found, a qualified biologist shall install wildlife trail cameras and/or tracking medium outside potential burrows or dens that are found during the preconstruction survey, and monitor those sites daily for at least three days to determine whether the den(s) are currently occupied. Any unoccupied dens shall be excavated to prevent badgers from re-entering.

If the work takes place in the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 50 feet of maternal dens, until they have left the den.

Any occupied burrows or dens that are being used by a single adult with no young that cannot be avoided shall be blocked incrementally by placing sticks and debris over the entrance for three to five days, to discourage the badger from using the den. Only after the badger has left the den, as determined by wildlife cameras and/or tracking medium, can the den be excavated and work proceed.

BIO-6 **During project construction**, in the periods in which there are open trenches or excavations, escape ramps consisting of a 2:1 sloped soil area leading from the bottom to ground level,

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shall be installed so that special-status animal species that have become entrapped in the excavations have the possibility to escape.

If this is not possible, **during project construction**, a qualified biologist shall inspect open trenches for entrapped animals each day prior to the start of work. A third option is that trenches / excavations shall be completely covered with plywood or similar material during overnight periods.

If any special status animal species are found, appropriate authorizations shall be obtained from California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Services to remove the animal(s) from the project site and relocate to suitable habitat away from project activities. For common wildlife, the biologist shall capture and relocate the individual out of harm's way. Work shall be halted until the entrapped animal has been relocated.

BIO-7 **Prior to ground disturbance**, a qualified biologist shall prepare and present a Worker Environmental Awareness Program to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It shall include a description of special-status species potentially occurring on the project site and their natural history; the status of the species and their protection under environmental laws and regulations; and, the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site.

BIO-8 **Within seven days before the initiation of construction activities**, and if it is not possible to schedule the initiation of construction between September 1 and January 31, such as the limitations detailed in Mitigation Measure BIO-2, a qualified biologist shall conduct a preconstruction survey for nesting birds within a 250 feet buffer of project impact areas. During this survey, the qualified biologist shall inspect all potential nest substrates in the impact and buffer areas, and any nests identified will be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (250 feet for raptors) of the construction area, the biologist, in consultation with CDFW and the County, shall determine the extent of buffer to be established around the nest. The buffer will be delineated with flagging or staking, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist.

BIO-9 **Prior to issuance of construction permits**, all plans shall note the erosion and sedimentation control methods outlined in the project's Biological Resources Assessment (Kevin Merk Associates, LLC, June 2020).

Prior to initiation of construction activities, the applicant shall install appropriate erosion and sediment controls.

Prior to final inspection, all temporarily disturbed areas shall be revegetated with native plants

Geology and Soils

GEO-1 **Prior to issuance of construction permits**, the engineering geologist and geotechnical engineer shall review the project improvement plans and prepare written review letters. The

Initial Study – Environmental Checklist

letter shall verify conformance with the recommendations of the Engineering Geology Investigation (GeoSolutions, October 12, 2020) and the Soils Engineering Report (Geosolutions, October 8, 2019) for the project.

During project construction and prior to final inspection, the applicant shall implement and comply with all recommendations of the Engineering Geology Investigation (GeoSolutions, October 12, 2020) and the Soils Engineering Report (Geosolutions, October 8, 2019) for the project.

**DEVELOPER'S STATEMENT FOR
LOPEZ MINOR USE PERMIT / DRC2020-00102**

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.

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

Project Description: A request by Christopher Lopez for a Minor Use Permit / Coastal Development Permit (DRC2020-00102) to allow for the construction of an approximately 6,550-square-foot, single-family residence with an attached garage, a second 1,110-square-foot detached garage with an attached 600-square-foot guesthouse, and an approximately 2,400-square-foot barn. The project is requesting authorization to exceed the 1,000-square-foot size limitation for detached garages per Coastal Zone Land Use Ordinance Section 23.08.032.c. The project would result in the disturbance of approximately 1.6 acres of a 11.8-acre parcel. The proposed project is within the Agriculture land use category and is located at 2420 Paradise Lane, approximately one mile east of the community of Los Osos. The project is within the Estero Planning Area.

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

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

Air Quality

AQ-1

Prior to issuance of construction permits, the following measures related to ROG and NOx shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

- a) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b) Fuel all off-road and portable diesel-powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State Off-Road Regulation;
- d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;

- e) Construction or trucking companies with fleets that that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NOx exempt area fleets) may be eligible by proving alternative compliance;
- f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5-minute idling limit;
- g) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i) Electrify equipment when feasible;
- j) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

AQ-2

Prior to issuance of construction permits, the following measures related to fugitive dust emissions shall be incorporated into the construction phase of the project and shown on all applicable construction plans:

- a) Reduce the amount of the disturbed area where possible;
- b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c) All dirt stock pile areas should be sprayed daily as needed;
- d) Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f) All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used;
- h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

- i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114;
- j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible;
- l) All of these fugitive dust mitigation measures shall be shown on grading and building plans; and
- m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.

AQ-1 and AQ-2 Monitoring/compliance.

Compliance: Prior to issuance of construction permits, the measures outlined in mitigation measures AQ-1 and AQ-2 shall be incorporated into the construction phase of the project and shown on all applicable construction plans.

Biological Resources

BIO-1 **Prior to ground disturbance**, collect Cambria morning-glory seed within the project footprint, and, following instruction provided in the project's Biological Resources Assessment, apply seed outside of the construction footprint and future use areas, to ensure no net loss of the population.

BIO-2 **Prior to ground disturbance**, schedule initial phases of construction, including the start of vegetation removal, grubbing, and initial site grading, during the dry season (May 1 through October 31) when California red-legged frogs and southwestern pond turtles are not expected to be in the impact area.

BIO-3 **Within seven days prior to the start of vegetation removal or grading**, a qualified biologist shall conduct a preconstruction wildlife survey of the impact areas and the reservoir for special-status wildlife species, using techniques appropriate for the species detailed in the project's Biological Resources Assessment. Construction activities can begin once it has been determined that there are no special-status wildlife species within impact areas.

If any special-status wildlife species are found within the impact area or would otherwise be at risk during construction, work activities shall be delayed in that

particular area and the animal allowed to leave the work zone on its own volition. The biologist shall monitor the area to determine when individuals of special-status species have left and work can commence.

If any California red-legged frogs or other rare species are found, the County and appropriate regulatory agency shall be contacted and work delayed until authorization to proceed is given.

BIO-4 **Within seven days prior to the start of ground-disturbing activities**, a qualified biologist shall conduct a preconstruction den survey of the project impact area plus a 100-foot buffer for dens occupied by American badger. Any potential dens found shall be marked in the field with flagging, and a 50-foot no work buffer shall be flagged. For potential burrows/dens that cannot be avoided with at least a 50-foot buffer, please refer to mitigation measure BIO-5.

BIO-5 **Prior to ground disturbance**, in the event that potential American badger dens are found, a qualified biologist shall install wildlife trail cameras and/or tracking medium outside potential burrows or dens that are found during the preconstruction survey, and monitor those sites daily for at least three days to determine whether the den(s) are currently occupied. Any unoccupied dens shall be excavated to prevent badgers from re-entering.

If the work takes place in the late-spring or summer, additional measures shall be employed to determine whether dens are occupied by badger young. No dens with young shall be disturbed, and no work shall be conducted within 50 feet of maternal dens, until they have left the den.

Any occupied burrows or dens that are being used by a single adult with no young that cannot be avoided shall be blocked incrementally by placing sticks and debris over the entrance for three to five days, to discourage the badger from using the den. Only after the badger has left the den, as determined by wildlife cameras and/or tracking medium, can the den be excavated and work proceed.

BIO-6 **During project construction**, in the periods in which there are open trenches or excavations, escape ramps consisting of a 2:1 sloped soil area leading from the bottom to ground level, shall be installed so that special-status animal species that have become entrapped in the excavations have the possibility to escape.

If this is not possible, **during project construction**, a qualified biologist shall inspect open trenches for entrapped animals each day prior to the start of work. A third option is that trenches / excavations shall be completely covered with plywood or similar material during overnight periods.

If any special status animal species are found, appropriate authorizations shall be obtained from California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Services to remove the animal(s) from the project site and relocate to suitable habitat away from project activities. For common wildlife, the biologist shall capture and relocate the individual out of harm's way. Work shall be halted until the entrapped animal has been relocated.

BIO-7 **Prior to ground disturbance**, a qualified biologist shall prepare and present a Worker Environmental Awareness Program to all project personnel. This program shall detail measures to avoid and minimize impacts on biological resources. It shall include a description of special-status species potentially occurring on the project site and their natural history; the status of the species and their protection under environmental laws and regulations; and, the penalties for take. Recommendations shall be given as to actions to avoid take should a special-status species be found on the project site.

BIO-8 **Within seven days before the initiation of construction activities**, and if it is not possible to schedule the initiation of construction between September 1 and January 31, such as the limitations detailed in Mitigation Measure BIO-2, a qualified biologist shall conduct a preconstruction survey for nesting birds within a 250 feet buffer of project impact areas. During this survey, the qualified biologist shall inspect all potential nest substrates in the impact and buffer areas, and any nests identified will be monitored to determine if they are active. If no active nests are found, construction may proceed. If an active nest is found within 50 feet (250 feet for raptors) of the construction area, the biologist, in consultation with CDFW and the County, shall determine the extent of buffer to be established around the nest. The buffer will be delineated with flagging or staking, and no work shall take place within the buffer area until the young have left the nest, as determined by the qualified biologist.

BIO-9 **Prior to issuance of construction permits**, all plans shall note the erosion and sedimentation control methods outlined in the project's Biological Resources Assessment (Kevin Merk Associates, LLC, June 2020).

Prior to initiation of construction activities, the applicant shall install appropriate erosion and sediment controls.

Prior to final inspection, all temporarily disturbed areas shall be revegetated with native plants

BIO-1 through BIO-9 Monitoring/compliance.

Compliance: Department of Planning and Building shall verify compliance (BIO-1 thru BIO-12) in consultation with the Environmental Coordinator.

---- Continued on next page ----

Geology and Soils

GEO-1 **Prior to issuance of construction permits,** the engineering geologist and geotechnical engineer shall review the project improvement plans and prepare written review letters. The letter shall verify conformance with the recommendations of the Engineering Geology Investigation (GeoSolutions, October 12, 2020) and the Soils Engineering Report (Geosolutions, October 8, 2019) for the project.

During project construction and prior to final inspection, the applicant shall implement and comply with all recommendations of the Engineering Geology Investigation (GeoSolutions, October 12, 2020) and the Soils Engineering Report (Geosolutions, October 8, 2019) for the project.

GEO-1 Monitoring/compliance.

Prior to issuance of a construction permit, the applicant shall provide a letter from the project geologist/engineer indicating that all conditions have been met.

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 Agent(s) or Applicant(s)

1/4/2021

Date

Christopher Lopez

Name (Print)



COUNTY OF SAN LUIS OBISPO

Vicinity Map
DRC2020-00102



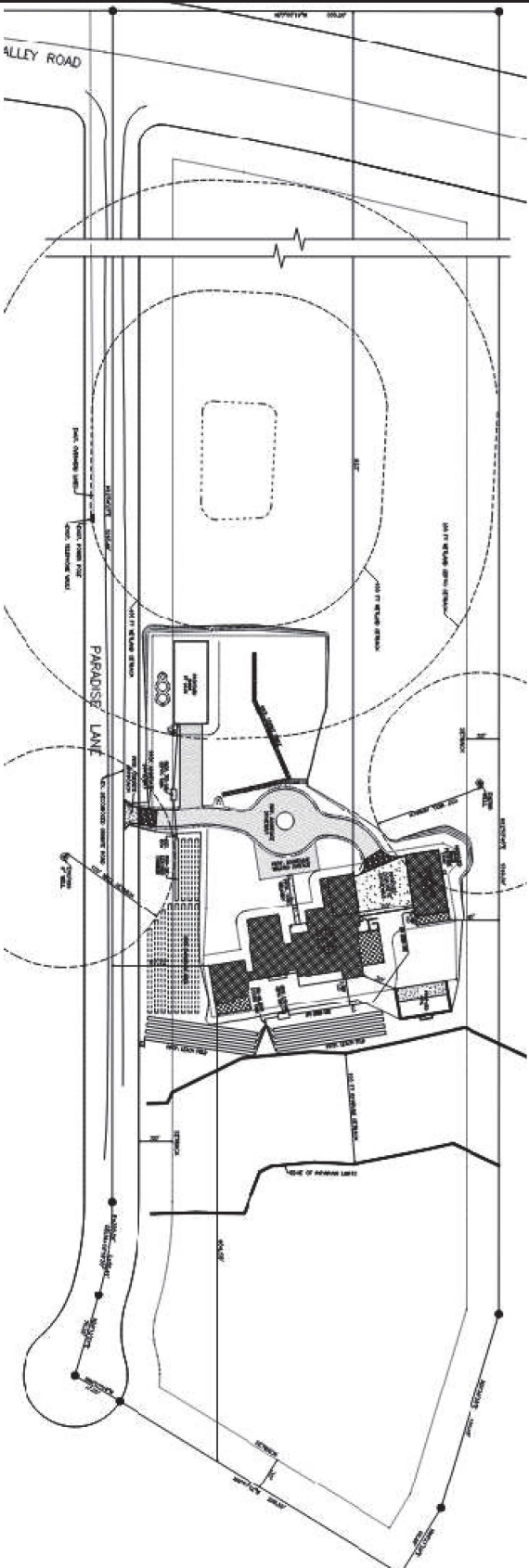
COUNTY OF SAN LUIS OBISPO

Land Use Category Map
DRC2020-00102



COUNTY OF SAN LUIS OBISPO

Aerial
DRC2020-00102



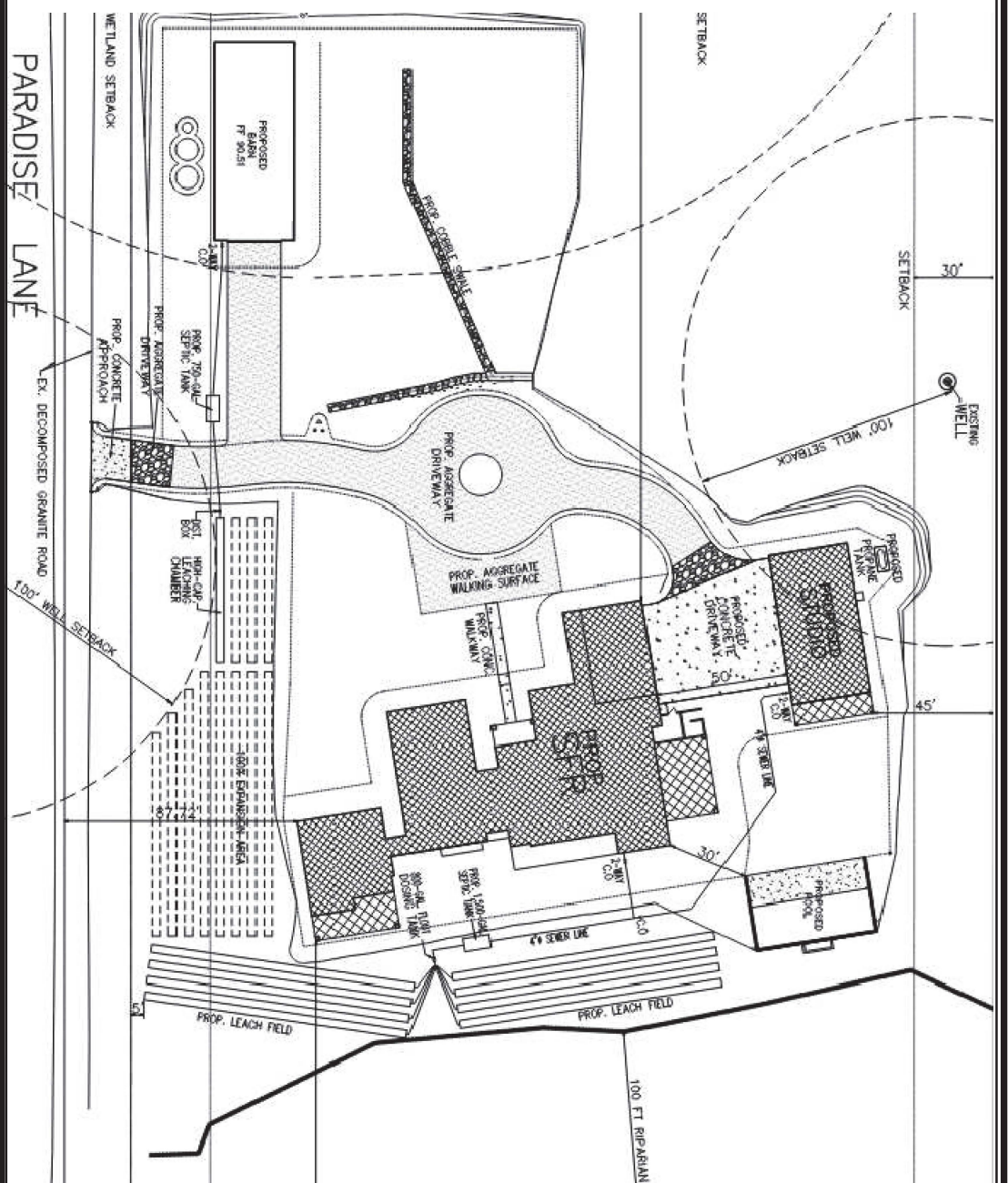
COUNTY OF SAN LUIS OBISPO

Site Map

DRC2020-00102



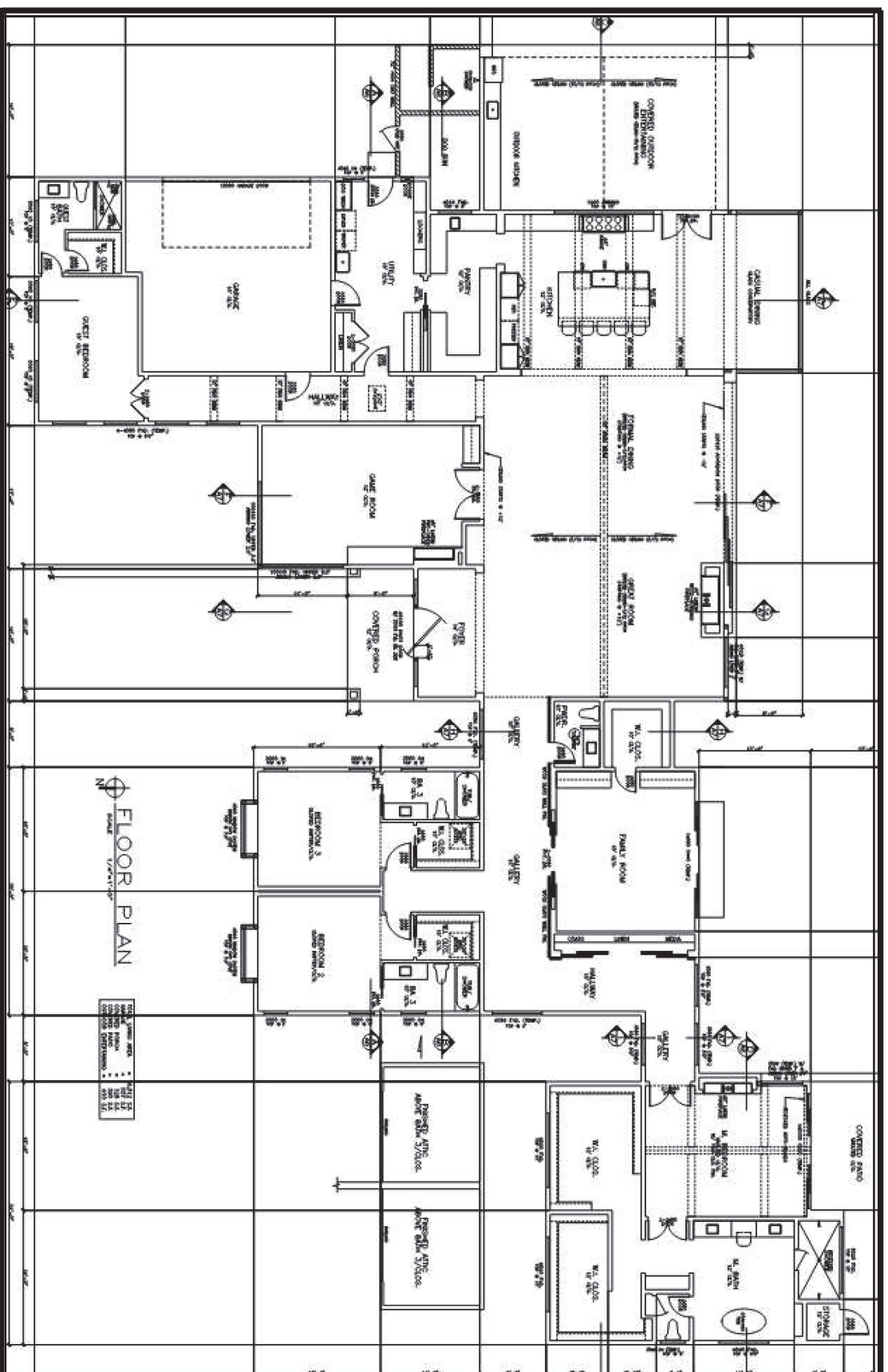
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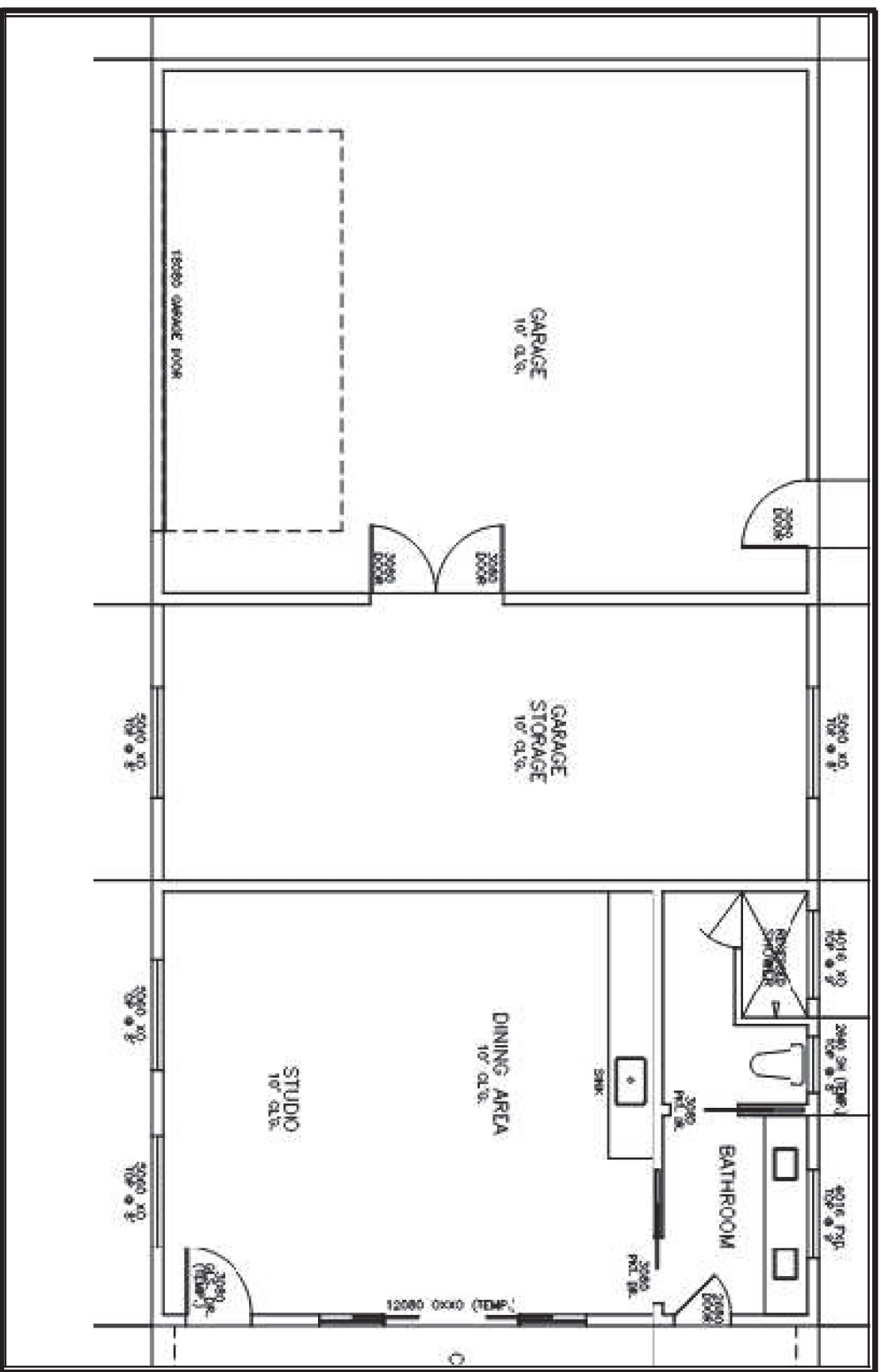




Floor Plans

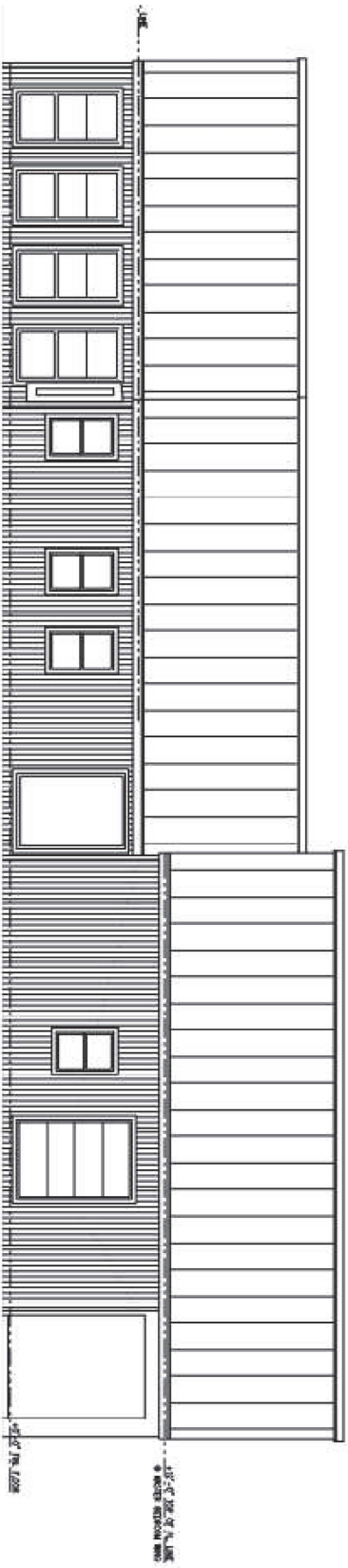
DRC2020-00102



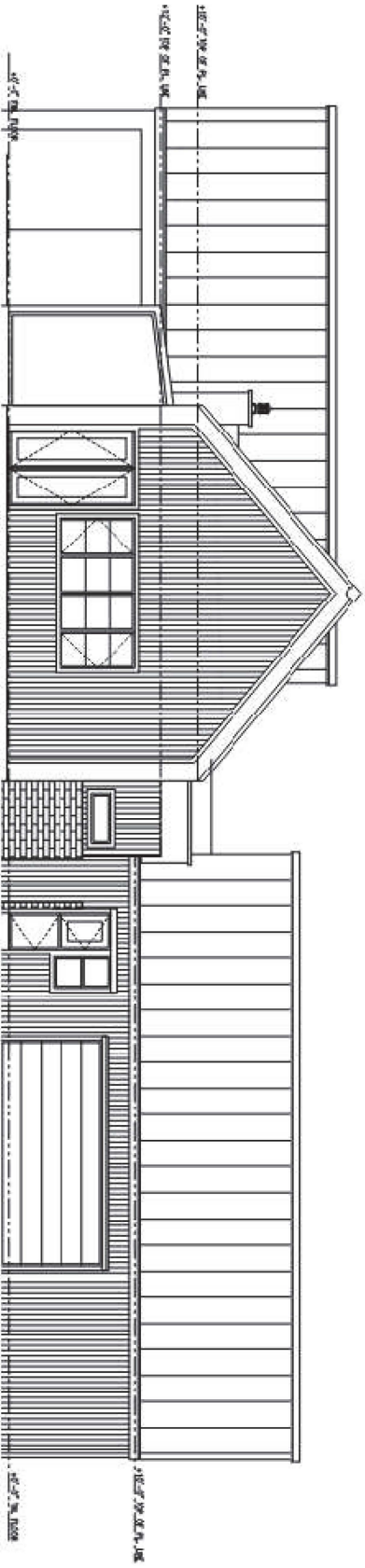


COUNTY OF SAN LUIS OBISPO

Garage and Guesthouse Floor Plans
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RIGHT SIDE ELEVATION
SCALE 1/2"=1'-0"

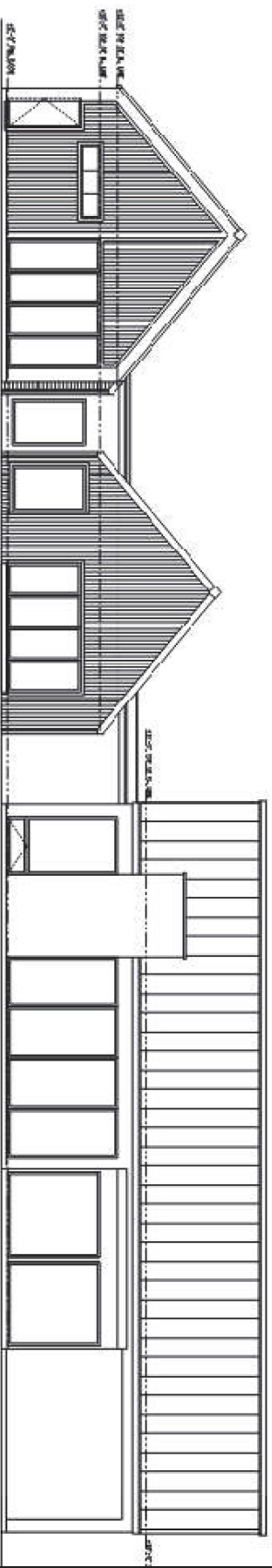


LEFT SIDE ELEVATION
SCALE 1/4"=1'-0"

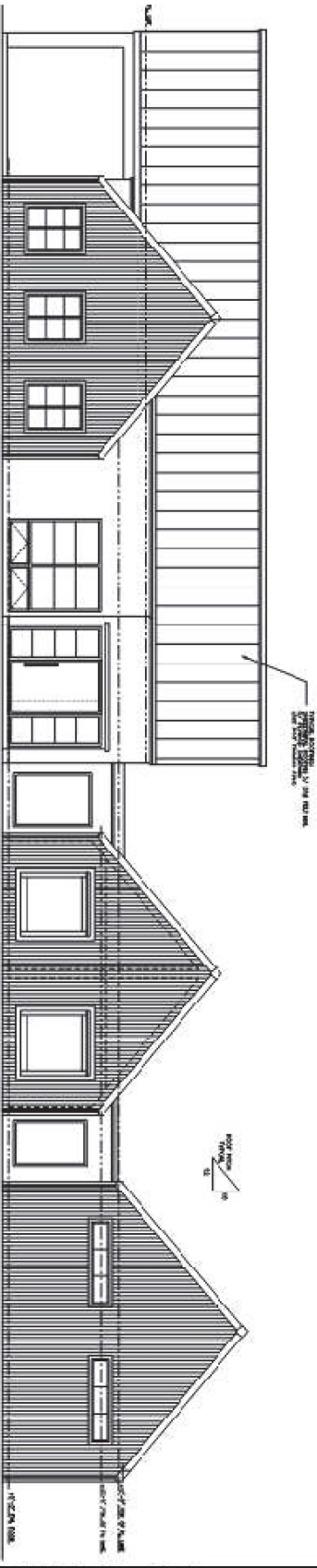


COUNTY OF SAN LUIS OBISPO

Elevations
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REAR ELEVATION
SCALE 1/8"=1'-0"



FRONT ELEVATION
SCALE 1/8"=1'-0"



COUNTY OF SAN LUIS OBISPO

Elevations
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